

ORDINANCE NO. 635

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES FOR THE CITY OF RIVERVIEW BY THE REPEAL AND RE-ADOPTION OF SECTION 70-171 OF DIVISION 2 ‘CONNECTIONS’ OF ARTICLE IV ‘SEWER SYSTEM’ IN CHAPTER 70 ‘UTILITIES’ TO REQUIRE ANY SEWER CONNECTION EXPENSE TO BE THE RESPONSIBILITY OF THE PROPERTY OWNER

THE CITY OF RIVERVIEW ORDAINS:

ARTICLE I. Amendment: That Section 70-171, Required; responsibility; Division 2 Connections of Article IV, Sewer System, under Chapter 70, Utilities, is hereby repealed and re-adopted to hereafter read as follows:

Chapter 70 Utilities
Article IV Sewer System
Division 2. Connections

Section 70-171. Required; responsibility.

- (1) Every lessee, owner or occupant of any building or structure that is occupied or used for any purpose shall be charged with the responsibility of connecting the building or structure with the city’s sewer system at his own expense whenever such sewer is available.
- (2) Every lessee, owner or occupant who connects or has connected any building or structure to the city’s sewer system shall be responsible for any and all costs associated with the repair and maintenance of any sewer leads, taps or appurtenances connected to the city’s sewer system. The city shall not be responsible for any damages caused by the repair and maintenance of any sewer leads, taps or appurtenances connected to the city’s sewer system.
- (3) Any damage to the sewer system caused by any repair or maintenance undertaken by a lessee, owner, occupant, or their agent, shall be immediately reported to the city inspector and, thereafter, immediately corrected at their own expense. If the lessee, owner, occupant, or their agent, refuses or is unable to repair said damage, the city may enter onto the premises to make the required repairs and thereafter invoice the lessee, owner or occupant for the expense of the repair. If the lessee, owner or occupant has not paid or otherwise refuses to pay the invoice after ninety (90) days, the city may assess the repair expense against the property and take a lien for the amount owed, which shall thereafter be placed on the next general tax roll for collection.

ARTICLE II. Penalty: A person violating this ordinance shall be punished in accordance with Section 1-8 of the Code of Ordinances of the City of Riverview, unless a difference penalty is expressly provided in this ordinance.

ARTICLE III. Severability: Should any word, sentence, phrase or any portion of this Ordinance be held in a manner invalid by any Court of competent jurisdiction or by any agency having authority to do so for any reason whatsoever, such holding shall be construed and limited to such word, sentence, phrase or any portion of the Ordinance held to be invalid and shall not be construed as affecting the validity of any remaining words, sentences, phrases or portions of the Ordinance.

ARTICLE IV. Conflicting Ordinances: All prior existing ordinances adopted by the City of Riverview inconsistent or in conflict with the provisions of this Ordinance are, to the extent of such conflict or inconsistency, hereby expressly repealed.

ARTICLE V. Reading and Publication: This Ordinance shall be given a first reading on October 4, 2010, shall be given a second reading on October 18, 2010, shall be adopted on October 18, 2010, and shall be published and become effective upon publication. The Clerk shall publish a summary of this ordinance and include in the publication notice that a true copy of the Ordinance can be inspected or obtained at the Clerk's office.

Motion by Councilmember Elmer Trombley, seconded by Councilmember Swift that Proposed Ordinance No. 635 be adopted.
Carried unanimously.

ADOPTED, APPROVED AND PASSED by the City Council of the City of Riverview this 18th day of October, 2010.

The undersigned hereby certifies that the foregoing is a true and accurate copy of the ordinance adopted by the City Council of the City of Riverview at a regular meeting held on October 18, 2010.

Judith A. Bratcher, City Clerk