



# *State of Tennessee*

## **PUBLIC CHAPTER NO. 174**

**SENATE BILL NO. 999**

**By Watson, Southerland. Gardenhire**

Substituted for: House Bill No. 1170

By Gravitt, Carter

AN ACT to amend Tennessee Code Annotated, Title 68 and Title 69, relative to water and wastewater treatment authorities.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-221-607(a), is amended by deleting the word "and" at the end of subdivision (15), deleting the period at the end of subdivision (16) and substituting a semicolon, and adding the following as new subdivisions:

(17) Promulgate rules for the installation and maintenance of grease interceptors, the regulation of sewer discharges from industrial facilities, and the inspection and maintenance of private or public service laterals;

(18) Promulgate rules that impose on a customer base, region, neighborhood, basin, or area an obligation on customers, occupants, or property owners to inspect their own respective service laterals and make necessary repairs. The authority may apply specific requirements on one (1) customer base, region, neighborhood, or basin at a time due to environmental concerns, the need for repairs, internal budgeting, scheduling, and limited resources of the authority necessitating the authority to focus on one (1) area at a time;

(19)(A) Promulgate rules that impose penalties for failure to comply with the authority's rules, not to exceed:

(i) Five (5) times the fees avoided; or

(ii) Three (3) times the cost of cleanup, repair, enforcement, and damages, including costs incurred by the authority to make repairs or perform other work necessitated by the failure of a property owner to fulfill its obligations under applicable laws or the authority's rules. For purposes of this subdivision (a)(19)(A)(ii), a property owner's obligations under applicable laws or the authority's rules includes, but is not limited to, the obligations to maintain service laterals and comply with regulations for controlling fats, oils, and grease;

(B) Promulgate rules that authorize shutting off water and sewage usage until a property owner or occupant complies with the authority's rules or pays any penalties imposed by the authority. The authority may impose a penalty against the owner or occupant of a property but shall not impose a penalty against an owner or occupant of property for a violation caused by a previous owner or occupant of the property; and

(20) Promulgate any other rules necessary to effectuate the purposes of this part, or to comply with the requirements of rules of the department of environment and conservation, regulations of the United States environmental protection agency, or consent decrees.

SECTION 2. Tennessee Code Annotated, Section 68-221-607, is amended by adding the following as a new subsection:

(d) No municipality or county government entity within the service area of a sewer authority created under this title may issue:

(1) A building permit or a demolition permit prior to a sewer permit being issued by the sewer authority, or

(2) A certificate of occupancy prior to a sewer permit being finalized by the sewer authority.

SECTION 3. Tennessee Code Annotated, Section 68-221-608, is amended by deleting subdivision (c)(1) and substituting the following:

(1) As used in this subsection (c):

(A) "Sewer" means waste water collection and/or treatment; and

(B) "Sewer service charges" includes all monies properly charged to sewer service customers and owners of properties receiving sewer service.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

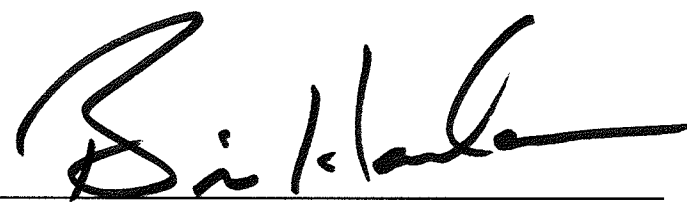
SENATE BILL NO. 999

PASSED: April 10, 2017

  
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RANDY McNALLY  
SPEAKER OF THE SENATE

  
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BETH HARWELL, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 24<sup>th</sup> day of April 2017

  
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BILL HASLAM, GOVERNOR