

TITLE 13 - PUBLIC SERVICES

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CHAPTER 13.03 **UTILITY BILLING AND COLLECTION**

13.03.010 Purpose

The City supplies Mills utility services for the citizens of Mills. This chapter will provide the procedures for initiating, discontinuing, billing and collection of these services.

13.03.020 Scope

This chapter shall apply to all property within the City of Mills or any property outside the City that has retail Mills utilities furnished by the City. This chapter will also apply to any water system regardless of if it is owned and operated by the City of Mills.

This chapter shall compliment other chapters of the Mills code, and City rules and regulations regarding water and sewer service.

13.03.30 Definitions

The following definitions shall apply through out Title 13 wherever they appear.

- (a) "**Administrator**" means the Mayor or his appointed designee.
- (b) "**Applicant**" means any person who desires to receive water and/or sewer service, and who will generate actual water and/or wastewater demand.
- (c) "**Approved**" means accepted by the administrator as meeting an applicable specification stated or cited in this chapter, or as suitable for the proposed use.
- (d) "**Approved Backflow Prevention Device**" means a device that has been certified by the American Society of Sanitary Engineers (ASSE), the International Association of Plumbing/Mechanical Officials (IAPMO), or the Foundation for Cross-Connection Control and

Hydraulic Research, University of Southern California (USC-FCCCHR) in accordance with state department of environmental quality water quality chapter 12 rules and regulations.

(e) "Authorized Agents" means the Mayor and his designees.

(f) "Auxiliary Water Supply" means any water supply on or available to the consumer's premises other than the supplier's approved public potable water supply. Auxiliary water may include water from another supplier's public potable water supply or any natural source(s) such as a well, spring, river, stream, etc., or "used waters" or "industrial fluids." These waters may be contaminated or polluted, or they may be objectionable and constitute an unacceptable water source of which the water supplier does not have sanitary control.

(g) "Backflow" means the flow of water or other liquids, mixtures or substances, under positive or reduced pressure into the distribution pipes of the potable water supply from any source other than its intended source.

(h) "Backflow Assembly Tester" means an individual certified to perform backflow/back siphonage device testing by the American Society of Sanitary Engineers (ASSE), or the American Backflow Prevention Association (ABPA). In addition, individuals licensed by a state certification program in the state or other states approved by the state department of environmental quality shall be considered acceptable for backflow/back-siphonage device testing, provided the individual holds a current license from the respective state certification program.

(i) "Backflow Preventer" means a device or means designed to prevent backflow or back-siphonage events from contaminating the potable water supply system and most commonly categorized as air gap, reduced pressure principle device, double check valve assembly, double detector check valve assembly, pressure vacuum breaker, atmospheric vacuum breaker, and double check with intermediate atmospheric vent.

- (i) "Air Gap" means a physical separation sufficient to prevent backflow between the free-flowing discharge end of the potable water system and any other system. "Air Gap" is physically defined as a distance equal to twice the diameter of the supply side pipe diameter but never less than one-inch.
- (ii) "Atmospheric Vacuum Breaker" means a device which prevents back-siphonage by creating an atmospheric vent when there is either a negative pressure or sub-atmospheric pressure in the water system. These devices are not suitable for protection against back-pressure events. These devices shall be installed vertically, must not have shut-off downstream, and must be installed at least six inches higher than the final outlet.
- (iii) "Double Check Valve Assembly" means an assembly of two independently operating spring loaded check valves with resilient-seated gate valves or ball shut-off valves on each side of the check valves, plus properly located test cocks for the testing of each check valve. To be approved, these devices must be readily accessible for in-line testing and maintenance.
- (iv) "Double Check Valve with Intermediate Atmospheric Vent" means a device having two spring loaded check valves separated by an atmospheric vent chamber.

- (v) "Double Detector Check Valve Assembly" means an assembly consisting of a double check valve assembly in parallel with a bypass line assembly consisting of a water meter in series with a double check valve, and two ball shut-off valves. These devices are commonly used for low hazard fire sprinkler systems.
- (vi) "Pressure Vacuum Breaker" means a device containing one or two independently operated spring loaded check valves and an independently operated spring loaded air inlet valve located on the discharge side of the check or checks. The device includes resilient-seated or ball shut-off valves on each side of the check valves and properly located test cocks for the testing of the check-valve(s). These devices are not suitable for protection against back-pressure events.
- (vii) "Reduced Pressure Principle Backflow Preventer" means an assembly consisting of two independently operating approved check valves with an automatically operating differential relief valve located between the two check valves, and resilient-seated or ball shut-off valves on each side of the check valves, plus properly located test cocks for the testing of the check valves and the relief valve.
- (viii) "Reduced Pressure Principle Detector Backflow Preventer" means an assembly consisting of a reduced pressure principle backflow preventer in parallel with a bypass line assembly consisting of a water meter in series with a reduced pressure principle backflow preventer, and two ball shut-off valves. These devices are commonly used for high hazard fire sprinkler systems.

(j) "Backpressure" means a condition in which the consumer's system pressure is greater than the supplier's system pressure.

(k) "Back-Siphonage" means the flow of water or other liquids, mixtures or substances into the distribution pipes of a potable water supply system from any source other than its intended source, caused by the sudden reduction of pressure in the potable water supply system.

(l) "Backwater Valve" means a device installed in a building sewer system to prevent reverse flow.

(m) "Best Management Practices" (BMPs) means schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and education practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to the municipal stormwater conveyance system and/or waters of the state. BMPs include, but are not limited to: treatment requirements; treatment facilities to remove pollutants from stormwater; operating and maintenance procedures; facility management practices to control runoff, spillage or leaks of non-stormwater, waste disposal, and drainage from materials storage; erosion and sediment control practices; and the prohibition of specific activities, practices, and procedures and such other provisions as the City determines appropriate for the control of pollutants.

(n) "Business Office" means the City of Mills, City Hall, 704 4th St, Mills, Wyoming.

(o) "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 (one and one-half meters) outside the inner face of the building wall.

(p) "Building Sewer" means the extension from the building drain to the public sewer or other place of disposal.

(q) "City" means the governing body of the City of Mills, Wyoming.

(r) "Clean Water Act" means the Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.), and any subsequent amendments thereto.

(s) "Combined Sewer" means a sewer receiving both surface runoff and sewage.

(t) "Commercial" means property as defined in the Mills code, Chapter 17 for business enterprises as retailers, wholesale facilities, hotels, motels, restaurants, travel-trailer parks, hospitals, and other similar business establishments. This does not imply a specific rate. This definition, for purposes of this chapter, also includes, but is not limited to, multifamily dwelling units, City houses, condominiums, apartments, schools, daycare (adult, family, and group), parks, playgrounds, historical sites, golf courses, and other similar recreational facilities.

(u) "Consumer" means any residential, commercial, industrial owner, or other user of water where the water supply is physically connected to the public potable water system.

(v) "Containment" means a method of backflow prevention which requires a backflow preventer at the water service entrance.

(w) "Contaminant" means a substance that will impair the quality of the water to a degree that creates a serious health hazard to the public or that may lead to poisoning or the spread of disease.

(x) "Contiguous" means that property that can be assumed to be in a physical position for annexation within three years from date of line extension request.

(y) "Construction Activity" means clearing and grubbing, grading, demolition, construction or excavation projects which result in land disturbance of one or more (not necessarily contiguous) surface acres. Construction activity also includes the disturbance of less than one acre of total land when that disturbance is part of a larger common plan of development or the sale is part of a larger common plan that will ultimately disturb one acre or more.

(z) "Cross-Connection" means any actual or potential connection between the public water supply and a source of contamination or pollution.

(aa) "Customer" means any person receiving City retail water and/or sewer service, either directly or indirectly, from the City water supply system and City wastewater system. The term customer, for this title, will also mean any owner or lessee of real property.

(bb) "Domestic Non-Residential Consumer" means water service connections using potable water for ordinary living processes and not for commercial or industrial uses. Examples of domestic non-residential consumers include, but are not limited to: churches, office buildings, schools, and commercial and industrial businesses with only toilet and domestic kitchen facilities (no potable water used anywhere in operations).

(cc) "Domestic Non-Residential Fire Sprinkler System" means a fire sprinkler system installed for a domestic non-residential consumer. Fire sprinkler systems installed for a domestic non-residential consumer with a water service line and meter one-inch in size or smaller may be integral to the building plumbing system if allowed by building code or be a separate fire sprinkler system. In cases where the fire sprinkler system is separate and can be accommodated by a water service line and meter one-inch in size or smaller, it shall be connected after the incoming water meter for the building.

(dd) "Domestic Septage" means the mixed liquid and solids' contents pumped from septic tanks used for receiving domestic wastewater (definition in Chapter 13.20) or wastes from sanitary convenience units

(ee) "Fixture Isolation" means a method of backflow prevention in which a backflow preventer is located to correct a cross-connection at an in-plant location rather than at a water service entrance.

(ff) "Garbage" means solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.

(gg) "Hazard Classification" means a determination by a hazard classification surveyor as to high hazard or low hazard and the potential cause of backflow as either back-pressure or back-siphonage.

(hh) "Hazard Classification Survey" means an inspection of a premise to identify the potable water system, the location of any potential cross connections to the potable water system, the hazard of the potential backflow, the physical identification of any backflow devices or methods present and the inspection status of any backflow devices or methods. The hazard classification survey results must be recorded and certified by a qualified hazard classification surveyor.

(ii) "Hazard Classification Surveyor" means an individual who is certified by one of the following: the USC-Foundation for Cross-Connection Control and Hydraulic Research as a cross connection control specialist, the American Association of Sanitary Engineers (ASSE) as a cross connection control surveyor, a Wyoming or other state certification program approved by the state department of environmental quality, or by a water distribution system operator also certified as a backflow device tester employed by the City. Typically, the surveyor will be the City plumbing inspector and/or City public utilities water distribution staff.

(jj) "Hazardous Materials" means any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial or potential hazard

to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

(kk) "Illegal Discharge" means any direct or indirect non-stormwater discharge to the storm drain system, except as exempted in Section 13.12.090 of this chapter.

(ll) "Illicit Connections" means:

- (i) Any drain or conveyance, whether on the surface or subsurface, which allows an illegal discharge to enter the storm drain system, including, but not limited to, any conveyances which allow certain non-stormwater discharge including sewage, process wastewater, and wash water to enter the storm drain system and any connections to the storm drain system from sinks, regardless of whether said connection had been previously allowed, permitted, or approved by a government agency; or
- (ii) Any drain or conveyance connected from a commercial or industrial land use to the storm drain system which has not been documented in plans, maps, or equivalent records and approved by the City.

(mm) "Industrial Discharge" means the discharge or the introduction of domestic pollutants from any source. This includes partial domestic and partial nondomestic wastewater, into the City's collection and treatment system (including holding tank waste discharged into the system).

(nn) "Industrial Fluid" means a fluid or solution which may be chemically, biologically, or otherwise contaminated or polluted in a form or concentration such as would constitute a health, system, pollution or plumbing hazard if introduced into an approved water supply. This may include, but is not limited to: polluted or contaminated waters; all types of process waters and "used waters" originating from the public potable water system which may have deteriorated in sanitary quality; chemicals in fluid form; plating acids and alkalis, circulating cooling waters connected to an open cooling tower and/or cooling towers that are chemically or biologically treated or stabilized with toxic substances; contaminated natural waters such as from wells, springs, streams, rivers, bays, harbors, seas, irrigation canals or systems, etc.; oils, gases, glycerin, paraffins, caustic and acid solutions and other liquid and gaseous fluids used in industrial or other purposes or for firefighting purposes.

(oo) "Mayor" means the Mayor or his appointed designee.

(pp) "Manager" means the Mayor or his designee.

(qq) "Natural Outlet" means any outlet into a watercourse, pond, ditch, lake or other body of surface or groundwater.

(rr) "New Construction" means a building, structure, facility or installation constructed at a site that will generate new water and sewer demand or any building, structure, facility, or installation which will connect to the water and/or wastewater system and which will generate actual water and/or wastewater demand.

(ss) "Noncontiguous" means that property that will, in three years or more, have the potential for annexation.

(tt) "Non-Hazardous Industrial Sump Waste" means the liquid and solids contents pumped from sumps, oil and sand interceptors, or grease interceptors receiving industrial wastes (definition in Chapter 13.20) considered non-hazardous in accordance to any state or federal criteria, guidelines or regulations developed pursuant to the Solid Waste Disposal Act, the Clean Water Act, the Resource Conservation and Recovery Act, and state statutes.

(uu) "Non-Stormwater Discharge" means any discharge to the storm sewer system that is not composed entirely of stormwater.

(vv) "One Acre" includes any land disturbance of less than one acre of total land when that disturbance is part of a larger common plan of development or the sale is part of a larger common plan that will ultimately disturb one acre or more.

(ww) "Owner" means any person who has legal title to, or license to operate or habitat in, a property upon which a cross-connection inspection is to be made or upon which a cross-connection is present.

(xx) "Rate Description" means the amount of money that will be charged for a certain service, dependent upon the kind of service received, rather than the property designation. All rates and fees shall be established by resolution of the City council.

(yy) "Permit" means written authorization issued by the City, duly executed, which authorizes the permittee to construct, install or modify the facilities as set forth in this chapter.

(zz) "Person" means an individual, partnership, firm, association, joint venture, Private Corporation, trust, estate, commission, board, private institution, utility, cooperative, or any other legal entity. This definition, for purposes of this chapter does not include any public corporation, or other political subdivisions of the state.

(aaa) "pH" means the logarithm (base 10) of the reciprocal of the concentration of hydrogen ions expressed in grams per liter of solution.

(bbb) "Pollutant" means any substance or hazardous material that causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; oil and other automotive fluids; nonhazardous liquid, solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, articles, and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure (including, but not limited to, sediments, slurries, and concrete rinsates); and noxious or offensive matter of any kind.

(ccc) "Pollution" means the human-made or human-induced alteration of the quality of waters by a pollutant or waste to a degree which affects, or has the potential to affect, either the

waters for beneficial uses, the facilities which serve these beneficial uses, or results in a violation of water quality standards of the state.

(ddd) "Pressure Reducing Valve" means auxiliary equipment furnished, owned, operated, and maintained by the customer which is installed downstream of the City water meter for the purpose of reducing City water supply pressure for residential and commercial building use.

(eee) "Premises" means any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

(fff) "Private Facilities" means those systems or facilities connected or proposed to be connected to the City of Mills water distribution or sewage collection system or facilities which are not owned or controlled by the City and are generally outside of public streets, roadways, alleys and easements.

(ggg) "Projected Land Use Plan" means a general land use plan establishing boundaries for specific land uses beyond the corporate limits of the City and mutually agreed upon by the City and the county.

(hhh) "Properly Shredded Garbage" means the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than 1.2 inches (1.27 centimeters) in any dimension.

(iii) "Public Facilities" means any part of the water distribution or sewage collection system or facilities owned or controlled by the City of Mills and which are within public streets, roadways, alleys and easements.

(jjj) "Public Sewer" means a sewer, in which all owners of abutting properties have equal rights, and is owned and controlled by the City of Mills, understood to have a manhole at each end.

(kkk) "Residential" means a property designation as listed in the Mills code, Chapter 17 including, but not limited to, single-family dwellings; moveable mobile homes; modular homes; multi-family dwelling units, such as duplexes; City houses; condominiums; apartments; churches; schools; day care (adult, family and group); parks; playgrounds; historical sites; golf course; and, other similar recreational facilities used during daylight hours. This does not imply a specific rate.

(lll) "Residential Fire Sprinkler System" means a fire sprinkler system installed for a residence having a water service line and meter one-inch in size or smaller. The fire sprinkler system may be integral to the residence plumbing system if allowed by building code or be a separate fire sprinkler system. In cases where the fire sprinkler system is separate, it shall be connected after the incoming water meter for the residence.

(mmm) "Sanitary Sewer" means a sewer, which carries sewage and to which storm, surface and ground waters are not intentionally admitted.

(nnn) "Sewage" means a combination of the water-carried wastes from residences, business buildings, and institutions together with such ground, surface and storm waters as may be present.

(ooo) "Sewage Collection System or Facility" means a sewerage system, including pipelines, conduits, pumping stations, force mains, and all other construction; devices, appurtenances and facilities used for collection or conducting wastewater to the wastewater treatment plant.

(ppp) "Sewage Treatment Plant" means any arrangement of devices and structures used for treating sewage.

(qqq) "Sewage Works" means all facilities for collecting, pumping, treating and disposing of sewage.

(rrr) "Sewer" means a pipe or conduit for carrying sewage,

(sss) "Sludge" means any discharge of any wastewater which, in concentration of any given constituent or in quantity of flow, exceeds for any period of duration longer than fifteen minutes more than five times the average twenty-four hour concentration or flows during normal operation.

(ttt) "Storm Drain" or "Storm Sewer" means a sewer, which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

(uuu) "Storm Drain System" means any publicly or privately owned facilities by which stormwater is collected and/or conveyed, including, but not limited to, any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures which are within the City.

(vvv) "Stormwater" means any stormwater runoff, snowmelt runoff, and surface runoff and drainage.

(www) "Stormwater Pollution Prevention Plan" is a document which describes the best management practices and activities to be implemented by a person or business to identify sources of pollution or contamination at a site and the actions to eliminate or reduce pollutant discharges to stormwater, stormwater conveyance systems, and/or receiving waters to the maximum extent practicable.

(xxx) "Submetering" means a meter or meters which are furnished, owned, operated, and maintained by a customer, which are installed downstream of the City water meter for the purpose of proportioning Mills water and/or sewer charges between various tenants or residents.

(yyy) "Surface Waters Of The State" means all permanent and intermittent defined drainages and lakes, reservoirs, and wetlands which are not manmade retention ponds used for the treatment of municipal, agricultural or industrial waste; and all other bodies of surface water, either

public or private, which are wholly or partially within the boundaries of the state. Surface waters include all natural waterways and definite channels and depressions in the earth that may carry water, even though such waterways may only carry water during rains and storms and may not carry stormwater at and during all times and seasons.

(zzz) "Suspended Solids" means a total suspended matter that floats on the surface of, or is suspended in, water, wastewater or other liquids, and which is removable by laboratory filtering.

(aaaa) "Temporary Fire Hydrant Usage" means a fire hydrant used for delivering water needed for public or private works or new building construction purposes (compaction, dust control, etc.).

(bbbb) "Water Distribution System or Facility" means pipelines, conduits, pumping stations, storage facilities and all other construction, devices, appurtenances and facilities used for conducting water from the water production facilities.

(cccc) "Water Emergency" means any fire, flood, storm, earthquake, drought, civil disturbance or other emergency of significant magnitude, which seriously and directly affects the ability of the City to supply water to the general public, and which is a serious and immediate threat to the health, safety and welfare of the general public.

(dddd) "Water Supply System" means the structures, equipment and processes owned by the City and required to collect, treat and distribute water to and for the residents of the City.

(eeee) "Wyoming Pollutant Discharge Elimination System Permit (WYPDES)" means general, group, and individual stormwater discharge permits that regulate facilities located within the state of Wyoming which are, or may, discharge stormwater associated with construction activities. The WYPDES permit issued by the Wyoming Department of Environmental Quality authorizes discharge to surface waters of the state of Wyoming upon compliance with the requirements of the Wyoming Department of Environmental Quality.

(ffff) "Wyoming Water Quality Standards" means the Wyoming Department of Environmental Quality published water quality rules and regulations (Chapter 1) as they may be amended from time to time.

(gggg) "Residential Fire Sprinkler System" means a fire sprinkler system installed for a residence having a water service line and meter one-inch in size or smaller. The fire sprinkler system may be integral to the residence plumbing system if allowed by building code or be a separate fire sprinkler system. In cases where the fire sprinkler system is separate, it shall be connected after the incoming water meter for the residence.

(hhhh) "Used Water" means the condition of water purveyors' supplied water after it has passed through the point of delivery of the customer's water system, the used water being no longer under the sanitary control of the water purveyor.

(iiii) "Watercourse" means a channel in which a flow of water occurs, either continuously or intermittently.

(iii) "Water Purveyor" means the City of Mills in this chapter.

(kkkk) "Water Service Connection" means the terminal end of a service connection from the public potable water system, i.e., the point at which the water purveyor loses jurisdiction and sanitary control over the water, said point being the point of delivery to the customer's water system (service connection curb stop). There shall be no connections to the service line ahead of any meter or backflow prevention device located on the customer's water system. Service connection shall also include water service connection from a fire hydrant and all other temporary or emergency water service connections from the public potable water system.

(lll) "Sludge" means any discharge of any wastewater which, in concentration of any given constituent or in quantity of flow, exceeds for any period of duration longer than fifteen minutes more than five times the average twenty-four hour concentration or flows during normal operation.

13.03.040 New Construction

(a) Applications for new construction installations for water and sewer service shall be made to the City of Mills City Hall, 704 4th St, Mills, Wyoming between the hours of eight a.m. to five p.m., Monday through Friday (except holidays); calling the City of Mills at (307) 234-6679. All applicable charges for new services, including, but not limited to, system investment charges for new services, will be assessed at the time of application in accordance to other chapters of this Mills code and City rules and regulations regarding water and sewer service.

(b) Upon application, the minimum charge for services will be billed until the meter is installed. If water is used for landscaping before the meter is installed, the customer will be charged for twenty-five thousand gallons of water for the billing period.

13.03.050 Connection or Change of Service

(a) The property owner, tenant or agent of the owner may request changes in existing services. If a tenant occupies the property, the property owner or agent of the owner may only request changes in existing services with the written approval of the tenant.

(b) Service can be obtained by contacting the City of Mills City Hall, 704 4th St, Mills, Wyoming between the hours of eight a.m. to five p.m., Monday through Friday (except holidays); calling the City of Mills at (307) 234-6679, between the hours of eight a.m. to five p.m., Monday through Friday (except holidays). The request for service will include name of occupant, physical address, mailing address, social security number, day and night time telephone number, employer and requested date of service. The request must be made at least three working days prior to a request starting date.

(c) All new utility customers will be required to make a deposit unless they have one year of previous service with the City indicating good credit.

(d) Any new occupant, owner or agency is granted a seventy-two hour notice before services will be disconnected to allow the customer time to transfer the utilities to their name without a break in service.

13.03.060 Refusal of Service

The City reserves the rights to refuse service to any customer until all federal, state and Mills regulations governing Mills utility service have been complied with by the applicant.

13.03.070 Discontinuance of Service

(a) Service may be discontinued for nonpayment. In order to re-establish service, a delinquent turn-on fee and a deposit may be required before service is restored. If the service is to be restored during non-working hours, the fee and deposit must be in City of Mills, City Hall, 704 4th St, Mills, Wyoming, no later than ten a.m. the next working day, or service will be disconnected and additional applicable charges may be imposed. Service will not be provided if there are any outstanding bills or fees or any violations of this chapter.

(b) Customers will be charged a fee if an insufficient funds check is received by the City. The bank automatically redeposits insufficient funds checks. If an insufficient funds check has been redeposited and is returned to the City, the amount will be automatically reversed and applied to the customer's account. The customer will be responsible for any additional charges; interest or penalties accrued to the account. The unpaid balance will be subject to any interest or penalty charges associated with a past due account. The account will be subject to the City general billing and collection policy, adopted by resolution of the City council. When an account has registered two NSF checks all future utility charges will be required to be paid by cash, certified funds or money order.

(c) If water service is disconnected because of any misrepresentation, deliberate meter tampering, curb stop tampering or unauthorized connections, service may be restored after the City has received payment for water used, damages to materials, reconnection charges, proper system investment charges and other fees and costs incurred by the City.

(d) A property owner may have water service transferred to their name automatically when a tenant discontinues services or is shut-off, at the landlord's request. The landlord will remain in effect until a new property owner requests service, or the landlord notifies the City to terminate the landlord request.

(e) When water service is temporarily shut-off at the request of the customer and turned on at a later date at the request of the customer, a reconnect fee shall be charged to the customer. There will be no reconnect fee when the water service is shut-off for less than twenty-four hours for repairs to the customer's plumbing system.

13.03.080 – Rates and Classifications of Utilities

(a) All classification of users will be set by resolution of the Governing body;

- (b) All rates for monthly service will be set by resolution of the Governing body;
- (c) All rates for connection to the system or systems will be set by resolution of the Governing body; and
- (d) All collection and billing policies for utilities will be set by resolution of the Governing body.

13.03.090 Billing

- (a) All bills and notices mailed by the City will be mailed to the street addresses of the property, unless the customer has provided a different mailing address.
- (b) All sewer and garbage billing will be based upon a rate definition rather than a property definition. Property may be designated as commercial in this code; however, they may be charged a residential rate for any of the utilities. Rates to be determined by resolution.
- (c) Water billing will be based on meter readings. The bills shall indicate the consumption in one thousand-gallon increments.
- (d) Residential and commercial sewer billing will be reevaluated each year, based on actual water usage during the billing period starting after January 1.
- (e) Each and every property location will receive a separate bill.
- (f) Water and sewer minimum charges are not prorated when the billing period is shorter than thirty days.
- (g) Customers will be charged any applicable minimum charges for all utility services during billing periods with no water usage. Minimum charges will be established by resolution.
- (h) There may be charges for additional unsubstantiated re-reads. If the meter test reveals that the customer has been over-billed by three percent or more, the customer's bill may be adjusted. If the customer has been billed correctly, or has been under billed, the City will bill the customer for the meter test. The amount billed will be determined by resolution.

13.03.100 Adjustments

- (a) Sewer adjustments may be given if a leak occurred during the sewer evaluation periods.
- (b) A bill may be adjusted for a water leak if the following condition applies. The usage on the customer's bill with the leak exceeds by three times the usage amount on the customer's bill for the same period one year previous. The leak adjustment is calculated at forty percent of the

difference between the current period usage and the usage billed for the same time period one year previous.

13.03.110 Credit, Payment Terms and Collection Efforts

(a) Bills will be considered delinquent if not paid twenty days after the bill date. Authorized interest and penalty charges will start accruing on this date. A delinquent notice will be mailed to the customer on or shortly after the twenty-first day after the bill date. If the bill remains unpaid ten days after the bill date, all utility services will be discontinued.

(b) If the customer's service is disconnected due to lack of payment, and remains unpaid for sixty days; the account shall be closed and turned over for collection.

13.03.120 - Temporary Fire Hydrant Usage

(a) A fire hydrant usage permit must be obtained from the City.

(b) At the time the fire hydrant usage permit is obtained, a hydrant deposit shall be paid for an auxiliary valve, wrench, meter and hose. Upon return of the valve, wrench, meter, and hose, in good condition, the hydrant deposit will be credited toward the amount due for water usage from the hydrant. If equipment is lost or damaged due to customer neglect, appropriate fees shall be charged. The Mayor or his designee reserves the right to rescind this privilege at any time.

(c) All water will be metered. Hydrant meters may be obtained from the City at a price set by resolution of the City council. The current City of Mills retail water rate will be charged for erosion control, reinstatement of vegetation of disturbed areas, compaction water, and flushing water used by developers, contractors, and others in addition to the hydrant permit.

(i) The current retail water rate will be charged in addition to the hydrant permit for all other uses, including, but not limited to, sod watering and parking lot washing. Payment and collection policies as listed in Section 13.03.090 will apply.

CHAPTER 13.04

PERMITS TO CONSTRUCT, INSTALL OR MODIFY WATER DISTRIBUTION OR SANITARY SEWAGE COLLECTION FACILITIES

13.04.010 Authority

The Wyoming Department of Environmental Quality has delegated to the City, via Wyoming Statutes Section 35-11-304, the authority to administer and enforce within its service boundaries Wyoming Statutes Section 35-11-301 (a) (iii) and (v). Specifically, Wyoming Statutes Section 35-11-301 stipulates that no person, except when authorized by permit, shall construct, install or modify any public water supply, sewage system, treatment works, disposal system or other facility capable of causing or contributing to pollution.

13.04.020 Scope

This chapter shall apply to all publicly owned or controlled water distribution facilities and sanitary sewage collection facilities within the service boundaries as agreed upon by the Wyoming Department of Environmental quality and the City.

13.04.030 Prohibitions

No person, except when authorized by permit issued pursuant to Wyoming Statutes Section 35-11-301 and this chapter, shall:

- (a) Construct, install or modify any publicly owned or controlled water distribution or sanitary sewage collection facility as defined in this chapter within the designated boundaries.
- (b) Construct, install or modify any publicly owned or controlled water distribution or sewage collection facility in noncompliance with the terms and conditions of an issued permit.
- (c) Construct, install or modify any publicly owned or controlled facility with a permit that has expired or has been suspended or revoked.

13.04.040 Permit Required

- (a) Construction, installation or modification of publicly owned or controlled water distribution and sewage collection facilities shall be allowed solely in accordance with the terms and conditions of permits issued pursuant to this chapter.
- (b) No construction, installation or modification of a water distribution or sewage collection facility as defined in this chapter shall be allowed unless a permit to construct, install or modify has been obtained from the City.
- (c) The issuance of a permit to construct, install or modify does not relieve the applicant of his responsibility to properly plan, design and construct the facility described in the application and permit conditions.

13.04.050 Application Requirements and Procedures

The following procedures will be followed in an application for the permit:

- (a) Any person who proposes to construct, install or modify a facility required to be permitted under Section 13.04.040 shall submit a written application on forms provided by the City of Mills.
- (b) The initial application for a permit must be accompanied by two complete sets of plans and specifications, design data and any additional information required by the City. After the plans and specifications have been reviewed by the City, the applicant's engineer shall make such revisions as are required and submit five revised sets for final review. All plans and specifications submitted shall carry the seal or signature of the design engineer in accordance with

Wyoming Statutes Sections 33-29-101 through 33-29-113. All plans and specifications shall conform to City of Mills Water Distribution Facilities Design Standards, City of Mills Sanitary Sewage Collection Facilities Design Standards, and the Wyoming Department of Environmental Quality, Water Quality Rules and Regulations, Chapter XI and Chapter XII. C. the City shall review every application and take final action within thirty days from the date the application is received.

(c) If an application is incomplete, additional information shall be requested in detail, or if requested, the application may be returned to the applicant. The applicant shall have ninety days to comply with the request for additional information. After this time period, if no information is submitted, the entire application shall be returned.

(d) The Mayor or his appointed designee shall promptly notify the applicant in writing of the final action taken on the application. If the conditions of the permit are different from the proposed application submitted by the applicant for review, the notification shall include reasons for the changes made.

(e) If, upon review of an application, the City determines that a permit is not required under this chapter, the Mayor or his appointed designee shall notify the applicant of this determination in writing. Such notification shall constitute final action on the application.

(f) If, upon review of an application, the City determines that a permit should not be granted, the Mayor or his appointed designee shall notify the applicant in writing of the permit denial and state the reasons for denial.

(g) If the applicant is dissatisfied with the conditions or denial of any permit issued by the City, he may request a hearing in accordance with Section 13.04.090.

13.04.060 Construction and Operation in Compliance with Issued Permit

(a) The applicant will conduct all construction, installation or modification of any facility permitted consistent with the terms and conditions of the permit. Unauthorized changes, deviations or modifications will be a violation of the permit. A new application or amended application must be filed with the City to obtain modification of a permit. No modification shall be implemented until a new or modified permit has been issued or a waiver given pursuant to Section 13.04.040B.

(b) The applicant shall request in writing authorization to utilize materials and/or procedures different from those specified in the terms of the issued permit. Such requests shall be directed to the Mayor or his appointed designee. The Mayor or his appointed designee shall consult with the Wyoming Department of Environmental Quality prior to issuing a waiver. A waiver may be granted if materials and/or procedures specified in the permit cannot be obtained or accomplished and alternative materials and procedures meet minimum standards. In order to prevent undue delay during construction, the Mayor or his appointed designee may grant a waiver orally, upon oral request, provided that this request is followed by a written request within five days.

(c) The applicant shall conduct the operation in accordance with statements, representations and procedures presented in the complete application and supporting documents, as accepted and authorized by the Mayor or his appointed designee.

13.04.070 Permit Duration, Termination and Transfer

(a) The duration of a permit issued under this chapter shall be two years from the issuance, and all construction authorized under the permit shall be completed within that period unless an extension is obtained, as provided in subsection E of this section.

(b) Permits will be issued to the official applicant of record for only the type of construction of record, and shall be automatically terminated:

- (i) Within sixty days after sale or exchange of the facility unless application for transfer is received pursuant to subsection C of this section;
- (ii) When construction is completed and final acceptance is obtained from the City. Upon final acceptance, public water distribution and public sewage collection systems or facilities shall become the property of the City;
- (iii) Upon issuance of a new permit;
- (iv) Upon written request of the permittee.

(c) Permits shall be transferred to new owners by completion and submittal of ownership transfer forms by the new owner to the City. The new owner may also submit a written request from the existing owner to transfer ownership. The City shall act by approving or denying the transfer application within thirty days after receipt of the request.

(d) Any conditions established in a construction permit will be automatically transferred to the new owner whenever a transfer of ownership of the facility is approved.

(e) A permit may be renewed where construction has not been completed by filing an affidavit with the City stating that there will not be any changes in the plans of a permitted system no less than thirty days prior to the expiration date of the permit.

13.04.080 Permit Denial

- (a) The Mayor or his assigned designee may deny a permit for the following reasons:
- (i) The application is incomplete or does not meet applicable City design criteria and construction standards.
 - (ii) The project, if constructed, would result in hydraulic and/or organic overloading of wastewater facilities.
 - (iii) The project, if constructed, would result in public water supply demand in excess of source, treatment or distribution capabilities.
 - (iv) The project does not comply with an approved state or local water quality management plan.
 - (v) Other justifiable reasons.

(b) The Mayor or his assigned designee shall notify the applicant in writing the reason for denial.

(c) If the applicant is dissatisfied with the conditions or denial of any permit issued by the Mayor or his assigned designee, he may request a hearing before the City council.

A request for hearing shall be made in writing within twenty days of notification of this denial to the Mills Mayor and shall state the grounds for the request. The hearing shall be conducted pursuant to the regulations of the Mills City council and may be conducted as part of the board's regular monthly meeting.

If the applicant is dissatisfied with the actions of the Mills City council, he may request a hearing to the Mills City council.

A request for hearing shall be made in writing, within twenty days of the councils' action notification, to the Mills Mayor and shall state the grounds for the request. The City council, through its mayor, is authorized to appoint one or more hearing examiners/officers to preside at and make a record of hearings in contested cases. Such examiners/-officers shall have those powers prescribed by law and as set forth in Wyoming Statutes Section 16-3-112(B). The City council shall fix a reasonable time and place for the hearing of the appeal, such date shall not be less than ten nor more than sixty days from the date the request for hearing is filed.

The Mills City council shall render its decision following the hearing. The actions of the City council are not appealable.

13.04.090 Permit Modification

(a) During the review of an application or during construction, the City may modify a permit to construct, install or modify for the following reasons:

- (i) Changing site conditions which would prevent construction and resultant operation from compliance with City of Mills or Department of Environmental Quality rules and regulations;
- (ii) Receipt of additional information;
- (iii) Incomplete application on review items where the engineer/applicant agrees with the modification;
- (iv) Review items not in compliance with minimum standards where the engineer/applicant agrees with the modification;
- (v) Any other reason necessary to effectuate the purpose of the applicable statutes, standards or regulations.

(b) The Mayor or his assigned designee shall notify the applicant by registered or certified mail of its intent to modify the permit.

(c) Such notification shall include the proposed modification and the reasons for modification and time frame to have modifications constructed, installed or operational. Modification requirements shall be implemented before construction of a facility is completed.

(d) The modification shall become final within twenty days from the date of receipt of such notice unless within that time the permittee requests a hearing in accordance to Section 13.04.080(c).

(e) A copy of the modified permit shall be forwarded to the applicant as soon as the modification becomes effective.

13.04.100 Permit Suspension and/or Revocation

(a) Any permit issued hereunder may be suspended and/or revoked.

(b) Any permit issued hereunder may be suspended when the Mayor or his designee has a reasonable suspicion that the public health, safety or welfare will be endangered by a continuation of the project. Any such suspension shall last for no longer period than is necessary to conduct an expedited hearing before the City council, or a hearing examiner designated by the council for that purpose. The question at such hearing to be whether the permit should be revoked.

(c) Before a permit may be revoked, the applicant shall be given an opportunity to show compliance with all lawful requirements for the retention of the permit.

(d) The Mayor or his assigned designee may revoke a permit before the construction of a system is completed for the following reasons:

- (i) Noncompliance with the terms of the permit;
- (ii) Unapproved modifications in design or construction;
- (iii) False information submitted in the application;
- (iv) Changing site conditions which would result in violations of applicable regulations;
- (v) Any other reason necessary to effectuate applicable statutes, standards or regulations.

(e) The Mayor or his assigned designee shall notify the applicant by registered or certified mail of his intent to revoke the permit.

(f) The notification shall include the reasons for revocation. The revocation shall become final twenty days from the date of receipt of the notice, unless within that period of time the applicant requests a hearing in accordance to Section 13.04.080(C).

13.04.110 Enforcement

The City shall use any or all of the following methods to achieve compliance with this chapter.

(a) Any person who constructs, installs or modifies a water distribution or sewage collection facility without the proper permit to construct, install or modify shall immediately cease such construction upon notification by the Mayor or his assigned designee and obtain the proper permits.

(b) Any person who constructs, installs or modifies a water distribution or sewage collection facility in nonconformance to the issued permit to construct, install or modify shall immediately cease such construction upon notification by the City. The Mayor or his assigned designee may revoke the permit, in accordance with Section 13.04.100.

(c) The Mayor or his assigned designee may recommend to the City building inspector to deny or revoke building and occupancy permits in areas served by the facilities in question.

(d) The City reserves the right, in the event of noncompliance of its rules and regulations, to physically disconnect the water distribution or the sewage collection facility from its existing systems. The owner or developer shall be responsible for all costs associated with disconnecting and reconnecting the facilities.

(e) The City has been given the authority to request that the Attorney General or the County Attorney for Natrona County enforce the permit to construct, install or modify program pursuant to Wyoming Statutes Section 35-11-901 in the event a violation occurs.

(f) Any person violating the terms of this chapter is guilty of violating a City ordinance and may be charged in Mills court. Each day a person is in violation of any section of this chapter shall constitute a separate offense. A conviction under this chapter may be punished by a fine of up to seven hundred fifty dollars or six months imprisonment, or both.

CHAPTER 13.05 **WATER AND SEWER SERVICE**

13.05.010 Purpose

The purpose of this chapter is to assure that retail customers of the City of Mills adhere to certain requirements and responsibilities concerning water and sewer service lines, water meters, pressure-reducing valves, and backflow prevention devices.

13.05.020 Scope

(a) This chapter shall apply to all lands within the City of Mills or outside the City of Mills within its environs being serviced by retail water or sewer service by the City of Mills.

(b) This chapter shall compliment other chapters of the Mills Code and City rules and regulations regarding water and sewer service.

13.05.030 General-Responsibilities

(a) By accepting water and/or sewer service, the customer shall be deemed to have granted to the City and its designated representatives, permission to enter the customer's or property owner's premises at all reasonable times for the purpose of installing, replacing, reading, operating, inspecting, testing, repairing or removing any or all of the material or equipment belonging to the City including, but not limited to, water service lines, water service line shut-off valve, water meters, remove readout device, and automatic meter reading equipment or for the purpose of ensuring that a customer is in compliance with the Mills Code, ordinances, rules and regulations. By accepting water and/or sewer service, the customer shall be deemed to have granted to the City and its designated representatives permission to enter the customer's or owner's premises at all reasonable times to operate, test, and inspect customer's valves, cross connection control devices, and pressure reducing valves.

Provided however, nothing herein contained shall allow or authorize the City, except during a bona-fide emergency, to enter a customer's residence or building being supplied City water or sewer service without the prior permission of the owner. In the event permission is unreasonably denied, the City shall have the absolute right to discontinue any such water or sewer service as provided in Section 13.05.060(E) of this chapter.

(b) City houses may use a common water service line, a single City water meter, and a common sewer service line. However, in such situations, the City will not furnish, install, maintain, or read individual City house unit water service lines and sub-meters.

As an alternative, separate water and sewer service lines and meters are also acceptable for City houses. Individual City house water service lines may be connected into one service line extending to the water main if a shut-off valve exists on the one service line extending to the water main, and all individual water service shut-off valves are located in the front lot utility easement.

(c) The water service line (three-fourths inch through two inches) from the water main to and through the shut-off valve, generally located behind the curb walk within the front lot utility easement, shall be owned, operated, and maintained by the City. Water service lines three-inch and larger shall generally have the shut-off valve (owned by the City) located at or near the water main. The physical connection, on the downstream side of the shut-off valve, and the service line leading into and through the establishment receiving water service shall be owned, operated, and maintained by the customer.

(d) Water service lines for fire suppression or private fire hydrants shall generally have the shut-off valve (owned by the City) located at or near the water main. The physical connection, located on the downstream side of the shut-off valve, and the fire suppression or private fire hydrant service line leading to and through the establishment receiving fire suppression water service shall be owned, operated, and maintained by the customer.

(e) No person, except authorized City employees, shall turn on or off any water supply at City owned shut-off valves without the permission of the City.

If a City owned shut-off valve is turned on by a customer or at the customer's direction without the permission of the City, and the valve or appurtenances are damaged, all costs to repair such equipment shall be billed to the customer by the City, and the customer shall be solely liable and responsible for such costs.

(f) It shall be the responsibility of the customer to maintain the water service line, fire suppression line, or private fire hydrant line from the shut-off valve into the premises receiving water service. In case of failure by the customer to repair any leak occurring in his water service line, fire suppression line, or private fire hydrant line within forty-eight hours after verbal or written notice has been given to the customer, the water will be shut off by the City and will not be turned on until the repairs have been made and the appropriate turn-on charge has been paid. When the waste of water is considered excessive, or when damage is likely to result from the leak, the water will be turned off if the repair is not proceeded with immediately upon the giving of such notice by the City. The City shall also charge the customer the cost of the wasted water. The

determination of wasted water being excessive or damage likelihood shall be made at the sole discretion of the City.

The City shall not be liable for any loss or damage of any nature whatsoever caused by any defect in customer's water service line, fire suppression line, private hydrant line, or customer's equipment located on the real property of the customer. The customer shall be solely responsible for inspecting its service line, plumbing, and equipment.

(g) For polyvinyl chloride (PVC) sewer mains, the City's ownership, operation, and maintenance responsibility for sewer services shall cease at the sewer saddle wye or tee on the sewer main. The connection between the PVC sewer saddle and the sewer service line shall be the responsibility of the customer. The sewer service line from the sewer saddle wye or tee into the premises receiving sewer service shall be owned, operated, and maintained solely by the customer.

For vitrified clay (VCP) sewer mains, the City's ownership, operation, and maintenance responsibility for sewer service shall cease with the sewer main. All directly connected hubs on VCP sewer mains shall be the ownership, operation, and maintenance responsibility of the customer. If a VCP or PVC sewer saddle wye or tee has been installed on a vitrified clay main, the sewer service line serving the premises receiving sewer service shall be owned, operated, and maintained solely by the customer.

(h) Water from the City's water supply system shall only be used on the customer's premises and no other premises unless authorized by the City.

(i) No physical connection between the City's domestic water system and private irrigation wells will be permitted.

(j) No physical connection between another water supply and the City's distribution system will be permitted unless approved in writing by the City with appropriate cross connection control. The customer must meet all requirements of Chapter 13.17, Cross Connection and Backflow Control of the Mills Code.

(k) The City does not undertake or agree to furnish or supply continuous uninterrupted water or sewer service to its customers and shall not be liable for any deficiency or failure in the supply of water to customers or to the receiving of wastewater from customers whether occasioned by shutting the water off for the purpose of making repairs or connections or from any other cause whatsoever. In the case of fire, or alarm of fire, water may be shut off to insure supply for firefighting. During construction or the making of repairs that may affect the City's water system, water may be shut off at any time for as long period as necessary to complete any such construction or repairs.

(l) Existing water and sewer service lines, which service more than one lot, or more than one building, shall be the ownership, operation, and maintenance responsibility of the customers using the service lines.

(m) When a building is erected on the site where an old building has been demolished or removed, the existing water service line may only be reused if inspected and approved by the City. Lead or iron water services will not be approved for reuse.

Abandoned water service lines must be plugged at the water main and the shut-off box removed. The customer shall be responsible for all trenching, excavation, backfilling, compaction, and restoration of the surface to the same or better condition as it existed prior to the excavation. The City shall perform the work to plug the water main at no charge to the customer once the trench is excavated and the water main exposed.

(n) When a new building is erected on the site where an old building has been demolished or removed, the existing sewer service may only be reused if inspected and approved by the City. Existing "Orangeburg" sewer service lines shall not be approved for reuse. If it is necessary to install a new sewer service, the customer must plug the old sewer service at the property line.

(o) All water piping, pressure reducing valves, customer backflow preventers, expansion tanks, pressure relief valves, pits, or vaults associated with metering equipment, shall be the sole responsibility of the customer. The customer is responsible for the shut-off valves located on each side of the water meter. The City shall own, operate, and maintain the water meter and remote reading devices.

(p) It shall be a misdemeanor for any unauthorized person to or in any way interfere with, tamper, or otherwise damage any metering equipment owned by the City.

(q) Frozen Water Service Lines. Customers with frozen water service lines shall contract a private contractor for thawing out the service. If the private contractor's efforts are unsuccessful, the customer may contact the City for help in thawing his/her water service line. The City will place the customer on a priority list for service line thawing. At its discretion, City staff shall use either an electric welding device or a hot water thawing device to try to thaw the customer's service. The City does not assume, and shall not be liable to the customer for any damage to property or persons caused directly or indirectly by the thawing of the customer's service line. No such thawing work on a customer's service line will be performed until the customer has executed a full liability release in a form acceptable to the City. Following the thawing of the water service line, the customer shall continuously run water in order to prevent another frozen service line. Customers who let their service lines re-freeze shall be placed at the bottom of the priority list for customer service line thawing and shall be charged all costs for thawing the service line the second and subsequent times. The customer, each time, shall fill out and sign a new full liability release for thawing the water service line. If a private contractor's efforts can affirmatively demonstrate to the satisfaction of the City, that the freeze-up occurred between the water main and the City owned shut-off valve, the City may reimburse the customer for a percentage of the private contractor's work dependent upon City council action at that time

(r) Wintertime Water Usage to Prevent Water Service Line Freeze-Ups. At such time that City staff believes that shallow water service line freeze-ups may occur (dependent upon weather conditions, existing frost penetration, existing service line freeze-ups), it shall make its best efforts to contact known addresses with shallow service lines to recommend the continuous running of water in order to prevent the service line from freezing up. Notification of the customer shall be attempted by phone and, if the customer is not contacted by phone, then city staff shall leave a note on the residence. The City does not assume, and shall not be liable for any failure to notify customers pursuant to this section. Under no circumstances shall the provisions of this

chapter be considered as a waiver by the city of the liability limits or immunity as otherwise set forth in the Wyoming Governmental Claims Act, W.S. § 1-39-101, and the City specifically reserves the right to assert any and all rights, immunities, and defenses it may have pursuant to the Wyoming Governmental Claims Act. The City may, in its sole discretion, grant a customer a credit for the cost of water used to prevent service line freeze-ups on a case-by-case basis. Customers who let their service line freeze after being notified by City staff that they need to run water to prevent freeze-up shall thereafter be subject to the provisions of subsection Q of this section.

(s) Sewer System Backwater Valves. If the City determines that a customer has the potential to have a sewer system backup, a backwater valve shall be installed by the customer at his/her cost.

Sewer system backwater valves for customer sewer systems shall be installed in accordance to the City's Uniform Plumbing Code.

13.05.050 New Construction

(a) Each lot shall have separate water and sewer service lines, water meter, and shut-off valve serving it and no other lot. Water service shut-off valves shall generally be located at the property line or within the front lot utility easements.

(b) Any applicant who desires a water and/or sewer connection generating water or wastewater demand shall pay water tap charges, water service line charges, water meter charges, sewer tap charges, special subdivision charges, and other ancillary charges as appropriate in the manner set forth in this title and as set forth by resolution of the City. Special subdivision charges and recapture charges shall be paid and calculated in the manner set forth in the applicable subdivision agreement or water and sewer contract with the developer.

(c) No building permit for water or wastewater connections generating water or wastewater demand, which is required to pay water tap charges, water service line charges, water meter charges, sewer tap charges, special subdivision charges, and other ancillary charges pursuant to this title shall be issued by the City until the charges required by this title have been paid.

(d) All existing water and sewer connections that may need new water service lines, water meters, new sewer taps, or other services shall pay the appropriate charges prior to receiving the service.

(e) Customers Are Responsible For All New Water Service Lines. The City does not guarantee that a water service line is extended into a lot. If there is no water service connection into the lot or parcel of land, the City shall install, at the cost of the customer as covered by fees set forth by resolution, a corporation stop on the main, the water service line from the water main to the customer's property, the shut-off valve, and the service box. All trenching, excavation, backfilling, compaction, surface restoration and related matters shall be performed by and at the cost and expense of the customer.

(f) Customers Are Responsible For All New Sewer Service Lines. The City does not guarantee that a sewer service line is extended into a lot. If there is no sewer service connection into the lot or parcel of land, the City shall install, at the cost of the customer as covered by fees

set forth by resolution, a sewer service saddle on the sewer main. The customer must then install the sewer service line from the saddle leading from the sewer main to the customer's property. All trenching, excavation, backfilling, compaction, surface restoration and related matters shall be performed by and at the cost and expense of the customer.

(g) All unused water and sewer service lines must be properly plugged and abandoned by the customer.

- (i) Unused water service lines must be removed at the water main and the water main connection plugged. The customer must excavate and carefully expose the water main and the City will plug the water main connection at no charge to the customer.
- (ii) Unused sewer service lines must be plugged by the customer at the property line.
- (iii) All trenching, excavation, backfilling, compaction, surface restoration and related matters associated with water or sewer service line abandonment shall be performed by and at the cost and expense of the customer.

(h) The water service line serving a building generally must be the same size as the water meter. The only exceptions are long service lines (over one hundred feet) and areas of low pressure (less than forty-five pounds per square inch). Exceptions must be approved by the City in writing.

(i) All plumbing and equipment of the customer, including outside hose bibs and irrigation systems shall be connected, at the expense of the customer, to the service piping in such a manner that all water used by the customer shall pass through the meter.

(j) It is the responsibility of the customer of the property serviced to maintain the service box for the shut-off valve in a plumbed and operable condition, flush with the ground level at all times. In the event the customer fails to restore the service box and the shut-off valve in a plumbed and operable condition within ten days after written notice from the City, the City may make the necessary repairs to bring the service box and shut-off valve plumb, operable, and flush with the ground level, the cost of which shall be the responsibility of the customer, which will be billed to the customer by the City.

(k) Pressure reducing valves are required for residential and commercial buildings, which make new connections to the City's water system if the static pressure is over sixty-five pounds per square inch.

13.05.060 Water Meter Installations

(a) General.

- (i) All water meters, two inches and smaller, except sub-meters, are to be installed by the City. Licensed plumbers shall install all other piping (and meters larger than two inches necessary for the installation in accordance with this title and the City Plumbing Code. All water meters (except sub-meters) shall be purchased from the City.

- (ii) The customer shall provide a suitable location in the building which is acceptable to the City where the City water meter is easily accessible and convenient for the installation, reading, operation, protection, and maintenance of the meters and equipment in accordance with requirements of the City, which, in all instances must protect the water meters from freezing.
- (iii) Meter pits shall be required for manufactured homes, mobile homes, and other special circumstances approved by the City, and shall be located generally within the front lot utility easement behind the shut-off valve. The customer shall own and maintain meter pits.
- (iv) Meter installations in outside vaults must have prior written authorization from the City. Evidence must be provided showing that it is not practical to place the meter inside a building. Plans shall be submitted to the City for all outside meter vaults.
- (v) The City is responsible for the operation and maintenance of the meter and remote reading device for residential services. All other valves, piping, meter pits, vaults, backflow preventers, pressure reducing valves, etc. are the responsibility of the customer to own, operate, and maintain.
- (vi) All building fire protection systems one and one-half-inch or less in size shall be installed after the City meter serving the building. The fire protection system shall be provided with a backflow preventer. Building fire protection systems for single family dwellings which are integral to the building plumbing system as allowed by City Building Code do not require a backflow preventer. Building fire protection systems two-inch or larger in size shall have a separate service line from the main. No meter will be needed; but, a backflow preventer will be required for fire protection systems two-inch and larger.

(b) Sizing.

Water Meters Shall be Sized in Accordance with the Following Table:

Size	Maximum Peak Flow Allowable - Gallons Per Minute (GPM)
¾ inch	15 GPM
1 inch	25 GPM
1½ inches	50 GPM
2 inches	100 GPM
3 inches	200 GPM
4 inches	450 GPM
6 inches	950 GPM
8 inches	1,550 GPM
10 inches	2,450 GPM

- (c) **Meters Up to Two Inches (See Figure 1 at the end of this chapter).**
- (i) The water service line installed from the water main to the meter shall be brought up through the floor in a vertical position. An approved valve must be installed where the service line enters the building, about twelve inches above the floor. An approved valve shall also be installed on the outgoing side of the meter immediately adjacent to the meter.
 - (ii) The meter shall be located so that the bottom of the meter is from six inches to eighteen inches above the finished floor line and shall be installed in the horizontal position. The meter shall be set in a laundry area, furnace room, or other area not normally considered as living area. The meter shall not be installed in crawl spaces or other areas of inconvenient access.
 - (iii) Meters up to and including one inch may be supported by the piping. All others must be supported by a suitable mounting bracket, blocking, or metal stand.
 - (iv) Meters shall be installed within four feet of a floor drain, when available, unless an alternate location is approved by the City.
 - (v) Clearances for accessibility to the meter must be provided. Normally an area two feet by two feet is required with a clearance of at least twelve inches on both sides of the meter. Adequate access, as determined by the City, to the meter location is also required.
 - (vi) Meters must be installed inside the building in a heated area.
 - (vii) Any connection to the service before the meter or any by-pass around the meter is prohibited. Unless specifically allowed by the City, by-passes around the meter will not be allowed. Any customer who is found with an illegal by-pass around the meter shall immediately have his water service turned off until the by-pass is removed.
 - (viii) Valves before and after the meter shall be gate, globe, angle, or ball valves made of brass, copper, or other City approved materials up through two inches in size.
 - (ix) Automatic meter reading equipment will be installed near the meter inside the residence, or at a suitable location outside the building.
 - (x) Meter pits may be allowed for two-inch and smaller meters. Frost-proof coil meter pits must be used for all manufactured homes or mobile homes. The meter pit shall generally be installed within the front lot utility easement behind the water service line shut-off valve. Meter pits, including lids, located in sidewalks or paved areas must be specifically designed to accommodate AASHTO H-20 traffic loading. The customer shall own and maintain the meter pit. Meter pits and setters shall be pre-fabricated and must be designed for cold weather conditions. Automatic meter reading equipment, suitable for meter pits, will be installed. (See coil meter pit detail — Figure 3 at the end of this Chapter.)
- (d) **Meter Setups Three Inches and Larger (See Figure 3 at the end of this chapter).**
- (i) The same general requirements apply for installation as for smaller meters. Meters should be installed in a mechanical room of the building, near a floor

- drain, if available, and in a horizontal position. Valves must be installed on both sides of the meter.
- (ii) All meters larger than two inches must have at least thirty-six inches clearance above the meter, eighteen inches below the meter, and eighteen inches clearance on the sides. The piping must include couplings or other arrangement to provide for easy removal of meters.
 - (iii) A minimum straight distance of ten pipe diameters is required upstream of each meter setup larger than two inches, unless an approved strainer is used.
 - (iv) All meter setups, three inches and larger, shall have a two-inch test plug on the discharge side to allow for meter testing. This test plug shall be placed before the valve on the customer side.
 - (v) A compound meter, a single-jet meter, or a parallel turbine-displacement meter setup (if a bypass is absolutely needed by the customer) may be used for three-inch and larger services. Magnetic flow meters may be used for services six inches and larger.
 - (vi) Turbine meters alone may be used for irrigation-only services if approved by the City.
 - (vii) Check valves used in the parallel turbine-displacement meter setup shall be internal spring loaded check valves. They shall have a cast iron body, stainless steel five-pound springs, stainless steel hinge pins and stops, Teflon spring and hinge bearings, and Buna-N or equal seals.
 - (viii) Three-inch valves may be gate, globe, angle or ball valves made of brass, and copper or other approved material. Gate valves meeting AWWA C500 or C509 or butterfly valves meeting AWWA C504 are also acceptable for three-inch valves.
 - (ix) All valves four-inch and larger shall be gate valves meeting AWWA C500 or C509 or butterfly valves meeting C504.
 - (x) All meters, valves, and piping must be supported by suitable blocking or metal stands.
- (e) Meter Vaults (See Figure 4 at the end of this chapter).
- (i) The same general installation requirements for meter setups (subsections C and D of this section) apply to meter vault installations. Vaults must meet the following requirements:
 - A. Vaults must be constructed of reinforced concrete with a minimum depth of seven feet floor to ceiling. The minimum length and width shall be four feet. The floor must be concrete and the entire vault must be watertight and insulated as necessary. A floor drain to daylight or a dry sump is necessary.
 - B. Separate water services (and meters) for irrigation only purposes are not permitted in outside vaults, except for public parks, City house developments and other special circumstances, specifically approved by the City.
 - C. The meter setup must have eighteen-inch clearance to the floor and eighteen-inch clearance on all sides.

- D. The piping must include couplings or other arrangements to provide for easy removal of the meter.
- E. Valves must be provided on both sides of the meter, inside the vault, and with sufficient clearance for operation and maintenance.
- F. All meters, valves, and piping must be supported by suitable blocking or metal stands.
- G. A suitable locking hatch will be provided in one corner of the vault for access. The hatch must be provided with hold up arms. Manhole castings are not acceptable. Minimum size shall be a twenty-four-inch opening. Aluminum steps or ladder shall be provided.

(f) Submetering. Sub-meters are meters downstream of the City water meter installed for the purpose of proportioning Mills water/wastewater charges between various tenants or residents.

- (i) Customers desiring one or more sub-meters for various tenants or residents shall furnish, install, maintain, read, and bill on such meters at their own expense.

13.05.060 Water Meter Maintenance

(a) General. The City shall own, operate and maintain all water meters, remote readout devices and automatic meter reading equipment. Clearances for accessibility to the meter must be provided by the customer in accordance to Section 13.05.050 of this chapter.

(b) Should damage result to metering equipment; including water meters, remote readout devices and automatic meter reading equipment, from molestation or willful neglect by the customer, the water service may be discontinued. In addition to other costs of discontinuing the service, the City will repair or replace such equipment and bill the customer for all costs incurred, for which the customer shall be solely liable.

If a meter is damaged due to freezing, repair costs shall be billed to the customer in accordance to fees set by resolution for the first freezing incident, and each succeeding incident during a three-year period.

Repair of larger meters (one and one-half-inch and larger) damaged by freezing may require additional costs to be assessed to the customer.

(c) When a customer makes a complaint that the Mills water/wastewater charges for any particular billing period are excessive, the City shall, upon request, have the water meter reread. If the customer remains dissatisfied and desires that the meter be tested, the City shall then test the meter for accuracy. The City shall test the meter once every three years at no cost to the customer. The customer may be present when such test is made.

In the event that the meter test shows an error of over three percent of the water consumed in favor of the City, a correctly registering meter will be installed, with a possible water and sewer bill adjustment. Such adjustments shall not be retroactive for more than one year without specific approval of the City council. The minimum charge, or base charge, will not be affected.

If the customer desires the meter to be tested greater than once every three years and the test shows accurate measurements of water, or an error in favor of the customer, the customer shall be billed to cover the expense of making the meter accuracy test.

(d) When the water meter fails to register for any period and the reason for the malfunction is beyond the reasonable control of the City, the City may estimate the charge for Mills water and wastewater service during the period in question.

(e) The City may inspect, test, repair, or replace the water meter, water service line shut-off valve, remote readout device, and automatic meter reading equipment at any reasonable time, as provided in Section 13.05.030(A) of this chapter. The City may shut off the water service to a customer who denies the City access to the above described equipment for any such test, repair or replacement, and the City may further temporarily shut off water service to a customer for the purposes of any such repair or replacement.

(f) It is prohibited for any person to bypass or tamper with the water meter. If the meter seal is broken, or the working parts of the meter have been tampered with, or the meter has been damaged or bypassed, the City will, in addition to any other penalties provided by law, estimate the time of period the tampering took place and will render an estimated bill for that time period to the customer involved. The City will also bill the customer for the full cost of repairing such damage to the meter and accessories, and may refuse to furnish water until the customer's account is paid in full.

(g) A customer requesting relocation of a water meter shall bear all costs associated with relocating the water meter, remote readout device, automatic meter reading equipment, dual check valve, and expansion tank.

(h) The customer shall, at his/her expense, keep his/her outside meter pit or vault and appurtenances in good repair, readily accessible, and in a safe and useable condition at all times. Failure to do so shall be deemed just cause to discontinue water and wastewater service to the customer.

13.05.070 Pressure Reducing Valves

(a) Pressure reducing valves will be required for new residential and commercial buildings inside the City of Mills where the static pressure is greater than sixty-five pounds per square inch. Their purpose is to save water and reduce wastewater flow.

(b) The valve shall be located on the discharge side of the water meter after the shut-off valve and a minimum of four pipe diameters from the shut-off valve. All inside house fixtures must be served by the pressure-reducing valve. Outside hose bibs and outside landscape irrigation connections may be left at full main pressure if desired.

(c) The pressure-reducing valve, if required in conjunction with a backflow prevention device, shall be installed downstream of the backflow prevention device.

(d) The pressure-reducing valve shall be set to limit inside house pressure to a maximum of sixty-five pounds per square inch.

(e) Pressure-reducing valves must be approved by the City building inspection division.

13.05.080 Backflow Prevention Assemblies

(a) General. Backflow prevention assemblies will be required for new residential and commercial buildings will be required by the City and for any service which could conceivably contaminate the City's water system in the event of back pressure or back-siphonage in accordance with the requirements of Chapter 13.17, Cross Connection and Backflow Control of the Mills Code.

(b) This installation may be in addition to those assemblies required by the Uniform Plumbing Code for internal building plumbing.

(c) Backflow prevention assemblies shall be furnished and installed by, and at the expense of, the customer. Auxiliary equipment needed to prevent internal pressure build-up such as expansion tanks, pressure relief valves, etc. shall be installed by, and at the expense of, the customer.

(d) Customers shall be responsible for ownership, operation, and maintenance for all backflow preventers.

(e) Backflow prevention assemblies shall be installed immediately downstream from the water meter. Approved valves shall be installed on each end of the backflow preventer (except for atmospheric vacuum breakers and dual check valve backflow preventers) at the expense of the customer.

(f) All requirements for water meter installations also apply to backflow prevention assemblies. The City shall be allowed to test these devices for adequacy at any time.

(g) All backflow preventers must be installed near a suitable floor drain, unless an alternate location is approved by the City. Drains for reduced pressure backflow prevention assemblies must be sized to accommodate the probable discharge from the assembly. Drains, specifically installed for reduced pressure backflow prevention assemblies, can be plumbed to daylight.

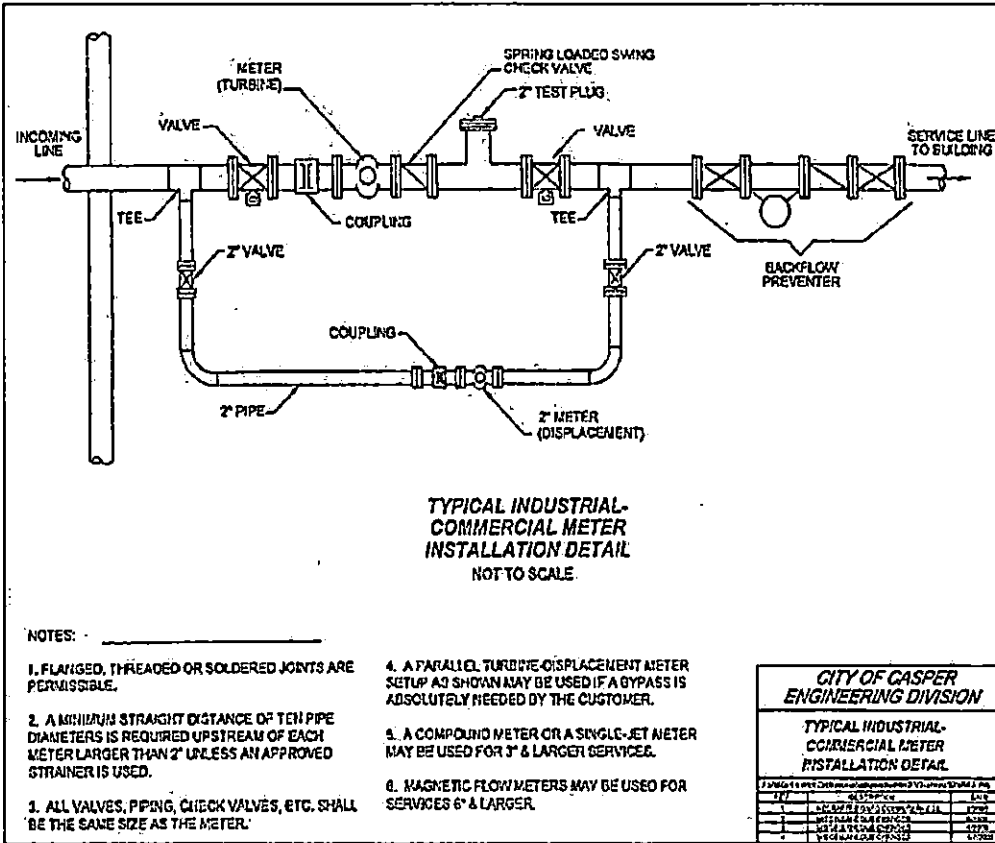
(h) All backflow prevention assemblies required shall be a model and size approved by the City. These assemblies shall be certified by:

- (i) American Society of Sanitary Engineers (ASSE); or
- (ii) International Association of Plumbing/Mechanical Officials (IAPMO); or
- (iii) Foundation for Cross Connection Control and Hydraulic Research; University of Southern California (USC-FCCCHR).

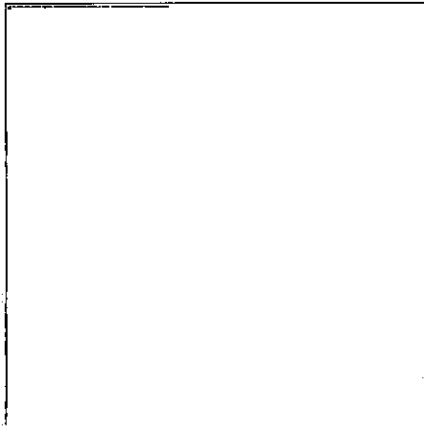
13.05.090 Severability

If any section, subsection, sentence, clause, or phrase of this chapter is for any reason held to be unenforceable, invalid or unconstitutional by any court of competent jurisdiction, such portion

Figure 1



shall be deemed a separate, distinct and independent provision and such holdings shall not affect the validity of the remaining portions of this chapter.



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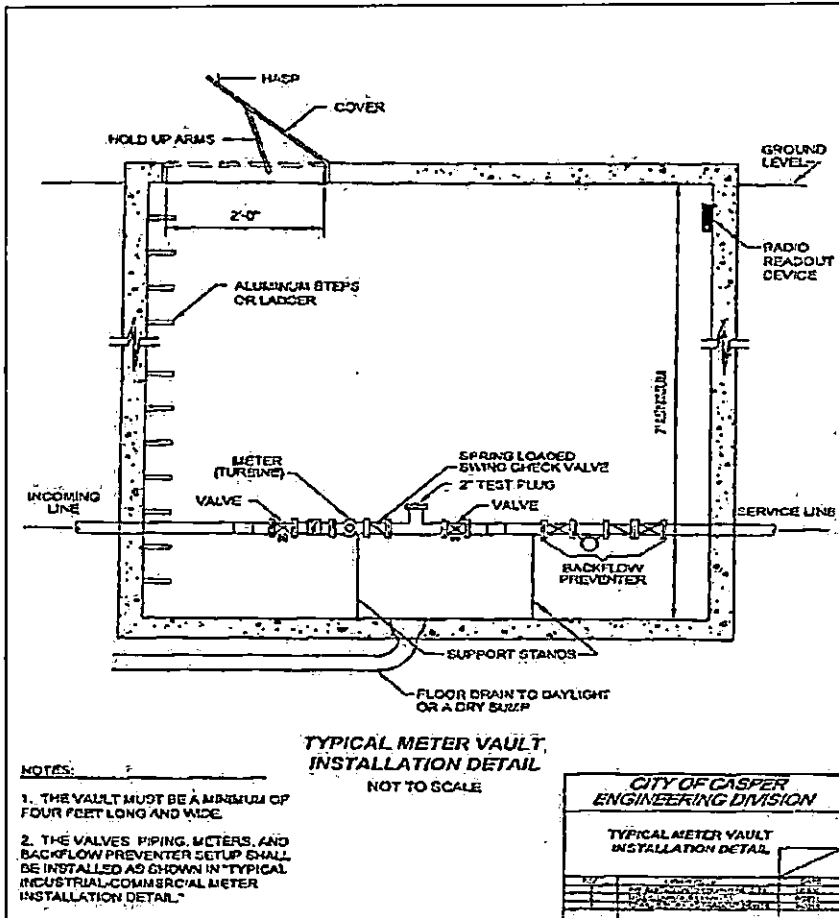


Figure 2

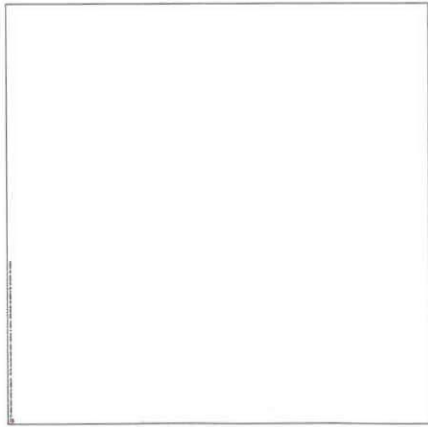
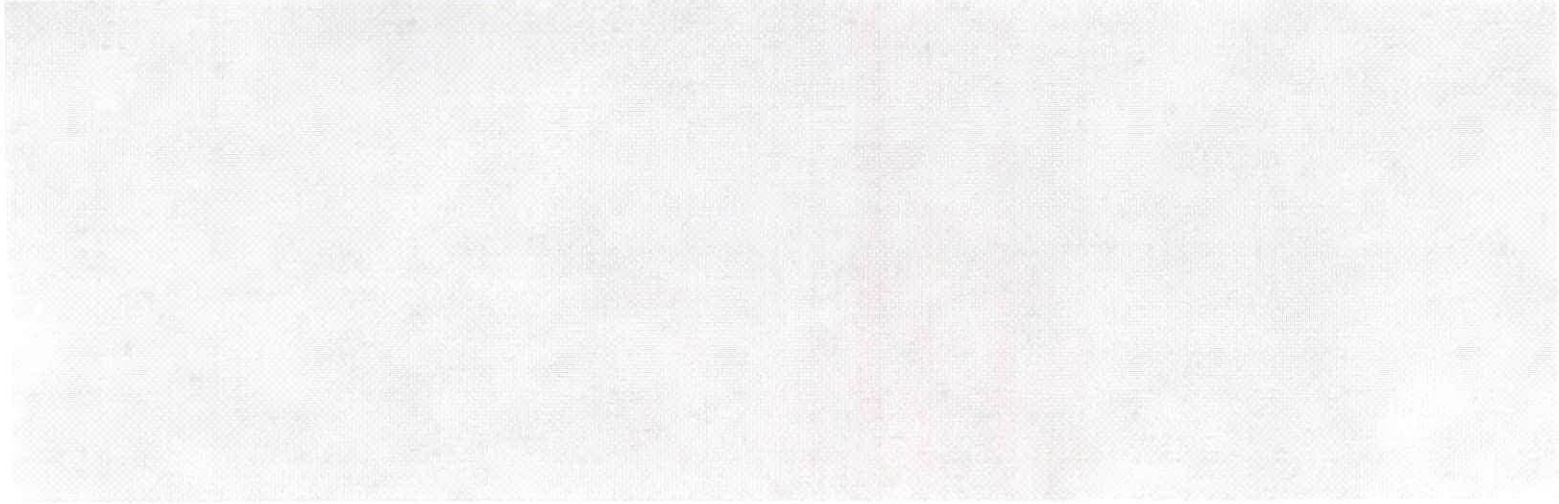
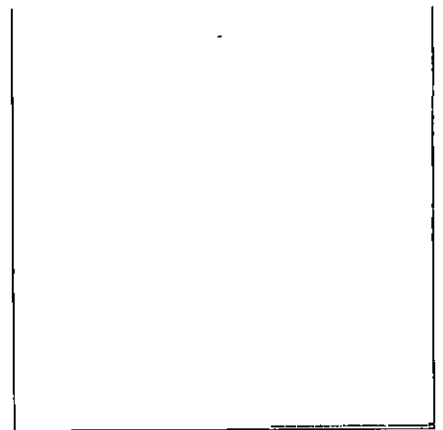


Figure 3



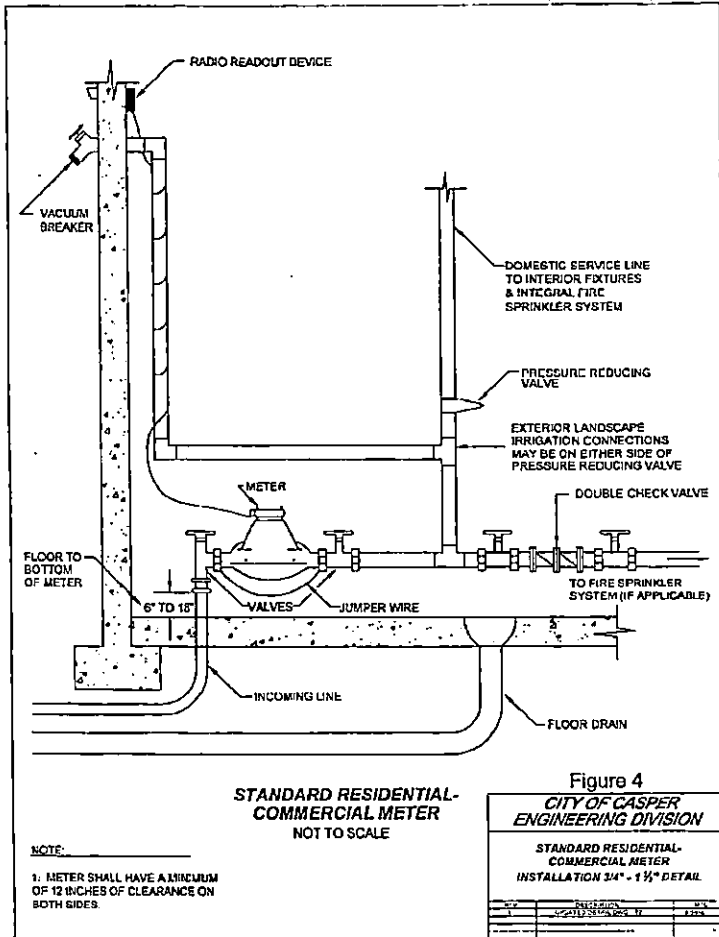


Figure 4

CHAPTER 13.08
WATER USE REGULATIONS

13.08.010 Purpose

The following provisions shall govern water use in the City of Mills.

13.08.020 Unlawful Activities Designated

It is unlawful and a violation of this chapter for any person, firm or corporation, either alone and/or in consort with others, to do any of the following:

(a) To use water from the water supply system unless a valid application for service has been approved and all applicable fees and charges paid for said service;

(b) Turn on any water supply at the stop-box without a valid permit issued by the City, or its authorized agents, unless said person is an authorized City employee;

(c) Use water from the water supply system or permit water to be drawn therefrom, unless the same is metered by passing through a meter supplied or approved by the City, or its authorized agents, or a hydrant-use permit has been obtained, except for the extinguishment of fires or said person using said water is an authorized City employee who is engaged in authorized Mills work;

(d) Refuse to give permission to the City, or its authorized agents, to enter the person's, firm's or corporation's premises, where the service is being received, at all reasonable times for the purpose of installing, reading, operating, inspecting, repairing or removing any or all of its apparatus used in connection with the supply and metering of water;

(e) Operate fire hydrants or interfere in any way with the City water system without obtaining a permit, unless said person is an authorized employee of the City who is engaged in authorized Mills work;

(f) Tap any distribution main or pipe of the water supply system or operate any valve or make any connection to such system, unless said person, firm or corporation is authorized by the City, or its authorized agents, to do so, or is employed by the City;

(g) Permit water from the City water supply system to be used for any purpose except upon his or its own premises or for the extinguishment of fires, unless said use is authorized by the City, or its authorized agents;

(h) Permit a physical connection between a private water supply and the water supply system.

13.08.030 Fireplug Restrictions

The taking of water from, the use of, or the interference with any of the fireplugs belonging to the City without the express permission of the chief of the fire department or of the City, or its authorized agents, is prohibited.

13.08.040 Ownership to be Prima Facie Evidence

Whenever water from the water supply system is being used upon a lot, tract or parcel of land, or in any building situated thereon, or a connection to said system is made and said connection serves any lot, tract or parcel of land, or any building situated thereon, and said use or connection is unlawful and a violation of this chapter, then the fact of said use or connection shall be prima facie evidence that the owner of said lot, tract or parcel, or building situated thereon, is the person using said water, or was the person who made said connection.

13.08.050 Violation-Penalty

Any person, firm or corporation violating any provision of this chapter shall be punished in accordance with Title 1 of this code, and any amendments thereto. If any violation be continuing, each and every day's violation shall be deemed a separate offense.

CHAPTER 13.12
EXTRATERRITORIAL EXTENSIONS

13.12.010 Purpose

The following provisions shall govern extraterritorial extensions in regard to the City of Mills.

13.12.020 Approval and Denial

All extraterritorial water and sewer line extensions or improvements, whether contiguous or noncontiguous, shall have the approval of the City council. If it denies an extension or improvement request in keeping with the standards herein established or for other reasons, the improvements will not be made.

13.12.030 Existing Water Lines-General Policy Guidelines

The policy guidelines as they relate to existing extraterritorial water lines are as set out in Sections 13.12.040 and 13.12.050 of this chapter.

13.12.040 Existing Water Lines-Contiguous Main Lines

(a) All requested improvements must be completely financed by the area served or through joint financing by the City and all property owners potentially benefited.

(b) All City engineering standards shall be met and required easements granted to the City in the event that existing service taps are requested to be increased in size by the receiving property owner.

(c) A sewage treatment or transportation plan shall be approved by the City, or its authorized agents, in conformance with current regulations of the City/county health department to be totally financed by the owner/developer of the contiguous land.

(d) In the event that service taps are increased in size or number after meeting all City requirements, the receiving property owner must provide a recorded commitment to immediately annex to the City without objection.

(e) The property owner must further commit to City building, zoning, and street improvement requirements, and must conform to the projected land use plan for all new construction.

13.12.050 Existing Water Lines-Noncontiguous Main Lines

(a) All requested improvements must be completely financed by the area served or through joint financing by the City and all property owners potentially benefited.

(b) All City engineering standards shall be met and required easements granted to the City in the event that existing service taps are requested to be increased in size by the receiving property owner.

(c) The City shall be assured that the intended volume-use of water will not affect water service demands within the corporate limits of the City for a minimum of three years.

(d) A sewage treatment or transportation plan shall be approved by the City, in conformance with current regulations of the City/county health department to be totally financed by the owner/developer of the contiguous land.

(e) In the event that service taps are increased in size or number after meeting all City requirements, the receiving property owner must provide a recorded commitment to immediately annex to the City without objection.

(f) The property owner must commit to adherence to the projected land use plan and to construct arterial streets through or on the property in conformance with City standards.

13.12.060 New Extensions-General Policy Guidelines

The policy guidelines as they relate to new line extensions are as set out in Sections 13.12.070 and 13.12.080 of this chapter.

13.12.070 New Extensions-Contiguous Line Extensions

(a) All requested improvements must be completely financed by the area served or through joint financing by the City and all property owners potentially benefited.

(b) All City engineering standards shall be met and required easements granted to the City for all service lines and taps.

(c) A sewage treatment or transportation plan shall be approved by the City, or its authorized agents, in conformance with current regulations of the City/county health department to be totally financed by the owner/developer of the contiguous land.

(d) The owner/developer shall submit a preliminary subdivision plat and commit to immediate annexation meeting all standards of City codes and of the City council.

13.12.080 New Extensions-Noncontiguous Line Extensions

(a) All improvements must be completely financed by the area served or through joint financing by the City and all property owners potentially benefited.

(b) All City engineering standards shall be met and required easements granted to the City for all service lines and taps in noncontiguous areas.

(c) A sewage treatment or transportation plan shall be approved by the City in conformance with current regulations of the City/county health department and is to be totally financed by the owner/developer of the noncontiguous land.

(d) The City shall be assured that intended volume-use of water will not affect water service within the corporate limits of the City for a minimum of three years.

(e) The owner/developer shall provide a recorded commitment to annex to the City at the discretion of the City council.

(f) The owner/developer must commit to adhering and conforming to the project land use plan, City zoning restrictions, and street improvement requirements for all dedicated streets and projected arterial streets.

13.12.090 City Standards to be met as Prerequisite to Extension

In no event will approval be granted for water and sewer line extensions to other incorporated areas until standards of land use, zoning and construction, compatible to the City are established and adhered to by such incorporated areas.

CHAPTER 13.16
WATER EMERGENCIES

13.16.010 Purpose

The following provisions shall govern water emergencies in the City of Mills.

13.16.020 City Council Authorized to Restrict Water Usage

The City council shall have the right, at any time, to place such restrictions, including but not limited to moratoriums, on the use of City water as are deemed necessary.

13.16.030 Notice of Restrictions Required

Restrictions adopted by the City council, as provided in Section 13.16.020, shall be published in a newspaper of general circulation within the City and shall become effective within forty-eight hours after such publication. In the event of a water emergency, as hereinafter provided, notice of any restrictions on the use of water shall be given as soon as reasonably possible through the use of local radio and television stations, and newspapers of general circulation within the City.

13.16.040 Water Restrictions Designated

In the event of a water emergency, as defined herein, the mayor, upon the advice of the manager, is authorized to declare a water emergency and may place into immediate effect any or all of the following restrictions upon the use of water from the City's water system:

- (a) Restrict the amount to be supplied to wholesale customers to the amount required for domestic use only;
- (b) Restrict lawn and garden irrigation to the following:
 - (i) Restrict park and public irrigation to the hours between eight p.m. and ten a.m.,
 - (ii) Restrict all irrigation use to the hours between eight p.m. and ten a.m.,
 - (iii) Restrict all irrigation use to the hours between eight p.m. and ten a.m. on alternate days,
 - (iv) Prohibit all lawn and garden irrigation for a period not to exceed forty-eight hours.

13.16.050 Declaration of Emergency-Council Authority

In the event that the mayor declares a water emergency, the City council shall take action to confirm or to deny the declaration of the emergency at its next regular meeting.

13.16.060 Violation-Penalty

- (a) Failure to comply with the provisions of this chapter shall be deemed a misdemeanor, and the penalty therefor shall be as set forth in Title 1 of this code.
- (b) In addition, the manager may place flow-restriction devices to limit the flow of water to minimum domestic needs in the service line of any person convicted of one violation of this chapter, during any one period of restricted use; and for persons who are convicted of two or more violations of this chapter during any one period of restricted use, the City may discontinue water service to such person.

(c) In the event any flow-restriction devices are placed in service lines, or if water service is discontinued as provided in this section, the manager shall, after payment of affixed service charges, remove such flow-restriction devices or shall reconnect and provide full water service in the case of discontinued service, when the period of restricted use ceases.

CHAPTER 13.17 **CROSS-CONNECTION AND BACKFLOW CONTROL**

13.17.010 Purpose

The purpose of this chapter is as follows:

(a) To protect the public potable water supply of the City from the possibility of contamination or pollution by isolating, within its customers' internal distribution system(s), such contaminants or pollutants which could backflow or back-siphon into the public water system;

(b) To promote the elimination or control of existing cross-connections, actual or potential, between the customer's in-plant potable water system(s) and nonpotable systems, plumbing fixtures, and industrial piping systems; and,

(c) To provide for the maintenance of a continuing program of cross-connection control which will systematically and effectively prevent the contamination or pollution of all potable water systems by cross-connection.

13.17.020 Authority

(a) The Federal Safe Drinking Water Act of 1974 and subsequent amendments provide that water suppliers have the primary responsibility for preventing water from unapproved sources, or any other substances, from entering public potable water systems.

(b) The state department of environmental quality in its water quality rules and regulations, chapter 12 "Design and Construction Standards for Public Water Supplies" specifies requirements for cross connection control for public water supplies.

13.17.030 Scope

This chapter shall apply to all water service by the City.

13.17.040 Responsibility

The implementation of this chapter requires the full cooperation of the consumer and the City (represented by the City building inspection office and the public utilities office).

The interests and responsibilities of each are delineated as follows:

(a) Consumer. The consumer has the primary responsibility for preventing pollutants and contaminants from entering his potable water system or the public water system. The

consumer's responsibility starts at the point of delivery (service connection curb stop) and includes all of his internal water system. The consumer, at his own expense, shall install, operate, test, and maintain approved backflow prevention devices as required by this chapter.

(b) City Building Inspection Office. The City, through the plumbing inspector of the City building inspection office, has the responsibility to review building plans and inspect plumbing as it is installed, so as to prevent cross-connections from being designed and built into structures within the plumbing inspector's jurisdiction. The plumbing official's inspection responsibility begins at the curb stop connection or water meter pit (on the customer side at this location) and continues throughout the entire extent of the customer's potable water system. Where any possibility that a cross connection might be made or where one is actually indicated by the plans, it shall be mandatory that approved backflow prevention devices be indicated by the plans, as determined by the degree of hazard that the inspector reasonably determines will be present, and such devices shall be properly installed.

(c) Mills Public Utilities Office. The City, through its utility office, the City public utilities office, has the responsibility of owning, operating and maintaining the public water system beginning at the source of supply and including adequate treatment facilities, a public water distribution system and service piping, and ending at the point of delivery to the consumer's water system (service connection curb stop). In addition, the City public utilities shall exercise reasonable vigilance to insure that the consumer has taken the proper steps to protect the public potable water system. If, in the judgment of the administrator, an approved backflow device is required at the City's water service connection to any customer's premises, the administrator, or his delegated agent, may require by notice in writing to said customer, that approved backflow prevention devices be installed.

13.17.050 Administration

(a) The City will operate a cross-connection control program, including the keeping of necessary records.

(b) The consumer shall allow his property to be inspected for possible cross-connections and shall follow the provisions of this chapter if a cross-connection is permitted.

(c) If the administrator requires that the public potable water supply to be protected by containment, the consumer is responsible for water quality beyond the outlet end of the containment device and shall utilize fixture outlet protection with backflow preventors in accordance to Chapter 15.24, "Plumbing Code" for that purpose. The consumer may utilize public health officials, or personnel from the public utilities office, or their delegated representatives, to assist him in the hazard classification survey of his facilities and to assist him in the selection of proper fixture outlet devices, and the proper installation of these devices. Additionally, the consumer must follow all requirements of Title 15, "Buildings and Construction" and specifically Chapter 15.24, "Plumbing Code".

(d) Existing and future residential properties and existing and future domestic non-residential consumers shall be specifically excluded from the requirements of this chapter unless determined otherwise by a hazard classification. However, all new and/or modified residential

properties or new and/or modified non-residential consumers having fire sprinkler systems may be required to have a backflow preventer in accordance to this chapter.

13.17.060 Requirements

- (a) City.
- (i) For new installations, a hazard classification surveyor will provide on-site evaluation and/or inspection of plans in order to determine the type of backflow preventer, if any, that will be required and will perform an inspection of installation. Cross-connection or backflow control devices installed for new or remodeled premises shall be as required by Title 15, "Buildings and Construction" and specifically Chapter 15.24, "Plumbing Code" and this chapter. Under no circumstances is this chapter to be construed as superseding any of the requirements of Title 15, "Buildings and Construction" and specifically Chapter 15.24, "Plumbing Code."
 - (ii) For existing commercial/ or industrial premises, the hazard classification surveyor will perform hazard classification surveys and inspections of plans and/or premises and inform the owner by letter of any corrective action deemed necessary, a suggested method of achieving the correction, and the time allowed for the correction to be made. The time allowed for actual installation of backflow/back-siphonage equipment shall be determined based on the hazard classification presented by each individual situation, as determined by the administrator, or his delegated agent. Premises found to be in need of cross-connection or backflow prevention devices, but also noted by the administrator to exhibit a low hazard classification, shall be allowed no more than thirty months to provide the necessary cross-connection or backflow prevention device. Failure or refusal to install the required device(s) shall constitute grounds for enforcement in accordance to Section 13.17.110 which includes discontinuing water service to the premises until such device(s) have been properly installed.
 - (iii) The administrator will not allow any cross-connection to remain unless it is protected by an approved backflow preventer, which will be regularly tested by a backflow assembly tester in accordance to Section 13.17.100 to insure satisfactory operation.
 - (iv) If the administrator determines at any time that a high hazard classification is present and a serious threat to the public health exists, the water service for that premises will be terminated immediately.
 - (v) Existing and future residential properties shall be specifically excluded from the requirements of this chapter unless determined otherwise by a hazard classification. However, all new and/or modified residential properties having a separate residential fire sprinkler system shall be required to have a backflow preventer.
 - (vi) Under no circumstances shall this chapter be construed to require existing or future domestic non-residential consumers commercial or industrial premises of no known hazard to the potable water system from cross-connections or backflow events to install or operate cross-connection or

backflow prevention equipment unless determined otherwise by a hazard classification and/or unless a separate domestic non-residential fire sprinkler system is installed.

(b) Consumer.

- (i) The consumer shall be responsible for the elimination or protection of all cross-connections on his premises.
- (ii) The consumer, after having been informed by a letter from the administrator, shall at his expense install, maintain and test, or have tested, any and all backflow preventers on his premises. Backflow preventers shall be tested at the consumer's cost by a backflow assembly tester at intervals in accordance to Section 13.17.100.
- (iii) The consumer shall correct any malfunction of the backflow preventer which is revealed by periodic testing.
- (iv) The consumer shall inform the administrator of any proposed or modified cross-connections and also of any existing cross-connections of which the consumer is aware, but has not been identified by the City public utilities office or the City plumbing inspector.
- (v) The consumer shall not install a bypass around any backflow preventer unless there is a backflow preventer of the same type on the bypass. Consumers who cannot shut down operation for testing of the device(s) must supply additional devices necessary to allow testing to take place.
- (vi) The consumer shall install an approved backflow prevention device in accordance with Chapter 13.05 and other chapters of this Code, and in a manner approved by the public services department and the City building inspection office. Drains for reduced pressure principle backflow preventers or reduced pressure principle detector backflow preventers must be sized to accommodate the probable discharge from the preventer. Drains, specifically installed for reduced pressure principle backflow preventers or reduced pressure principle detector backflow preventers, can be plumbed to daylight.
- (vii) Any consumer having a private well or other private water source shall inform the administrator if the well or source is cross-connected to the City's potable water system. Permission to cross-connect may be denied by the administrator. The consumer may be required to install a backflow preventer at the service connection if a private water source is maintained, even if it is not cross-connected to the City's potable water system.
- (viii) In the event the consumer installs plumbing to provide potable water for domestic purposes which is on the public utilities' side of the backflow preventer, such plumbing must have its own backflow preventer installed.
- (ix) The consumer shall be responsible for the payment of all fees for annual (or more frequent) device testing, retesting in the case that the device fails to operate correctly, and second re-inspections for noncompliance with this chapter.
- (x) A residential fire sprinkler system or a domestic non-residential fire sprinkler system having a water service meter one-inch in size or smaller

- and having a separate fire sprinkler system shall have the sprinkler system connected after the incoming water meter. In addition a proper backflow preventer will be required on the separate fire sprinkler line.
- (xi) All fire sprinkler systems one and one-half-inch and larger shall have a separate service line from the water main to the building.

13.17.070 Hazard Classification

(a) The City recognizes the threat to the public water system arising from cross-connections. All threats will be categorized by hazard classification and will require the installation of approved cross-connection or backflow prevention devices.

(b) Fire sprinkler systems shall generally be considered a low hazard classification and a double detector check valve assembly shall be used. If the system requires the use of an anti-freeze solution, only water solutions of pure glycerin or propylene glycol, meeting Table 3-5.2.1 of the National Fire Protection Association (NFPA) 13, Installation of Sprinkler Systems — latest edition, as it may be amended from time to time, shall be utilized. The non-hazardous anti-freeze must meet all requirements of the national sanitation foundation (NSF). Residential fire sprinkler systems or domestic non-residential fire sprinkler systems shall generally be considered a low hazard classification and a double check valve assembly shall be used for the sprinkler system unless determined otherwise by a hazard classification

If other anti-freeze solution, such as ethylene glycol are used in the fire sprinkler system, this is considered a high hazard classification and a reduced pressure principle detector backflow preventer shall be used.

If existing fire sprinkler systems to be retrofitted have head loss problems, the owner shall consult with the administrator to develop a solution.

13.17.080 Existing in-use Backflow Prevention Devices

Any existing backflow preventer shall be allowed by the administrator to continue in service unless hazard classification is such as to supersede the effectiveness of the present backflow preventer, or result in an unreasonable risk to the public health. Where the hazard classification has increased, as in the case of a residential installation converting to an at-risk business establishment, the existing backflow preventer must be upgraded to a device providing protection for the new hazard classification present, as determined by the administrator.

13.17.090 Periodic Testing

(a) It shall be the duty of the consumer at any commercial or industrial establishment where backflow prevention devices are installed to have certified inspections and operational tests made at least once every year. In those instances where the administrator deems the hazard classification to be great enough he may require certified inspections at more frequent intervals. Double check valves used for residential or domestic non-residential fire sprinkler systems with water service lines and meters one-inch in size or smaller will not have to be tested. However, it is up to the owner to ensure the device is working.

(b) Periodic inspections and tests shall be at the sole expense of the consumer.

(c) Inspections shall be performed by a backflow assembly tester as certified (Section 13.17.050(f)). It shall be the duty of the consumer to see that these tests are made in a timely manner, and that the results of these tests are submitted to the administrator within one-month of the expiration of the prescribed time period, the actual test having been performed not more than three months prior to the expiration of the prescribed time period.

(d) Any backflow preventer which fails during a periodic test shall be repaired or replaced at the expense of the consumer. When repairs are necessary, upon completion of the repair the device will be retested at owners' expense to insure correct operation. High hazard situations will not be allowed to continue unprotected if the backflow preventer fails the test and cannot be repaired immediately unless a short compliance date is granted by the administrator. In other low hazard situations, a compliance date of not more than thirty days after the test date will be established by the administrator. The consumer is responsible for spare parts, repair tools or a replacement device.

(e) Backflow prevention devices will be tested more frequently than specified in Section 13.17.090 in cases where the hazard classification indicates a high hazard or there is a history of test failures. The administrator shall determine the testing schedule based upon the degree of hazard. Cost of the additional tests will be borne by the consumer.

13.17.100 Enforcement

The City may use any or all the following methods to achieve compliance with this chapter:

(a) The City building inspector may deny or revoke building and/or occupancy permits on property where the consumer has not installed the proper backflow preventers.

(b) The City may, in the event of noncompliance, physically disconnect the water service from its existing water facilities. The consumer or owner shall be responsible for all costs associated with disconnecting and reconnecting the water service.

(c) A violation of this Chapter shall be a misdemeanor, punishable according to Title 1. In addition to any criminal prosecution, the City may sue for relief in civil court to enforce the provisions of this chapter.

(d) Knowingly furnishing false information to the administrator on any matter relating to the administration of this chapter shall constitute a misdemeanor punishable according to Title 1.

CHAPTER 13.18 **PURPOSE AND ABBREVIATIONS**

13.18.000 Purpose

The following provisions shall apply in the City of Mills.

13.18.020 Use of Public Sewers Required

(a) No person shall place, deposit, or permit any human or animal excrement, garbage or other objectionable waste to be deposited in any unsanitary manner on public or private property within the City, or on any City property outside the City.

(b) No person shall discharge any sewage or other polluted waters into any natural outlet within the City, or in any area under the jurisdiction of the City, except where suitable treatment has been provided in accordance with this provision.

(c) Except as hereinafter provided, no person shall construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage.

(d) The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes, 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 required, at the owner's expense, to install suitable toilet facilities therein and to connect such facilities directly with the proper public sewer in accordance with the provisions of this division, within ninety days after date of official notice to do so by the City, provided that such public sewer is within three hundred feet (ninety-one meters) of the property line by way of road rights-of-way and easements.

(e) City water service may be terminated to any property which has not hooked up to the sewer system in compliance with the provisions of this chapter or any other applicable law, rule or regulation.

13.18.30 Responsibility of Uninterrupted Service

(a) The City shall only be responsible, and it is hereby made the duty of the City and of the officers thereof, to make all reasonable effort to furnish continuous and uninterrupted main line sewage service to each and every user having a legal right to hook-on or attach to the main line. This section shall not apply to any user who has, by reason of nonpayment of charges assessed against him, or by violation of any provision of this chapter or of any related ordinance, forfeited his right to the service. The City shall not be liable to any suit for damage or other claim against the City arising from, or based upon, any unavoidable interruption of the main line sewage service, but shall make every reasonable effort to restore the service as soon as possible.

(b) It is unlawful for any officer of the City to make, permit, or allow to be made, any hook-on attachment to the main line sewer system or to any line thereof, beyond the number of attachments that the sewer is estimated to properly and adequately accommodate. For the purposes of this provision, the decision shall rest with the mayor and council, subject to reference to competent state authority.

13.18.040 Building Sewers and Connections

(a) 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 permission from the City.

(b) All taps or connections into any sewer main of the City shall be completed under the direction and supervision of an authorized employee of the City and subject to material and method approval by the City. No substitutions are allowed unless approval in writing is granted by the public works director.

(c) Any cost for taps including excavation, materials, tools, backfill, compaction and resurfacing of street, and replacement of curb, gutter and sidewalks shall be done at the full expense of the property owner, developer or contractor.

(d) A separate and independent building sewer shall be provided for each building.

(e) Old building sewers may be used in connection with new buildings only when they are found, on examination and any required test by the City, to meet all requirements of this chapter.

(f) The size, slope, alignment, materials of construction of a building sewer and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench, shall conform to the requirements of the International Building Code and applicable rules and regulations of the City.

(g) No person shall make connection of roof downspouts, exterior foundation drains, areaway drains or other sources of surface runoff or groundwater to a building sewer or building drain, which in turn is connected directly or indirectly to a public sanitary sewer.

(h) All excavations for building sewer installation 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 permanently repaired and restored in accordance with construction standards used by or adopted by the City.

13.18.050 Federal Categorical Pretreatment Standards

Upon the promulgation of the Categorical Standard for a particular industrial subcategory, the Standard, if more stringent than limitations imposed under this division for sources in that subcategory, shall immediately supersede the limitations imposed under this division. The City shall notify all affected users of the applicable reporting requirements under 40 CFR, Section 403.12, as enacted or hereafter amended.

13.18.060 State Requirements to Apply When

State requirements and limitations on discharges shall apply in any case where they are more stringent than federal requirements and limitations or those in this division.

13.18.070 Specific Pollutant Limitations Designated-Local Limits

(a) Maximum total allowable industrial loading that can be accepted at the POTW for treatment in accordance with guidance established by federal law is limited to:

Pollutant	Maximum Allowable Industrial Loading (lbs./day)
Arsenic	43.142
Cadmium	2.010
Chromium Total	272.207
Chromium (VI)	24.397
Copper	17.908
Lead	21.979
Molybdenum	1.575
Nickel	9.232
Selenium	3.403
Silver	26.681
Zinc	52.276
Pollutant	Maximum Industrial Effluent Discharge
Mercury	0.007 mg/l

(b) Any other specific pollutants identified by the City may also have specific effluent permit limitations set by the City to restrict their discharge into the system.

(c) The above maximum allowable industrial loadings in pounds per day will be distributed using criteria established in Mills' report on the development of local limits under the pretreatment program, June, 1994, and EPA Guidance Manual on the Development and Implementation of Local Discharge Limitations Under the Pretreatment Program, December, 1987 (as they now exist or as they are hereafter revised).

(d) Best Available Technology (BAT) shall be used for pretreatment of any discharges to the POTW from the cleanup activities of soil, aquifer, or groundwater table associated with leaking underground storage tanks of spills of any petroleum products. The BAT shall be capable of reducing the benzene concentration to less than 0.05 mg/l and the "total" benzene, ethyl benzene, toluene and xylene (bex) to less than 0.750 mg/l. This is in accordance with guidance established in EPA's Model NPDES Permit for Discharges Resulting from the Cleanup of Gasoline Released from Underground Storage Tanks, June 1989.

(e) The City may develop best management practices (BMPs), by ordinance or in individual wastewater discharge permits or general permits, to implement local limits and the requirements of Section 13.32.040. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludges or waste disposal, or drainage from raw materials storage.

(f) The City reserves the right to establish, by ordinance or in individual wastewater discharge permits or in general permits, more stringent standards or requirements on discharges to the POTW consistent with the purpose of this chapter.

13.18.080 Prohibited Substances Designated-General Prohibitions

(a) No user shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater which causes pass-through or will interfere with the operations or performance of the POTW. These general prohibitions apply to all such users of a POTW whether or not the user is subject to National Categorical Pretreatment Standards or any other federal, state or local pretreatment standards or requirements. A user may not contribute the following substances to the POTW:

- (i) Any liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the POTW or to the operation of the POTW, including, but not limited to, waste streams with closed up flashpoint of less than one hundred forty degrees Fahrenheit (sixty degrees Celsius), using test methods in 40 CFR 261.21, as enacted or hereafter amended. At no time shall two successive readings on an explosion hazard meter, at the point of discharge into the POTW system (or at any point in the POTW system), be more than five percent, nor any single reading over ten percent of the lower explosive limit (LEL) of the meter. Prohibited materials include, but are not limited to: gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides and any other substances which the City/City/district/county, the state or EPA has notified the user is a fire hazard or a hazard to the system;
- (ii) Solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities such as, but not limited to: grease, garbage with particles greater than one-half inch in any dimension, animal tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone, or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, wastepaper, wood, plastics, tar, asphalt residues, residues from refining, or processing of fuel or lubricating oil, mud or glass grinding or polishing wastes;
- (iii) Petroleum based oil in sufficient enough amounts that cause pass-through or interference to the system, and in no cases, exceeding one hundred mg/l;
- (iv) Any wastewater having a pH less than 5.0 or greater than 12.0, unless the POTW is specifically designed to accommodate such wastewater or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment and/or personnel of the POTW;
- (v) Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, result in toxic gases, vapors or fumes within the POTW in a quantity that may cause acute worker health and safety problems, create a toxic effect in

the receiving waters of the POTW or to exceed the limitation set forth in a Categorical Standard. A toxic pollutant shall include but not be limited to any pollutant identified pursuant to Section 307(a) of the Act;

- (vi) Any noxious or malodorous liquids, gases or solids which either singly or by interaction with other wastes are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the public sewers for maintenance and repair;
- (vii) Any substance which may cause the POTW's effluent or any other product of the POTW such as residues, sludges or scums to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines or regulations developed under Section 405 of the Act; any criteria, guidelines or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act or state criteria applicable to the sludge management method being used;
- (viii) Any substance which will cause the POTW to violate its NPDES and/or State Disposal System permit or the receiving water quality standards;
- (ix) Any wastewater with objectionable color which cannot be removed in the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions;
- (x) Any wastewater having a temperature which will inhibit biological activity in the POTW treatment plant resulting in interference, but in no case wastewater with a temperature above sixty-five degrees Celsius (one hundred fifty degrees Fahrenheit) or a temperature that causes the POTW influent to exceed forty degrees Celsius (one hundred four degrees Fahrenheit), unless the POTW treatment plant is designed to accommodate such temperature;
- (xi) Any pollutants, including oxygen-demanding pollutants (BOD, etc.) released at a flow rate and/or pollutant concentration which a user knows or has reason to know will cause interference to the POTW. In no case shall a slug load have a flow rate or contain concentration or quantities of pollutants that exceed limits set by the City;
- (xii) Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the City in compliance with applicable state or federal regulations;
- (xiii) Any wastewater which causes a hazard to human life or creates a public nuisance;
- (xiv) Any discharge of trucked or hauled wastes is prohibited except at discharge points designated by the POTW. Designation points shall be pursuant to rules and regulations of the City;
- (xv) Any wastewater that causes the influent to the POTW to exceed the maximum allowable industrial loadings specified in Section 13.32.030.

(b) When the City determines that a user is contributing to the POTW any of the substances listed in subdivisions 1 through 15 of subsection A of this section in such amounts as to interfere with the operation of the POTW, the City shall:

- (i) Advise the user of the impact of the contribution on the POTW; and
- (ii) Develop effluent limitation for such user to correct the interference with the POTW; provided, however, nothing contained herein shall be interpreted to prohibit the City from taking immediate enforcement action against a user who is contributing in violation of this chapter.

13.18.090 Discharge of Unpolluted Waters

(a) No person shall discharge or cause to be discharged any unpolluted waters such as stormwater, groundwater, roof runoff, or subsurface drainage to any sanitary sewer.

(b) Stormwaters and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers or to a natural outlet approved by the City and other regulatory agencies.

13.18.100 Increasing or Diluting Discharge to Avoid Proper Treatment Prohibited

No user shall increase the use of process water or in any way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in the pretreatment standard, or in any other pollutant-specific limitation developed for the industrial user.

13.18.110 Tenant Responsibility

Where an owner of property leases premises to any other person as a tenant under any rental or lease agreement, if either the owner or the tenant is an industrial user, either or both may be held responsible for compliance with the provisions of this division.

13.18.120 Damaging or Tampering With Wastewater Facilities

Any person who maliciously, willfully or negligently breaks, damages, destroys, uncovers, defaces or tampers with any structure, appurtenance or equipment, which is a part of the wastewater facilities is guilty of a misdemeanor and subject to punishment pursuant to Title 1 of this code.

13.18.130 Pretreatment Conditions

(a) Users shall provide and maintain in a safe and proper manner, at their own expense, necessary wastewater treatment as required to comply with this division and shall achieve compliance with all categorical standards and additional standards required by this division within the time limitations as specified by the federal pretreatment regulations. Any facilities required to pretreat wastewater to an acceptable level shall be provided, operated and maintained at the user's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the City for review, and shall be acceptable to the City before construction of the

facility. The review of such plans and operating procedures will in no way relieve the user from the responsibility of modifying the facility as necessary to produce an effluent acceptable under the provisions of this division. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the City prior to the user's initiation of the changes.

(b) All records relating to compliance with pretreatment standards shall be made available to officials of the EPA, state, or City, upon request. These records shall remain available for a period of at least three years after their collection. This period shall be extended during any litigation concerning compliance or permit conditions.

13.18.140 Grease, Oil and Sand Interceptors

(a) Grease, oil and sand interceptors shall be provided or modified when, in the opinion of the City, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts or any flammable wastes, sand or other harmful ingredients, except that such interceptors shall not be required for private living quarters or dwelling units. Modifications to existing interceptors may be required when violations of this division exist. All interceptors shall be of a type and capacity approved by the City and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors the owner shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates and means of disposal, which are subject to review by the City. Any removal and hauling of the collected materials not performed by owner must be performed by waste disposal firms.

(b) The following are subject to this division:

- (i) All new construction;
- (ii) Renovations to existing interceptors or related plumbing fixtures to the interceptor;
- (iii) Existing interceptors that are not operating properly;
- (iv) Existing interceptors that are causing blockages or flow obstruction in the POTW;
- (v) Existing industrial users without interceptors who are causing blockages or flow obstructions to the POTW.

(c) Proper construction and operation of grease interceptors, oil and sand interceptors, and inspection manholes (monitoring facilities) is required.

- (i) The City may alter specifications in the following situations:
 - A. When outside interceptors are placed on public rights-of-way because no private property is available;
 - B. When inside interceptors are placed within buildings;
 - C. When the proposed alterations provide minimum retention time of fifteen minutes, a minimum total water capacity of seven hundred fifty gallons, and have the same basic proportional dimensions, comparable volumes and functional capabilities as outlined in Figure 1 at the end of this chapter.

13.18.150 Grease, Oil and Sand Interceptors-General Requirements

- (a) All wastewater discharged must comply with all provisions of this chapter.
 - (i) The user(s), owner(s) and tenant(s) shall be jointly and severally responsible for the proper inspection, removal and disposal of the material captured by any interceptor installed, and shall maintain records of the dates and means of disposal of this material. These records shall be made available to the City manager, or his designee, upon request. The collected intercepted materials shall be disposed of in accordance with the appropriate local, state and federal regulations and laws.
 - (ii) All interceptors shall be maintained by the user(s), owner(s) or tenant(s), by a regular maintenance schedule, which shall be performed before the retention capacity of the interceptor is exceeded. At a minimum, a monthly inspection of the interceptor by the user(s), owner(s), or tenant(s) shall be performed to assess the need for cleaning. Documentation will be maintained by the user(s), owner(s), or tenant(s) on site, in order to verify when the interceptor was inspected and cleaned.
 - (iii) The user(s), owner(s) or tenant(s) shall allow City personnel ready access at all reasonable times to all parts of the premises for the purpose of inspection, sampling, record examination, or in the performance of any other duties related to the interceptor on the premises.

(b) This division shall supplement all requirements of the Uniform Plumbing Code as adopted by the City. All interceptor and inspection manhole installations shall meet the requirements of uniform plumbing codes and/or all other local government requirements. The City is not responsible for violations of these requirements.

(c) The complete interceptor installation, including equipment, structural design; backfilling, safety provisions, etc., shall be the responsibility of the user(s), owner(s) or tenant(s), and any licensed contractor utilized by the user.

(d) It shall be the responsibility of the user(s), owner(s) or tenant(s) to contact the City for the purpose of plan review. The plan review shall determine the need, method, and size of interceptor required to pretreat or otherwise control the wastes in order to make them acceptable for discharge into the POTW. Upon completion of the review, user(s) shall submit a set of complete plans and details of the proposed installation along with computations relative to sizing. User(s) shall retain a duplicate set of such records for the life of the interceptor. The records shall remain with the property through changes of ownership or tenancy.

(e) The time allowed for actual installation or modification of a grease interceptor, oil and sand interceptor, and inspection manhole unit(s) shall be determined based on degree of urgency presented by each individual situation, as determined by the City. Premises found to be in need of these unit(s), but also noted by the City to exhibit low degree of urgency, shall be allowed no more than thirty months to provide the necessary unit(s).

(f) User(s), or tenant(s) who are dissatisfied with City staff decisions regarding grease interceptors, oil and sand interceptors, or inspection manholes, have the right to appeal by

requesting a hearing before the public utilities board. The request for a hearing shall be made in writing to the City manager within ten days of the City staff decision and shall state the grounds for the request. The hearing will be conducted as part of the board's regular monthly meeting.

- (i) If the user(s), owner(s), or tenant(s) are dissatisfied with the actions of the Mills utilities advisory board, they may request a hearing before the Mills City council. The request for hearing shall be in writing, within ten days of the Mills utilities advisory board's decision, to the City manager and shall state the grounds for the request. The City council shall fix the time and place for the hearing of the appeal. Such date shall not be less than ten or more than sixty days from the date that the request for hearing is filed.
- (ii) The City council shall render its decision following the hearing. The decision of the City council is final and not appealable.
- (iii) At any hearing, the user(s), owner(s), or tenant(s) shall be entitled to: present evidence; ask questions of staff and any witnesses; and make argument regarding the decision, the evidence and the appropriate outcome. City staff shall be entitled to: present evidence; ask questions of the petitioners and any witnesses; and make argument regarding the decision, the evidence and the appropriate outcome.
- (iv) In any appeals to City council, all documents and other evidence presented at the hearing to the public utilities board shall be forwarded to council along with either a transcript or recording of the utilities board hearing and any written decisions made by the utilities board.

(g) The City shall use any or all of the following methods to achieve compliance with this division:

- (i) Any user who constructs, installs, modifies or operates a grease interceptor, oil and sand interceptor or inspection manhole in noncompliance with this chapter, shall immediately cease such construction or operation upon notification by the City.
- (ii) The City may suspend wastewater service, when such suspension is necessary to stop an actual or threatened endangerment to the wastewater system (including sewer main backups).
- (iii) Enforcement according to Chapter 13.44 of this division may be invoked by the City.
- (iv) The City may recommend to deny or revoke building and occupancy permits for buildings served by the facilities in question.
- (v) The City reserves the right, in the event of noncompliance, to physically disconnect the grease interceptor, oil and sand interceptor or inspection manhole from its existing sewer system. The user(s), owner(s) and tenant(s) shall be responsible for all costs and expenses incurred by the City associated with disconnecting and reconnecting the facilities.

13.18.160 Grease Interceptors-Specific Requirements

- (a) Grease interceptors shall provide for and meet the following requirements:

- (i) Wastes discharged from fixtures and equipment in establishments which may contain grease, including, but not limited to, scullery sinks, pot and pan sinks, dishwashing machines, soup kettles, and floor drains located in areas where grease-containing equipment may exist, shall be drained through grease interceptors. Drains from toilets, restroom sinks, and showers shall not be connected to the grease interceptor, but shall connect to the POTW separately from any grease interceptor installation.
- (ii) Garbage grinders shall not be connected to grease interceptors, shall not be used for disposal of any grease/oil, and shall connect to the POTW separately from any grease interceptor installation.
- (iii) All grease interceptors shall be installed and connected in such a manner as to at all times be easily accessible for inspection, cleaning, and removal of the intercepted grease. A grease interceptor may not be installed near food-handling facilities. Outside grease interceptors shall be designed for traffic loading as referenced in Section 13.32.150(a) (v).
- (iv) When required as per Section 13.32.100(a), grease interceptors shall contain two compartments, and shall be located outside the building on private property.
- (v) Grease interceptors may be constructed of cast iron, steel, reinforced fiberglass, or concrete.
- (vi) Generally, the minimum cleaning frequency of any outdoor interceptor shall be quarterly, (ninety-day period) or semiannually (six-month period), or as directed by the City. A written record of all cleaning shall be kept on-site for verification purposes. The cleaning frequency shall be more frequent, if grease trap loading is exceeded or the City's POTW is blocked or indicates heavy accumulation of grease.
- (vii) The City may not require installation of an interceptor for facilities that do not cook the food that is served, and do not wash equipment or utensils associated with the preparation or service of cooked food.

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(b) When determining the minimum size of a required interceptor, the following will be considered (these sizing criteria represent minimum requirements and do not reflect special circumstances, which may necessitate increased sizing):

- (i) The minimum acceptable volume shall not be less than seven hundred fifty gallons (with automatic dishwasher not less than one thousand gallons).
- (ii) The following table will determine a total rate of flow in gallons per minute from kitchen facilities, based on a fixture unit count. Using this flow, the required size of the grease interceptor can be estimated. The total rate of flow shall be multiplied by fifteen minutes of minimum retention time, with the resulting volume expressed in gallons.

Size of Interceptor-Total Flow Rate Times Fifteen Minutes of Retention Time

Type of Fixture	Flow Rate, In G.P.M.
Floor drain/sink	10
Restaurant kitchen sink	15
Single-compartment sink	20

Double-compartment sink	25
Three-compartment sinks	35
2 Single-compartment sinks	25
2 Double-compartment sinks	35
2 Three-compartment sinks	45
Dishwasher for restaurants:	
Up to 30 gallon water capacity	15
30 to 50 gallon water capacity	25
50 to 100 gallon water capacity	40

- (iii) The City will consider alternate interceptor designs, based on a minimum retention time of fifteen minutes and a minimum total water capacity of seven hundred fifty gallons. Other combinations of tank dimensions may be submitted to the City for approval. Any alternate design shall have the same basic proportional dimensions, comparable volumes, and functional capabilities as outlined in Figure 1 at the end of this chapter.

(c) Grease interceptors within buildings may be allowed for existing buildings where renovations are proposed and an outside interceptor is not feasible to install due to space problems if the following conditions are met:

- (i) Sufficient ventilation is provided to remove potential odors;
- (ii) Outside access for cleaning;
- (iii) Sufficient space around interceptor to allow for proper cleaning of the interceptor;
- (iv) A monthly cleaning schedule is followed and a written record of all maintenance shall be available on-site.

(d) The sizing of inside traps will be determined by the City on a case-by-case basis.

13.18.170 Oil and Sand Interceptors-Specific Requirements

- (a) Oil and sand interceptors shall provide for and meet the following requirements:
 - (i) Provide for the proper handling of building wastewater containing flammable wastes, oils, sands, solids, or other ingredients harmful to the POTW;
 - (ii) Two-compartment oil and sand interceptors, as detailed in Figure 2 at the end of this chapter, shall be required for each bay in any existing or proposed vehicle or equipment washing or cleaning operation;
 - (iii) All oil and sand interceptors shall be installed and connected in such a manner that they shall be easily accessible at all times for inspection, cleaning, and removal of the intercepted material (oil and sand, etc.). If warranted, the oil and sand interceptor shall be designed for traffic loadings as referenced in Section 13.32.150(a)(v);
 - (iv) All facilities used for cleaning vehicles, equipment, or machine parts shall be constructed to prevent the entrance of storm or surface water into the POTW;

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- (v) Oil and sand interceptors may be constructed of cast iron, steel, reinforced fiberglass or concrete.

(b) Oil and sand interceptors shall be designed with a minimum retention time of ten minutes. Alternate designs will be considered, provided that the proposed design shall have the same basic proportional dimensions, comparable volumes, and functional capabilities as outlined in Figure 2 at the end of this chapter or Uniform Plumbing Code guidelines.

13.18.180 Inspection Manholes (Monitoring Facilities)

(a) An inspection manhole (monitoring facility) shall be required on the service line of all nondomestic users who are required to have any interceptor under this chapter, unless an exception has been granted by the City. The inspection manhole shall allow for proper inspection, sampling, temperature monitoring and flow measurement of the waste within the building sewer. All wastewater from the building shall go through the inspection manhole. Two individual discharge lines, one containing domestic discharge and the other originating from the interceptor, must discharge separately into the inspection manhole. The purpose for two separate lines is to ensure that the interceptor is properly functioning, properly maintained and that no excessive accumulation of grease, oil or sand is being released to the POTW.

(b) The inspection manhole shall normally be installed on the user's premises. The City may allow the inspection manhole to be constructed within the public right-of-way, when it is deemed impractical to do otherwise.

(c) The inspection manhole (monitoring facility) shall be located in such a manner as to allow easy access for inspection and sampling purposes.

(d) The inspection manhole shall be designed to allow traffic loadings. All manholes less than five feet in depth may be constructed of reinforced concrete pipe with a diameter of not less than thirty-six inches (See Figure 3 at the end of this chapter). All manholes over five feet in depth must be constructed in accordance with Public Utilities Standard Manhole Detail (See Figure 4 at the end of this chapter).

(e) Inspection manholes may not be required if, in the judgment of the City, other appropriate facilities are available.

13.18.190 Grease, Oil and Sand Interceptor-Construction Specifications

- (a) The following apply to the construction of interceptors:
 - (i) The standards set forth in Figures 1 through 4 at the end of this chapter are shown to convey the conceptual standard dimensional requirements for interceptors.
 - (ii) The volume of the secondary compartment shall be one-third of the total capacity.
 - (iii) Walls, bottom and top shall be constructed for the appropriate traffic loads and solid loads and shall be water tight.

- (iv) All rebar for reinforced concrete interceptors shall have a two-inch minimum cover to the outside concrete surface.
- (v) Designs shall be submitted for approval and shall be certified by a licensed engineer.
- (vi) Inlet and outlet pipe sizes shall be determined by user's or owner's architect/engineer, but shall not be less than four-inch diameter. The outlet pipe invert is to be two inches lower than inlet pipe.
- (vii) Closed compartments shall be vented in accordance with Uniform Plumbing Code requirements.
- (viii) All joints in pre-cast sections shall be sealed with flexible sealing compound.
- (ix) Vent pipe materials and location shall be in accordance with the Uniform Plumbing Code.
- (x) The top slab may be of one-piece construction or of multiple segment construction, at the discretion of the owner.
- (xi) The drawings (Figures 1 through 4) as found at the end of this chapter are not to scale.

13.18.200 Trucked or Hauled Wastes Removal and Transportation

(a) No person, firm or corporation engaged in trucked or hauled waste removal or transportation shall be allowed to discharge or dispose waste into the POTW unless they comply with the following hauling requirements:

- (i) Hold a valid hauling account from the City of Mills.
- (ii) Carry liability insurance of such kind and in such amounts as the City may require to protect itself from loss or damage that may directly or indirectly be occasioned by the discharge of hauled waste into the POTW.
- (iii) Complete a waste manifest obtained from the City or its designee.
- (iv) Commingling of industrial, process, and domestic wastewater is prohibited, unless authorized by the City or its designee.
- (v) Any waste collected from a business or industry must receive an authorization from the City before disposal into the POTW is allowed.

(b) The City or its designee shall have the right to inspect and sample any trucked or hauled waste before allowing discharge to the POTW to verify compliance with the provisions of this chapter and any applicable federal or state laws.

(c) The City shall have the right to refuse the discharge of any trucked or hauled waste to the POTW if it determines within its absolute discretion that the discharge of such trucked or hauled waste would not comply with the provisions of this chapter and any applicable federal or state laws.

(d) The discharge of any trucked or hauled waste containing hazardous wastes, as defined under applicable federal and state laws and regulations, to the POTW shall be strictly prohibited.

13.18.210 Trucked or Hauled Waste Disposal

(a) Trucked or hauled waste shall be introduced into the POTW at a designated receiving area or discharge point. Such wastes shall not violate any applicable Mills Municipal Code(s), specifically Section 13.32.040 or any other requirements established by the City and applicable federal or state laws.

(b) The City or its designee may issue wastewater discharge permits to the waste generator(s) or the hauler(s).

(c) All nondomestic hauled wastes must have prior authorization from the City or its designee for disposal at the POTW. The City or its designee may collect samples of each load or sample randomly to ensure compliance with applicable standards.

(d) The applicable waste hauler(s) or the generator(s) must complete City's waste-tracking manifest for every load and furnish the listed required information.

(e) In all cases, the City reserves the right to accept or reject any waste as it deems necessary. The City or its designee may stop or cease a discharge or disposal from a truck or other device at any time.

(f) A hauled waste disposal permit may be suspended or revoked for any violations of these regulations.

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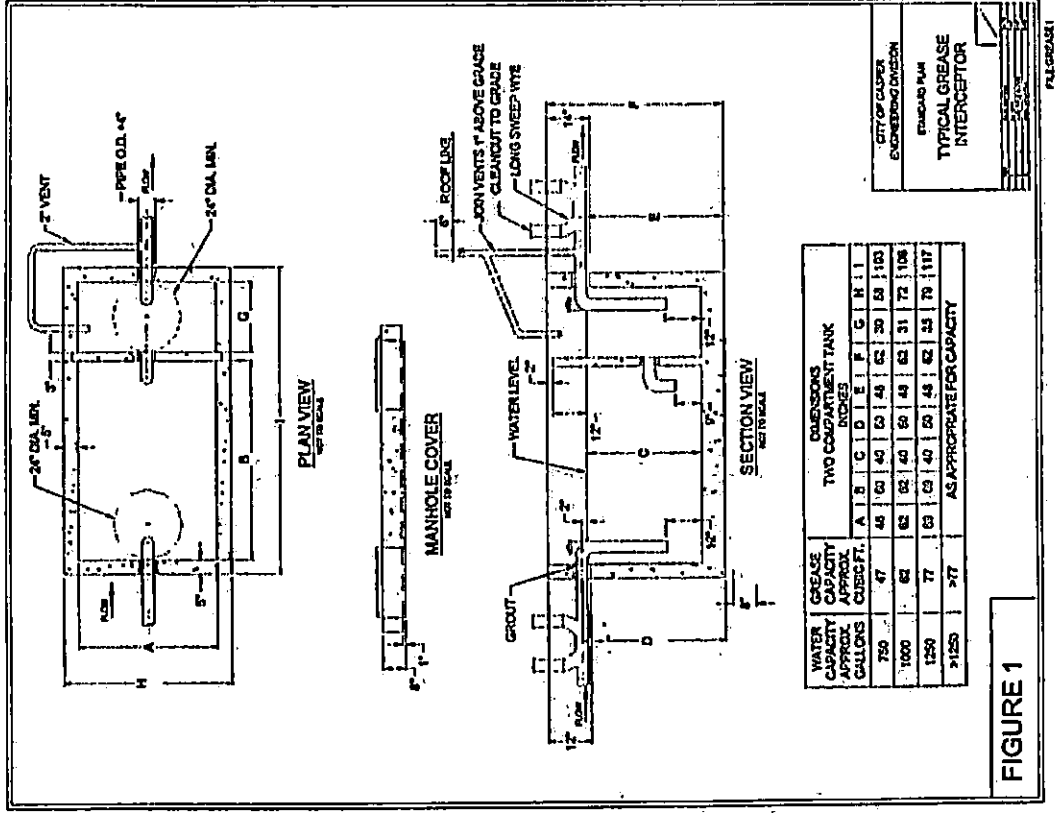
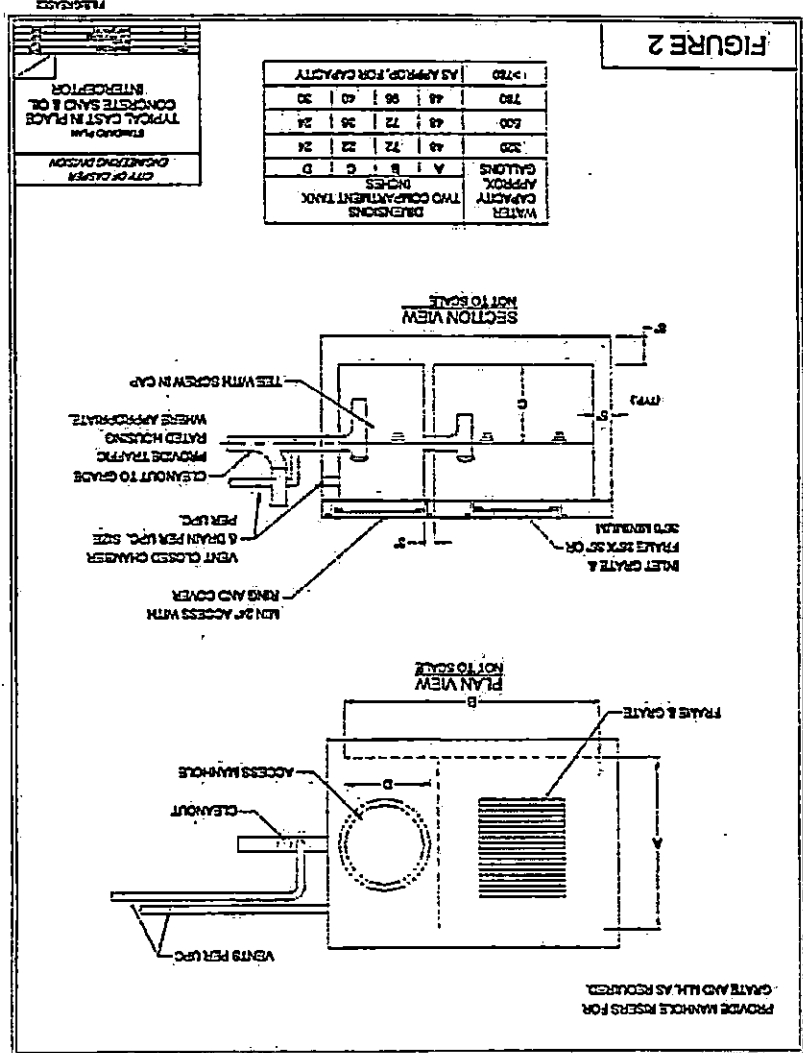


FIGURE 1



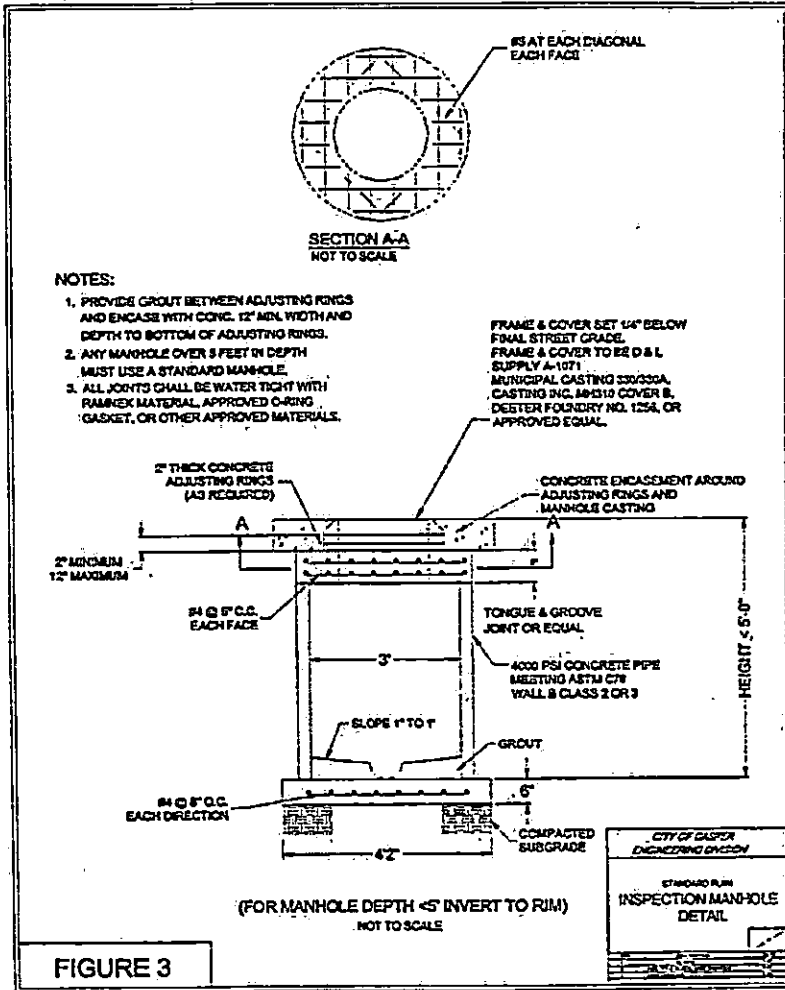
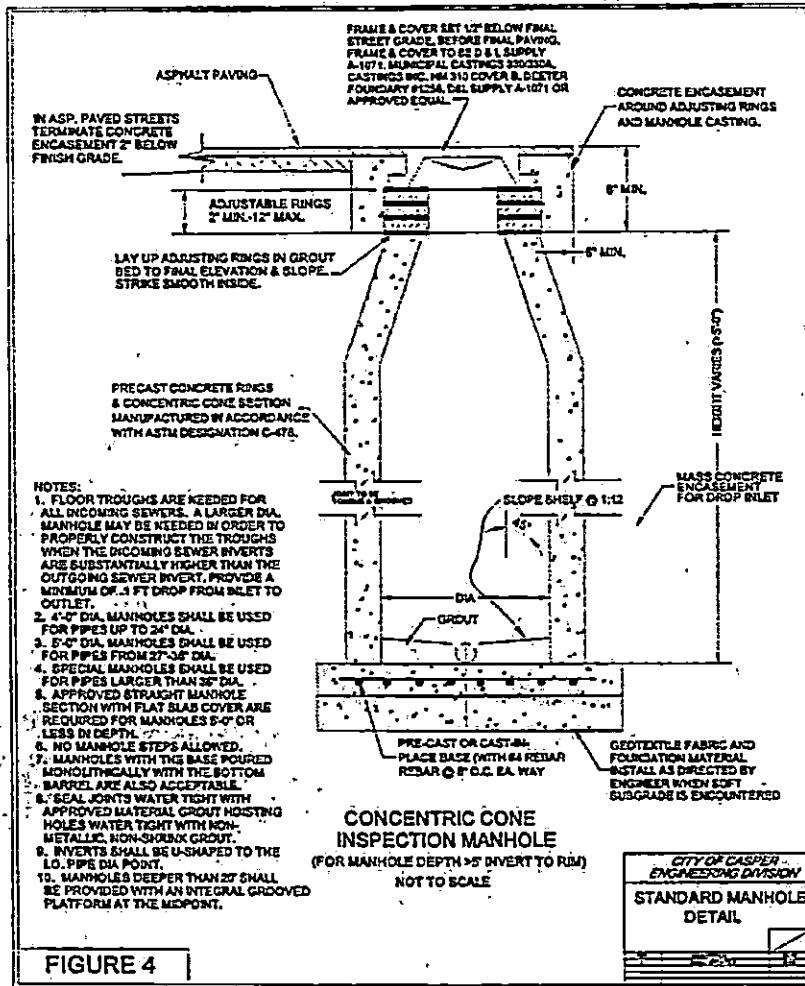


FIGURE 3

FILE # 00000000



13.18.220 Protection from Damage

No unauthorized person shall break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment that is a part of the sewage works.

13.18.230 Powers and Authority of Inspectors

(a) The City shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing in accordance with the provisions of this chapter.

(b) While performing the necessary work on private properties referred to in subsection A of this section, the City shall observe all safety rules applicable to the premises established by the company.

(c) The City shall be permitted to enter all private properties through which the City holds a duly negotiated easement for the purposes of, but not limited to, inspections, observation, measurement, sampling, repair and maintenance of any portion of the sewage works lying within the easement. All entry and subsequent work, if any, on such easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

13.18.240 Penalties and Costs

(a) Penalties. Willful or intentional violation of this chapter is a Class A misdemeanor. Negligent failure to comply with any provision of this chapter, and the orders, rules, regulations and permits issued hereunder is a violation punishable by a fine up to one thousand dollars per day. Each day on which either category of a violation or offense shall occur or continue shall be deemed a separate and distinct offense.

(b) Costs. In addition to the penalties provided in this chapter, the City may recover reasonable attorney fees, court costs, court reporters' fees and other costs and expenses of litigation by appropriate civil suit at law against the person found to have violated this chapter or the orders, rules, and regulations, and permits issued hereunder and fees.

(c) Falsifying Information. Any person or entity that knowingly makes any false statements, representation or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to this chapter, or industrial discharge permit, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this chapter, shall, upon conviction, be deemed guilty of and punished for a Class A misdemeanor.

13.18.259 Sewer Tap Fees

(a) Any person desiring the tapping of a sewer main belonging to the City, for the purpose of attaching an individual line thereto, shall be required to pay a sewer tap fees as set forth by resolution.

(b) Upon payment of other fees, together with such street cut fees as are provided by ordinance or rule, the public works director shall, within reasonable time following the contractor's completion of the excavation and site preparation, complete the connection to the sewer main.

(c) In the event it is necessary to install a service line of a size greater than four inches, the person desiring same shall be required to pay, in advanced, to the City the fees as determined by resolution or as set forth in the applicable subdivision agreement with the developer.

(d) Notwithstanding anything in this section to the contrary, the City council may, by written agreement, allow payment of a lower connect fee to be paid for connection in those instances where un-subdivided property is being developed or in the event of annexation to the City where the developer installs utility services at the developers' sole cost and liability.

CHAPTER 13.36
WASTEWATER DISCHARGE CONDITIONS

Will be in accordance with Mills' Codes.

Commented [PH4]: Is this all this section actually says?
Probably don't need it.

CHAPTER 13.19
URBAN STORMWATER QUALITY MANAGEMENT
AND DISCHARGE CONTROL

13.19.010 Title

This chapter shall be known as the "Stormwater Quality Management and Discharge Control Ordinance" of the City of Mills and may be so cited.

13.19.020 Purpose and Intent

The purpose and intent of this chapter is to ensure the health, safety, and general welfare of citizens, protect and enhance the water quality of watercourses and water bodies in a manner pursuant to and consistent with the Federal Clean Water Act (33 U.S.C. § 1251 et seq.) by reducing pollutants in stormwater discharges to the maximum extent practicable and by prohibiting non-stormwater discharges to the municipal separate storm sewer system (MS4) and to establish legal authority to carry out all inspection, surveillance and monitoring procedures necessary to ensure compliance.

13.19.030 Applicability

This chapter shall apply to all water entering the storm drain system generated on any developed and undeveloped lands unless explicitly exempted by an authorized enforcement agency.

13.19.040 Responsibility for Administration

The City mayor shall administer, implement, and enforce the provisions of this chapter. Any powers granted or duties imposed upon the City mayor may be delegated by the City mayor to persons or entities acting in the beneficial interest of or in the employ of the City.

13.19.050 Severability

If any provision, clause, sentence, or paragraph of this chapter or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this chapter.

13.19.060 Regulatory Consistency

This chapter shall be construed to assure consistency with the requirements of the Clean Water Act and acts amendatory thereof or supplementary thereto, or any applicable implementing regulations by the Wyoming Department of Environmental Quality.

13.19.070 Ultimate Responsibility of Discharger

The standards set forth herein and promulgated pursuant to this chapter are minimum standards; therefore this chapter does not intend nor imply that compliance by any person will ensure that there will be no contamination, pollution, nor unauthorized discharge of pollutants into surface waters of the state caused by said person. This chapter shall not create liability on the part of the City of Mills, or any agent or employee thereof, for any damages that result from any discharger's reliance on this chapter or any administrative decision lawfully made thereunder.

13.19.080 Prohibition of Illegal Discharges

No person shall discharge or cause to be discharged into the municipal storm drain system or watercourses any materials, including, but not limited to, pollutants or waters containing any pollutants that cause or contribute to a violation of Wyoming Water Quality Standards, other than stormwater.

The commencement, conduct or continuance of any illegal discharge to the storm drain system is prohibited except as described as follows:

(a) Discharges from the following activities will not be considered a source of pollutants to the storm drain system and to surface waters of the state when properly managed to ensure that no potential pollutants are present, and therefore they shall not be considered illegal discharges unless determined to cause a violation of the provisions of the Clean Water Act, the Wyoming Water Quality Standards, or this chapter: potable water line flushing; unpolluted pumped groundwater and other discharges from potable water sources; landscape irrigation and lawn watering; diverted stream flows; rising groundwater; groundwater infiltration to the storm drain system; unpolluted foundation and footing drains; unpolluted water from crawl space pumps; air conditioning condensation; unpolluted non-industrial roof drains; springs; individual residential car washing; flows from riparian habitats and wetlands; unpolluted street wash waters; and flows from firefighting.

(b) The prohibition shall not apply to any non-stormwater discharge permitted under a WYPDES permit, waiver, or waste discharge order issued to the discharger and administered by the state of Wyoming under the authority of the Federal Environmental Protection Agency, provided that the discharger is in full compliance with all requirements of the permit, waiver, or

order and other applicable laws and regulations, and provided that written approval has been granted by the City of Mills for any discharge to the storm drain system.

(c) With written concurrence from the Wyoming Department of Environmental Quality, the City of Mills may exempt in writing other non-stormwater discharges which are not a source of pollutants to the storm drain system, nor surface waters of the state.

13.19.090 Prohibition of Illicit Connections

(a) The construction, use, maintenance or continued existence of illicit connections to the storm drain system is prohibited.

(b) This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

(c) A person is considered to be in violation of the Ordinance if the person connects a line conveying sewage to the storm sewer system or allows such a connection to continue.

13.19.100 Waste Disposal Prohibitions

No person shall throw, deposit, leave, dump, maintain, keep, or permit to be thrown, deposited, left, or maintained, or otherwise expose any chemical, fuel, animal waste, septic waste, refuse, rubbish, garbage, litter, or other discarded or abandoned objects, articles, and accumulations, in or upon any public driveway, parking area, street, alley, sidewalk, component of the storm drain system, or surface waters of the state, so that the same may cause or contribute to pollution. Wastes deposited in proper waste receptacles for the purposes of collection are exempted from this prohibition. Any spills, discharge, or residues shall be removed as soon as possible and disposed of properly.

13.19.110 Discharges in Violation Of Industrial or Construction Activity WYPDES Stormwater Discharge Permit

Any person subject to an industrial or construction activity WYPDES stormwater discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the City mayor prior to or as a condition of a subdivision map, site plan, building permit, or development or improvement plan; upon inspection of the facility; during any enforcement proceeding or action; or for any other reasonable cause.

13.19.120 Requirement to Prevent, Control, and Reduce Stormwater Pollutants

(a) Authorization to Adopt and Impose Best Management Practices. The Erosion and Sediment Control Best Management Practices Manual for the City of Mills, Wyoming (2004), as it may be amended from time to time, details the best management practices that may be implemented to reduce erosion, sediment and pollution to stormwater. Where best management practices requirements are promulgated by the City or any federal, state of Wyoming, or regional agency for any activity, operation, or facility which would otherwise cause the discharge of

pollutants to the storm drain system or surface waters of the state, every person undertaking such activity or operation, or owning or operating such facility shall comply with such requirements.

(b) **New Development and Redevelopment.** The City may adopt requirements identifying appropriate best management practices to control the volume, rate, and potential pollutant load, such as sediment loading, of stormwater runoff from new development and redevelopment projects as may be appropriate to minimize the generation, transport and discharge of pollutants. The City shall incorporate such requirements in any land use agreement, entitlement, construction or building-related permit to be issued relative to such development or redevelopment. The owner and developer shall comply with the terms, provisions, and conditions of such land use agreements or entitlements and building permits as required in this chapter. New development and redevelopment projects shall also meet the requirements of Chapter 15.24 Erosion and Sediment Control in effect at the time of the development or redevelopment.

(c) **Responsibility to Implement Best Management Practices.** Notwithstanding the presence or absence of requirements promulgated pursuant to Section 13.19.110(a) and (b), any person engaged in activities or operations, or owning facilities or property which will or may result in pollutants entering stormwater, the storm drain system, or surface waters of the state shall implement best management practices to the extent they are technologically achievable to prevent and reduce such pollutants. The owner or operator of a commercial or industrial establishment shall provide reasonable protection from accidental discharge of prohibited materials or other wastes into the municipal storm drain system or watercourses. Facilities to prevent accidental discharge of prohibited materials or other wastes shall be provided and maintained at the owner or operator's expense.

Best management practices required by the City can be obtained from the public services department by requesting the BMP list or the Erosion and Sediment Control Best Management Practices Manual for the City of Mills, Wyoming. Best management practices for urban stormwater quality management and discharge control may include, but are not limited to, one or more of the following listed practices:

- (i) Vegetated buffers.
- (ii) Vegetated swales.
- (iii) Catch basin inserts.
- (iv) Catch basin filter covers.
- (v) Infiltration trenches.
- (vi) Oil skimmers.
- (vii) Pollutant separators.
- (viii) In-line filters; silt fencing.
- (ix) Wind erosion control.

13.19.130 Requirement to Eliminate Illegal Discharges

Notwithstanding the requirements of Section 13.19.180 herein, the City mayor may require by written notice that a person responsible for an illegal discharge immediately, or by a specified date, discontinue the discharge and, if necessary, take measures to eliminate the source of the discharge to prevent the occurrence of future illegal discharges.

13.19.140 Requirement to Eliminate or Secure Approval for Illicit Connections

(a) The City mayor may require by written notice that a person responsible for an illicit connection to the storm drain system comply with the requirements of this chapter to eliminate or secure approval for the connection by a specified date, regardless of whether or not the connection or discharges to it had been established or approved prior to the effective date of this chapter.

(b) If, subsequent to eliminating a connection found to be in violation of this chapter, the responsible person can demonstrate that an illegal discharge will no longer occur, said person may request City approval to reconnect. The reconnection or reinstallation of the connection shall be at the responsible person's expense.

13.19.150 Watercourse Protection

Every person owning property through which a watercourse passes or abuts, or such person's lessee, shall keep and maintain that part of the watercourse free of trash, debris, and other obstacles that would pollute or contaminate the flow of water through the watercourse. In addition, the owner or lessee shall maintain existing privately owned structures within, abutting, or adjacent to a watercourse, so that such structures will not become a hazard to the use, function, or physical integrity of the watercourse. The owner or lessee shall not remove healthy bank vegetation beyond that actually necessary for maintenance, nor remove said vegetation in such a manner as to increase the vulnerability of the watercourse to erosion. The property owner shall be responsible for maintaining and stabilizing that portion of the watercourse that is within or abutting their property lines in order to protect against erosion and degradation of the watercourse originating or contributed from their property.

13.19.160 Requirement to Remediate

Whenever the City mayor finds that a discharge of pollutants is taking place or has occurred which will result in or has resulted in pollution of stormwater, the storm drain system, or surface waters of the state, the City mayor may require, by written notice to the owner of the property and/or the responsible person, that the pollution be remediated and the affected property restored within a specified time pursuant to the provisions of Sections 13.19.200 through 13.19.220 below.

13.19.170 Requirement to Monitor and Analyze

The City mayor may require, by written notice of requirement, that any person engaged in any activity and/or owning or operating any facility which may cause or contribute to stormwater pollution, illegal discharges, and/or non-stormwater discharges to the storm drain system or surface waters of the state, to undertake, at said person's expense, such monitoring and analyses and furnish such reports to the City of Mills as deemed necessary to determine compliance with this chapter.

13.19.180 Notification of Spills

Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of

any known or suspected release of materials which are resulting or may result in illegal discharges or pollutants discharging into stormwater, the storm drain system, or surface waters of the state from said facility, said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of such a release of a hazardous material; said person shall immediately notify emergency response officials (dial 911) of the occurrence via emergency dispatch services. In the event of a release of nonhazardous materials, said person shall notify emergency response officials (dial 911) within two hours of the discovery of the discharge. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence.

13.19.190 Authority to Inspect

The City mayor, or his/her designee, may make periodic inspections for the purpose of seeing that this chapter is complied with, and it is unlawful for any owner or occupant of any business building or premises to refuse such inspection, provided that the same are made at reasonable times.

13.19.200 Authority to Sample, Establish Sampling Devices, and Test

During any inspection as provided herein, the City mayor, or his/her designee, may take any samples and perform any testing deemed necessary to aid in the pursuit of the inquiry or to record site activities.

13.19.210 Notice of Violation

Whenever the City mayor, or his designee, finds that a person has violated a prohibition or failed to meet a requirement of this chapter, the City mayor, or his/her designee, may order compliance by written notice of violation to the responsible property owner and the occupant thereof. Such notice may require without limitation:

- (a) The performance of monitoring, analyses, and reporting;
- (b) The elimination of illicit connections or discharges;
- (c) That violating discharges, practices, or operations shall cease and desist;
- (d) The abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property;
- (e) Payment of a fine to cover administrative and remediation costs; and
- (f) The implementation or maintenance of source control or treatment BMPs.

Whenever it shall come to the attention of the City that any of the provisions of this chapter are being violated, the City mayor, or his/her designee, shall serve upon the owner and the occupant of such business building or premises, a notice in writing pointing out the specific violation and

requiring such person or persons to comply with the appropriate provision or provisions of this chapter. Such notice shall fix a time limit for compliance therewith and shall notify the recipient of their due process rights as established herein.

If abatement of a violation and/or restoration of affected property is required, the notice shall set forth a deadline within which such remediation or restoration must be completed. Said notice shall further advise that, should the violator fail to remediate or restore within the established deadline, the work will be done by the City or a contractor designated by the City mayor and the expense thereof shall be charged to the violator.

13.19.220 Abatement by City

If the violation has not been corrected pursuant to the requirements set forth in the notice of violation, or in the order of the hearing examiner, if applicable, then the City or a contractor designated by the City mayor may enter upon the subject private property and is authorized to take any and all measures necessary to abate the violation and/or restore the property. It shall be unlawful for any person, owner, agent or person in possession of any premises to refuse to allow the City or designated contractor to enter upon the premises for the purposes set forth above.

13.19.230 Appeals

Within ten days of receiving written notice pursuant to Section 13.12.200, an affected owner or occupant may appeal the decision of the City mayor and request a hearing by filing written notice of the appeal with the City mayor. Such notice of appeal shall contain the owner or occupant's name, address, contact information and the nature and reason for their appeal. Upon receipt of said appeal request, the mayor's office shall request that the municipal court schedule a hearing in front of a municipal court judge in his or her capacity as an administrative hearing examiner to determine what remediation, if any, must be accomplished, and a deadline for said remediation as well as for reimbursement to the City of any costs incurred by the City, if applicable. Said hearing shall be conducted under the Wyoming Administrative Procedure Act. The municipal court shall notify the City mayor's office, the City attorney's office, and the owner and occupant of the property of the date, time and location of said hearing and any matters incident thereto. Said hearing shall be electronically recorded by the municipal court and the municipal court shall be responsible for maintaining any files and records related to said hearing.

If the hearing examiner upholds the decision of the City mayor or otherwise requires repair, abatement, or remediation of a violation of this chapter, then the owner or occupant of the property affected shall complete such remediation or abatement within the time period set by the hearing examiner. If such action is not completed within the designated timeframe, the City may, without further notice or proceedings, enter upon the premises and effect such repairs, remediation, or abatement and may assess and charge any and all costs related thereto to the property owner, the occupant thereof, and/or the effected real property as a lien thereon, collectable as provided by the law and any such unpaid costs shall constitute a lien against the subject property.

13.19.240 Emergency Abatement

The City mayor is authorized to require immediate abatement of any violation of this chapter that constitutes an immediate threat to the health, safety or well-being of the public. If any such violation is not abated immediately as directed by the City mayor, the City of Mills is authorized to enter onto private property and to take any and all measures required to remediate the violation. Any expense related to such remediation undertaken by the City of Mills shall be fully reimbursed by the property owner and/or responsible party. Any relief obtained under this section shall not prevent the City from seeking other and further relief authorized by law.

13.19.270 Violations

It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this chapter. A violation of or failure to comply with any of the requirements of this chapter shall constitute a misdemeanor and shall be punished as set forth in Municipal Code Title 1.

13.19.260 Violations Deemed a Public Nuisance

In addition to the enforcement processes and penalties hereinbefore provided, any condition caused or permitted to exist in violation of any of the provisions of this chapter is a threat to public health, safety, and welfare, and is declared and deemed a nuisance, and may be summarily abated or restored by the City at the violator's expense, and/or a civil action to abate, enjoin, or otherwise compel the cessation of such nuisance may be taken by the City.

13.19.270 Acts Potentially Resulting in a Violation of the Federal Clean Water Act

Any person who violates any provision of this chapter or any provision of any requirement issued pursuant to this chapter may also be in violation of the Clean Water Act and may be subject to the sanctions of those acts including civil and criminal penalties. Any enforcement action authorized under this chapter shall also include written notice to the violator of such potential liability.

13.19.280 Submission of Final Record Drawings-Preparation and Required Information

The owner/contractor/engineer/developer shall submit digital and hard copy drawings of all subdivisions, site construction, building construction or other construction that modifies existing stormwater infrastructure or includes the addition of stormwater infrastructure. The digital and hard copy drawings must be prepared by a registered Wyoming land surveyor or engineer and be clearly drawn on a sheet of tracing cloth or other transparent, stable base material, and shall include the following:

(a) The name of the subdivision, site plan or other construction, legal description, name and signature(s) of owner(s), developer(s) and engineer, placed in the lower right-hand corner of the drawing.

(b) Date of preparation, written scale, graphic scale (one inch equals fifty feet [1" = 50'] or a multiple thereof) and north sign designated as a true north.

(c) Location of existing stormwater conveyances and all newly installed stormwater conveyances.

(d) A layout including the following:

- (i) Boundary lines with accurate distances and bearings, and the exact location and width of all existing or recorded streets intersecting the boundary of the tract.
- (ii) Where applicable, curve data, so labeled, showing the radii, central angles, arc length, notation of nontangent curves, and location of points of curvatures and intersections.
- (iii) Location of existing and proposed easements (including drainage easements), designated as to use and size.
- (iv) The right-of-way lines, widths, locations and street names of all existing and proposed streets or roads within the proposed subdivision.

(e) A vicinity map indicating the location of the construction/subdivision with respect to a recognizable larger area, at a scale of one inch equals six hundred feet (1" = 600') unless written approval of the engineering director is obtained for another scale.

(f) A size conforming to one of the following:

- (i) Twenty-two by thirty-six inches (one and one-half-inch margin left-hand, short side; one-half-inch margin all other sides).
- (ii) Twenty-one and one-half by thirty inches (one and one-half-inch margin left-hand, short side; one-half-inch margin all other sides).
- (iii) Thirty-five by forty inches (three-fourths-inch margin all around).
- (iv) Thirty-six by twenty-four inches (one and one-half-inch margin left-hand, short side; one-half-inch margin all others).
- (v) Eighteen by twenty-four inches (one and one-half-inch margin left-hand, long side; three-eighths-inch margin all other sides).

(g) A digital copy of the construction/building site/subdivision construction shall be submitted as part of the final record construction drawing requirement and shall be in an electronic format that has been adopted by the City council, by resolution,

(h) File names shall be a maximum of eight characters with the appropriate file type designator (E00) as the suffix characters. Files may be compressed into a zip file format.

(i) Each digital submission shall have a clearly defined layering convention in which all entities or drawing components of like type are grouped into distinct layers. At a minimum, the components that must be grouped into distinct layers are the boundary, street centerlines, street rights-of-way, lot lines, easements, street names, lot dimensions, manhole type and size, storm sewer sizes and material types for each stormwater element including all catch basins, catch leads, manholes, outfalls, and main line storm sewers. Included with each DXF file shall be a list in an ASCII text file that contains the layer names used in the submitted file. Each layer name shall be followed with a description of the type of entity found on each layer.

(j) Each digital submission shall show at least four corners with Wyoming State plane coordinates (X, Y and Z) in NAD 83 datum. The convergence angle and combination factor shall be shown on all final drawings.

(k) In the event that an applicant does not have the means to submit a digital plat or map, the City shall perform the work to convert a plat into a digital format for the applicant at a fee to the applicant of the actual cost of the City to do so.

The owner/sub divider/engineer/contractor shall provide record drawings, signed and stamped by the engineer providing observations services, depicting the actual configuration and conditions after construction. Record drawings shall include locations and elevations for all stormwater conveyances and structures. One set of reproducible record drawings on Mylar and one set in digital format compatible with the City's drafting and GIS programs shall be provided to the City engineer's office prior to issuance of the letter of completion and start of the warranty period.