

FIRST REGULAR SESSION

SENATE BILL NO. 297

92ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR GRIESHEIMER.

Read 1st time January 21, 2003, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

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AN ACT

To amend chapter 250, RSMo, by adding thereto one new section relating to residential and commercial connections to state-operated sewer lines.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 250, RSMo, is amended by adding thereto one new section, to be known as section 250.193, to read as follows:

250.193. 1. Any department, division, or agency of the state that operates a sewer line in connection with a facility operated by said department, division, or agency shall allow residential and commercial customers within the same sewer district or municipal sewerage system to connect to the sewer line of the department, division, or agency provided that the customer satisfies the provisions of this section.

2. A residential or commercial customer seeking to connect to the sewer line shall notify in writing the department, division, or agency operating the sewer line that the customer is requesting a connection to the sewer line. The department, division, or agency shall then notify the division of design and construction and either the sewer district or municipal sewerage system in which the sewer line is located of the request.

3. An engineer chosen by the customer with experience in sewer design and construction shall investigate and report to the division of design and construction and the department, division, or agency operating the sewer line on the ability of the sewer line to satisfactorily process the additional sewage to be generated by the residential or commercial customer. All costs of the engineer relating to the investigation and report shall be paid by the residential or commercial customer.

4. After submission of the engineer's report, the division of design and construction shall approve the customer's application for connection unless good cause is demonstrated that the existing sewer line is unable to satisfactorily process the additional sewage to be generated by the residential or commercial customer.

5. The trustees of the sewer district or the municipality operating the sewerage system shall approve the customer's request for connection unless good cause is demonstrated that the sewerage system is unable to satisfactorily process the additional sewage to be generated by the residential or commercial customer.

6. Any appeal from the denial of connection shall be made to the circuit court in which the residential or commercial customer's property is located.

7. If the residential or commercial customer's application for connection is approved, then the customer shall be responsible for all engineering and construction costs associated with the connection to the sewer line and shall be responsible for future maintenance costs associated with the customer's connection to the sewer line. The customer shall also be responsible for the customer's proportionate share of any future maintenance costs of the sewer line. The customer's proportionate share shall be determined based upon the percentage of the sewer line's sewage output that is contributed by the customer.

8. The department, division, or agency of the state that operates the sewer line shall be authorized to charge the residential or commercial customer a reasonable fee for the connection to the sewer line.

9. The provisions of this section shall not apply to sewer lines connected to package treatment plants.

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