

ORDINANCE NO. 18870

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4 AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr.,
5 authorizing Sewer Improvement Project No. 86182-03, which
6 provides for construction of service lines connecting residents
7 to the City's sanitary sewer system and the elimination of
8 private septic tanks, as more specifically described herein, all
9 pursuant to Section 146-236 of the Code of the City of Topeka
10 and K.S.A. 12-631.

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12 WHEREAS, City of Topeka Code § 146-236 requires a property owner adjacent to a
13 public sanitary sewer main or lateral to connect the public system within five (5) years of
14 the construction of the main or lateral; and

15 WHEREAS, certain properties within the City have not connected to the public
16 system and more than five (5) years have elapsed; and

17 WHEREAS, notice has been provided to the property owners pursuant to City of
18 Topeka Code § 142-236(b), and the owners have failed to connect to the City's public
19 sewer system; and

20 WHEREAS, City of Topeka Code § 146-236 and K.S.A. 12-631 authorizes the City
21 to contract for the connections to the City's sewer system and assess the costs of
22 construction and applicable connection fees against the property in the same manner as
23 other special assessments are made; and

24 WHEREAS, connecting the properties to the City's sanitary sewer system and
25 eliminating private septic tanks within the City is necessary for the protection of the health
26 of the public.

27 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Topeka,
28 Kansas:

29 Section 1. That it is hereby deemed advisable and necessary and in the public
30 interest, and is also hereby authorized, pursuant to Section 146-236 of the Code of the City

31 of Topeka and K.S.A. 12-631 that the following public improvement be made:

32 A. GENERAL NATURE OF IMPROVEMENT:

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34 To construct new service lines connecting several private residences to the
35 City's sanitary system and the elimination of the private septic tank systems.
36 This will assist in reducing the level of pollution in our surface water as
37 required by our state and federal stormwater permit.

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39 B. LOCATION OF IMPROVEMENT:

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41 Throughout the City of Topeka, as designated on the attached exhibit.

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43 C. ESTIMATED OR PROBABLE COST:

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45 \$392,000.00

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47 D. SOURCE OF FUNDS:

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49 Initial funding will be through City of Topeka combined water, wastewater and
50 stormwater operating funds which will be reimbursed 100% by property
51 owners receiving the improvements through special assessments.

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53 E. PROPOSED METHOD OF ASSESSMENT:

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55 Assessments will be based on actual construction costs of improvements and
56 connection to the City's sanitary sewer system including all applicable public
57 works connection, construction and inspection fees for the individual
58 properties receiving the improvements.

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60 Section 2. This Ordinance shall take effect and be in force from and after its
61 passage, approval and publication in the official city newspaper.

62 PASSED and APPROVED by the City Council May 8, 2007.

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64 CITY OF TOPEKA, KANSAS

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68 _____
69 William W. Bunten, Mayor

70 ATTEST:
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72 _____
73 Brenda Younger, City Clerk