

1 HB206
2 196523-3
3 By Representative Lawrence (N & P)
4 RFD: Local Legislation
5 First Read: 19-MAR-19

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2 ENROLLED, An Act,

3 Relating to Lowndes County; to authorize the county
4 commission to require properties to connect to public sanitary
5 sewerage systems where available; and where a public sewerage
6 system is not available, to authorize the county commission,
7 through the county health department, to require properties to
8 connect to private disposal systems conforming to the rules of
9 the State Board of Health.

10 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

11 Section 1. (a) (1) The Lowndes County Commission may
12 compel the connection of existing positive outlets, privies,
13 water closets, and septic tanks situated in the unincorporated
14 areas of Lowndes County to any available public sewerage
15 system, whether publicly or privately owned, within 90 days
16 after receiving official notice to do so.

17 (2) Where a public sewerage system is not available,
18 the county commission, through the county health department,
19 shall compel the connection of all existing positive outlets,
20 privies, water closets, and septic tanks situated in the
21 unincorporated areas of Lowndes County to private disposal
22 systems conforming to the rules of the State Board of Health.

23 (b) The notice required in subdivision (a) (1) shall
24 cite this subsection as the authority for the actions to be
25 taken, shall provide the name and telephone number of a person

1 employed by the county who may be contacted regarding the
2 notice, and shall be signed by an officer or employee of the
3 county as designated by the county commission.

4 (c) In the case of failure of the property owner to
5 connect after reasonable notice from the county, as provided
6 above, the county may connect the existing positive outlets,
7 privies, water closets, and septic tanks with the sewerage
8 system and the expense shall be assessed against the property,
9 and the cost thereof shall be a lien upon the property in
10 favor of the county, superior to all other liens, to be
11 collected as other debts are collected or liens are enforced.

12 (d) When connections are made by the county under
13 this section, the county shall prepare a statement in writing
14 setting forth the name of the owner and a description of the
15 property upon which the improvements have been made, together
16 with the cost of the sanitary sewer connection, and the
17 statement shall be signed by the presiding officer of the
18 county commission and filed with the judge of probate in the
19 county for recording in the mortgage records of the county.
20 The filling of the statement shall operate as notice of the
21 lien from the date of its filing.

22 (e) The provisions of this section may be enforced
23 by the Circuit Court of Lowndes County by an action brought by
24 the county health department or the county commission seeking
25 an injunction or other proper remedy.

1 Section 2. This act shall become effective
2 immediately following its passage and approval by the
3 Governor, or its otherwise becoming law.

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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in
and was passed by the House 21-MAR-19.

Jeff Woodard
Clerk

Senate 25-APR-19 Passed