



Board of Alderman Request for Action

MEETING DATE: 6/3/2025

DEPARTMENT: Development

AGENDA ITEM: Approve Bill No. 3065-25, Connections to Public Sewers for 1st Reading by Title Only

REQUESTED BOARD ACTION:

A motion to approve Bill No. 3065-25, amending Section 700.030 of the Code of Ordinances regarding connections to public sewers. First Reading by Title Only

SUMMARY:

It was recently identified that for new construction of houses that are located in Platte County that the Clay County Health Department has no jurisdiction to issue septic permits, and Platte County has not been designated by the City to be able to issue permits within the City Limits. Changes to Section 105.080 concerning the City's designated Public Health Officer and to Section 700.030 concerning septic system permits needed to be adopted to allow Platte County Health Department employees to issue permits for and inspect septic systems on Platte County land located within Smithville City Limits. This ordinance would remove the designation of only Clay County Health Department, and designate the Health Department for the County where the property is located as the entity authorized to issue septic permits.

PREVIOUS ACTION:

The last revision to this ordinance was in 2013.

POLICY OBJECTIVE:

N/A

FINANCIAL CONSIDERATIONS:

None

ATTACHMENTS:

- ☒ Ordinance
- ☐ Resolution
- ☐ Staff Report
- ☐ Other:

- ☐ Contract
- ☐ Plans
- ☐ Minutes

**AMENDING SECTION 700.030 OF THE CODE OF ORDINANCES
REGARDING CONNECTIONS TO PUBLIC SEWERS**

WHEREAS the City most recently adopted Section 700.030 in October of 2013 to delineate when and how properties were to connect to the city sewers or when and how septic systems could be approved; and,

WHEREAS the current code requires all septic systems allowed in the city to be approved by a permit and inspections by the Clay County Health Department, but Clay County Health has no jurisdiction in Platte County; and,

WHEREAS, the City needs to amend this ordinance to clarify that the Public Health officer for the County where the property is located shall issue permits and inspect all septic systems permitted by this section.

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

SECTION 1. That section 700.030 of the Code of Ordinances is repealed in its entirety and a new Section 700.030 is enacted to be read and numbered as follows:

Section 700.030 Connection To Public Sewers Required, When.

A. Any new building that is required by the City's adopted Plumbing or Building Codes to be connected to a sewer:

1. Shall connect to an available public sewer main; or
2. Construct a private sewage disposal system in accordance with the plans and specifications submitted to and approved by the County Health Department for the County wherein the property lies, so long as the lot is at least three (3) acres in area, or on a lot smaller than three (3) acres, provided that said lot was platted as a lot prior to October 20, 1998, and connection to a public sewer is impractical due to distance, obstacles, cost or other considerations as determined by the City. Prior to construction of a private sewage disposal system, the property owner must submit a copy of the approved permit from the relevant Health Department to the City.

B. For an existing building connected to a private sewage disposal system that fails to comply with any local, County, State, or Federal requirements and/or said system is in need of substantial repair or replacement, where public sewers are not located within one hundred (100) feet:

1. The owner may repair or replace said system in compliance with local, County, State, or Federal requirements, so long as the cost of such repair shall

not exceed seventy-five percent (75%) of the estimated cost of connection to the nearest public sewer.

2. The owner must connect to a public sewer as stated above. To estimate the cost of connection to the public sewer, the cost of installing a public sewer main extension from the nearest public sewer to the property line of said property shall be used to reach such estimate. The public main extension shall be installed solely at the property owner's expense, and thereafter dedicated to the City for future maintenance. In no event shall such sewer extension include a sewer lift or pumping station to be dedicated to the City. Any lift or pump shall be constructed solely on the owner's property and shall be the owner's responsibility for future maintenance.

C. In the event that public sewers become available to a property served by a private sewage disposal system, such property's owner shall connect to the public sewer at his/her sole cost and expense if and when said property's private sewage disposal system fails to comply with any local, County, State or Federal regulation. For purposes of this Section, a public sewer is available if the sewer is located within one hundred (100) feet of the property line of said property.

PASSED THIS 17th DAY OF JUNE 2025.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk

First Reading: 06/03/2025

Second Reading: 06/17/2025