

TITLE 9

WATER AND SEWER

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CHAPTER 1

WATER

SECTION :

- 9-1-1 : Rules
- 9-1-2: Relation Of Rules To Water Ordinances
- 9-1-3: Water Meters And Pits
- 9-1-4: Irrigation Restrictions

9-1-1: RULES: Pursuant to Montana Code Annotated section 69-7-201, the city shall, by resolution, adopt rules for the operation of the water utility. Such rules shall be made and adopted in accordance with such statutory section and other applicable statutory sections and amendments thereto. The rules shall provide for the regulatory measures permitted thereunder and may provide for the adoption and modification of schedules of charges for water services. (1985 Code § 4.02.01)

9-1-2: RELATION OF RULES TO WATER ORDINANCES: The rule making authority granted by section 9-1-1 of this chapter shall not preclude the city from exercising any or all of its authority to regulate the water utility and to adopt a water service charge schedule by ordinance instead of or in combination with rules adopted pursuant to section 9-1-1 of this chapter. (1985 Code § 4.02.02)

9-1-3: WATER METERS AND PITS:

- A. Cost; Notice: Water meters and pits shall be installed at the expense of the owner of the property or consumer of water after twenty four (24) hours' prior notice to the city superintendent.
- B. Installation; Repair: The meter and pit shall be installed by the city crew and no person other than one acting under the authority and

direction of the city superintendent shall open, repair or interfere with any water meter in service.

- C. Pit: Meters shall be installed in a frost free meter pit suitable for exterior installation.
- D. Location: The meter and pit location shall be on city property, immediately adjacent to the boundary of the property being served by the water installation, unless, in the opinion of the city superintendent, the circumstances require location on private property. (Ord. 308, 8-8-1994)

9-1-4: IRRIGATION RESTRICTIONS:

- A. Authority To Regulate: The mayor and city superintendent shall have the authority to regulate the use of water for domestic and irrigation purposes by persons connected to the city water system.
- B. Filing, Publication And Posting Of Regulations: Any restrictions imposed by the mayor and/or city superintendent shall become effective immediately, and shall be in written form filed in the office of the city clerk-treasurer immediately thereafter. The restrictions shall be published in the next issue of the Sanders County Ledger. The clerk-treasurer shall also post the restrictions at the courthouse and at the post office. (Ord. 307, 6-14:1993)
- C. Penalty: Any person violating any restriction, after due and proper notice, shall, upon conviction, be subject to penalty as provided in section 1-4-1 of this code. (Ord . 307, 6-14-1993; amd . 2010 Code)

CHAPTER 2

SEWER

SECTION:

9-2-1:	Definitions
9-2-2:	Use Required
9-2-3:	Private Wastewater Disposal
9-2-4:	Sanitary Sewers, Building Sewers And Connections
9-2-5:	Use Of Public Sewers
9-2-6:	Protection From Damage
9-2-7:	Inspectors
9-2-8:	Hearing Board
9-2-9:	Penalty

9-2-1: DEFINITIONS: Unless the context specifically indicates otherwise, the meaning of terms used in this chapter shall be as follows:

BIOCHEMICAL OXYGEN DEMAND (BOD):	The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty degrees centigrade (20°C), expressed in milligrams per liter.
BUILDING DRAIN:	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 (5') (1.5 meters) outside the inner face of the building wall.
BUILDING SEWER:	The extension from the building drain to the public sewer or other place of disposal. Also called house connection .

CITY:	City of Thompson Falls, Montana.
COMBINED SEWER:	A sewer intended to receive both wastewater and stormwater or surface water.
EASEMENT:	An acquired legal right for the specific use of land owned by others .
FLOATABLE OIL:	Oil, fat or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable fat if It is properly pretreated and the wastewater does not interfere with the collection system.
GARBAGE:	The animal and vegetable waste resulting from the handling, preparation, cooking and serving of foods .
INDUSTRIAL WASTES :	The wastewater from industrial processes, trade, or business as . distinct from domestic or sanitary wastes.
MAY:	Permissive.
NATURAL OUTLET:	Any outlet, including storm sewers and combined sewer overflow, into a watercourse, pond, ditch, lake, or other body of surface water or groundwater.
PERSON:	Any individual, firm, company, association, society, corporation or group .
pH:	The logarithm of the reciprocal of the hydrogen ion concentration. The concentration is the weight of hydrogen ions, in grams per liter of solution. Neutral water, for example, has a pH of 7 and a hydrogen ion concentration of 10^{-7} .
PROPERLY SHREDDED GARBAGE:	The waste from the preparation , cooking and dispensing of food that has 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 one-half inch (1.27 centimeters) in any dimension.

PUBLIC SEWER:	A common sewer controlled by a governmental agency or public utility.
SANITARY SEWER:	A sewer that carries liquid and water carried waste from residences, commercial buildings, industrial plants, and institutions together with minor quantities of groundwater, stormwater and surface waters that are not admitted intentionally.
SEWAGE:	The spent water of a community. The preferred term is "wastewater".
SEWER:	A pipe or conduit that carries wastewater or drainage water.
SHALL:	Mandatory.
SLUG:	Any discharge of water or wastewater which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty four (24) hour concentration or flows during normal operation and shall adversely affect the collection system and/or performance of the wastewater treatment works.
STORM DRAIN OR STORM SEWER:	A drain or sewer for conveying water, groundwater, subsurface water or unpolluted water from any source.
SUPERINTENDENT:	The superintendent (of wastewater facilities, and/or of wastewater treatment works, and/or of water pollution control) of the city or his authorized deputy, agent or representative.
SUSPENDED SOLIDS:	Total suspended matter that either floats on the surface of or is in suspension in water, wastewater or other liquids, and that is removable by

laboratory filtering as prescribed in "Standard Methods For The Examination Of Water And Wastewater" and referred to as nonfilterable residue.

UNPOLLUTED WATER:	Water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided .
WASTEWATER:	The spent water of a community. From the standpoint of source, it may be a combination of the liquid and water carried wastes from residences, commercial buildings , industrial plants , and institutions, together with any groundwater, surface water and stormwater that may be present.
WASTEWATER FACILITIES:	The structures, equipment, and processes required to collect, carry away, and treat domestic and industrial wastes and dispose of the effluent.
WASTEWATER TREATMENT WORKS:	An arrangement of devices and structures for treating wastewater, industrial wastes and sludge. Sometimes used as synonymous with "waste treatment plant" or "wastewater treatment plant" or "water pollution control plant" .
WATERCOURSE:	A natural or artificial channel for the passage of water either continuously or intermittently. (Ord. 281, 1-6-1986)

9-2-2 : USE REQUIRED:

- A. Prohibited Deposits : It shall be unlawful for any person to place , deposit or permit to be deposited in any unsanitary manner on public or private property within the city , or in any area under the jurisdiction of the city, any human or animal excrement, garbage , or other objectionable waste.

- B. Discharge Prohibited: It shall be unlawful to discharge to any natural outlet within the city , or in any area under the jurisdiction of the city, any sewage or other polluted waters , except where suitable treatment has been provided in accordance with subsequent provisions of this chapter.
- C. Construction Of Privy, Septic Tank, Cesspool: Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of wastewater.
- D. Connection Required: The owners 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 or combined sewer of the city, are hereby required, at the owners' 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 chapter within one hundred twenty (120) days after date of official notice to do so; provided, that said public sewer is within fifty feet (50') of the property line. (Ord. 281, 1-6-1986)

9-2-3: PRIVATE WASTEWATER DISPOSAL:

- A. Public Sewer Unavailable: Where a public sanitary or combined sewer is not available under the provisions of subsection 9-2-20 of this chapter, the building sewer shall be connected to a private wastewater disposal system complying with the provisions of this section.
- B. County Permit Required: Before commencement of construction of a private wastewater disposal system, the owner shall first make application to the Sanders County sanitarian and obtain a written permit signed by the sanitarian or designated agent. The application, fees, procedures and all administration shall be conducted through the Sanders County septic regulations .
- C. Inspection: A permit for a private waste disposal system shall not become effective until the installation is completed in accordance with the Sanders County septic regulations.
- D. Specifications : The type, capacities, location and layout of a private wastewater disposal system shall comply with current septic regula-

tions of Sanders County. All requests for variance shall be heard and decided by the city council. (Ord. 311,7-10-1995)

- E. **Public Sewer Becomes Available :** At such time as a public sewer becomes available to a property served by private wastewater disposal system as provided in subsection 9-2-20 of this chapter, a direct connection shall be made to the public sewer within one hundred twenty (120) days in compliance with this chapter , and any septic tanks, cesspools and similar private wastewater disposal facilities shall be cleaned of sludge and filled with suitable material at no expense to the city. (Ord . 311,7-10 -1995; amd. 2010 Code)
- F. **Maintenance:** The owner shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times at no expense to the city. (Ord. 311, 7-10-1995)

9-2-4: **SANITARY SEWERS, BUILDING SEWERS
AND CONNECTIONS:**

- A. **Permit Required:** No unauthorized person shall uncover, make any connection with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the superintendent.
- B. **Classes Of Permit; Application:** There shall be two (2) classes of building sewer permits: 1) for residential and commercial service; and 2) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the city. The permit application shall be supplemented by any plans, specifications , or other information considered pertinent in the judgment of the superintendent.
- C. **Fees:** A permit and inspection fee for a residential or commercial building sewer permit and for an industrial building sewer permit in amounts to be set by resolution or regulation of the city council shall be paid to the city at the time the application is filed .
- O. **Costs And Expenses; Indemnification:** All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the city from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

- E. Separate Sewer Required; Exception: A separate and independent building sewer shall be provided for every building; except, where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer, but the city does not and will not assume any obligation or responsibility for damage caused by or resulting from any such single connection aforementioned.
- F. Old Building Sewers: Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the superintendent, to meet all requirements of this chapter.
- G. Construction Specifications: The size, slope, alignment, materials of construction of all sanitary sewers including building sewers, and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the city and the state. In the absence of suitable code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the ASTM and WPCF "Manual Of Practice NO.9" shall apply.
- H. Elevation: Whenever possible , the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.
- I. Surface Runoff, Groundwater Prohibited: No person shall make connection of roof downspouts, 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 unless such connection is approved by the superintendent and the state department of health for purposes of disposal of polluted surface drainage.
- J. Connection: The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the city and the state, or the procedures set forth in appropriate specifications of the ASTM and the WPCF "Manual Of Practice No. g". All such connections shall be made gastight and watertight and

verified by proper testing. Any deviation from the prescribed procedures and materials must be approved by the superintendent before installation.

- K. Supervision; Inspection: The applicant for the building sewer permit shall notify the superintendent when the building sewer is ready for inspection and connection to the public sewer. The connection and testing shall be made under the supervision of the superintendent or his representative.
- L. Excavations: 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 restored in a manner satisfactory to the city. (Ord. 281, 1-6-1986)

9-2-5: USE OF PUBLIC SEWERS:

- A. Unpolluted Drainage: No person shall discharge or cause to be discharged any unpolluted waters such as stormwater, surface water, groundwater, roof runoff, subsurface drainage, or cooling water to any sewer, except stormwater runoff from limited areas, which stormwater may be polluted at times, may be discharged to the sanitary sewer by permission of the superintendent and the state department of health, and except for stormwater and roof runoff through building drains existing on the effective date hereof. After the effective date hereof, no new clear water connection from roof drains, storm drains or otherwise shall be made to the wastewater sewer.
- B. Use Of Combined Sewer Or Storm Sewer Required: Stormwater other than that exempted under subsection A of this section and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the superintendent and the state department of health. Unpolluted industrial cooling water or process waters may be discharged, on approval of the superintendent, to a storm sewer, combined sewer or natural outlet.
- C. Prohibited Discharges: No person shall discharge or cause to be discharged any of the following described water or wastes to any public sewers:

1. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.
2. Any waters containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to contaminate the sludge of any municipal system, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in or have an adverse effect on the waters receiving any discharge from the treatment works.

Each user which discharges any toxic pollutants which cause an increase in the cost of managing the effluent or the sludge of the city treatment works shall pay for such increased costs.

3. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the wastewater facilities such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

- D. Harmful Materials/Substances: The following described substances, materials, waters or wastes shall be limited in discharges to municipal systems to concentrations or quantities which will not harm either the sewers, the sludge of any municipal system, the wastewater treatment process or equipment, will not have an adverse effect on the receiving stream, or will not otherwise endanger lives, limb, public property, or constitute a nuisance. The superintendent may set limitations lower than the limitations established in the regulations in this subsection if, in his opinion, such more severe limitations are necessary to meet the above objectives. **In** forming his opinion as to the acceptability, the superintendent will give consideration to such factors as: 1) the quantity of subject waste in relation to flows and velocities in the sewers, 2) materials of construction of the sewers, 3) the wastewater treatment process employed, 4) capacity of the wastewater treatment plant, and other pertinent factors. The limitations or restrictions on materials or characteristics of waste or wastewaters discharged to the sanitary sewer which shall not be violated without approval of the superintendent are as follows:

1. Wastewater having a temperature higher than one hundred fifty degrees Fahrenheit (150°F) (65°C).

2. Wastewater containing more than twenty five milligrams per liter (25 mg/l) of petroleum oil , non biodegradable cutting oils , or product of mineral oil origin .
 3. Wastewater from industrial plants containing floatable oils , fat or grease .
 4. Any garbage that has not been properly shredded (see section 9-2-1 of this chapter). Garbage grinders may be connected to sanitary sewers from homes , hotels, institutions, restaurants, hospitals, catering establishments, or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers.
 5. Any waters or wastes containing iron, chromium, copper, zinc and similar objectionable or toxic substances to such degree that any such material received in the composite wastewater at the wastewater treatment works exceeds the limits established by the superintendent for such materials .
 6. Any waters or wastes containing odor producing substances exceeding limits which may be established by the superintendent.
 7. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the superintendent in compliance with applicable state or federal regulations.
 8. Quantities of flow, concentrations , or both, which constitute a "slug " as defined in this chapter.
 9. Waters or wastes containing substances which are not amendable by treatment or reduction by the wastewater treatment processes employed, or are amendable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
 10. Any water or wastes which may interact with other water or wastes in the public sewer system, release noxious gases, form suspended solids which interfere with the collection system, or create a condition deleterious to structures and treatment processes.
- E. Authority To Reject, Require Pretreatment, Or Control Quantity: If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances

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or possess the characteristics enumerated in subsection 0 of this section, and which in the judgment of the superintendent may have a deleterious effect upon the wastewater facilities, processes, equipment or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the superintendent may:

1. Reject the wastes;
2. Require pretreatment to an acceptable condition for discharge to the public sewers;
3. Require control over the quantities and rates of discharge; and/or
4. Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of subsection J of this section.

If the superintendent permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the superintendent and the state department of health.

F. Interceptors Required:

1. Required: Grease, oil and sand interceptors shall be provided when, in the opinion of the superintendent, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts as specified in subsection 03 of this section, or any flammable wastes, sand or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units.
2. Type; Capacity; Location: All interceptors shall be of a type and capacity approved by the superintendent and the state plumbing code and shall be located as to be readily and easily accessible for cleaning and inspection.
3. Collected Materials; Records: In the maintaining of these interceptors, the owner shall be responsible for the proper removal and disposal by appropriate means of the captivated material and shall maintain records of the dates and means of disposal which are subject to review by the superintendent. Any removal and hauling of the collected materials not performed by owner's personnel must be performed by currently licensed waste disposal firms.

4. Maintenance: Where pretreatment of flow equalization facilities are provided or required for any waters or wastes , they shall be maintained continuously in satisfactory and effective operation by the owner at his expense .

G. Control Manhole:

1. Required : When required by the superintendent, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable structure together with such necessary meters and other appurtenances in the building sewer to facilitate observation , sampling, and measurement of the wastes .

2. Location; Construction: Such structure, when required , shall be accessible and safely located and shall be constructed in accordance with plans approved by the superintendent.

3. Cost; Maintenance: The structure shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.

H. Information Required: The superintendent may require a user of sewer services to provide information needed to determine compliance with this chapter. These requirements may include :

1. Wastewater discharge peak rate and volume over a specified time period.

2. Chemical analyses of wastewaters.

3. Information on raw materials, processes , and products affecting wastewater volume and quality.

A. Quantity and disposition of specific liquid, sludge, oil , solvent or other materials important to sewer use control.

5. A plot plan of sewers on the user's property showing sewer and pretreatment facility location .

6. Details of wastewater pretreatment facilities .

7. Details of systems to prevent and control the losses of materials through spills to the city sewer.

- I. Measurement Of Water Characteristics: All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this chapter shall be determined in accordance with the latest edition of "Standard Methods For The Examination Of Water And Wastewater", published by the American Public Health Association. Sampling methods, location, times, durations and frequencies are to be determined on an individual basis subject to approval by the superintendent.
- J. Special Agreement: No statement contained in this section shall be construed as preventing any special agreement or arrangement between the city and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the city for treatment. (Ord. 281,1-6-1986)

9-2-6: PROTECTION FROM DAMAGE:

No person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the wastewater facilities. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct . (Ord. 281, 1-6-1986)

9-2-7: INSPECTORS:

- A. Right Of Entry: The superintendent and other duly authorized employees of the city bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing pertinent to discharge to the community system in accordance with the provisions of this chapter.
- B. Protection Of Industrial Processes: The superintendent or other duly authorized employees are authorized to obtain information concerning industrial processes which have a direct bearing on the kind and source of discharge to the wastewater collection system. The industry may withhold information considered confidential. The industry must establish that the revelation to the public of the information in question might result in an advantage to competitors.
- C. Safety Rules; Indemnification: While performing the necessary work on private properties referred to in subsection A of this section, the superintendent or duly authorized employees of the city shall observe all safety rules applicable to the premises established by the

company, and the company shall be held harmless for injury or death to the city employees, and the city shall indemnify the company against loss or damage to its property by city employees and against liability claims and demands for personal injury or property damage asserted against the company growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in subsection 9-2-5G of this chapter.

- D. Access To Easements: The superintendent and other duly authorized employees of the city bearing proper credentials and identification 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, inspection, observation, measurement, sampling, repair and maintenance of any portion of the wastewater facilities lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved. (Ord. 281, 1-6-1986)

9-2-8 : HEARING BOARD:

- A. Appointment: A hearing board shall be appointed as needed for arbitration of differences between the superintendent and sewer users on matters concerning interpretation and execution of the provisions of this chapter by the superintendent.
- B. Cost Of Arbitration: The cost of the arbitration will be divided equally between the city and the sewer user.
- C. Membership: One member of the board shall be a registered professional engineer; one member shall be a practicing sanitary engineer; one member shall be a representative of industry or manufacturing enterprise; one member shall be a lawyer; and one member shall be selected at large for his interest in accomplishing the objectives of this chapter. (Ord. 281, 1-6-1986)

9-2-9: PENALTY:

- A. Notice Of Violation: Any person found to be violating any provision of this chapter, except section 9-2-6 of this chapter, shall be served by the city with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction

thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations. (Ord. 281, 1-6-1986)

- B. Misdemeanor: Any person who shall continue any violation beyond the time limit provided for in subsection A of this section shall be guilty of a misdemeanor, and , upon conviction thereof, shall be subject to penalty as provided in section 1-4-1 of this code. Each day in which any such violation shall continue shall be deemed a separate offense. (Ord. 281, 1-6-1986; amd . 2010 Code)

- C. Liability For Violation: Any person violating any of the provisions of this chapter shall become liable to the city for any expense , loss , or damage occasioned the city by reason of such violation. (Ord. 281, 1-6-1986)

CHAPTER 3

SEWER CHARGES

SECTION:

- 9-3- 1: Purpose
- 9-3- 2: Total Annual Cost Of Operation And Maintenance
- 9-3- 3: Each Customer's Wastewater Contribution Percentage
- 9-3- 4: Surcharge System For Customers With Excess BOD And SS
- 9-3- 5: Wastewater Service Charge
- 9-3- 6: Wastewater Facilities Replacement Fund
- 9-3- 7: Payment Of Wastewater Service Charge And Penalties
- 9-3- 8: Review Of Wastewater Service Charge
- 9-3- 9: Annual Notice
- 9-3-10: Waste Discharges Prohibited
- 9-3-11 : Clear Water Connections
- 9-3-12: Proper Design And Construction Of New Sewers And Connections
Rules And Regulations

9-3-13:

9-3-1: PURPOSE: The purpose of this chapter shall be to generate sufficient revenue to pay all costs for the operation and maintenance of the complete wastewater sewerage system . The costs shall be distributed to all customers of the wastewater system in proportion to each customer's contribution to the total loading of the treatment works. Factors such as strength (BOD and SS), volume, and delivery flow rate characteristics shall be considered and included as the basis for the customer's contribution to ensure a proportional distribution of operation and maintenance costs to each customer. (Ord. 283, 7-14-1986)

9-3-2: TOTAL ANNUAL COST OF OPERATION AND MAINTENANCE: The city shall determine the total annual costs of operation and maintenance of the wastewater system which are necessary to maintain the capacity and performance during the service life of the sewerage works for which such works were designed and constructed. The total annual cost of operation and maintenance shall include, but not be

limited to, labor, repairs, equipment, replacement, maintenance, necessary modifications, power, sampling, laboratory tests and a reasonable contingency fund. (Ord. 283, 7-14-1986)

9-3-3: EACH CUSTOMER'S WASTEWATER CONTRIBUTION
PERCENTAGE:

- A. Volume: The city shall determine each customer's volume of wastewater which has been discharged to the wastewater system, which shall then be divided by the volume of all wastewater discharged to the wastewater system, to determine each customer's volume contribution percentage. The amount used as the total volume of wastewater shall exclude infiltration and inflow. The city shall determine each customer's average daily poundage of five (5) day twenty degree centigrade (20°C) biochemical oxygen demand (BOD) which has been discharged to the wastewater system, which shall then be divided by the average daily poundage of all five (5) day BOD discharged to the wastewater system to determine each customer's BOD contribution percentage.
- B. Suspended Solids: The city shall determine each customer's average suspended solids (SS) poundage which has been discharged to the wastewater system which shall then be divided by the average daily poundage of all suspended solids discharged to the wastewater system, to determine the customer's suspended solids contribution percentage. Each customer's volume contribution percentage, BOD contribution percentage and suspended solids contribution percentage shall be multiplied by the annual operation and maintenance costs for wastewater treatment of the total volume flow of the total five (5) day twenty degree centigrade (20°C) BOD and of the suspended solids, respectively. (Ord. 283, 7-14-1986)

9-3-4: SURCHARGE SYSTEM FOR CUSTOMERS WITH EXCESS
BOD AND SS: The city will determine the average suspended

solids (SS) and biochemical oxygen demand (BOD) daily loading for the average residential customer. The city will assess a surcharge rate for all nonresidential customers discharging wastes with BOD and SS strengths greater than the average residential customer. Such customers will be assessed a surcharge sufficient to cover the costs of treating wastewater above normal strength wastes. Normal strength wastes are considered to be two hundred (200) ppm BOD and two hundred fifty (250) ppm SS. The

surcharge rate structure for such above normal strength waste dischargers shall be included in the rate schedule. (Ord . 283 , 7-14-1986)

9-3-5: WASTEWATER SERVICE CHARGE:

- A. Calculation: Each nonresidential customer's wastewater treatment cost contributions as determined in sections 9-3-3 and 9-3-4 of this chapter shall be added together to determine such customer's wastewater service charge . The city may classify industrial, commercial and other nonresidential establishments as a residential customer, provided that the wastes from these establishments are equivalent to the wastes from the average residential customer with respect to suspended solids and BOD. Each customer's wastewater treatment cost contribution will be assessed in accordance with the rate schedule , as approved by the public service commission and/or the city.
- B. Minimum Charge: A minimum charge shall be a part of the rate charged to each customer. This minimum charge shall be sufficient to cover the administrative costs and line sizes necessary to adequately serve each residence. The minimum charge shall allow sewage to be discharged into the sewerage system without a further per gallonage charge if the gallonage is less than the minimum rate provided by the rate schedule. (Ord. 283, 7-14-1986)

9-3-6: WASTEWATER FACILITIES REPLACEMENT FUND:

reserve fund called the wastewater facilities replacement fund is hereby established within the wastewater utility fund for the purpose of providing sufficient funds to be expended for obtaining and installing equipment, accessories and appurtenances during the useful life (20 years) of the wastewater treatment facilities necessary to maintain the capacity and performance for which such facilities are designed and constructed. The wastewater facilities replacement fund shall be maintained as an interest bearing account and shall be funded from the wastewater utility fund with deposits of one hundred twenty five dollars (\$125.00) per month, totaling one thousand five hundred dollars (\$1,500.00) each fiscal year. (Ord. 283, 7-14-1986)

9-3-7: PAYMENT OF WASTEWATER SERVICE CHARGE AND PENALTIES: A statement shall be submitted to the customer

for the wastewater service charge in accordance with the sewer system

regulations of the city. There may be an added penalty adopted by the city council if the payment is not received by the city within the time period noted on the statement. Should any customer fail to pay the customer wastewater service charge and penalty within the time period stated in said sewer system regulations, wastewater service shall be stopped after proper notification, as stated in said sewer system regulations. (Ord. 283, 7-14-1986)

9-3-8: **REVIEW OF WASTEWATER SERVICE CHARGE:** The city shall review the total annual cost of operation and maintenance, as well as each customer's wastewater contribution percentage not less often than every two (2) years and will revise the rate schedule as necessary to assure equity of the service charge system established herein and to assure that sufficient funds are obtained to adequately operate and maintain the wastewater sewerage works . If a significant customer, such as an industry, has completed in-plant modifications which would change the customer's wastewater contribution percentage, the customer can present at a regularly scheduled meeting of the city council such factual information and the city shall then determine if the customer's wastewater contribution percentage is to be changed. The city shall notify the customer of its findings as soon as possible. (Ord . 283, 7-14-1986)

9-3-9: **ANNUAL NOTICE:** Each customer shall be notified annually, in conjunction with a regular bill, of that portion of the customer's charges which are attributable to wastewater treatment service . (Ord. 283, 7-14-1986)

9-3-10: **WASTE DISCHARGES PROHIBITED:**

- A. **Prohibited Discharge 1:** The discharge of any waters containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly, or by interaction with other wastes, to contaminate the sludge of any municipal systems, or to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in or have an adverse effect on the waters receiving any discharge from the treatment works is hereby prohibited.

1. See subsections 9-2-5C and 0 of this title.

- B. Increased Costs: Each user which discharges any toxic pollutants which cause an increase in the cost of managing the effluent or the sludge of the city treatment works shall pay for such increased costs .
- C. Power To Specifically Prohibit Or Limit: The city may as part of its sewer rules and regulations, hereinafter described more specifically, prohibit or limit the discharge of such wastes as are generally described in subsection A of this section . (Ord . 283 , 7-14-1986)

9-3-11: CLEAR WATER CONNECTIONS: 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. (Ord . 283 , 7-14-1986)

9-3-12: PROPER DESIGN AND CONSTRUCTION OF NEW SEWERS AND CONNECTIONS: The size, slope, alignment, materials of construction of all sanitary sewers and sewer connections, and the methods to be used in excavating , placing of the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of the building and plumbing code in effect at the time of the performance of such activity and as adopted by the state. Such activity shall further conform to the requirements of any building or plumbing code adopted by the city and in effect at the time of such activity. (Ord. 283, 7-14-1986)

9-3-13: RULES AND REGULATIONS: The city council from time to time may adopt or amend sewer system regulations which shall set forth criteria to ensure adequate service by the city, prevent unfair charges to the customer and to protect the city from unreasonable demands. The city council is hereby empowered to act by resolution from time to time to adopt and amend rates for wastewater service charge in accordance with the foregoing provisions of this chapter and applicable laws of the state. (Ord. 283, 7-14-1986)

CHAPTER 4

OUTDOOR PRIVIES

SECTION:

- 9-4-1: Prohibited
9-4-2: Exceptions
9-4-3: Nonconforming Use

9-4-1: **PROHIBITED:** It shall be unlawful for any person to erect or maintain an outdoor privy or privies within the city . (1985 Code § 7.06.01)

9-4-2: **EXCEPTIONS:** The provisions of section 9-4-1 of this chapter shall not be applicable to outdoor privies now constructed and maintained on or before February 3, 1958, provided the same are maintained in a sanitary condition in compliance with accepted sanitation standards; nor shall this chapter apply to outdoor privies built for temporary use during the construction of a dwelling ; provided however, that in no event shall such privy be erected without the prior approval of the building inspector of the city, and such privy shall not be maintained for a period exceeding six (6) months. (1985 Code § 7 .06.02)

9-4-3: **NONCONFORMING USE:** When any outdoor privy now maintained or erected is demolished or destroyed the same shall not be replaced by the construction of a new outdoor privy. (1985 Code § 7.06 .03)