

## **ORDINANCE NO. 19-11**

### **AN ORDINANCE OF THE CITY OF RICHMOND, KENTUCKY AUTHORIZING THE RICHMOND UTILITIES BOARD TO EXTEND WATER AND SEWER SERVICE TO CERTAIN PROPERTIES OUTSIDE THE BOUNDARIES OF THE CITY**

**WHEREAS**, the City of Richmond is in the process of constructing Trunk Sewer and Force Main Lines so that waste water can be diverted to the Otter Creek Waste Water Treatment Plant away from the Silver Creek Waste Water Treatment Plant; and

**WHEREAS**, the geographic area in which some of the new sanitary sewer lines will traverse are various properties outside the jurisdictional boundaries of the City, thus necessitating the City's acquisition of easements from the affected property owners; and

**WHEREAS**, the Board of Commissioners for the City of Richmond does deem it to be in the public interest that the properties to be encumbered by such easements be permitted to gain access to City water and to City sewage treatment should the property owners so desire; and

**WHEREAS**, existing City ordinance prohibits the extension of such City services to properties outside the boundaries of the City without the express approval of the Board of Commissioners, and the Board does by these presents desire to extend such approval for the properties and for the purposes herein described;

**NOW, THEREFORE**, be it duly ordained by the City of Richmond Board of Commissioners as follows:

#### **SECTION I**

The Board of Commissioners of the Richmond Utilities Board is hereby authorized, as it acquires sewer main easements across various properties outside City boundaries necessary to divert flow of sanitary waste water to Otter Creek Waste Water Treatment Plant away from Silver Creek Waste Water Treatment plant, to agree with the property owners of the various tracts to be encumbered by such easements that such properties will at the discretion of the property owners be entitled to connect to City sewage and water lines located on their property lines and to receive City water and sewage service; provided, easements are granted without the City's payment of additional cost and outside of the context of any condemnation litigation looking towards the acquisition of an easement through the City's exercise of its power of eminent domain. Development fees, assessment fees, and connection fees applicable to water and sewage service customers within City boundaries shall be assessed to and paid by all customers within the purview of this Section.

#### **SECTION II**

The rates to be charged to such customers as are described in Section 1, above, for water and sewage services shall be the rates as are prescribed in existing City ordinances, and as same may

from time to time be amended, for customers outside City limits unless and until such properties shall be annexed into the City.

**SECTION III**

Except as herein modified, the provisions of City Ordinances No. 79-02, 90-36, and 08-06 shall remain in full force and effect in accordance with the original tenor thereof.

**SECTION IV**

This ordinance shall be in full force and effect immediately upon passage on second reading and publication in accordance with the requirements of applicable Kentucky law.

**DATE OF FIRST READING:** June 11, 2019  
**MOTION BY:** Commissioner Grant  
**SECONDED BY:** Commissioner Brewer


**DATE OF SECOND READING:** June 25, 2019  
**MOTION BY:** Commissioner Brewer  
**SECONDED BY:** Commissioner Grant

<b>VOTE:</b>	<b>YES</b>	<b>NO</b>
Commissioner Brewer	x	
Commissioner Grant	x	
Commissioner McDaniel	x	
Commissioner Morgan	x	
Mayor Blythe	x	

  
\_\_\_\_\_  
Mayor

Attest:   
\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney