

**AN ORDINANCE OF THE COUNCIL FOR THE TOWN OF ABINGDON, VIRGINIA
TO AMEND PART II – CODE, CHAPTER 74 – UTILITIES; ARTICLE II. – SEWERS
AND SEWAGE DISPOSAL, DIVISION 1. – GENERALLY, SECTION 74-28. –
ADMINISTRATION
AND SECTION 74-34. – APPLICATION FOR SERVICE**

WHEREAS, §15.2-1102 of the Code of Virginia 1950, as amended, established that the governing body of any town may enact and enforce ordinances for the general purpose of promoting the public health, safety, convenience and welfare of its general public; and

WHEREAS, the Town of Abingdon's current Code, Chapter 74 – Utilities; Article II. – Sewer and Sewage Disposal, Division 1. – Generally, Section 74-28. – Administration and Section 74-34. – Application for Service, the Council for the Town of Abingdon has found it in the best interest to amend the sections of its ordinance; and

NOW, THEREFORE BE IT ORDAINED by the council of the Town of Abingdon that:

1. Should any section or provision of this ordinance be decided to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity or constitutionality of any other section or provision of this ordinance or the Code of the Town of Abingdon, Virginia; and

2. The Town of Abingdon's Code – Chapter 74 – Utilities; Article II. – Sewer and Sewage Disposal, Division 1. – Generally, Section 74-28. – Administration and Section 74-34. – Application for Service that is proposed for amendment currently appears as follows:

Sec. 74-28. - Administration.

(a) Except as otherwise provided herein, the town manager shall administer, implement, and enforce the provisions of this chapter. Any powers granted to or duties imposed upon the town manager may be delegated by the town manager to other town personnel.

(b) To protect the POTW, the town may prepare and implement discharge policy documents that regulate the discharge of specific wastes deemed appropriate by the facility manager. These policy documents must be approved by town council and will become an enforceable component of this article.

(c) The town may enter into contracts or agreements with other jurisdictions to provide wastewater conveyance and treatment services. These contracts or agreements shall require the jurisdiction to comply with all provisions of this chapter, at a minimum, and shall specify the party responsible for the administration of the program within that jurisdiction.

Sec. 74-34. - Application for service.

Application for sewer service shall be made to the town on such form as the town may furnish. The connection application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the director of public works.

BE IT FURTHER ORDAINED, that upon the recommendation of the Council for the Town of Abingdon, Part II – Code, , Chapter 74 – Utilities; Article II. – Sewer and Sewage Disposal, Division 1. – Generally, Section 74-28. – Administration and Section 74-34. – Application for Service be amended as follows:

Sec. 74-28. - Administration.

(a) Except as otherwise provided herein, the Town Manager shall administer, implement, and enforce the provisions of this chapter. The Town Manager may delegate any powers granted to or duties imposed upon the Town Manager to other town personnel.

(b) To protect the POTW, the Town Manager or designee may prepare and implement discharge policy documents that regulate the discharge of specific wastes deemed appropriate by the Town Manager or designee. These policy documents must be approved by town council and will become an enforceable component of this article.

(c) The town may enter into contracts or agreements with other jurisdictions to provide wastewater conveyance and treatment services. These contracts or agreements shall require the jurisdiction to comply with all provisions of this chapter, at a minimum, and shall specify the party responsible for the administration of the program within that jurisdiction.

Sec. 74-34. - Application for service.

Application for sewer service shall be made to the town on such form as the town may furnish. The connection application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the Town Manager or designee. The Town Manager or designee may refuse any application, if in the sole discretion of the Town Manager or designee, there is insufficient capacity in the sewage works to allow a new connection.

CERTIFICATE

Pursuant to Section 2-100 of the Code of the Town of Abingdon, Virginia, I hereby certify that I have reviewed the foregoing proposed ordinance to amend Chapter 74 – Utilities; Article II. – Sewer and Sewage Disposal, Division 1. – Generally, Section 74-28. – Administration and Section 74-34. – Application for Service, and find it to be in correct form, as set forth above, this _____ day of March, 2020.



Cameron Bell, Counsel

This ordinance was adopted on the 2 day of March²⁰²⁰, to take effect on April 2, 2020

J. Wayne Craig
J. Wayne Craig, Mayor

The undersigned Clerk of the Town of Abingdon, Virginia (the "Town"), hereby certifies that the foregoing constitutes a true and correct copy of an ordinance duly adopted at a meeting of the Council held on March 2, 2020. I hereby certify that such meeting was a regularly scheduled meeting and that, during the consideration of the foregoing ordinance, a quorum was present. I further certify that the minutes of meeting was a regularly scheduled meeting and that, during the consideration of the foregoing ordinance, a quorum was present. I further certify that the minutes of such meeting reflect the attendance of the members and the voting on the foregoing ordinance was as follows:

MEMBERS	ATTENDANCE	VOTE
J. Wayne Craig, Mayor	yes	aye
Cindy Patterson, Vice Mayor	yes	aye
Al Bradley	yes	aye
Donna Quetsch	yes	aye
Derek Webb	yes	aye

WITNESS MY HAND and the seal of the Town of Abingdon as of March 3, 2020.

(SEAL)

Kimberly Kingsley
Kimberly Kingsley, Clerk