

COMMONWEALTH OF KENTUCKY
HOPKINS COUNTY FISCAL COURT

2009- 04

AN ORDINANCE REQUIRING CONNECTION TO A PUBLIC SEWER IF SAME IS LOCATED WITHIN 100 FEET OF THE PROPERTY LINE

WHEREAS, KRS Chapter 67 authorizes the Hopkins County Fiscal Court to enact ordinances to promote and protect the public health, safety and general welfare of its citizens; and

WHEREAS, the Hopkins County Fiscal Court believes that connection to a publicly owned and operated sewage disposal system would be advantageous to and in the best interest of the health, safety and general welfare of its citizens, would protect the environment, and would enhance property values;

NOW, THEREFORE, BE IT ORDAINED BY THE FISCAL COURT OF HOPKINS COUNTY, KENTUCKY, AS FOLLOWS:

SECTION I:

The owner of any house, building or other structure used or available for use for human occupancy, employment, recreation or other purpose shall install suitable and appropriate toilet facilities therein and shall connect said facilities directly to a publicly owned and operated public sanitary sewer within ninety (90) days after sewer service becomes available provided the public sewer is located with 100 feet of the property line. All sewer connections shall comply with all applicable health and plumbing codes, and shall be in compliance with and be subject to the rules, regulations and schedule of rates of the provider of the public sanitary sewer service.

SECTION II:

Should the owner fail to comply with this Ordinance, the County Attorney or his designee shall have the right to file suit on behalf of Hopkins County to compel compliance with this Ordinance; to obtain a temporary and/or permanent injunction against future violations of this Ordinance, and to recover any damages which may result from the violation of this Ordinance.

SECTION III:

Any person or entity found to be in violation of this Ordinance shall be fined not less than \$ 50.00 per day as long as the violation exists (which fine shall be in addition to any other applicable state and/or federal fines or penalties which may be imposed), together with all court costs, reasonable attorney fees and other expenses associated with the enforcement of this Ordinance, including, but not limited to, sampling and monitoring expenses and all expenses of remediation.

SECTION IV:

If any provision, clause, sentence or paragraph of this Ordinance in its application to any person or factual context shall be held invalid, such invalidity shall not affect the remaining provisions of this Ordinance, which may be given effect independent of the provision or application declared invalid.

SECTION V:

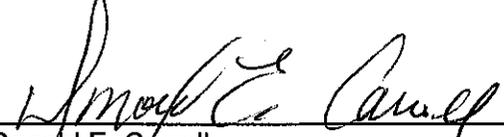
This ordinance shall be effective immediately upon passage.

Upon motion by Magistrate Wilson and seconded by Magistrate Riggs, FIRST reading was held on 1st day of September, 2009.



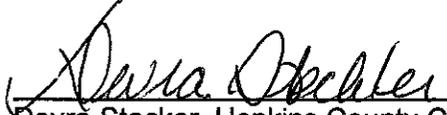
Donald E. Carroll
Hopkins County Judge Executive

Upon Motion by Magistrate Duncan, seconded by Magistrate Welch, SECOND reading was held and the ordinance adopted on the 15th day of Sept., 2009.



Donald E. Carroll
Hopkins County Judge Executive

Attest:



Devra Stecker, Hopkins County Clerk