

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING CHAPTER 715 SEWERS AND SEWERAGE SYSTEMS SECTIONS 710.180 CONNECTION PERMIT PURPOSES OF THE CITY CODE FOR VARIOUS PURPOSES AS SET FORTH.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OSAGE BEACH, MISSOURI AS FOLLOWS:

Section 1. Within the City Code there are hereby enacted new Sections with material repealed and replacing set forth below with new material set out in **RED** follows:

Section 710.180. Connection Permit.

- A. *Connection permit required.* No person shall commence installation of a sewer system, relocation of an existing line or sewer station, uncover, make any connections with or opening into, use, alter or disturb any wastewater sewer or storm sewer without first obtaining an approved sewer permit. The site development fee required in Section 510.120 must be paid in full before the sewer permit is issued.
- B. *Capacity prerequisite.* No permits for any class of connection to the City's wastewater sewers or wastewater treatment facilities shall be issued unless there is sufficient capacity, not legally committed to other users, in the wastewater sewers and treatment facilities to convey and adequately treat the quantity of wastewater which the requested connection will add to the system. The Public Works Director may permit a new connection if there are legally binding commitments to provide the service.
- C. *Connections outside City limits.* In addition to the foregoing, all connections to the City's wastewater sewers or wastewater treatment facilities which service property outside City limits shall require a signed agreement by the person(s) seeking to connect which commits to connection for a period of not less than twenty years and contains a provision consenting to annexation of the serviced property. The City Administrator or his/her designee are authorized to execute such agreements for any connection of two (2) or fewer Class A users as defined in Section 710.400(A)(5).

Section 2. Severability

The chapters, sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional or otherwise invalid by the valid judgment or degree of any Court of any competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance since the same would have been enacted by the Board of Aldermen without the incorporation in this ordinance of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

Section 3. Repeal of Ordinances not to affect liabilities, etc.

Whenever any part of this ordinance shall be repealed or modified, either expressly or by implication, by a subsequent ordinance, that part of the ordinance thus repealed or modified shall continue in force until the subsequent ordinance repealing or modifying the ordinance shall go into effect unless therein otherwise expressly provided; but no suit, prosecution, proceeding, right, fine or penalty instituted, created, given, secured or accrued under this ordinance previous to its repeal shall not be affected, released or discharged but may be prosecuted, enjoined and recovered as fully as if this ordinance or provisions had continued in force, unless it shall be therein otherwise expressly provided.

Section 4. That this Ordinance shall be in full force and effect from and after the date of passage and approval of the Mayor.

READ FIRST TIME: January 2, 2025 READ SECOND TIME: January 16, 2025

I hereby certify that Ordinance No.25.03 was duly passed on January 16, 2025 by the Board of Aldermen of the City of Osage Beach. The votes thereon were as follows:

Ayes: 5 Nays: 0 Abstentions: 0 Absent: 1

This Ordinance is hereby transmitted to the Mayor for his signature.

Jan. 16.25
Date

Tara Berreth
Tara Berreth, City Clerk

Approved as to form:

Cole Bradbury
Cole Bradbury, City Attorney

I hereby approve Ordinance No.25.03.

Michael Harrison
Michael Harrison, Mayor

Jan. 16.25
Date

Tara Berreth
Tara Berreth, City Clerk