

**VILLAGE OF LOS RANCHOS
ORDINANCE NO. 184**

AN ORDINANCE AMENDING CHAPTER 22 OF CODIFIED ORDINANCE NO. 134 REGARDING SEWER SYSTEMS.

BE IT ORDAINED BY THE BOARD OF TRUSTEES, THE GOVERNING BODY OF THE VILLAGE OF LOS RANCHOS DE ALBUQUERQUE, NEW MEXICO AS FOLLOWS:

CHAPTER 22

SEWER SYSTEMS

SECTION 1.	Purpose
SECTION 2.	Private Liquid Waste System Defined
SECTION 3.	Private Liquid Waste System Prohibited
SECTION 4.	Mandatory Connection to Public Sanitary Sewer
SECTION 5.	Violations – Additional Remedies

SECTION 1. PURPOSE

The purpose of this Ordinance is to protect the health and welfare of present and future citizens of the Village of Los Ranchos de Albuquerque by providing for the prevention and abatement of public health hazards and surface and ground water contamination from on site liquid disposal practices.

SECTION 2. PRIVATE LIQUID WASTE SYSTEM DEFINED

A private liquid waste system includes any septic tank, holding tank, cesspool, seepage pit, or other such facility which receives domestic liquid sewage.

SECTION 3. PRIVATE LIQUID WASTE SYSTEM PROHIBITED.

No person shall install or modify a private liquid waste system or use a private liquid waste system that was installed or modified after public sanitary sewer service has become available. A public sanitary sewer may be considered available to any lot when the connection point for the building service is within two hundred (200) feet of the connection point for the public sanitary sewer provided access is available through private or public easement or right of way.

SECTION 4. MANDATORY CONNECTION TO PUBLIC SANITARY SEWER.

- a. Any development or redevelopment in the Village Center or Commercial Zones of the Village shall be required to connect to the public sanitary sewer. All existing premises in the Village Center or Commercial Zones of the Village at the date of adoption of this

Ordinance shall be required to connect to the public sanitary sewer within 365 days of adoption of this Ordinance.

- b. Any premises not included in paragraph 4a, above, shall be required to connect to public sanitary sewer when sewer service is available, and the connection point at the premises is no more than two hundred (200) feet from the nearest possible point of connection to the public sanitary sewer provided access is available through private or public easement or right of way. All existing premises that meet the above criteria at the date of adoption of this Ordinance shall be required to connect to the public sanitary sewer within 731 days of adoption of this Ordinance.

- 1. A private liquid waste system which is less than 5 years old and which is operating in accordance with state and local regulations shall be exempt from mandatory connection until it reaches 5 years of age at which time it shall be required to connect to the public sanitary sewer with 731 days.

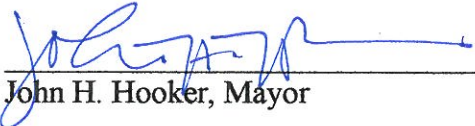
- c. Each residential premises exempted from sewer connection under Section 3 above, must register its septic system with the Village. There shall be a fee of \$25 for the one-time non-conforming registration. As a minimum, the owner shall have each registered system inspected biennially (every two years) by an engineer or technician qualified by CID to evaluate the condition of septic systems and shall provide a written status report which shall be provided to the Village as part of the no-fee annual renewal. This shall not apply to properties without public sewer service in the right of way or easement adjacent to the property.

- 1. Failure to comply with the registration or annual renewal shall be a violation of this ordinance punishable by a fine of not less than \$100 per monthly violation.

SECTION 5. VIOLATIONS – ADDITIONAL REMEDIES.

Injunctions. In addition to the penalties provided in Chapter 20 for violation of any Village ordinance, the operation or maintenance of any device, system or portion of a system in violation of any provision(s) of this Ordinance, which causes a nuisance or creates a potential or actual health hazard, shall be deemed, and is declared to be, a public nuisance and may be subject to abatement summarily by a restraining order or injunction issued by a court of competent jurisdiction.

APPROVED AND ADOPTED by the Governing Body of the Village of Los Ranchos de Albuquerque this 12TH day of NOVEMBER, 2003.


John H. Hooker, Mayor

ATTEST:


Annabelle Silvas, CMC
Village Clerk

Ordinances and State Law References Regarding Chapter 22:

Ordinance #81, February 8, 1989.

Ordinance #102, changed the definition of when public sewer is deemed available (Section 3), July 24, 1991.

Ordinance #116, changed the definition of when public sewer is deemed available (Section 3), March 9, 1994

Sewage Facilities §3-26-1, et seq., NMSA 1978