

First Reading: _____
Second Reading: _____

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE,
PART II, CHAPTER 31, ARTICLE I, SECTION 31-14
RELATIVE TO MULTI-USER PRIVATE SEWER SYSTEMS.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Chattanooga City Code, Part II, Chapter 31, Article I, Section 31-14 be and the same is hereby deleted in its entirety and the following is substituted in lieu thereof:

Sec. 31-14. Private communal sanitary sewer systems.

(a) Excluding industrial waste facilities issued a permit pursuant to Article III, any owner, operator, or user of a private communal sanitary sewer system such as, but not limited to, multi-tenant buildings, building complexes, or shopping malls shall be responsible for the quality of wastewater discharged at the point of connection to the city's sanitary sewer system, and shall be responsible for any violations of the provisions of this chapter, including liability for the damage or injury caused to the city's system as a result of any discharge through the private system.

(b) In the event that any portion of a private communal sanitary sewer line which is serving single-family residences is shown to be defective, it shall be the responsibility of the owners whose properties are being served by the defective communal line to separate from said line and create their own discrete connection to the city's sewer system. If any property owner of a defective communal line fails or refuses to connect to the city's system, a notice shall be given to the Public Officer of the Department of Economic and Community Development for such action as may be proper under Chapter 21 of this code. The Director or his designee may take such other action to abate the nuisance as may be warranted under the circumstances.

(c) A property owner required to connect to the city's sewer system pursuant to subsection (b) who cannot financially afford to make said connection may apply for assistance through the city's Sewer Lateral Assistance Program ("SLAP").

(d) In the event a property owner is not eligible for SLAP funding and the cost of connection to the city's sewer system is proved to be a hardship for the property owner, the property owner may make application to have the city connect the owner to the city's sewer system. At the time of application, the property owner may execute an authorization to commence work and for a municipal lien to be placed on the property securing the full payment of work authorized to be performed. If a municipal lien is authorized and the property is sold, the property owner shall either pay the balance remaining or have the new property owner execute an authorization with the city to be subject to the municipal lien in the same manner as set forth in the original authorization until such time as all costs of connection have been paid.

(e) Subsections (c) and (d) shall only be applicable to owner-occupied properties.

SECTION 2. BE IT FURTHER ORDAINED That this Ordinance shall become effective immediately from and after its passage.

Passed on second and final reading:_____

CHAIRPERSON

APPROVED:____ DISAPPROVED:____

MAYOR

EDR/mem/Version 3