

ORDINANCE # 01 - 2022

AN ORDINANCE OF THE CITY OF BEREА, KENTUCKY, AMENDING THE CODE OF ORDINANCES OF THE CITY OF BEREА, KENTUCKY, BY ADDING SECTION 31.315, PROHIBITING WASTEWATER TREATMENT SERVICE TO ANY PRIVATE COMMERCIAL OR INDUSTRIAL PROPERTY OUTSIDE OF THE CORPORATE LIMITS AND WHICH IS ADJACENT AND CONTIGUOUS TO THE CITY BOUNDARIES

WHEREAS, There are pockets of unincorporated area adjacent to or contiguous with the city corporate boundaries which are likely to ultimately be developed for commercial or industrial purposes; and

WHEREAS, In the event of such development, such areas will require city services such as sidewalks and utilities, including wastewater collection and treatment; and

WHEREAS, it is reasonable to require that any such areas requiring such municipal services be within the corporate limits so that such areas pay their fair share of the costs of providing municipal services;

NOW, THEREFORE, be it ordained by the City Council of the City of Berea, Kentucky, that the Code of Ordinances of the City of Berea be revised as follows:

SECTION I

That the Code of Ordinances is hereby amended to add Section 31.315, and such section shall read as follows:

§ 31.315 CONNECTIONS TO SEWAGE SYSTEM PROHIBITED TO COMMERCIAL OR INDUSTRIAL PROPERTY OUTSIDE CITY LIMITS.

- (a) It shall be unlawful for any person, firm or corporation, which owns or occupies commercial or industrial property, or property intended for commercial or industrial use, located outside the corporate limits of the city, and adjacent to or contiguous with city boundaries, to connect, cause to be connected or permit to be connected, any sanitary sewer lateral or main to the sewer system of the city.
- (b) The Municipal Sewer System shall not provide or permit any sewer connection or capacity increase for any commercial or industrial property, or property intended

for commercial or industrial use, located outside the corporate limits of the city, and adjacent to or contiguous with city boundaries, or any commercial, non-industrial BMU sewer customers outside of the corporate limits, and adjacent to or contiguous with city boundaries.

- (c) The provisions is subsections (a) and (b) above shall not apply to property owned or occupied by any governmental or quasi-governmental entity.


SECTION II

All ordinances or parts of ordinances in conflict herewith are repealed. This ordinance shall be published according to law.

FIRST READING: January 4, 2022.

SECOND READING AND ENACTMENT: January 18, 2022.

APPROVED BY:



Bruce Fraley, Mayor

ATTEST:



Clerk of the City Council

Published this 19th day of January, 2022.

PREPARED BY:



Corporate Counsel