

## **Item Cover Page**

### **CITY COUNCIL AGENDA ITEM REPORT**

**DATE:** November 1, 2023

**SUBMITTED BY:** Jim McLellan, Public Works & Utilities

**ITEM TYPE:** Ordinance

**AGENDA SECTION:** BUSINESS/ADVERTISING, PETITIONS, HEARINGS & COMMUNICATIONS

**SUBJECT:** ORDINANCE 4023 - FIRST READING

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, AMENDING CHAPTER 70, ARTICLE III, SECTION 70-92 OF THE CITY'S CODE OF ORDINANCES, TO ADD NEW SECTIONS 70-92(D), 70-92(E), 70-92(F), 70-92(G), AND 70-92(H); REQUIRING BUILDING SEWERS OR LATERALS TO BE MAINTAINED BY THE PROPERTY OWNER IN GOOD WORKING ORDER; REQUIRING BUILDING SEWER INSPECTIONS UPON CERTAIN OCCURRENCES; PROVIDING INSPECTION REQUIREMENTS; REQUIRING THE PROPERTY OWNER TO REPLACE OR REHABILITATE DEFECTIVE BUILDING SEWERS; PROVIDING FOR ENFORCEMENT MECHANISMS; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**SUGGESTED ACTION:** No action is required at first reading. The second reading and public hearing is scheduled for December 13, 2023.

**Is this item Quasijudicial?**

No

**Does this item require a public hearing?**

No

**EXPLANATION:**

Last year the City entered into a Consent Decree in order to resolve the Clean Water Act lawsuit with Suncoast Waterkeepers et al. One of the requirements under the Consent Decree is for the City to adopt an ordinance requiring private property owners to maintain their private lateral sewer connections and to repair them if they are determined to be defective, in order to prevent inflow and infiltration into the City's sewer system. The Ordinance would require a property owner to have their private lateral connection inspected under certain triggering scenarios. If the inspection determines that the private lateral is defective, then the Ordinance would require the property owner to repair or replace the lateral line within 1 year, unless extended for good cause.

**FINANCIAL IMPACT:**

N/A

**ATTORNEY REVIEW/RECOMMENDATION:**

Reviewed by City Attorney and special environmental counsel, Travis Hearne, Esq.

**SUGGESTED MOTION:**

No action is required at first reading. The second reading and public hearing is scheduled for December 13, 2023.

**ATTACHMENTS:**

[Ordinance 4023](#)