

**ORDINANCE AMENDING CODE OF ORDINANCES
CHAPTER 16, WATER AND SEWER**

**AN ORDINANCE TO IMPOSE A MORATORIUM ON CONNECTIONS TO THE
MUNICIPAL SEWERAGE TREATMENT SYSTEM**

WHEREAS, Louisiana Revised Statute Title 33 "Municipalities and Parishes," Chapter 2 "Local Government," Part I "Mayor and Board of Aldermen," Subpart C "Municipal Powers," provides:

Section 361. Municipal powers.

"A. Except as otherwise provided in this Part, a municipality shall be vested with all powers, rights, privileges, immunities, authorities, and duties heretofore possessed in accordance with all constitutional and statutory provisions with respect thereto. A municipality is further authorized to exercise any power and perform any function necessary, requisite, or proper for the management of its affairs not denied by law."

WHEREAS, included within the police power of municipal corporations is the authority to regulate the collection and treatment of sanitary waste disposal and sewerage treatment systems and the authority to legislate for the protection of the health of its inhabitants, and it is the duty of the municipality to do so.

WHEREAS, engineering data indicates that the Village of Folsom transmits its wastewater through the municipal sewer system using a combination of gravity collection mains and pumping stations. The municipal sanitary sewerage collection system is comprised of approximately 12,000 linear feet of eight inch diameter sewer lines, constructed primarily of PVC. The Village of Folsom operates two sanitary sewerage pumping stations, one located on St. Claude Street and the other near Jackson Street. The Jackson Street lift station handles one hundred percent of the municipal treatment plant's influent.

Rainfall that penetrates the surface also infiltrates the sewer collection system at leaks in the system, an occurrence termed "infiltration/inflow." Infiltration/inflow problems in the municipal sewer system become evident when comparing wet weather flows to dry weather flows.

Efforts by municipal personnel to remedy the infiltration/inflow problems have achieved minimal results due to the magnitude and elusive source of the infiltration/inflow problems and the inability to define a clear solution without benefit of a Sewer System Evaluation Survey. Although the Village of Folsom has applied for governmental funding grants to assist in the correction of these problems, no grants have been awarded to date.

The existing municipal sewer treatment plant is permitted at 0.0996 MGD (million gallons per day). The existing customer base consists of approximately 116 residential users and 49 commercial users. Assuming 400 gallons per day for residential

usage and 1000 gallons per day for commercial usage, this customer base theoretically produces 0.0954 MGD of untreated sewer. Based on these figures, the municipal sewer treatment plant is currently operating at 95.8% of capacity.

Any significant storm event increases flows due to infiltration/inflow and leads to overload of the treatment plant, thereby reducing treatment time and contributing to the poor quality effluent.

WHEREAS, the Mayor and Board of Aldermen have concluded that the municipal sewerage treatment system is operating at or near maximum capacity, that additional connections to the sewerage treatment system will tax the system and at some point overload the system, rendering the system less effective for all subscribers.

WHEREAS, the Mayor and Board of Aldermen have determined that a moratorium on additional connections to the municipal sewerage treatment system is necessary and appropriate,

BE IT ORDAINED by the Board of Aldermen of the Village of Folsom, State of Louisiana that the Village of Folsom, Code of Ordinances, Chapter 16 "Water and Sewer," Section 16.49 "Moratorium on Connections to Municipal Sewerage Treatment System" be enacted as follows:

Effective on the date of promulgation of this ordinance, no new or additional connections to the municipal sewerage treatment system of the Village of Folsom shall be permitted or allowed. This moratorium shall remain effective until such time as the Board of Aldermen of the Village of Folsom determines that the municipal sewerage treatment system is capable of accepting new or additional connections and properly treating municipal sewerage waste and discharging effluent conforming to state and federal wastewater discharge statutes, rules, regulations and guidelines.

BE IT FURTHER ORDAINED that this ordinance shall take effect on and after its promulgation.

Said ordinance having been introduced on the 13th day of November, 2000, notice of public hearing having been published, said public hearing having been held on the 11th day of December, 2000, the title having been read and the ordinance considered, on motion duly made and seconded to adopt the ordinance, a record vote was taken and the following was had:

Yeas: Alderman Willie Richardson, Jr.

Alderman Gerald Sambola

Alderman David Pittman

Nays: None

Abstentions: None

Absent: None

Whereupon, the Mayor declared the above ordinance duly adopted on the 11th day of December, 2000.

Folsom, Louisiana this 11th day of December, 2000.



WILLIE RICHARDSON, JR., Alderman



GERALD SAMBOLA, Alderman



DAVID PITTMAN, Alderman

Approved:

VILLAGE OF FOLSOM

By: 

MARSHELL BRUMFIELD, Mayor

CERTIFICATE

I, Joyce Core, certify that the above and foregoing is a true and correct extract of the minutes of the regular session of the Village of Folsom held at the Town Hall in the Village of Folsom, Louisiana on the 11th day of December, 2000. Present: Marshall Brumfield, Mayor, Willie Richardson, Jr., Alderman, Gerald Sambola, Alderman, David Pittman, Alderman. All present voted yea and there were no nays.

JOYCE CORE, Municipal Clerk