

ORDINANCE 76-34

TABLED - referred back  
to USB 6/17/78

An Ordinance to Amend Chapter 10.04 of the  
Bloomington Municipal Code Entitled, "Sewers"

BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE  
CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA THAT:

SECTION I. That Section 10.04.010 of the Bloomington  
Municipal Code is hereby amended to read as follows:

10.04.010 Abatement of Septic Systems - Purpose.  
The purpose of this ordinance is to provide an  
orderly procedure for ending the use of septic  
systems, cesspools, or privys for private, on-site  
waste disposal where adequate sanitary sewer ser-  
vice is available.

SECTION II. That there be added certain sections  
to Chapter 10.04 of the Bloomington Municipal Code to read  
as follows:

10.04.011 Date for Connecting to Sewer and Ending  
Septic Systems. From and after September 1, 1977,  
every home or structure located on a lot or tract  
the property line of which is within 300 feet of a  
sanitary sewer main owned and operated by the city,  
must have its sanitary waste system connected to  
and discharging into that city sewer. The continued  
use in such cases of a septic system, cesspool or  
privy shall be unlawful.

10.04.012 Notice to Connect. In the event the owner  
of a non-connected property fails to connect the  
sewage disposal system by the effective date, the  
Utility Service Board shall cause notice to comply  
to be mailed by certified mail to the property owner  
at the mailing address of the structure stating that  
within ninety [90] days of receipt of the notice the  
connection must be made and specifying the consequ-  
ences of failure to connect.

10.04.013 Charges for Connection and Compliance with  
Standards. No additional charge shall be made for  
connection brought about by the enactment of this  
ordinance; however, any charge created by agreement  
or contract between the City and the users of a local  
collection system shall be enforced and the connection  
shall be constructed in accordance with all existing  
ordinances and regulations.

10.04.014 Penalty for Failure to Comply. Any owner  
of property who fails to connect within ninety [90]  
days of the effective date of the notice shall be in  
violation of this ordinance and may be fined any  
amount up to \$500.00 and charged a penalty of \$5.00  
per day for each day of non-compliance.

10.04.015 Enforcement by Court Action. The Utility  
Service Board shall apply to the Monroe Circuit or  
Superior Court for an order to force the connection  
and for the assessment of the costs of the action  
and reasonable attorney fees against the property  
owner.

SECTION III. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana upon the     day of     , 1976.

Clem J. Blume, President  
Bloomington Common Council

ATTEST:

Karel Dolnick, City Clerk

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana upon the     day of     , 1976, at the hour of     o'clock,     .m.

Nora M. Connors, Deputy City Clerk

SIGNED and APPROVED by me upon the     day of     , 1976, at the hour of     o'clock,     .m.

FRANCIS X. McCLOSKEY, MAYOR  
City of Bloomington

SYNOPSIS

ORDINANCE 76-34

An Ordinance to Require Property Owners to Hook on to Nearby Sewers

According to state law, the city is empowered to enact ordinances requiring property owners to hook on to city sewer lines if the sewer lines are within 300 feet of the property line. This ordinance enacts those requirements and requires that the connections be made before 1 September, 1977. A fine is provided for those who fail to comply, as well as a penalty for each day of non-compliance.

TABLED

COMMITTEE REPORT SHEET

COMMITTEE Utilities/Public Facilities  
 LEGISLATIVE NUMBER Ordinance 76-34  
 SUBJECT MATTER Sewers  
 ORIGIN Council  
 DATE OF MEETING June 10, 1976  
 READING Second

RECOMMENDATION: DO PASS NO RECOMMENDATION AT THIS TIME  
 TENTATIVE DO PASS; SUBJECT TO CONDITIONS BELOW  
 MINORITY REPORT FILED NONE

COMMITTEE DISCUSSION

Amendments

1. 10.04.01 - after "operated by the city" - add "within the city limits"
2. 10.04.01 - end of section add "except that a septic system may be used for servicing a property if it is properly installed and maintained"
3. 10.04.02 - add "and" and insert "may at its discretion"
4. 10.04.03 - add "and" and insert "may at its discretion"
5. 10.04.04 - after "300 feet" add "measured so as not to include any easement or right-of-way"


SIGNATURES OF COMMITTEE MEMBERS

[Signature] Chairperson  
[Signature]

I HEREBY MOVE THAT ORDINANCE 76-34

BE INTRODUCED AND READ AT FIRST READING AT THE COUNCIL

MEETING ON June 3, 1976

  
(Signature)

TABLED