



ORDINANCE NO. 1176

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF WICKENBURG, ARIZONA AMENDING THE TOWN OF WICKENBURG CODE CHAPTER 13 UTILITIES, ARTICLE 13-3 SEWER SERVICE, BY AMENDING SECTION 13-3-2 SEWER DISTRICT ESTABLISHED: CONNECTION REQUIRED, RELATED TO MANDATORY SEWER CONNECTIONS WHERE RESIDENTIAL OR COMMERCIAL PROPERTY IS LOCATED WITHIN 300 FEET OF THE TOWN'S SEWER MAIN; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR PENALTIES.

WHEREAS, the Town Code of the Town of Wickenburg Arizona requires all new construction to connect to the Town's sanitary sewer system; and

WHEREAS, the Town Council of the Town of Wickenburg finds that the Town's water supply and the public health and safety of its residents are protected and improved by connection to the sanitary sewer system and abandonment of private septic systems; and

WHEREAS, the Town Council finds that it is reasonable to require connection to the sanitary sewer system when the Town has extended its sewer system to within 300 feet of a property in the Town;

NOW THEREFORE BE IT ORDAINED by the Mayor and Common Council of the Town of Wickenburg, Arizona as follows:

Section 1. In General.

The Code of Wickenburg, Chapter 13 Utilities, Article 13-3 Sewer Service, is amended by amending Section 13-3-2 Sewer District Established: CONNECTION REQUIRED to read as follows (deleted text appears in ~~strikeout~~; new text in ALL CAPS):

Section 13-3-2 Sewer District Established; CONNECTION REQUIRED

* * *

B. Connection Required: Except as provided in paragraph C., all new construction within the Sewer District shall connect to the Town's sewer system AND ALL EXISTING RESIDENTIAL AND COMMERCIAL PROPERTIES SHALL CONNECT TO THE TOWN'S SEWER SYSTEM WHEN A TOWN SEWER LINE IS EXTENDED TO WITHIN 300 FEET OF THE PROPERTY. Where connection to the sewer system is required pursuant to this Section, the owner of the real property shall cause to be connected to the sewer system all privies, cesspools and open or unconnected drains within ~~ninety~~ ONE HUNDRED TWENTY (90120) days of the date of written notice from the Town requiring connection. Such connection shall be in accordance with Town requirements, and the cost of connection shall be borne by the PROPERTY owner of the new construction, AND WITHIN SIX (6) MONTHS ANY SEPTIC TANKS, PRIVIES, CESSPOOLS, OR SIMILAR PRIVATE SEWAGE DISPOSAL FACILITY SHALL BE ABANDONED AND FILLED WITH SUITABLE MATERIAL PURSUANT TO COUNTY REGULATIONS.

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Section II. Repeal of Conflicting Ordinance.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance or any part of the code adopted herein by reference are hereby repealed.

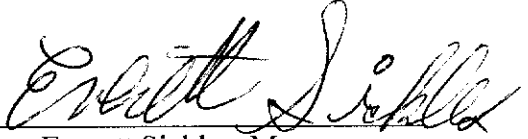
Section III. Providing for Severability.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the Code adopted herein by reference, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

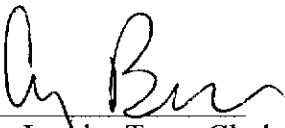
Section IV. Providing for Penalties.

Any person found guilty of violating any provision of this Ordinance shall be guilty of a class one misdemeanor and shall be subject to the violation and penalty provisions of Section 1-8 of the Wickenburg Town Code.

PASSED AND ADOPTED by the Town Council of the Town of Wickenburg, Arizona, this 19th day of June, 2017.

By: 
Everett Sickles, Mayor

ATTEST:

By: 
Amy Brown, Interim Town Clerk

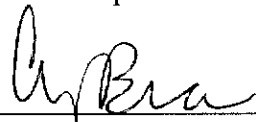
APPROVED AS TO FORM:

By: 
Susan D. Goodwin, Town Attorney
Gust Rosenfeld, PLC

Number of Councilmembers Present: 7
Number of Votes For: 7
Number of Votes Against: 0
Number of Abstentions: 0

CERTIFICATION

I HEREBY CERTIFY that the foregoing Ordinance Number 1176 was duly passed and adopted by the Common Council of the Town of Wickenburg, Arizona, at a regular meeting held on the 19th day of June 2017, and that a quorum was present at the meeting.


Amy Brown, Interim Town Clerk