

ORDINANCE NO. #81

ORDINANCE REQUIRING CONNECTION TO AVAILABLE PUBLIC SANITARY SEWER SYSTEMS AND REGULATING ABANDONMENT OF PRIVATE LIQUID WASTE SYSTEMS.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF LOS RANCHOS DE ALBUQUERQUE THAT:

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 waste 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 Systems Prohibited. No person shall install or modify a private liquid waste system or use a private liquid waste system which was installed or modified after public sewer has become available. A public sewer may be considered unavailable when such public sewer is located more than two hundred (200) feet from any lot or premises which abuts and is served by such public sewer.

SECTION 4. Penalties. Any person who violates any of the provisions of this Ordinance and is found guilty thereof by a court of competent jurisdiction, shall be

punished by a fine not exceeding three hundred dollars (\$300.00). Each day's violation shall be deemed a separate offense.

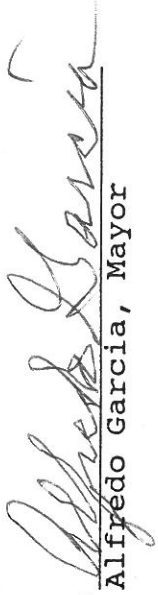
SECTION 5. Violations - Additional Remedies:

Injunctions. As an additional remedy, the operation or maintenance of any device, system or portion of a system in violation of any provision(s) of this Ordinance, which operation or maintenance 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.

SECTION 6. Severability of Provisions. If any section, subsection, sentence, clause or phrase of these Regulations is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of these Regulations, it being the intent of the Village Board of Trustees to enact each section, subsection, sentence, clause or phrase of these Regulations separately and independently of each other section, subsection, sentence, clause or phrase.

PASSED, ADOPTED, AND APPROVED by the governing body of the Village of Los Ranchos De Albuquerque this 8<sup>th</sup> day of February, 1988.

VILLAGE OF LOS RANCHOS DE  
ALBUQUERQUE, a municipal  
corporation

BY:   
Alfredo Garcia, Mayor

ATTEST:

  
LYNN MALLORY, Clerk