

CITY OF BETHEL, ALASKA

Ordinance #21-23

AN ORDINANCE BY THE BETHEL CITY COUNCIL AMENDING BETHEL MUNICIPAL CODE CHAPTER 13.08 SEWER SERVICES TO CLARIFY THE RESPONSIBILITIES AND LIABILITIES OF CUSTOMERS TO MONITOR AND MAINTAIN SEWAGE HOLDING TANKS

WHEREAS, the City of Bethel wishes to clarify the responsibilities and liabilities of each hauled services customer to monitor and maintain their sewage holding tank;

WHEREAS, the City is unable to monitor the amount of waste in each customer's holding tank: accordingly, each customer must be solely responsible for monitoring waste level and preventing tank overflow;

WHEREAS, the sewer Code should mirror the language of the hauled water utility provisions and clarify when the City cannot provide service;

NOW THEREFORE BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BETHEL, ALASKA:

SECTION 1. This is a codified Ordinance of general and permanent nature and shall become part of the Bethel Municipal Code.

SECTION 2. Bethel Municipal Code Chapter 13.08, Sewer Services is amended as follows; new language is underlined and old language is stricken.

13.08.160 Hauled services holding tanks.

A. All persons required to subscribe to sewer collection services but to whom a sewer line is not available shall have sewage collected from their property or residence; provided, that the location, type of holding tank, and access thereto is approved by the department. Quantity and frequency of sewer services shall be determined by regulations or orders of the department and approved by the council ~~by resolution~~, and

the rate charged for such sewage collection services shall be determined by the council by ordinance. Sewage tanks must be a minimum of two hundred (200) gallons above the required water tank size.

B. All sewage holding tanks shall be equipped with an operating, three- (3-) inch, female camlock device. ~~No evacuation service may be provided after October 30, 1999, to a holding tank unless it is equipped with a properly operating, compatible camlock.~~

13.08.240 Sanitary facilities nuisance declared.

Any building inhabited or owned by any person required to subscribe to sewage collection services for which no subscription for sewage service has been made, or for which delinquent charges for sewage services exist, or whose facilities for the disposal of sewage are not in serviceable working order, or have not been approved by either the city or the state, or whose sewage facilities consist solely of a sanitary can, or whose sewage facilities leak or overflow, or whose sewage facilities are unsanitary or dangerous to health or safety shall be and is deemed and declared a common or public nuisance.

13.08.250 Access

13.08.250 Access for sewer evacuation.

A. The customer is responsible for maintaining their driveway clear and accessible on dates of scheduled and requested sewage tank evacuation.

B. The city will not provide sewage tank evacuation service to an address if the driveway is not accessible. This includes any obstruction including but not limited to, parked vehicles, freezer vans, snow, ice, animals, wastes, toys, appliances, or snowmobiles.

C. If the camlocks are frozen and the city does not have access to evacuate the holding tank, the city will not evacuate the tank.

Introduced by: Public Works Committee
Introduction Date: May 25, 2021
Public Hearing Date: June 8, 2021
Action: Passed
Vote: 5-0

D. If the city cannot service the sewage tank due to the circumstances described in this section, the city will leave a blue tag at the customer's address describing the problem in sufficient detail to allow the customer an opportunity to address the issue before the next regularly scheduled delivery.

E. A credit for service will not be given for services missed because of a customer's action or inaction.


13.08.270 Liability of city and responsibility of customer.

The city shall not be liable for any loss or damage of any nature whatsoever caused by any defect in the customer service line or the customer's plumbing or equipment, nor shall the city be liable for loss or damage due to interruption of sewer service.

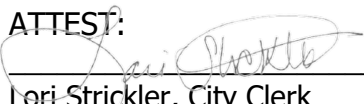
The customer is responsible for maintaining and monitoring the collection of waste in their holding tank and shall ensure prevention of overflow, leakage, and discharge of waste onto the ground. The City shall not be liable for any loss or damage of any nature whatsoever caused by holding tank overflow or discharge of waste onto the ground.

SECTION 4. This Ordinance shall become effective immediately following adoption by the Bethel City Council.

**BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BETHEL, ALASKA
THIS 8th DAY OF JUNE 2021 BY A VOTE OF 5 IN FAVOR AND 0 OPPOSED.**


Michelle DeWitt (Jun 21, 2021 09:52 AKDT)
Michelle DeWitt, Mayor

ATTEST:


Lori Strickler, City Clerk
City of Bethel, Alaska

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Ordinance 21-23 Amending BMC 13.08 Sewer Services Monitor-Maintain Sewage Holding Tanks

Final Audit Report

2021-06-21

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