

**ORDINANCE NO. 2020-02-17**  
**CITY OF CLARKSBURG, TENNESSEE**

**ORDINANCE REQUIRING SEWER CONNECTION AND**  
**ESTABLISHING METHODS OF COLLECTION**

**WHEREAS**, the City of Clarksburg has previously passed Ordinance No. 09-19-07 requiring that each residence, business or industry that has public sanitary sewer connect to the sanitary sewer system or pay a minimum bill; and

**WHEREAS**, the City of Clarksburg's sewer construction was funded through the State of Tennessee Department of Economic and Community Development Community Development Block Grant and State Revolving Fund; and

**WHEREAS**, the City of Clarksburg wishes to protect the public health of persons residing within its city limits and assure the payment of the indebtedness owing for the construction of the city's sanitary sewer; and

**WHEREAS**, the City of Clarksburg is without sufficient customers and funds to pay the indebtedness owing for the sewer construction; and

**WHEREAS**, the City of Clarksburg continues to have individuals who have not connected to the sewer system that are illegally dumping waste and causing unsanitary conditions within the City; and therefore:

**BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLARKSBURG** as follows:

Section 1. The owner, tenant or occupant of each lot or parcel of land that abuts upon a street or other public way containing a sanitary sewer and upon which lot or parcel a building exists for residential, commercial or industrial use, shall connect the building to the City of Clarksburg sanitary sewer and cease to use any other means for the disposal of sewage, sewage waste or other polluting matter. Each residence, business or industry refusing to comply may have their water service terminated within thirty (30) days after notice is provided to comply with this ordinance. Failure to connect to the sanitary sewer system will result in the owner, tenant or occupant being charged the flow through rate for his/her/its sewer usage. In the event a flow through rate cannot be determined, the customer may be charged the average customer usage for the previous year.

Section 2. Any owner, tenant or occupant of a lot or parcel of land who is responsible for any connection to the sanitary sewer required under this section shall properly maintain that portion of the connection that is located on the property of the owner, tenant or occupant; and in addition to any other method of enforcing such



requirement, the city may discontinue water service to an owner, tenant or occupant failing to comply within thirty (30) days after notice to comply;

Section 3. Any delinquent charges for the sanitary sewer system shall be a lien upon the property for which sewer is charged. The City may proceed to recover the amount of any delinquent charges owed by any such owner, tenant or occupant, with interest on the delinquent charges at the maximum legal rate, in an action in contract.

Section 4. The City may enter into contracts for the collection of such sewer charges with any public or private corporation, utilities board or commission operating a water system. The City may contract with any other city, town or utility district:

(i) To meter, bill and collect sewer service charges as an added designated item on its water service bills, or otherwise;

(ii) To discontinue water service to sewer users who fail or refuse to pay sewer service charges;

Section 5. The charges for sewer services shall be set by resolution of the board of Mayor and Aldermen of the City of Clarksburg. All owners, tenants or occupants required to connect to the City's sewer system shall do so within 90 days from the final passage of this Ordinance.

Section 6. A customer requesting public sanitary sewer shall not be charged a sewer connection fee, if a sewer tap was installed at the time of initial construction of the sanitary sewer system. After the initial construction of the sewer system is complete, any customer requesting a new sewer tap shall pay a connection fee. The sewer connection fee charged by the City of Clarksburg shall be set by resolution of the Mayor and Board of Alderman.

Section 7. In addition to the connection fee, sewer customers shall pay all cost associated with his/her connection to the municipal sanitary sewer system, including any cost associated with making an existing sewer tap functional or otherwise suitable for connection.

Section 8. No connection to the public sanitary sewer system shall be granted unless the applicant first pays a sewer connection fee and any associated cost of connection, except as set out in Section 6 above.


Section 9. All prior ordinances and resolutions inconsistent herewith shall be void to the extent of any such inconsistency.

**ORDAINED, FURTHER,** that this Ordinance shall take effect on April 1, 2020, the public welfare requiring it.

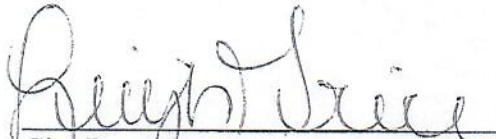
DATED this 17 day of February 2020.

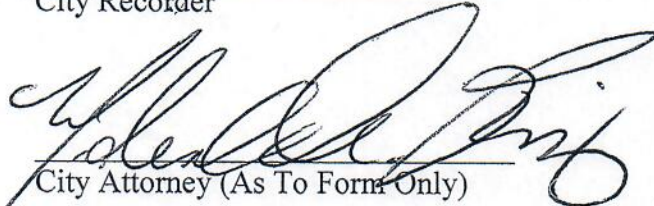
**PASSED** on First Reading 02/17/2020

**PASSED** on Second Reading 02/24/2020

  
Mayor

ATTEST:

  
City Recorder

  
City Attorney (As To Form Only)