

ORDINANCE 2022-001

ORDINANCE REGULATING THE INSTALLATION, CONNECTION AND USE OF THE TOWN OF ECLECTIC SEWER SYSTEM

WHEREAS, the Town of Eclectic has received notification from ADEM that treatment plant operations are being made independent of Collection and Distribution operations so that the Town must designate an operator of its wastewater collection and distribution systems and any treatment works; and

WHEREAS, every public wastewater collection system must be under the operation of a duly certified Grade 1C Wastewater Collection System operator as approved by ADEM accounting for total population served by the system pursuant to Sections 22-22A-5, 22-22A-6, 22-22A-8, 22-25-11, 22-25-13, 22-25-14 last amended 2020, Code of Alabama 1975; and

WHEREAS, in accordance with ADEM qualifications the public wastewater collection system and wastewater treatment plant Grade 1C operator must have at least twelve months working experience in a Grade 1C or higher public wastewater collection system and have passed an examination approved by ADEM; and

WHEREAS, process control decisions at the wastewater treatment plants and public wastewater collection systems classified in 335-10-1-.06 must be made by a properly certified operator; and

WHEREAS, ADEM may initiate proceedings to enforce the requirements of Code of Alabama 1975, sections 22-25-1 to 22-25-15, any rule in this Division, or any condition or any certification or provision of any order. Such proceedings may include:

- The issuance of a notice of violation;
- The issuance of an administrative order directing compliance;
- The issuance of an administrative order assessing a civil penalty of not more than \$25,000.00 for each violation and each day of continued violation.
- The commencement of a civil action to enjoin any threatened or continuing violation;
- The commencement of a civil action to assess a civil penalty of not more than \$25,000.00 for each violation and each day of continued violation.
- The commencement of a criminal action after written notice of the violation.

Now, therefore be it ordained by the Town Council of Eclectic, Alabama, as follows:

Section 1: The Town Council of the Town of Eclectic, Alabama finds and declares it is in the best interest of the Town and its citizens to comply with the State of Alabama and ADEM as described in this Ordinance and the attachments hereto.

Section 2: The Town Council of the Town of Eclectic, Alabama hereby adopts the attachment, **Sewer Use and Procedure Manual**, and all section therein, as the Town of Eclectic official operation standards for the Eclectic Sewer System.

Section 3: This Ordinance and all of its terms and provisions shall be effective after sufficient publication, and shall remain in effect until amended, repealed or changed by Ordinance of the Town Council of the Town of Eclectic.

Section 4. The provisions of this ordinance are severable and if any paragraph, section, sentence, or provision hereof shall be held invalid, such invalidity shall not affect the remaining portions of this ordinance which shall remain in full force and effect.

APPROVED AND ADOPTED THIS THE 16 DAY OF MAY, 2022.

ATTEST:


Deborah Rowe – Town Clerk


Gary Davenport – Mayor

COUNCIL








