

Town of Georgetown, IN

Ordinance # G-07-13

**AN ORDINANCE AMENDING §53 OF THE
GEORGETOWN CODE OF ORDINANCES,
EXEMPTING AN EXISTING SEPTIC-TANK SERVICED
PROPERTY TO CONNECT ONTO THE TOWN'S SANITARY
SEWER SYSTEM WITHIN THE TOWN OF GEORGETOWN,
INDIANA**

**BE IT ORDAINED BY THE
TOWN COUNCIL OF THE TOWN OF GEORGETOWN,
INDIANA THAT:**

WHEREAS, the Town Council of Georgetown has reviewed Section 53 of the Town's Code of Ordinances; and,

WHEREAS, the Town Council of Georgetown has identified that the parameters set forth by §53 are proper but do not fully address the requirements for the provision of sanitary sewer services to an existing, inhabited property that may be brought into the Town's corporate boundaries by annexation; and,

WHEREAS, the Georgetown Town Council is not interested in forcing the abandonment of properly functioning private septic tank treatment systems.

NOW THEREFORE, BE IT ORDAINED:

SECTION 1. Section 53 of the Code of Ordinances is hereby amended to read:

§ 53.015 USE OF PUBLIC SEWERS REQUIRED.

(A) It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property with the town, or in any area under the jurisdiction of the town, any human or animal excrement, garbage or objectionable waste.

(B) It shall be unlawful to discharge to any natural outlet within the town, or in any area under the jurisdiction of the town, any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of §§ 53.015 through 53.017, 53.030 through 53.039, 53.050 through 53.062, 53.075 and 53.076.

(C) Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of wastewater.

(D) (1) The owner(s) of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated within the town and abutting on any street, alley or right-of-way in which there is now located or may in the future be located a public sanitary sewer of the town, is hereby required at the owner's expense to install suitable toilet facilities therein and to connect the facilities via the building sewer (~~through and including a suitable septic tank~~) to the proper public sewer in accordance with the provisions of §§ 53.015 through 53.017, 53.030 through 53.039,

53.050 through 53.062, 53.075 and 53.076, within 90 days after date of official notice to do so, provided that the public sewer is within 300 feet (91.14 meters) of the property line.

(2) As a condition of connection to a public sewer, the owner(s) shall grant a right-of-access easement to the septic tank to the town for the purpose of cleaning and inspection.

(3) The requirements of sub-paragraph (D)(1), above, shall not apply to any house, building or other property which is annexed into the Town with an already functioning septic tank sewage treatment system. If said property is annexed into the Town with a properly permitted and functioning septic tank, the Town Council of Georgetown cannot and shall not require said property owner to abandon their properly operating private septic tank in exchange for a mandated connection to the Town's sewer system. If, on the other hand, the Indiana State or Floyd County Health Department identifies that a septic tank is not functioning, only an order from the Health Department can require a property owner to abandon their septic tank and to connect onto the Town's sewer system, at the property owner's expense. If such an abandonment of an existing septic tank system is required, the property owner shall comply with all Federal, State and Local laws governing such an abandonment. In such a case, the property owner will be required to pay the Sewer Service Capacity Fee to the Town of Georgetown, in addition to any other fees and permits required to connect a new sanitary sewer service into the Town's sewer system.

§ 53.016 PRIVATE WASTEWATER DISPOSAL; PERMIT.

(A) Where a public sanitary or combined sewer is not available under the provisions of § 53.015(D), the building sewer shall be connected to a private wastewater disposal system complying with the provisions of this section.

(B) (1) Before commencement of construction of a private wastewater disposal system, the owner(s) shall first obtain a written permit signed by the designated official from the State or County Health Department, Superintendent. The application for the permit shall be made on a form furnished by the town, which the applicant shall supplement by any plans, specifications and other information as are deemed necessary by the designated official from the State or County Health Department, Superintendent.

(2) A permit and inspection fee of \$15 shall be paid to the town at the time the application is filed.

(C) A permit for a private wastewater disposal system shall not become effective until the installation is completed to the satisfaction of the Sewer Director Superintendent. The Superintendent Sewer Director shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the Superintendent Town's Building Department when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within 48 hours of the receipt of notice by the Superintendent Town's Building Department.

(D) The type, capacities, location and layout of a private wastewater disposal system shall comply with all provisions of the Floyd County ordinance regulating private waste disposal systems. No permit shall be issued for any private wastewater disposal system employing subsurface soil absorption facilities where the area of the lot is less than the square feet allowed by the county ordinance. No septic tank or cesspool shall be permitted to discharge to any natural outlet, directly or indirectly via field tile, storm drain or any other conveyance other than a public sanitary sewer.

(E) ~~At the time that a public sewer becomes available to a property served by a private wastewater disposal system, as provided in division (D) of this section, a direct connection shall be made to the public sewer within 90 days in compliance with §§ 53.015 through 53.017, 53.030 through 53.039, 53.050 through 53.062, 53.075 and 53.076, and any abandoned septic tanks, cesspools and similar private wastewater disposal facilities shall be cleaned of sludge and, if not used as a component of the building sewer, filled with suitable material.~~


(F) The owner(s) shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times, at no expense to the town.

(G) No statement contained in this section shall be construed to interfere with any additional requirements that may be imposed by the town.

SECTION 2. The remainder of Section 53 of the Code of Ordinances is confirmed and reiterated.

NOW, THEREFORE, BE IT FURTHER ORDAINED that all Ordinances of the Town of Georgetown, Indiana which are in conflict with this Ordinance are hereby repealed to the extent of such conflict, and any Ordinance not in conflict with this Ordinance shall remain in full force and effect.

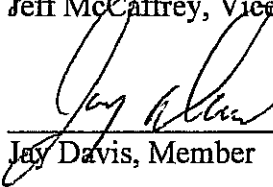
Adopted by the Town Council of the Town of Georgetown, Indiana, this 19 day of April, 2007.




Gary Smith, President



Jeff McCaffrey, Vice President



Jay Davis, Member



Dean Hammersmith, Member

Chris Carter, Member

ATTEST:



Doug Cook, Georgetown Clerk/Treasurer