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Shelby Cnty Judge of Probate, AL
09/21/2022 09:21:14 AM FILED/CERT

Ordinance No. 2008-04-01-154

AN ORDINANCE REQUIRING NON-RESIDENTIAL STRUCTURES TO CONNECT WITH SANITARY SEWER SYSTEM

Be it ordained by the Town Council of Westover, Alabama, as follows:

1. **Adequate facilities required.** It shall be unlawful for any person to construct, maintain, use or permit the use of any building, dwelling, shelter, premises or other place where human beings congregate, reside, work or rest within the Town of Westover or its police jurisdiction without adequate facilities for the disposal, in a sanitary and proper manner, of human excreta and other sewage waste resulting from the control or use, for whatever purpose, of the place.

2. **Inspection, regulation and control of facilities by county board of health.** The county board of health or its authorized representative is hereby empowered by the Town of Westover to make inspections and investigations at any reasonable time on any place or premises within the Town or its police jurisdiction and to take necessary legal actions through the Town to regulate and control the disposal of human excreta and other sewage waste in accordance with the regulations, specifications and requirements uniform and general set forth and approved by the state board of health, which regulations shall herewith become a part of this ordinance.

3. **Disposal by sanitary sewer or septic tank; permit required.**

(a) Except as provided herein, the owner of all non-residential buildings or structures used for human occupancy, employment, recreation or other human activities situated within the Town of Westover or its police jurisdiction where an adequate public or private sanitary sewer system is available is hereby required at the owner's expense to connect directly with the sanitary sewer system and maintain the building sewer in accordance with provisions of this ordinance and regulations of the county and state boards of health. No connection to a sanitary sewer system shall be made prior to the issuance of a permit by the county health officer to the owner.

(b) Where a private waste water disposal system for the individual building or structure complying with the requirements of the county or state boards of health has been installed prior to the adoption of this ordinance, connection to a sanitary sewer system shall be required only if (i) the Town determines that a problem exists with the private individual disposal system that would require replacement or a new installation of the private individual disposal system, or (ii) there is a change in use of the building or structure, in which case a new inspection and certification of the private individual disposal system is required for continued use.

(c) At places located within the Town where an adequate sanitary sewer system is not available, the disposal of human excreta or other sewage waste shall be to a septic tank or other private waste water disposal system as permitted by the county health officer. No septic tank or private individual disposal system shall be constructed within the Town or its police jurisdiction prior to the issuance of a permit by the county health officer to the owner.

4. **Compliance prerequisite to building permit issuance.** No building permit or licenses to construct or build any structure in which there is or is likely to be a need for the sanitary and proper disposal of human excreta or other sewage waste shall be issued except when the application for such building permit or license shall show evidence of compliance with all other sections of this



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ordinance.

5. **Sewer connections--Proximity to line.** A sanitary sewer system shall be deemed available for connection under Section 3 of this ordinance when it is located within 100 feet of any outside line of the property upon which the building or structure is located, provided such system may be reached without having to cross the property of another.

6. **Violation.** Any person found guilty of violating any of the provisions of this ordinance shall be punished by a fine of not less than \$1.00 nor more than \$500.00, or may be imprisoned or sentenced to hard labor for the Town of Westover for a period not exceeding six months, or both, at the discretion of the court trying the case. Each violation of the provisions of this ordinance shall constitute a separate offense for each day the violation exists.

7. All other ordinances or parts of ordinances which are inconsistent with or contradict this ordinance are hereby repealed and shall be of no further force and effect.

8. The provisions of this ordinance are severable and if any part or portion thereof shall be declared unconstitutional or illegal, such declaration shall not effect any other remaining terms, provisions, or conditions hereof.

9. This ordinance shall become effective upon its passage and publication or posting as required by law.

ADOPTED and APPROVED this 20th day of MAY, 2008.


Mayor

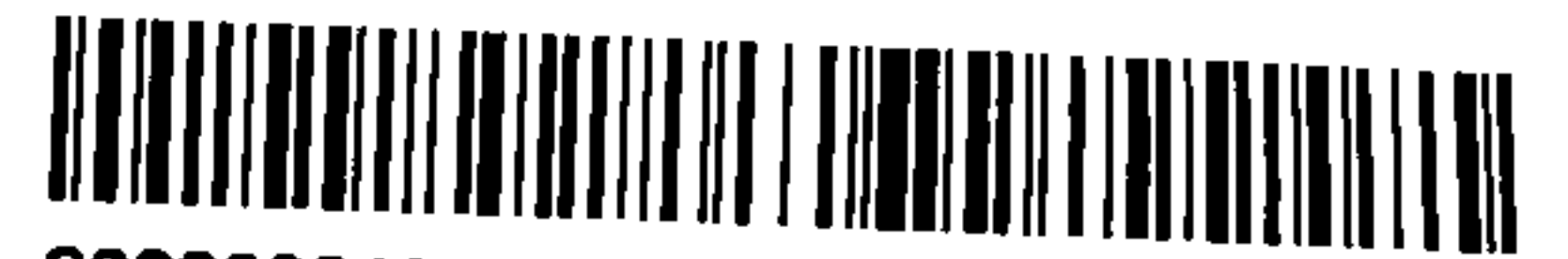
Authenticated and Certified:


Town Clerk

CERTIFICATE

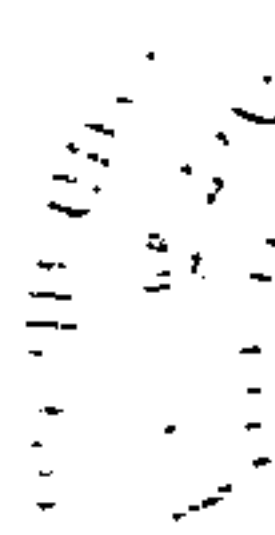
I, the undersigned, Clerk of the Town of Westover, Alabama, hereby certify that the above Ordinance was duly adopted by the Mayor and Town Council of the Town of Westover, Alabama, in a regular meeting held on the 20th day of May, 2008. Said Ordinance was published by posting the same at the following public places, namely:

Westover Town Hall



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Westover Leisure Wear
Westover Water Authority Office

 Wayne Jones
Town Clerk