

ORDINANCE 2009-31
As Amended

**TO BE ENTITLED: "AN ORDINANCE TO AMEND TITLE 18,
CHAPTER 2, SECTION 18-204 OF THE FRANKLIN
MUNICIPAL CODE TO REVISE THE REQUIREMENTS FOR
CONNECTION TO THE PUBLIC SANITARY SEWER SYSTEM."**

WHEREAS, the Board of Mayor and Aldermen of the City of Franklin, Tennessee, desire to amend the existing time limit to connect to City of Franklin facilities imposed by 18-204(4) from one hundred and eighty (180) days to no time frame should the existing private sewage disposal system be in good working order; and

WHEREAS, the Board of Mayor and Aldermen of the City of Franklin, Tennessee, desire to amend Section 18-204(4) requiring immediate application of sanitary sewer service charges to and payment by property owners upon availability of the public sanitary sewer within two hundred (200) feet of the property; and

WHEREAS, the Board of Mayor and Aldermen of the City of Franklin, Tennessee, desire to amend Section 18-204(4) requiring immediate connection to City of Franklin facilities if there is a failure of existing facilities.

NOW, THEREFORE:

SECTION I: BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF FRANKLIN, Tennessee, that 18-204(4) shall be deleted in its entirety and the following substituted in lieu thereof:

18-204. Use of public sewers and septic systems where public sewers are provided.

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- (4) **Use of public sewers required.** Except as provided, the owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the city and abutting on any street, alley, right-of-way or easement in which there is now located or may in the future be located a public sanitary sewer shall connect to the public sanitary sewer system. The connection to the public sanitary sewer system shall be required at the property owner's expense including all applicable connection and tap fees provided said public sewer is within two hundred (200) feet of the property line or easement on which the principal structure is located.

Exceptions:

- (a) Immediately, but no instance more than ten (10) days if the owner's private sewage disposal system no longer complies with the Williamson County Board of Health regulations or with Tenn. Code Ann. § 68-221-401 *et seq.*; or
- (b) Immediately, but no instance more than ten (10) days, in the opinion of the City Administrator, conditions on the property pose an unacceptable risk to the public health, safety and welfare.

SECTION II: BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF FRANKLIN, Tennessee, that 18-204(5) shall be created and is approved to read as follows:

- (5) **Use of Septic System where public sewers are provided.** If public sewer is available to properties having functioning septic systems (i.e. sewer lines are adjacent to or within two hundred (200) feet of the property line or easement on which the principal structure is located) property owners may elect not to connect to the public sanitary sewer system provided all of the following requirements and conditions are met.
- (a) A sanitary sewer service charge, based upon water usage, shall be assessed from the date the public sanitary sewer is available. Payment is due monthly. At such time it is determined to connect to the public sanitary sewer system payment of the sanitary sewer service charge shall not relieve the property owner from the requirements of payment of all connection and tap fees as applicable prior to obtaining the permit and authorization to commence work.
 - (b) **On-Site Septic System Inspection.** To determine whether existing septic systems in the City are functioning properly or should be required to connect to the public sewer, property owners with active systems shall have their septic systems inspected by the City of Franklin or by a company that is certified by the City to perform these inspections at such time the public sewer is available and a minimum of every three (3) years, thereafter. Upon receipt of the inspection notice from the City, property owners shall allow city staff or a certified contractor to perform an inspection of the septic system. The cost for said inspection shall be the responsibility of the property owner in the amount as specified in Title 22 – Comprehensive Fees and Penalties.
 - (c) Upon inspection, if it is determined a septic system is functioning and in compliance with applicable Williamson County Board of Health regulations or with Tenn. Code Ann. § 68-221-401 *et seq.* the property may remain on septic for an additional three (3) years. At such time a septic system is determined to be non-functioning, the property owner shall be required to hook up to public sanitary sewer within ten (10) days.

SECTION III. BE IT FINALLY ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF FRANKLIN, Tennessee, that this Ordinance shall take effect from and after its passage on second and final reading, the public health, safety and welfare requiring it.

ATTEST:

CITY OF FRANKLIN, TENNESSEE

BY: _____
ERIC S. STUCKEY
City Recorder/Administrator

BY: _____
JOHN C. SCHROER
Mayor

PASSED FIRST READING

PASSED SECOND READING
