

AN ORDINANCE OF THE HAINES BOROUGH AMENDING BOROUGH CODE SECTION 18.100.092 TO REMOVE THE BIENNIAL STATE INSPECTION REQUIREMENT FOR WASTEWATER DISPOSAL SYSTEMS TO MAKE THIS CODE SECTION CONSISTENT WITH SECTION 18.60.010(I).

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance is of a general and permanent nature and if adopted with or without amendment shall become a part of the Haines Borough Code.

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance will become effective immediately upon adoption.

Section 4. Amendment of Section 18.100.092. Section 18.100.092 of the Haines Borough Code is hereby amended to read as follows:

NOTE: STRIKETHROUGH ITEMS ARE DELETED FROM THE CURRENT LANGUAGE

HBC 18.100.092 Requirements prior to final plat approval.

A. Utilities.

1. Water and Sewer. The subdivider, at the subdivider's own expense and prior to final plat approval, in accordance with the approved preliminary plat, shall construct, per borough specifications, all water and sewer utilities to service each lot individually within the subdivision to be created. The subdivider may elect to provide performance and payment bonding as allowed in HBC 18.100.125 in order to have authorization to proceed to a final plat procedure.

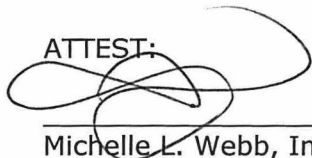
2. When, in the opinion of borough staff, no public sanitary sewer and/or water service is available within 200 feet of any exterior property line of a new subdivision in which all lots are one acre or larger in area, the developer may request an exemption from the requirements to connect to public utilities. All regulations of the State Department of Environmental Conservation pertaining to water extraction and wastewater disposal, as well as the requirements of HBC 13.04.080(G) pertaining to on-site wastewater disposal, shall apply. If exempted from the requirement to connect to public utilities, a plat note must be placed on the plat stating that public water and/or sewer are not available to the subdivision and that all future property owners in the subdivision must provide written Department of Environmental Conservation (DEC) approval of their on-site wastewater system design prior to a land use permit being issued. Upon installation and before closure, the wastewater disposal system must be inspected and approved by a DEC-approved inspector. ~~The wastewater disposal system must also be inspected by a DEC-approved inspector, at the property owner's expense, every two years, in the spring of the year, with a written approval of the system submitted to the borough by June 1st of the year.~~

When public sanitary sewer and/or water service becomes available, property owners will be required to connect to the public utility within six months.

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ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS
28TH DAY OF JANUARY, 2014.

ATTEST:



Michelle L. Webb, Interim Borough Clerk


Stephanie Scott, Mayor

Date Introduced: 12/10/13
Date of First Public Hearing: 01/14/14
Date of Second Public Hearing: 01/28/14 - Adopted