

erry Combs, seconded by Forniss Park that Court adopt the follow

ORDINANCE NO. 90-08
AN ORDINANCE GOVERNING ON-SITE SEWAGE DISPOSAL

WHEREAS, the Madison County Fiscal Court, pursuant to the provisions of Kentucky Revised Statutes Section 67.063, has the authority to enact ordinances for purposes of abating a public nuisance, providing for the public sanitation, and conserving, preserving, and enhancing natural resources including soils, water, air, vegetation, and wildlife; and

WHEREAS, the Madison County Fiscal Court deems it to be in furtherance of its performance of the above-specified public functions to regulate on-site sewage disposal and to insure that on-site sewage disposal in Madison County, Kentucky is accomplished in a manner consistent with applicable Kentucky law including, without limitation, the provisions of Kentucky Revised Statutes Section 211.350;

NOW, THEREFORE, be it duly ordained as follows:

1. No person, firm, corporation, group of persons, or other entity shall construction, install, alter or cause to be constructed, installed, or altered, any on-site sewage disposal system subject to regulation by the Kentucky Cabinet for Human Resources without having first obtained an on-site sewage disposal permit from the Cabinet.
2. No electric utility company doing business in Madison County, Kentucky shall hereafter provide any new electrical service to any structure, as hereinafter defined, until the person, firm, corporation, group of persons, or other entity requesting such new service shall have provided such utility company with one of the following:
 - (a) A valid Kentucky on-site sewage disposal permit; or
 - (b) A valid existing sewage system owner's affidavit; or
 - (c) A valid farmstead exemption pertaining to an existing or proposed on-site sewage disposal system; or
 - (d) A statement from the Kentucky Cabinet for Human Resources that the Cabinet has no regulatory authority concerning on-site sewage disposal pertaining to such structure.
3. The term "structure" as used in this ordinance shall be defined to include houses, apartments, duplexes, condominiums, townhouses, modular homes, mobile homes, campers, offices, and all other structures designed or intended for human occupancy or residency and the generation of sewage associated with such use.
4. This ordinance shall not apply to any new service request to a structure located within the city limits of either the City of Berea, Kentucky or the City of Richmond, Kentucky. This ordinance shall become effective after adoption and publication as required by law.

SO ORDAINED on this the 6 day of June, 1990.

DATE OF FIRST READING: June 6, 1990

DATE OF SECOND READING: _____