ORDINANCE NO. 18870

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., authorizing Sewer Improvement Project No. 86182-03, which provides for construction of service lines connecting residents to the City’s sanitary sewer system and the elimination of private septic tanks, as more specifically described herein, all pursuant to Section 146-236 of the Code of the City of Topeka and K.S.A. 12-631.

WHEREAS, City of Topeka Code § 146-236 requires a property owner adjacent to a public sanitary sewer main or lateral to connect the public system within five (5) years of the construction of the main or lateral; and

WHEREAS, certain properties within the City have not connected to the public system and more than five (5) years have elapsed; and

WHEREAS, notice has been provided to the property owners pursuant to City of Topeka Code § 142-236(b), and the owners have failed to connect to the City’s public sewer system; and

WHEREAS, City of Topeka Code § 146-236 and K.S.A. 12-631 authorizes the City to contract for the connections to the City’s sewer system and assess the costs of construction and applicable connection fees against the property in the same manner as other special assessments are made; and

WHEREAS, connecting the properties to the City’s sanitary sewer system and eliminating private septic tanks within the City is necessary for the protection of the health of the public.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Topeka, Kansas:

Section 1. That it is hereby deemed advisable and necessary and in the public interest, and is also hereby authorized, pursuant to Section 146-236 of the Code of the City
of Topeka and K.S.A. 12-631 that the following public improvement be made:

A. GENERAL NATURE OF IMPROVEMENT:

To construct new service lines connecting several private residences to the City’s sanitary system and the elimination of the private septic tank systems. This will assist in reducing the level of pollution in our surface water as required by our state and federal stormwater permit.

B. LOCATION OF IMPROVEMENT:

Throughout the City of Topeka, as designated on the attached exhibit.

C. ESTIMATED OR PROBABLE COST:

$392,000.00

D. SOURCE OF FUNDS:

Initial funding will be through City of Topeka combined water, wastewater and stormwater operating funds which will be reimbursed 100% by property owners receiving the improvements through special assessments.

E. PROPOSED METHOD OF ASSESSMENT:

Assessments will be based on actual construction costs of improvements and connection to the City’s sanitary sewer system including all applicable public works connection, construction and inspection fees for the individual properties receiving the improvements.

Section 2. This Ordinance shall take effect and be in force from and after its passage, approval and publication in the official city newspaper.

PASSED and APPROVED by the City Council May 8, 2007.

CITY OF TOPEKA, KANSAS

_____________________________
William W. Bunten, Mayor

ATTEST:

_____________________________
Brenda Younger, City Clerk