

**CITY OF BLOOMFIELD**

**ORDINANCE NO. 2016-109**

**AN ORDINANCE OF THE CITY OF BLOOMFIELD RELATING TO  
REQUIREMENTS FOR MAINTENANCE AND REPAIR OF PRIVATE LATERAL  
SEWER LINES**

**WHEREAS**, the City of Bloomfield, Kentucky (the “City”), desires to adopt an ordinance regulating privately owned sewer laterals with the objective of maintaining the City’s sewer system in a reliable and serviceable condition, eliminating or minimizing sewer overflows and protecting public health and safety by providing a mechanism for enforcing standards on private sewer laterals.

**NOW, THEREFORE, BE IT ORDAINED** by the City of Bloomfield, Kentucky, that Chapter 50 of the Code of Ordinances of the City of Bloomfield (the “Code of Ordinances”) shall be supplemented as follows:

**I. Testing and Notice of Defective Private Lateral**

- a. The Manager may periodically perform special tests to confirm the integrity of the sanitary sewer system, including smoke testing, dyed water testing, air testing, hydraulic testing, closed circuit television inspection, and other testing and inspection techniques approved by the Manager.
- b. The Manager shall give the property owner not less than 24 hours written notice before City personnel enter private property to conduct an inspection or test, unless:
  - i. City personnel are conducting an investigation of a complaint or responding to a customer request to test or inspect a private lateral; or
  - ii. Sewage is exposed on the property in a manner that creates a potential

public health hazard.

- c. The Manager may identify defects in a private lateral that allow extraneous flow or debris to enter the private lateral or the discharge of sewage on the property, or a condition that may interfere with the proper operation of the private lateral
- d. A defect under this section may include:
  - i. Evidence of pipe or joint deterioration;
  - ii. Root intrusion into a pipe that separates a pipe joint or enlarges an existing crack;
  - iii. A misaligned pipe segment, sag or lack of positive gradient;
  - iv. Lack of a necessary cleanout cap or manhole cover;
  - v. A downspout, drain, or other connection that allows storm water or other extraneous water to enter the sanitary sewer system; or
  - vi. A flaw that allows the discharge of sewage on the property or the introduction of extraneous water into the sanitary sewer system
- e. If the Manager identifies a defective private lateral or a condition that interferes with the proper operation of the private lateral, the Manager shall send the property owner written notice of the defect or condition, including a statement that the private lateral must be replaced or repaired, or the condition corrected, not later than the 120<sup>th</sup> day after the date of the notice.

## **II. Post-Repair and Post-Replacement Inspection and Testing Requirements**

- a. After a property owner has repaired or replaced a defective private lateral, the Manager shall:
  - i. Inspect the private lateral to determine that it complies with appropriate

wastewater service connection standards; and

- ii. Test the private lateral in a manner approved by the Manager
- b. If a private lateral fails the post-repair or post-replacement inspection or test, the property owner shall perform additional repairs as required by the Manager to correct the defect.

### **III. City Action to Correct Violation; Discontinuance of Service**

- a. If the property owners fails or refuses to repair or replace the private lateral, or correct the condition, described in the notice, the City may take the following action:
  - i. Repair or replace the private lateral or correct the condition. The City may:
    1. Contract for repair, replacement or correction; and
    2. Expend City funds; and
    3. Charge the owner for work performed by the City; and
    4. Either
      - a. Assess the actual costs against the property; or
      - b. If the property owner is the utility customer, apply a charge to the customer's utility bill.
  - ii. Discontinue service pursuant to §50.47.

In the event any section, subsection, sentence, clause, phrase or other provision of this Ordinance is, for any reason, determined to be invalid or unenforceable by any court of competent jurisdiction, such portions(s) shall be deemed a separate, distinct, and independent provision and such determination shall not affect the validity or enforceability of the remaining

portion(s) hereof.

BE IT FURTHER ORDAINED that the Mayor of the City of Bloomfield, and/or her designee, be authorized and directed to take all steps necessary to perfect this Ordinance.

Given first reading on the \_\_\_\_ day of \_\_\_\_\_. 2016.

Given second reading and adopted on the \_\_\_\_ day of \_\_\_\_\_, 2016.

CITY OF BLOOMFIELD:

\_\_\_\_\_  
HON. RHONDA K. HAGAN, MAYOR

ATTEST:

\_\_\_\_\_  
City Clerk

Dated: \_\_\_\_\_

**CERTIFICATION**

I, the undersigned, do hereby certify that I am the duly qualified and acting City Clerk of the City of Bloomfield, Kentucky, and as such officer, I further certify that the foregoing is a true, correct and complete copy of an Ordinance duly adopted by the Council of said City upon second reading at a duly convened meeting held on \_\_\_\_\_, signed by the Mayor, and now in full force and effect, all as appears from the official records of said City in my possession and under my control.

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Jean M. Jury, City Clerk