

APRIL 18, 1995

A regular monthly meeting of the Russell County Board of Supervisors was held at the Russell County Courthouse in Lebanon, Virginia on Tuesday, April 18, 1995, beginning at 4:00 P. M.

PRESENT: Frank W. Horton, Chairman  
Ralph C. Maples, Jr., Vice Chairman  
Danny L. Brown, Member  
Robert J. Keene, Member  
Clarence Ball, Member

James A. Gillespie, Clerk of the Board

ABSENT: Michael Puckett, Member

The Chairman called the meeting to order.

PUBLIC HEARING - DANTE SEWER PROJECT

MANDATORY HOOKUP ORDINANCE

Having advertised in local newspaper for two (2) consecutive weeks a Public Hearing was held to consider the adoption of an ordinance requiring mandatory sewer hookup; as required by the Rural Economic and Community Development (Farmers Home Grant and Loan Program), for the project area of the Dante Sewer Project. The Chairman called the Public Hearing to order. The County Administrator conducted the Public Hearing. County Attorney, Dennis Jones, explained the ordinance. The floor was open to receive public comments. After receiving public comments the Chairman closed the Public Hearing. The Board of Supervisors noted the requirement by FHA for this ordinance to be effective as a requirement for funding the Dante Sewer Project.

Motion made by Ralph Maples, second by Clarence Ball and duly approved by the Board of Supervisors to adopt the following ordinance effective April 18, 1995:

WHEREAS, the Board of Supervisors of Russell County has applied for and received a grant from the Rural Economic and Community Development (Farmers Home Grant and Loan Program) for the construction and development of a community sewer service (collection and treatment) system in the Dante Community of Russell County to serve the citizens of Dante and West Dante; and,

WHEREAS, the community sewer service (collection and treatment) system is for the purposes of promoting the health, safety and general welfare of the citizens of Russell County; and,

WHEREAS, total funding in the amount of \$4,149,600 has been authorized for the project subject to the terms, conditions and mandates of the Rural Economic and Community Development (Farmers Home Grant and Loan Program); and,

WHEREAS, one of the terms, conditions and mandates of the Rural Economic and Community Development (Farmers Home Grant and Loan Program) is the adoption and enforcement of an ordinance requiring the mandatory sewer line connection in the Dante and West Dante Community.

I. PREEXISTING ORDINANCES, EFFECTIVE DATE

Section 1.1. This Ordinance shall become effective from the date of its approval and adoption as provided by law. This Ordinance shall supersede and repeal any conflicting ordinances as they pertain to the Dante and West Dante Communities and those areas affected by the Dante Community Water and Wastewater Improvements Project.

II. PURPOSE.

Section 2.1. This Ordinance is established for the purpose of protecting, promoting, and preserving the environment and promoting the public health and welfare; preventing the creation of nuisances; maintaining such levels of water quality as will protect human health, welfare and safety; prevention of injury to plant and animal life, and property and to nurture the comfort of the people of Russell County in their enjoyment of life and property.

III. PUBLIC SEWER.

Section 3.1. Where public water is available, Russell County or it's designee shall extend sewer service to all lots within the Dante and West Dante Community and those adjacent areas affected by the Dante Community Water and Wastewater Improvements Project and shall install the service lateral from the sewer lines to each of the individual parcel property lines. All Sewer facilities and improvements shall be in strict conformance with the "Rules and Regulations and Construction Specifications and Standards," and amendments thereto, of Russell County or it's designee.

Section 3.2. The County or its designee shall specify the size and location of all facilities, improvements and related appurtenances required for the efficient and successful operation of the public sewer collection service.

Section 3.3. All residential, business establishments and other structures used and/or occupied by the citizens of Russell County in Dante, West Dante or areas affected by the Dante Community Water and Wastewater Improvements Project shall be required to connect to the sewer service (collection and treatment) system.

IV. LIMITATIONS.

Section 4.1. This ordinance effects only the property in the Communities of Dante and West Dante.

V. SEVERABILITY.

Section 5.1. Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not effect the validity of the Ordinance as a whole or any part thereof other than the part or parts that are declared to be invalid.

VI. ENFORCEMENT.

Section 6.1. This Ordinance shall be enforced by the Russell County Board of Supervisors on behalf of Russell County, Virginia, or its designee.

Adopted this 18th day of April, 1995.

The vote was:

AYE: Ralph Maples  
Clarence Ball  
Danny Brown  
Frank Horton  
Robert Keene.

NAY: None