

## **CHAPTER 50 SEWER REGULATIONS**

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### **ARTICLE 50-I IN GENERAL**

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#### **Sec 50-1 Definitions**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*BOD* (denoting biochemical oxygen demand) means the quantity of oxygen utilized in the biochemical oxidization of organic matter under standard laboratory procedure in five days at 20 degrees Celsius, expressed in parts per million by weight.

*Building drain* means that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet outside the inner face of the building wall.

*Building official* means the city building official as provided for under the ordinances of the city, or his duly authorized agent or representative.

*Building sewer* means the extension from the building drain to the public sewer or other place of disposal.

*Consumer* or *customer* means the recipient of wastewater treatment services.

*Finance director/treasurer* means the finance director/treasurer of the city as provided for under the ordinances of the city or his duly authorized agent or representative.

*Garbage* means solid wastes from the preparation, cooking and dispensing of food, and from the handling, storage and sale of food products.

*Industrial wastes* means liquid wastes from industrial processes as distinct from sanitary sewage, resulting from any commercial, manufacturing, or industrial operation or process, but the term "industrial wastes" is not to be construed as meaning any solids, sludge or paunch, or any grease that congeals or becomes solidified, or any matter that emits offensive odor.

*May* means permissive.

*Natural outlet* means any outlet into a watercourse, pond, ditch, lake or other body of surface water or groundwater.

*Occupant* means a person occupying a property for the purpose of residential, industrial or other use, by permission of the owner.

*Occupied* means premises containing a structure which has a physical sanitary sewer connection (tap-in) and water service.

*Owner* means the person recorded on the property tax records for the deeded property.

*Permit* means any written authorization required pursuant to this or any other regulation of the city for the installation of any sewage works.

*pH* means the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution (i.e., the measure of relative acidity).

*Properly shredded garbage* means the wastes from the preparation, cooking and dispensing of food that have been shredded to such degrees that all particles will be carried under the flow conditions normally prevailing in the public sewer, with no particle greater than one-half inch in any dimension.

*Public sewer* means a sewer in which all owners of abutting properties have equal rights, and which is controlled by public authority.

*Public works director* means the public works director as provided for under the ordinances of the city, or his duly authorized agent or representative.

*Residence* means a building or house erected or constructed on any lot, parcel of land or premises and used primarily for dwelling purposes with a yard adjacent thereto.

*Sanitary sewage* means the washes from water closets, urinals, lavatories, sinks, bathtubs, showers, household laundries, basement floor drains, garage floor drains, bars, soda fountains, cuspidors, refrigerator drips, drinking fountains and floor drains, but excluding stormwater, surface water, groundwater and industrial wastes.

*Sanitary sewer* means a sewer which carries sewage, and to which stormwater, surface water and groundwater are not intentionally admitted.

*Sewage* means a combination of water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such groundwater, surface water and stormwaters as may be present.

*Sewage treatment plant* or *treatment plant* means an arrangement of devices and structures used for treating sewage.

*Sewage works* means all facilities for collecting, pumping, treating and disposing of sewage.

*Sewer* means a pipe or conduit for carrying sewage.

*Sewer connection* means the connection to the public sewer and the extension therefrom of the sewer to the property line at the alley or the curblineline of the street, whichever is applicable, depending on the location of the public sewer.

*Sewer connection fee* means the initial sewer tap-in fee and impact fee as set forth in section 50-173 and shall apply to all sewer connections to the public sewer after the effective date of this Code.

*Shall* means mandatory.

*State authority* means either State of Arizona or State of Utah, whichever state has jurisdiction.

*Storm sewer* or *storm drain* means a sewer or drain which carries or disposes of stormwater, surface waters and drainage, but excludes sewage and polluted industrial wastes.

*Suspended solids* means solids that either float on the surface of, or are in suspension in, water, sewage or other liquids; and which are removable by laboratory filtering.

*Treasurer* shall be used interchangeably with "finance director/treasurer" as heretofore defined.

*User charge* or *sewer charge* means the charge made to the recipient of sanitary sewer services by the city to defray the costs of operation, maintenance and replacement (OM&R) of the sewage collection and treatment facilities of the city.

**Wastewater superintendent** means the manager of the city wastewater department or his duly authorized agent or representative.

*Watercourse* means a channel in which a flow of water occurs either continuously or intermittently.

(Ord. No. 2-01-1, § I(2-01-1.01), 2-13-2001)

### **Sec 50-2 Penalty**

- (a) Whoever violates any provision of this chapter, for which no other penalty is already provided, beyond the time limit provided in the required notice shall be punished as provided in section 4-2.
- (b) Whoever violates any provision of this chapter shall become liable to the city for any expense, loss, or damage occasioned the city by reason of such violation.

(Ord. No. 2-01-1, § I(2-01-1.99), 2-13-2001)

## **ARTICLE 50-II USE OF PUBLIC SEWERS**

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### **Sec 50-21 Depositing Sanitary Matter On Property**

It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner upon public or private property, within the city, any human or animal excrement, garbage, or other objectionable waste.

(Ord. No. 2-01-1, § I(2-01-1.02), 2-13-2001)

### **Sec 50-22 Disposal Of Waste Into Natural Outlet**

It shall be unlawful to discharge to any natural outlet within the city or in any area under jurisdiction of the city any sanitary sewage, industrial wastes or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this chapter.

(Ord. No. 2-01-1, § I(2-01-1.03), 2-13-2001)

### **Sec 50-23 Maintaining A Privy, Privy Vault, Etc**

Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage.

(Ord. No. 2-01-1, § I(2-01-1.04), 2-13-2001)

### **Sec 50-24 Installation Of Toilet Facilities**

The occupant of all houses, buildings or properties used for human occupancy, employment, recreation or other purpose, situated within the city and abutting on any street, alley or right-of-way in which there is now located or may in the future be located a public sanitary sewer of the city, is hereby required at his expense to connect all toilet facilities directly with the proper public sewer in accordance with the provisions of this chapter within 90 days after date of official notice to do so provided that such public sewer is within 300 feet of the structure to be served.

(Ord. No. 2-01-1, § I(2-01-1.05), 2-13-2001)

### **Sec 50-25 Discharge Of Certain Waters Into Sanitary Sewers Unlawful**

No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, cooling water or unpolluted industrial process water to any sanitary sewer.

(Ord. No. 2-01-1, § I(2-01-1.06), 2-13-2001)

### **Sec 50-26 Storm Sewers/Drains**

Stormwater and all other unpolluted drainage shall be discharged to such sewers or drains as are specifically designated as such or to a natural outlet approved by the building official. Industrial cooling water or unpolluted process waters may be discharged upon approval of the building official to a storm sewer or natural outlet.

(Ord. No. 2-01-1, § I(2-01-1.07), 2-13-2001)

### **Sec 50-27 Waters Which Are Not To Be Discharged Into Sewer**

Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:

- (a) Any liquid or vapor having a temperature higher than 150 degrees Fahrenheit.
- (b) Any water or waste which may contain more than 50 parts per million, by weight, of fat, oil or grease.
- (c) Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas.
- (d) Any garbage that has not been properly shredded.
- (e) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, grits such as brick, cement, onyx and carbide or any other solid or viscous substances capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works.
- (f) Any waters or wastes having a pH lower than 5.5 or higher than 9.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works.
- (g) Any waters or waste containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any hazard in the receiving waters of the sewage treatment plant.

- (h) Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant.
- (i) Any noxious or malodorous gas or substance capable of creating a public nuisance.

(Ord. No. 2-01-1, § I(2-01-1.08), 2-13-2001)

## **ARTICLE 50-III PRIVATE SEWAGE DISPOSAL**

### **Sec 50-58 When Required**

### **Sec 50-59 Before Construction Permit Required; Application Fee**

### **Sec 50-60 Inspection Of Work To Be Made**

### **Sec 50-61 Private System Must Comply With All Recommendations**

### **Sec 50-62 When Private Sewage Disposal Shall Be Abandoned**

### **Sec 50-63 Operation And Maintenance At Occupant's Expense**

### **Sec 50-64 Additional Requirements Imposed**

### **Sec 50-58 When Required**

Where a public sanitary sewer is not available under the provisions of this chapter the building sewer shall be connected to a private sewage disposal system complying with the provisions of this chapter.

(Ord. No. 2-01-1, § I(2-01-1.10), 2-13-2001)

### **Sec 50-59 Before Construction Permit Required; Application Fee**

- (a) Before the commencement of construction of a private sewage disposal system, the occupant shall first obtain a written permit signed by the building official.
- (b) The application for such a permit shall be made on a form furnished by the building department, which the applicant shall supplement by any plans, specifications and other information as are deemed necessary by the building official.
- (c) A permit and inspection fee according to the schedule of fees and penalties on file shall be paid at the time the application is filed.
- (d) At time of installation, a dry sewer shall be built to the property line nearest the future route of the public sewer in such a manner as to facilitate connection when public service is available.

(Ord. No. 2-01-1, § I(2-01-1.11), 2-13-2001)

### **Sec 50-60 Inspection Of Work To Be Made**

Use of a private sewage disposal system shall not be permitted until the installation is completed to the requirements of the state plumbing code. The building official shall be allowed to inspect the work at any stage of construction, and, in any event, the applicant for the permit shall notify the building official when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within 72 hours of the receipt of notice by the building official.

(Ord. No. 2-01-1, § I(2-01-1.12), 2-13-2001)

### **Sec 50-61 Private System Must Comply With All Recommendations**

The type, capacity, location and layout of a private sewage disposal system shall comply with all recommendations of the appropriate state authority. No septic tank or cesspool shall be permitted to discharge into any public sewer. No septic tank or cesspool shall be allowed unless there is in connection therewith a proper leaching bed or leaching well.

(Ord. No. 2-01-1, § I(2-01-1.13), 2-13-2001)

**Sec 50-62 When Private Sewage Disposal Shall Be Abandoned**

At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in this chapter, a direct connection shall be made to the public sewer in compliance with this chapter, and any septic tanks, cesspools, or similar private sewage disposal facilities shall be abandoned and if deemed necessary by the building official, pumped out and filled with suitable materials at the expense of the occupant.

(Ord. No. 2-01-1, § I(2-01-1.14), 2-13-2001)

**Sec 50-63 Operation And Maintenance At Occupant's Expense**

The occupant shall operate and maintain the private sewage disposal facilities in a manner satisfying the state plumbing code at all times at no expense to the city.

(Ord. No. 2-01-1, § I(2-01-1.15), 2-13-2001)

**Sec 50-64 Additional Requirements Imposed**

No statement contained in this section shall be construed to interfere with any additional requirement that may be imposed by the building official in compliance with the state plumbing code.

(Ord. No. 2-01-1, § I(2-01-1.16), 2-13-2001)

**ARTICLE 50-IV BUILDING SEWERS AND CONNECTIONS**

[Sec 50-87 Tampering With Public Sewer Or Appurtenance](#)

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**Sec 50-87 Tampering With Public Sewer Or Appurtenance**

No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the wastewater superintendent.

(Ord. No. 2-01-1, § I(2-01-1.20), 2-13-2001)

**Sec 50-88 Building Sewer Connections; Applications; Fees**

(a) There shall be two classes of building sewer permits:

- (1) For residential and commercial service; and
- (2) For service to establishments producing industrial wastes.

(b) In either case, the occupant or his agent shall make application on a special form furnished by the wastewater department, which the applicant shall supplement by any plans, specifications

and other information as are deemed necessary by the wastewater superintendent.



- (c) A tap-in fee and impact fee according to the schedule of fees and penalties on file shall be paid at the time the application is filed.

(Ord. No. 2-01-1, § I(2-01-1.21), 2-13-2001)

### **Sec 50-89 Cost And Expense To Be Borne By Occupant**

All costs and expense incident to the installation and connection of the building sewer shall be borne by the occupant. The occupant shall indemnify the city from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

(Ord. No. 2-01-1, § I(2-01-1.22), 2-13-2001)

### **Sec 50-90 Separate Sewer For Each Building; Exception**

- (a) A separate and independent building sewer shall be provided for each building that is designed to be occupied by people, even if it is within the property boundaries of an existing service. These buildings include, but are not limited to: homes, schools, businesses of employment, trailers, apartments and churches. Buildings that do not require a separate service include, but are not limited to: barns, sheds, residential shops, residential animal housings and bunkhouses used exclusively for sleeping quarters on the same lot and parcel which may not legally be divided from the main building.
- (b) Exception. Where one building stands at the rear of another on ~~an~~ the same ~~interior~~ lot, which cannot be split, and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the building sewer from the front building may be extended to the rear building through open areas and not underneath an impervious covering, house or building footings, foundations, floors, etc. and must be approved in advance by the Building Official or designee.

(Ord. No. 2-01-1, § I(2-01-1.23), 2-13-2001)

### **Sec 50-91 When Old Building Sewers May Be Used**

Old building sewers may be used in connection with new buildings only when they are found on examination and test by the building official to meet all the requirements of this chapter.

(Ord. No. 2-01-1, § I(2-01-1.24), 2-13-2001)

### **Sec 50-92 Sewer Specifications; Joint Specifications**

- (a) Sewer specifications.
- (1) ~~The building sewer shall be of east iron soil pipe, ASTM specification (A74-42) or equal; vitrified clay sewer pipe, ASTM specifications (C-700 extra strength or equal); SDR 35 or Schedule 40 PVC, or other suitable material approved by the building official and the state plumbing code. Joints shall be tight and waterproof. Cast iron pipe with approved joints may be required by the building official where the building sewer is exposed to damage by tree roots. If installed in filled or unstable ground, the building official may require such particular materials and/or installation methods as may be deemed necessary. Two sewer cleanouts facing each other shall be installed on the building sewer immediately three (3) feet outside the building structure. The pipeline at the building exterior shall be inspected by the Wastewater Superintendent, or designee for approval.~~
  - (2) The size and slope of the building sewer shall be subject to the approval of the building official, or designee but in no event shall the diameter be less than four inches, nor the



slope of such pipe be less than one-eighth inch per foot.

- (3) No building sewer shall be laid parallel to within less than three feet of any bearing wall, which might thereby be weakened. The depth shall be sufficient to afford protection from

frost. The building sewer shall be laid at uniform grade and in straight alignment insofar as possible. Change in direction shall be made only with properly curved pipe and fittings.

- (4) In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such drain shall be lifted by approved artificial means and discharged to the building sewer. The responsibility of the installation, operation and maintenance, and all other liability involved with the operation of such device is the sole responsibility of the occupant. The design must be submitted to the Wastewater Superintendent or designee for approval.
- (5) All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the building official and/or Wastewater Superintendent or their designee. Pipe laying and backfill shall be performed in accordance with ASTM specification (C12-72), except that no backfill shall be placed until the work has been inspected.
- (6) In the event that the building sewer is in excess of 100 feet from the building to the property line, a downstream facing clean-out wye shall be installed at least every 100 feet of pipe length. An approved cleanout shall be installed on the owners property within five (5) feet of the property line and easement

(b) Joint specifications.

- (1) All joints and connections shall be made watertight.
- ~~(2) All joints in vitrified clay pipe or between such pipe and metals shall be made with watertight "O" ring compression joints or with approved adapters.~~
- (2) Other jointing materials and methods may be used only by approval of the building official.

(c) The standard specifications shall be the state plumbing code as adopted by the city council.

(Ord. No. 2-01-1, § I(2-01-1.25), 2-13-2001)

**Sec 50-93 Connection Of Building Sewer With Public Sewer**

The connection of the building sewer into the public sewer shall be at the property line when such interceptor is available to the occupant's property. Connection at the property line shall be made with a clean-out wye at the occupant's expense. If no interceptor is available to the property line or if the location of the interceptor is other than that desired by the occupant, the occupant shall, at his expense, install a connection to the public sewer at a location approved and as specified by the wastewater superintendent. Such connection shall be made by cutting a neat hole into the public sewer to receive the building sewer, with entry in the downstream direction at an angle of approximately 45 degrees. A 45-degree ell may be used to make such connections, with the spigot end cut so as not to extend past the inner surface of the public sewer. The invert of the building sewer at the point of connection shall be at the same or at a higher elevation than the invert of the public sewer. A smooth, neat joint shall be made, and the connection made secure and watertight. Special fittings may be used for the connection only when approved by the wastewater superintendent.

(Ord. No. 2-01-1, § I(2-01-1.26), 2-13-2001)

**Sec 50-94 Notification For Inspection**

The applicant for the building sewer connection shall notify the ~~building official~~ or the wastewater superintendent, or designee when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the ~~building official~~ or the Wastewater Superintendent or designee.

(Ord. No. 2-01-1, § I(2-01-1.27), 2-13-2001)

### **Sec 50-95 Excavations To Be Adequately Guarded**

All excavations for building sewer installations shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the city as determined by the city public works director.

(Ord. No. 2-01-1, § I(2-01-1.28), 2-13-2001)

## **ARTICLE 50-V TREATMENT OF WASTE IN PUBLIC SEWERS**

[Sec 50-119 Interceptors To Be Provided When Necessary](#)

[Sec 50-120 Materials Used To Construct Interceptors](#)

[Sec 50-121 Interceptors To Be Maintained By Occupant](#)

[Sec 50-122 Procedure When Waste Is Emitted Into Public Sewer](#)

[Sec 50-123 Preliminary Treatment Facilities Maintained At Occupant's Expense](#)

[Sec 50-124 Installation Of Control Manhole](#)

[Sec 50-125 Test, Analysis, Etc, Of Water And Waste](#)

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### **Sec 50-119 Interceptors To Be Provided When Necessary**

Grease, oil, and sand interceptors shall be provided when, according to the state plumbing code and the building official, they are necessary for the proper handling of liquid wastes, containing grease in excessive amounts, or any flammable wastes, sand and other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. Grease traps shall be required at all public premises where food is served, such as restaurants, cafeterias and boardinghouses. All interceptors shall be of a type and capacity approved by the building official and shall be located to be readily accessible for cleaning. All interceptors shall be readily accessible for inspection by the wastewater superintendent.

(Ord. No. 2-01-1, § I(2-01-1.30), 2-13-2001)

### **Sec 50-120 Materials Used To Construct Interceptors**

Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight and equipped with easily movable covers which, when bolted in place, shall be gastight and watertight.

(Ord. No. 2-01-1, § I(2-01-1.31), 2-13-2001)

### **Sec 50-121 Interceptors To Be Maintained By Occupant**

Where installed, all grease, oil, and sand interceptors shall be maintained by the occupant, at his expense, in continuously efficient operation at all times. The wastewater superintendent shall inspect interceptors annually.

(Ord. No. 2-01-1, § I(2-01-1.32), 2-13-2001)

### **Sec 50-122 Procedure When Waste Is Emitted Into Public Sewer**

(a) The admission into public sewers of any wastes or waters having the following content shall be subject to the review and approval of the wastewater superintendent:

(1) A five-day biochemical oxygen demand greater than 250 parts per million by weight;

- (2) Containing more than 300 parts per million by weight of suspended solids;
  - (3) Containing any quantity of substances having the characteristics described heretofore in section 50-27 (1) to (9) inclusive; or
  - (4) Having an average daily flow greater than two percent of the average daily sewer flow of the city.
- (b) Where necessary in the opinion of the wastewater superintendent, the occupant shall provide, at his expense, such preliminary treatment as may be necessary to:
- (1) Reduce the biochemical oxygen demand to 250 parts per million and the suspended solids to 300 parts per million by weight;
  - (2) Reduce objectionable characteristics or constituents to within the maximum limits provided above in this section;
  - (3) Control the quantities and rates of discharge of such waters and wastes; or
  - (4) Comply with federal pretreatment requirements as per 40 CFR 403.
- (c) Plans, specifications and any other pertinent data relative to proposed preliminary treatment facilities shall be submitted for the approval of the wastewater superintendent and also to the appropriate state authority and no construction of such facilities shall be commenced until such approvals are obtained in writing.

(Ord. No. 2-01-1, § I(2-01-1.33), 2-13-2001)

### **Sec 50-123 Preliminary Treatment Facilities Maintained At Occupant's Expense**

Where preliminary treatment facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation, by the occupant at his expense.

(Ord. No. 2-01-1, § I(2-01-1.34), 2-13-2001)

### **Sec 50-124 Installation Of Control Manhole**

When required by the wastewater superintendent, the occupant of any property served by a building sewer carrying industrial waste shall install a suitable control manhole in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manhole, when required, shall be accessible and safely located and shall be constructed in accordance with plans approved by the wastewater superintendent. The manhole shall be installed by the occupant at his expense, and shall be maintained by him so as to be safe and accessible to the wastewater superintendent at all times.

(Ord. No. 2-01-1, § I(2-01-1.35), 2-13-2001)

### **Sec 50-125 Test, Analysis, Etc, Of Water And Waste**

All measurement, test and analysis of the characteristics of water and wastes to which reference has been made in sections 50-122 and 50-124 shall be determined in accordance with "Standard Methods For Examination of Water and Sewage" as set forth by the state and be determined at the control manhole, provided in 50-124 or upon suitable samples taken at such control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected.

(Ord. No. 2-01-1, § I(2-01-1.36), 2-13-2001)

## **Sec 50-126 Special Agreements Or Arrangements**

No statement contained in this chapter shall be construed as preventing any special agreement or arrangement between the city and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the city for treatment, subject to payment therefor by the industrial concern.

(Ord. No. 2-01-1, § I(2-01-1.37), 2-13-2001)

## **ARTICLE 50-VI AUTHORITY OF INSPECTORS; VIOLATIONS**

[Sec 50-151 Officer Shall Be Permitted For Inspection Purposes](#)

[Sec 50-152 Notice Of Violation](#)

## **Sec 50-151 Officer Shall Be Permitted For Inspection Purposes**

The wastewater superintendent and/or other duly authorized employees of the city bearing the proper credentials and identifications shall be permitted to enter upon all properties for the purposes of inspection, observation, measurement, sampling and testing, in accordance with the provisions of this chapter.

(Ord. No. 2-01-1, § I(2-01-1.40), 2-13-2001)

## **Sec 50-152 Notice Of Violation**

Any person found to be violating any provision of this chapter shall be served by the city with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

(Ord. No. 2-01-1, § I(2-01-1.41), 2-13-2001)

## **ARTICLE 50-VII RATES, CHARGES AND PAYMENTS**

[Sec 50-173 Tap-In Fees And Impact Fees](#)

[Sec 50-174 Rental For Sewer Services](#)

[Sec 50-175 When Not Subject To Charge](#)

[Sec 50-176 Sewer Fund](#)

[Sec 50-177 Sewer Rates Within The City](#)

[Sec 50-178 Industrial Exemptions](#)

[Sec 50-179 Payment Of Sewer Charges](#)

[Sec 50-180 Beginning Of Rental](#)

[Sec 50-181 Penalty For Non-Payment Of Sewer Charges](#)

[Sec 50-182 Collection Of Rentals By Treasurer](#)

[Sec 50-183 Industries Which Must Enter Into Special Agreements](#)

[Sec 50-184 Contracts With Others Outside City Limits](#)

## **Sec 50-173 Tap-In Fees And Impact Fees**

- (a) At the time of application for building sewer connection there shall be collected from the applicant a sewer tap-in fee and sewer impact fee for each residence, business, or industry.
- (b) Sewer tap-in fees. A tap-in fee in the amount established by the schedule of fees and penalties shall be charged for each sewer connection. The tap-in-fee shall be levied for the purpose of defraying costs of reviewing, analyzing and changing, if necessary, the applicant's plans and/or specifications, and inspecting and mapping the installation. Said fees shall be deposited into the city's sewer fund as defined by section 50-176 and utilized for the purposes therein specified.

- (c) Sewer impact fees. Impact fees shall be computed on the basis of equivalent residential units (ERUs). One ERU shall be defined as the average sewage flow capacity expected from a typical detached single-family dwelling. All uses other than single-family dwellings shall be expressed in fractions or multiples of one ERU. In no case shall a connection be classified as less than one ERU. An impact fee per ERU as established in the schedule of fees and penalties shall be charged to all new connections according to the following table. Said fees shall be deposited into the city's sewer fund as defined by section 50-176 and utilized for the renewal and replacement of sewer collection and treatment infrastructure. Locations which have both a building permit and sewer service available in the street serving the property prior to the enactment date of the ordinance from which this chapter is derived shall be exempt from paying the impact fee.

TABLE OF ERUs FOR TYPICAL USES

Use	ERUs
Single-family dwellings (one head of household)	1
Multiple-family dwellings, per family	1
Assembly halls, churches, auditoriums, and schools	
Per set of restrooms	1
Restaurant, other public businesses	
First 30 seats	1
Each additional 30 or fraction	1
Factories, industrial plants	
Per set of restrooms	1
Hospitals, nursing homes for each eight beds	1
Offices, retail merchants, shopping centers per 3,500 square feet	1
Plus per food service	1
Plus per laundry	1
Service stations without car wash	1
Car wash	Wastewater superintendent
Other uses	Wastewater superintendent

For uses not covered in the table or for extreme quantity or quality of effluent, appropriate ERU classification shall be determined by the wastewater superintendent, in accordance with accepted engineering criteria.

- (d) In the event where the city installs new wastewater main lines, there shall be an appropriately determined construction fee assessed to each property that will be served, to cover the cost of installing wastewater main lines and appurtenances. To serve property which is not city-owned, the developer shall be responsible for the installation of main lines and appurtenances, including the sewer laterals, up to the property line of each lot to be served. Where a developer constructs, totally at his own expense, street sewers, lateral sewers, and appurtenances

thereto, all construction methods and materials used shall meet all city requirements and standards.

- (e) Payment of Sewer tap-in and impact fees. No building sewer connection shall be allowed without payment arrangements of tap-in fees and impact fees.

(Ord. No. 2-01-1, § I(2-01-1.43), 2-13-2001)

#### **Sec 50-174 Rental For Sewer Services**

It is hereby determined and declared to be necessary and conducive to the protection of the public health, safety, welfare and convenience of the city to levy and collect service charges or sewer rentals upon all occupied premises served by, having connection with, or having access to the sanitary sewerage system and the sewage treatment plant of the city; the proceeds of such charges or rentals so derived shall be for the operation, maintenance and replacement of the sanitary sewage system and treatment plant as hereinafter provided.

(Ord. No. 2-01-1, § I(2-01-1.44), 2-13-2001)

#### **Sec 50-175 When Not Subject To Charge**

- (a) Any water which is not polluted and does not find its way into the sanitary sewerage system shall not be subject to a sewer charge.
- (b) Monthly charges may be exempted by the wastewater superintendent on a case-by-case basis if the building is under construction and there is no water going down the sewer. The occupant or a representative must present the situation in person or in writing to the wastewater superintendent for approval on a case-by-case basis.

(Ord. No. 2-01-1, § I(2-01-1.45), 2-13-2001)

#### **Sec 50-176 Sewer Fund**

The funds received from the collection of sewer service rates and charges shall be deposited with the city treasurer and kept by him in a separate and distinct fund known as the city wastewater fund. This fund shall be used for the payment of the cost of the management, construction, maintenance, debt service, operation, design, improvement, and expansion of the sewerage system and sewage treatment plant.

(Ord. No. 2-01-1, § I(2-01-1.46), 2-13-2001)

#### **Sec 50-177 Sewer Rates Within The City**

- (a) There is hereby levied and assessed upon each occupied premises, having any sewer connection with or having access to the sanitary sewerage system of the city or otherwise discharging sewage or industrial wastes into the city sanitary sewerage system, a sewer service charge or rental, payable as hereinafter provided and in an amount determinable for all users of the city sanitary sewerage system, except as hereinafter provided. The rates shall be as established in the schedule of fees and penalties.
- (b) The rates and usage shall be reviewed periodically and adjusted if necessary to cover the cost of operating, maintaining and replacing the system.

(Ord. No. 2-01-1, § I(2-01-1.47), 2-13-2001)



### **Sec 50-178 Industrial Exemptions**

In the event a lot, parcel of land, building or premises discharging sanitary sewage, industrial wastes, water or other liquids into the city's sewerage system, either directly or indirectly, is an industry and it can be shown, to the satisfaction of the wastewater superintendent, that a portion of the water, as measured by the water meter, does not and cannot enter the sewerage system, the wastewater superintendent may determine in such manner and by such method as he may find practicable, the percentage of metered water entering the sewerage system, and the classification used to determine the sewer charge or rental shall be that percentage, so determined, of the quantity of water measured by the water meter. This industrial waste water shall also be subject to sections 50-27 and 50-119 to 50-125.

(Ord. No. 2-01-1, § I(2-01-1.48), 2-13-2001)

### **Sec 50-179 Payment Of Sewer Charges**

The sewer charge or rental provided in this chapter shall be payable monthly at the office of the city treasurer, upon statements rendered in the method, manner and form as may be provided by the city.

(Ord. No. 2-01-1, § I(2-01-1.49), 2-13-2001)

### **Sec 50-180 Beginning Of Rental**

The sewer charge or rental shall be levied upon the first date that sanitary sewer service is connected to the occupied property except as exempted in section 50-175.

(Ord. No. 2-01-1, § I(2-01-1.50), 2-13-2001)

### **Sec 50-181 Penalty For Non-Payment Of Sewer Charges**

The non-payment of each charge or rental levied by or pursuant to this chapter is subject to a penalty of water disconnection as defined in the state building code adopted by the city, except that there shall be no monetary penalty charged on sewer services. For locations outside the city, or for locations which do not have city water service, the non-payment of sewer charges shall result in disconnection of sewer services, or court action, or both. The customer shall be liable for all costs associated with the collection of sewer charges, including court costs.

(Ord. No. 2-01-1, § I(2-01-1.51), 2-13-2001)

### **Sec 50-182 Collection Of Rentals By Treasurer**

The sewer charges or rentals charged pursuant to this chapter shall be collected by the treasurer, and the wastewater superintendent shall enforce such bylaws and regulations as may be deemed necessary for the safe, economical and efficient management and protection of the city's sewer system, pumping stations, sewage treatment works, and connections to the sewer system, and for the regulation, collection, rebating and refunding of such charges and rentals, and such bylaws and regulations shall have the effect of ordinances.

(Ord. No. 2-01-1, § I(2-01-1.52), 2-13-2001)

### **Sec 50-183 Industries Which Must Enter Into Special Agreements**

- (a) An exception to the rates set forth in section 50-177 shall be taken in special cases where industrial customers discharge an effluent of such character and strength into the city sanitary sewers which causes special problems and increased cost in sewage treatment. Included in this

class, but not limited to, are: cattle, swine and poultry processing, acid plants, canning plants and other processing plants, plating, anodizing, cool processing and manufacturing plants and the like.

- (b) Such industrial customers and the city shall negotiate and enter into an agreement as to the rate to be charged such industrial customers for the treatment of their wastes. In the event that no agreement can be reached as to the rate, upon written notice from the city, such industries shall be required to provide their own waste treatment facilities in accordance with requirements of the appropriate state authority. Plans shall be approved prior to construction by the appropriate state authority.
- (c) All industries and entities subject to the Federal Industrial Cost Recovery Act shall enter into an agreement with the city in accordance with U.S. EPA regulations.

(Ord. No. 2-01-1, § I(2-01-1.53), 2-13-2001)

### **Sec 50-184 Contracts With Others Outside City Limits**

The city may enter into agreements to be ratified and confirmed by the city council, with cities, towns, corporations, and individuals whose premises are located without the corporate limits of the city who desire to discharge sewage, industrial wastes, water or other liquids into the city's sewerage system; which agreement shall fix the rates, terms, and conditions under which such sewage, industrial wastes, water or other liquids may be discharged into such sewerage system and shall be in conformity with the other sections of this chapter.

(Ord. No. 2-01-1, § I(2-01-1.54), 2-13-2001)

### **ARTICLE 50-VIII MISCELLANEOUS**

[Sec 50-207 Tampering With Equipment Prohibited](#)

[Sec 50-208 Records To Be Kept By City](#)

[Sec 50-209 City Responsibilities And Liabilities](#)

[Sec 50-210 Ownership](#)

[Sec 50-211 Consumer's Responsibilities](#)

[Sec 50-212 Implied Service Agreement](#)

### **Sec 50-207 Tampering With Equipment Prohibited**

No person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the municipal sewage works.

(Ord. No. 2-01-1, § I(2-01-1.55), 2-13-2001)

### **Sec 50-208 Records To Be Kept By City**

The city shall keep a record of all building connections made, the purpose for which they are to be used, together with the name of the owner and occupant of the property, his agent or representative.

(Ord. No. 2-01-1, § I(2-01-1.56), 2-13-2001)

### **Sec 50-209 City Responsibilities And Liabilities**

- (a) The city shall not be responsible for the installation, maintenance or inspection of the consumer's service line piping apparatus or for any defects therein.
- (b) The city shall have the right to refuse service unless the consumer's lines or piping are installed in such manner as to prevent cross connections or backflow.

- (c) Under normal conditions, the consumer shall be notified of any anticipated interruption of service.
- (d) The city shall not be responsible for the negligence of third persons or forces beyond the control of the city resulting in any interruption of services or damage to the property of the consumer.
- (e) The city may refuse service to any prospective consumer when the capacity of the sewer system will not permit additional loads being placed thereon.
- (f) The sewer department may discontinue its service without notice for the following reasons:
  - (1) To prevent fraud or abuse.
  - (2) The consumer's willful disregard of or refusal to comply with this chapter or other rules as may be adopted by the city.

(Ord. No. 2-01-1, § I(2-01-1.57), 2-13-2001)

### **Sec 50-210 Ownership**

The city shall have exclusive control of connections to the main sewer lines, and, upon completion, the main lines shall become and be the property of the city. Except as otherwise herein provided, all provisions of the city Code and ordinances or amendments thereto applicable to sewer services including all charges therefor shall apply to services in the proposed area.

(Ord. No. 2-01-1, § I(2-01-1.58), 2-13-2001)

### **Sec 50-211 Consumer's Responsibilities**

- (a) ~~The consumer's house or building service line, sewer connection and apparatus shall be installed and maintained by the consumer, including maintenance of the sewer lateral from the property line to the sewer main line in the street, at the consumer's expense, in a safe and efficient manner and in accordance with the city's rules and regulations and in full compliance with the regulations of the applicable state authority.~~ The property owner shall be responsible for the cleaning, repair, and replacement of sewers and connections to the public sewer line, except when the cleaning, repair or replacement requires excavation of a public street, public right-of-way (e.g. a public alleyway) or sidewalk. If the cleaning, repair or replacement of the sewer connection requires excavation of a public street, public right-of-way or sidewalk, the City shall undertake such cleaning, repair or replacement at no cost to the property owner.
- (b) The consumer shall safeguard the city's property placed on the consumer's premises and shall permit access to it only by the authorized representatives of the city.
- (c) In the event that any loss or damage to the property of the sewer department or any accident or injury to persons or property is caused by or results from the negligence or wrongful act of the consumer, his agents or employees, the cost of necessary repairs or replacements shall be paid by the consumer to the sewer department and any liability otherwise resulting shall be assumed by the consumer. The amount of such loss or damage or the cost of repairs may be added to the consumer's bill and, if not paid, service may be discontinued by the sewer department.
- (d) When service to a consumer shall require the laying of any city sewer lines or the installation of any other city property on, under, across or over the consumer's property, the consumer will grant to the city an easement, right-of-way, or license for such installation.
- (e) It is unlawful for any person having a permit to dig up any portion of any street or alley of the city for the purpose of connecting with the sewer system of the city and fail or neglect to place the street or alley in its original condition under the supervision of the city and as required by it.
- (f) Within 15 days from the date of transfer of occupancy, the customer shall deliver written notification to the city of any such change in occupancy of the real property.

(Ord. No. 2-01-1, § I(2-01-1.59), 2-13-2001)

## **Sec 50-212 Implied Service Agreement**

In the absence of a signed service agreement, the rental for wastewater service by the city and the acceptance thereof by the customer shall be deemed to constitute an agreement by and between the city and the customer for rental and acceptance of wastewater service under the terms and conditions contained in this chapter and the applicable rate schedule.

(Ord. No. 2-01-1, § I(2-01-1.60), 2-13-2001)