

MANDATORY CONNECTIONS TO PUBLIC SEWER

Section I. Title/Purpose. This Ordinance is entitled “Mandatory Connections to Public Sewer Ordinance.” The purpose of this ordinance is as follows:

To promote the safety, health and general welfare by regulating the connection to sanitary sewer systems in the Town of Shelby.

Section II. Adoption of Ordinance. The Town Board of the Town of Shelby hereby adopts the following:

A. Connection to Public Sewer Required. The owner of every parcel of real estate in the Town of Shelby on which there is an existing structure from which sewage is to be disposed shall connect said structure to the public sewer within one year from the date that a public sewer becomes available to said premises by connection to the mains lying in a street, alley, or dedicated easement abutting said premises. If any person fails to comply for more than ten (10) days after notice is given in writing, the Town of Shelby may cause the connection to be made, and the expense there of shall be assessed as a special tax against the property.

B. Septic Tanks, Etc. Not To Be Connected to Public Sewer. No septic tank, cesspool, dry well, or other device or contrivance designed to receive, treat, or dispose of sewage shall be connected to or discharged into a public sewer in the Town of Shelby.

C. Public Nuisance Prohibited. Nothing contained in this Ordinance shall be deemed to permit or condone the use of a defective or inadequate outdoor toilet, privy, septic tank, cesspool or dry well on any premises in the Town of Shelby if such use constitutes a public nuisance or is detrimental to health, and if such condition occurs, on a premise which can be connected to a public sewer lying in a street alley or dedicated easement abutting said premise, the owner of such premises shall be required to connect to the public sewer even though one year has not elapsed since a sewer became available thereto.

Section III. Enforcement and Penalties. Any person violating any provision of this Ordinance shall be subject to a forfeiture of One Hundred Dollars (\$100.00).

Section V. Severability. The provisions of this Ordinance shall be deemed severable, and it is expressly declared that the Town Board would have

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passed the provisions of this Ordinance irrespective of whether one or more provisions may be declared invalid. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the remainder of the Ordinance and the application of such provisions to other persons or circumstances shall not be affected.

Section VI. Effective Date. This Ordinance shall take effect upon passage and publication. The provisions of this Ordinance shall prevail over any previous Ordinances of the Town of Shelby that are or may be in conflict therewith.

Date passed: March 22, 2010

Lynnetta P. Kopp, Town Chair

Randall R. Knapp, Town Supervisor

John O. Zahn, Town Supervisor

ATTEST:

Catherine Brott, Town Clerk