

ORDINANCE NO. 714

AN ORDINANCE TO AMEND CHAPTER 38 OF THE RIVERVIEW CODE, "OFFENSES AND MISCELLANEOUS PROVISIONS", BY THE ADDITION OF A NEW SECTION 38-9, "WATER ENCROACHMENT ON PUBLIC OR PRIVATE PROPERTY", OF ARTICLE I, "IN GENERAL", TO ADDRESS THE PREVIOUSLY UNADDRESSED ISSUE OF WATER ENCROACHMENT IN THE CITY

THE CITY OF RIVERVIEW ORDAINS:

ARTICLE I. Adoption: That Section 38-9, "Water encroachment on public or private property", is hereby added and adopted to hereafter read as follows:

CHAPTER 38 OFFENSES AND MISCELLANEOUS PROVISIONS
ARTICLE I. IN GENERAL

Sec. 38-9. - Water encroachment on public or private property.

- (a) It shall be unlawful for any person to knowingly push, spray, move, direct, divert, dump, deposit, place, throw, or to otherwise cause or permit the directing or movement of any water, rainwater, liquid substance, liquid waste, hazardous liquid, greywater, black- water, or sewer water, upon any public or private property in the city for any purpose, without the consent of the public authority having supervision of public property or the owner of private property, unless specifically authorized by law or authorized public authority.
- (b) Violations and penalties. A person who violates or otherwise fails to comply with this section shall be subject to any one or more of the following:
 - (1) The first violation shall be a civil infraction with a fine of not more than \$100.00 plus court costs.
 - (2) A second violation shall be a civil infraction with a fine of not more than \$400.00 plus court costs.
 - (3) For a third or subsequent violation, a person shall be guilty of a misdemeanor.

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 different 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, sentence, 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. Codification; Scrivener's Errors:

- (a) Article I of this Ordinance shall be codified, and all other sections shall not be codified.
- (b) The sections, divisions and provisions of this Ordinance may be renumbered or re-lettered as deemed appropriate by the Code codifier.
- (c) Typographical errors and other matters of a similar nature that do not affect the intent of this Ordinance, as determined by the City Clerk and City Attorney, may be corrected with the endorsement of the City Manager, or designee, without the need for a public hearing.

ARTICLE VI. Reading and Publication: This Ordinance shall be given a first reading on September 8, 2020 shall be given a second reading on September 21, 2020, shall be adopted on September 21, 2020 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.

ADOPTED, APPROVED AND PASSED by the City Council of the City of Riverview this 21st day of September, 2020.

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 September 21, 2020.

Cynthia M. Hutchison, City Clerk