

ORDINANCE NO. 108

AN ORDINANCE PROVIDING FOR JURISDICTION AND CONTROL BY THE CITY COUNCIL OF ALEXANDRIA OVER ALL SEWERS AND SEWER SYSTEMS LOCATED IN ANY STREET, ROAD, ALLEY OR PARK SPACE WHICH HAVE BEEN OR MAY HEREAFTER BE CONNECTED WITH THE PUBLIC SEWER SYSTEM OF THE CITY COUNCIL; PRESCRIBING REGULATIONS FOR CONSTRUCTION OF SEWERS AND FOR CONNECTIONS WITH THE PUBLIC SEWER SYSTEM OF THE CITY COUNCIL, PRESCRIBING FEES FOR SEWER SERVICE; AND PROVIDING PENALTIES FOR VIOLATIONS OF THE PROVISIONS HEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF ALEXANDRIA, VIRGINIA:

SECTION 1. That all sewers, storm water, sanitary, or combined, (except house connections from curb line to lot line) that have heretofore been or may hereafter be constructed by any person or persons, firm or corporation under any street, road, alley, or park space or under any private court or alley, which have been or may hereafter be connected into any sewer or sewers constructed by or belonging to the City Council of Alexandria, Virginia, shall be under the jurisdiction and control of the City Council of Alexandria so long as said sewer or sewers shall remain connected with any such sewer or sewers constructed by or belonging to the City Council of Alexandria.

SECTION 2. That on and after the adoption of this Ordinance, all sewers that may be constructed by any person or persons, firm or corporation in any street, road, alley or park space now open to public use, or any street, road, alley or park space duly dedicated for public use, in the City of Alexandria, shall be installed by or under contract with the City Council of Alexandria and shall be of such size and established at such grades and constructed according to such other specifications as may be prescribed by the City Engineer.

SECTION 3. That the City Council shall extend the sewer system from the sewers now built or hereafter built, to points at the curb, or alley lot line of each house, or separate parcel of property, at such location and depth as may be convenient to the City Council, so that each house or separate parcel of property may be connected directly with the sewer system when and after the full amount as required by Section 6 of this Ordinance has been paid into the City Treasury.

SECTION 4. That the owner or owners of any dwelling or other building in which human beings live or congregate shall whenever a trunk line or lateral line sewer is available connect such dwelling or building with such trunk line or lateral line sewer, subject to the provisions of this Ordinance, and it shall be unlawful for any person, firm or corporation to empty any sewer or sewer system into any well, septic tank, or open stream in the City of Alexandria, when a public trunk or lateral line sewer is available with which to connect same.

SECTION 5. The City Council of Alexandria will not guarantee the drainage of cellars or basements.

SECTION 6. (a) That any person, firm or corporation desiring sewer service from their premises, through any sewer constructed by or belonging to the City Council of Alexandria, either by direct connection at the curb line or alley lot line, or by an indirect connection through the sewer of some other person, firm or corporation, adjoining or contiguous to his property, leading into a public sewer shall before starting to make such connection, apply to the City Engineer for a permit to make the said connection, and the City Engineer shall issue a permit for the said sewer connection when and after such person, firm or corporation shall have paid into the City Treasury the sum of Two Dollars, (\$2.00) for each linear front foot of ground enclosed pertaining to or embraced by the house, yard and side

entrance, if any, to be calculated on the shorter frontage when the property has more than one frontage line, but in no case less than Forty Dollars (\$40.00).

(b) The total sum to be paid into the City Treasury for sewer service at the curb line or alley lot line for any house or lot, in any subdivision of the City of Alexandria, the sewage of which will be transported from the said house or lot through sewers heretofore constructed by private parties, firms or corporations into sewers constructed by or belonging to the City Council of Alexandria, shall be the sum of Forty Dollars for each separate house, dwelling or other building so connected.

(c) Any person, firm or corporation desiring more than one sewer service connection to any one separate piece of property, shall make application to the City Engineer for the construction of such additional service connection to the curb line or alley lot line, and when and after the estimated cost, made by the City Engineer, for such additional connection, shall have been paid into the City Treasury, by the owner of the property desiring the said additional connection, the City Engineer shall construct such connection.

(d) All permits for public sewer service connections shall be taken out in the name of the owner of the property served.

SECTION 7. (a) The person, firm or corporation owning any piece of property that may now have any sewer connected directly with any sewer constructed by or belonging to the City Council of Alexandria, for which no fee has been paid into the City Treasury or prior to January 1, 1930, to the Town of Potomac, for sewer service, shall make application to the City Engineer for a permit to use the said sewers belonging to the City Council and shall pay into the City Treasury the sum required for sewer service as set out in Section 6 (a) of this Ordinance.

(b) The person, firm or corporation owning any piece of property that may now have any sewer connected with any sewer line or system constructed by private parties, firms or corporations, which now or may hereafter be connected to any sewer belonging to the City Council of Alexandria and the sewage from which is transported by any sewer belonging to the City Council for which no fee has been paid into the City Treasury or prior to January 1, 1930, to the town of Potomac, for sewer service, shall make application to the City Engineer for a permit and shall pay into the City Treasury the sum of Twenty Dollars for each separate house, dwelling or building so connected for the continuation of sewer service through the said sewers belonging to the City Council of Alexandria.

(c) In the event that any person, firm or corporation affected by any of the provisions of this ordinance should fail, after ten days notice in writing from the City Manager, to do that which may be required under the provisions of this Ordinance, it shall be the duty of the City Engineer to compute the sewer service fee due to the City Council that may be applicable in each instance under the provisions of this Ordinance and certify same to the Collector of taxes and the amount so certified shall be a lien against said real estate as a part of and the same as, taxes duly assessed against the said real estate by the City Council of Alexandria.

SECTION 8. That whenever, in the opinion of the City Council any sewer or sewer system heretofore constructed by any private person or persons, firm or corporation and which is now or may hereafter be connected with any sewer constructed by or belonging to the City Council, shall become inadequate or damaged so that said sewer or sewer system fails to render reasonably satisfactory service, the City Council shall in its discretion install new sewers to replace such inadequate or damaged sewers or sewer systems, and the persons, firms or corporations connected with such replaced sewers shall make their connections with such new sewer installed by the City Council, after the payment of the fee required under the provisions of Section 6 (a) of this Ordinance, less, however, such amount as may previously have been paid under the provisions of Sections 6 (b) or 7 (b), as the case may be, for the former connection.

SECTION 9. It shall be unlawful for any person, firm or corporation to make any sewer service connection from any property, which abuts a public sewer to the public sewer system, either directly, or indirectly, through any other sewer, without first having obtained a permit from the City Engineer, and paid into the City Treasury the amount required by Section 6 of this Ordinance for public sewer service.

It shall be the duty of the plumber or person making any service sewer connection to the public sewer, directly or indirectly, through any other sewer, to notify the City Engineer when the trench is open and ready for the connection, and no connection is to be made by any person with the public sewer system, directly or indirectly, through any other sewer, except under the supervision of the City Engineer or his authorized inspector.

SECTION 10. Property binding on certain old public sewers constructed by the City Council on private property, and property binding on certain old sewers built on private property and used by the City Council of Alexandria with the consent of the property owners as public sewers, shall have the right to public sewer service without paying the amount into the City Treasury required by Section 6 or Section 7 of this Ordinance, but the requirements of Section 9 of this Ordinance relative to permit from, and construction under the supervision of the City Engineer, of any property sewer service connections, must be complied with by any person, firm or corporation, desiring to make any sewer service connection with the said public sewers built on their property.

SECTION 11. It shall be unlawful for any person to obstruct, break, or injure in any manner any public sewer, or to obstruct, break or injure in any manner any catch basin or manhole, or to place any garbage, earth, trash or any other material of any kind in any catch basin or manhole.

SECTION 12. It shall be unlawful for any person, firm or corporation to connect any roof, down spout, yard, or walkway drain, or any other drain carrying rain water, into any house service sewer or other sewer, connected with any public sewer designed and constructed as a sanitary sewer only, or into any sewer leading into any public sewer designed and constructed as a sanitary sewer only.

The City Manager is hereby given authority to cause any existing storm water connections to sanitary sewers to be disconnected after ten days written notice to the property owner.

SECTION 13. Any violation of the provisions of this Ordinance shall be subject to a fine of not less than \$5.00 or more than \$100.00 or imprisonment in the City Jail for a term not to exceed thirty days or both in the discretion of the Court.

Each day any violation of the provisions of this Ordinance shall continue shall constitute a separate offense.

SECTION 14. The City Council shall have the right to elect either of the remedies as set out in Section 7 (c) or Section 13 hereof in the enforcement of the provisions of this Ordinance.

SECTION 15. If any provision or part of this Ordinance shall be found or declared unconstitutional by the Supreme Court of this State or the United States, such decision shall only affect the provision or part so declared invalid and the remaining portion of this Ordinance shall continue in full force and effect.

SECTION 16. All Ordinances or parts thereof in conflict herewith are repealed.

SECTION 17. This Ordinance shall take effect immediately upon its passage.

APPROVED this 16th day of July, 1931.

EDMOND F. TICER,
Mayor.