

Sec. 3-8-41. - Connection to available sewer system required.

- (a) All developed property must connect the plumbing system for any structure on the property to an available public or private sewer system within three hundred sixty-five (365) days after written notification by the public or private sewer system that the system is available for connection.
- (b) *Available*, for purposes of this section, means that the public or private sewer system is capable of being connected to the plumbing of a structure and has adequate permitted capacity to accept the sewage generated by the structure, and:
 - (1) For developed residential property, or any non-residential structure that has an estimated sewage flow of one thousand (1,000) gallons per day or less, a public or private utility's sewer collection line exists in an easement or right-of-way that abuts the property line of the lot; or
 - (2) For a non-residential structure with an estimated sewage flow of more than one thousand (1,000) gallons per day, a public or private sewer line, force main, or lift station exists in an easement or right-of-way that abuts the property line of the lot containing the non-residential structure, or is within fifty (50) feet of the property line of the lot, as measured and accessed via existing rights-of-way or easements; or
 - (3) For proposed residential subdivisions with more than fifty (50) lots, for proposed commercial subdivisions with more than five (5) lots, or for areas zoned or used for an industrial or manufacturing purpose, a public or private sewer system exists within one-fourth ($\frac{1}{4}$) mile of the development as measured and accessed via existing easements or rights-of-way.
 - (4) For repairs or modifications within areas zoned or used for an industrial or manufacturing purpose or its equivalent, a sewer system exists within five hundred (500) feet of an establishment's or residence's sewer stub-out as measured and accessed via existing rights-of-way or easements.
- (c) For property located in an area that is served by Charlotte County Utilities, sewer charges, as contained in the adopted rate resolution, shall be in effect upon connection, or beginning three hundred sixty-five (365) days from notification of the availability of sewer service, whichever is less. Failure to pay such charges will result in initiation of Charlotte County Utilities' delinquency process.
- (d) All charges, including late charges and interest, for sewer services rendered to any real property located in an area served by Charlotte County Utilities and which remain unpaid when due, shall become a lien against and upon the real property and such lien shall be superior and paramount to the interest on such parcel or property of any owner, lessee, tenant, mortgagee or other person except the lien of county taxes and shall be on parity with the lien of any such county

taxes. Nothing provided herein with respect to the county's lien authority shall affect or preclude any other remedy authorized by law or ordinance that the county may have to collect delinquent charges or fees.

- (e) Any person failing to connect their property to an available public or private sewer system within three hundred sixty-five (365) days of written notification of availability shall be guilty of an ordinance violation for each day in excess of three hundred sixty-five (365) days that the property is not connected to the sewer system.

(Ord. No. 2018-038, § 3, 9-25-18)