

Title 13

WATER, SEWER AND UTILITIES*

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- 13.08 Water Service—Rates and Charges
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Chapter 13.04

WATER SERVICE—REGULATIONS

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13.04.010 Application—Required. The Property owner or his agent, called the customer in this chapter, must make written application for water service at the clerk’s office of the municipality. The application, including service received thereunder, is unassignable by the customer. (Ord. 212 §1, 1974).

13.04.020 Application—Cancellation. Application may be cancelled and/or water service discontinued by the municipality for any violation of any rule, regulation or condition of service, and especially for any of the following reasons:

- A. Misrepresentation in the application as to the property or fixtures to be supplied or use to be made of water;
- B. Failure to report to the municipality addition to the property or fixtures to the supplies or additional use to be made of water;
- C. Resale or giving away of water;
- D. Waste or misuse of water due to improper or imperfect service pipes and/or fixtures, or failure to keep the same in suitable repair;
- E. Tampering with meter, meter seal, service or valves, or permitting such tampering by others;
- F. Connection or cross-connection, or permitting the same, of any separate water supply to premises which receive water from the municipality;
- G. Nonpayment of bills. (Ord. 212 §4, 1974).

13.04.030 Supervision and construction of taps and connections. All taps and connections to the mains of the municipality shall be made by and/or under the direction and supervision of waterworks personnel and constructed in accordance with the provisions of this chapter. (Ord. 212 2, 1974).

13.04.040 Installation of specifications. A. The municipality shall install and maintain at the customer’s expense that portion of the service from the main to the lot or easement line, including the necessary tap, fittings and shutoff valve.

B. The customer shall install and maintain at his expense that portion of the service from said lot or easement line to his premises, including a stop and waste cock at the end of the house side of his service.

C. The minimum earth cover of the customer’s service shall be five feet.

D. The municipality shall determine the size and kind of service to be installed. (Ord. 212 §3, 1974).

13.04.050 Interruption of service—Municipality responsibility. The municipality shall make all reasonable efforts to eliminate interruption of service, and, when such interruptions occur, will endeavor to reestablish service for the purpose of working on the distribution system or the station equipment. All consumers affected by such interruption will be notified in advance whenever it is possible to do so. (Ord. 212 §14, 1974).

13.04.060 Interruption of service—Municipality not responsible for claims. The municipality shall in no event be held responsible for claim made against it by reason of breaking of any mains or service pipe, or by reason of any other interruption of the supply of water caused by the breaking of machinery or stoppage for necessary repairs. No person shall be entitled to damages nor have any portion of a payment refunded for any interruption of service which in the opinion of the municipality may be deemed necessary. (Ord. 212 §15, 1974).

13.04.070 Interruption of service—Customer responsibility. Customers having boilers and/or pressure vessels receiving a supply of water from the municipality must have a check valve on the water supply line and a vacuum valve on the steamline to prevent collapse in case the water supply from the municipality is discontinued or interrupted for any reason, with or without notice. (Ord. 212 §16, 1974).

13.04.080 Subject to inspection. The premises receiving a supply of water and all service lines, meter and fixtures, including any and all fixtures within the premises shall at all reasonable hours be subject to inspection by duly authorized employees of the municipality. (Ord. 212 §17, 1974).

13.04.090 Special conditions. Special terms and conditions may be made where water is used by the municipality or community for public purposes such as fire extinguishment, public parks, etc. (Ord. 212 §18, 1974).

13.04.100 Use restrictions.

Water furnished by the municipality may be used for domestic consumption by the customer, members of his household and employees only. The customer shall not sell or give the water to any other person. (Ord. 212 § 22, 1974).

13.04.110 Easement granted by customer.

Each customer shall grant or convey or shall cause to be granted or conveyed to the municipality a permanent easement and right-of-way across any property owned or right-of-way is necessary for the municipal water facilities and lines, so as to be able to furnish service to the customer. (Ord. 212 § 23, 1974).

13.04.120 Extensions.

A. The municipality will construct extensions to its water lines to points within its service area, but the municipality shall not be required to make such installations unless the customer pays to the municipality the entire cost of the installation.

B. All line extensions shall be evidenced by a contract signed by the municipality and the person advancing funds for such extension, but each contract shall be null and void unless approved by the Farmers Home Administration and other governing bodies.

C. If refund of the advance is to be made, the following method shall apply: twenty percent of the total gross revenue of water sales per year for each service connected to the new extension described in the agreement, for a period not to exceed five years, provided that the aggregate payments do not exceed the total amount deposited.

D. No refund shall be made from any revenue received from any lines leading up to or beyond the particular line extension covered by contract.

E. All decisions in connection with the manner of installation of any extension and maintenance thereof shall remain in the exclusive control of the municipality. Such extension shall be the property of the municipality and no other person shall have any right, title or interest therein. (Ord. 212 § 24, 1974).

13.04.130 Customer desiring discontinuance.

A. Customer desiring discontinuance. Any customer who will be absent from the city for at least one month or more may request a temporary interruption of water and sewer service by notifying the city in advance of their departure. There will be a twenty-five dollar charge for any such temporary interruption of service and a separate twenty-five dollar charge for re-establishment of service.

B. Any customer desiring to discontinue the water service to his premises for any reason must give notice of discontinuance at the business office of the waterworks system; otherwise, the customer shall remain liable for all water used and service rendered by the city until such notice is received by the city.

C. Any interruption of water service to a premises at the customer's request, regardless of the reason for such interruption, will result in a fifteen dollar charge if the customer requests that service be reestablished. (Ord. 302 § 1, 2007; Ord. 292 § 5, 2003; Ord. 244 § 1, 1984; Ord. 212 § 5, 1974).
(Ord. No. 315, § 2, 5-22-2013)

13.04.140 Bills—Delivery.

Bills and notices relating to the conduct of the business of the municipality will be mailed to the customer at the address listed on the application, unless a change of address has been filed in writing at the business office of the municipality. The municipality shall not otherwise be responsible for delivery of any bill or notice, nor will the customer be excused from nonpayment of a bill or from any performance required in such notice. (Ord. 212 § 6, 1974).

13.04.150 Bills—Due Date.

All fees and charges for water service shall be billed on the monthly combined utility service bill for the residence or commercial establishment served and such fees shall be due and payable under the same terms and conditions provided for the payment of combined utility service bills in Chapter 13.08 of the Corydon Municipal Code. (Ord. 292 § 6, 2003; Ord. 212 § 7(a), 1974).

13.04.160 Bills—Delinquent.

Water service fees and charges remaining unpaid and delinquent by failure to make full payment of the monthly combined utility service bill shall constitute a lien upon the premises served and shall be certified by the city clerk to the county auditor or county treasurer for collection in the same manner as real estate property taxes unless the provisions for lien exemption relating to residential rental properties have been satisfied for the premises.

13.04.170 Reconnection fee.

When the water service to a customer has been discontinued for nonpayment of the combined utility service bill, a charge of twenty-five dollars shall be made for reconnection of the water service after all unpaid due or delinquent combined utility service bills, including any late payment charges, has been paid along with any required reconnection fees any utility service deposit fees required by the city. (Ord. 292 § 8, 2003: Ord. 212 § 8, 1974).
(Ord. No. 315, § 3, 5-22-2013)

13.04.180 Deposit for establishing or maintaining credit.

The municipality reserves the right to request a nominal sum be placed on deposit with the municipality for the purpose of establishing or maintaining any customer's credit. (Ord. 212 § 9, 1974).

13.04.190 Meters—Installation.

All meters less than one inch shall be installed, maintained and replaced by and at the expense of the city, except for the first meter installed at a property which shall be installed at the expense of the property owner. All meters one inch or larger shall be installed, maintained and replaced pursuant to a written agreement between the city and the property owner which shall be entered into prior to the initial installation of such meter. The city reserves the right to determine the size and type of meter to be used for the city's water service. (Ord. 292 § 9, 2003: Ord. 212 §10, 1974).

13.04.200 Meters—Reading date.

Meters will be read monthly between the fifteenth and twentieth day of each month. (Ord. 212 § 7 (c), 1974).

13.04.210 Meters—Testing.

Upon the written request of any customer, the meter serving said customer shall be tested by the municipality. Such test will be made without charge to the customer if the meter has not been tested within twelve months preceding the requested test; otherwise, a charge of two dollars will be made, and then only if the test indicates meter accuracy within the limits of two percent. (Ord. 212 §11, 1974).

13.04.220 Meters—Failure to register.

Where a meter has ceased to register, or a meter reading could not be obtained, the quantity of water consumed for billing purpose will be based upon an average of the prior six months' consumption and the conditions of water service prevailing during the period in which the meter failed to register. (Ord. 212 §12, 1974).

13.04.230 Water for excavations—Deposit required.

Water for a business or construction purposes will be furnished by meter measurement only after suitable deposit has been made. The minimum deposit shall be ten dollars, and the amount shall be determined by the municipality depending upon the size of the construction work contemplated. All water for building or construction purposes, as set forth in the permit, must pass through one and the same meter. (Ord. 212 §13 (part), 1974).

13.04.240 Water for excavations—Use specifications. Water supplied as required by Section 13.04.230 shall be discharged through a hose or pipe directly upon material to be wet or into a barrel or other container, but in no case shall be discharged upon the ground or into or through a ditch or trench. All use of water by other than the applicant, or use of water for any purpose or upon any premises not so stated or described in the application, must be prevented by the applicant, or water service may be discontinued without notice. (Ord. 212 §13 (part), 1974).

13.04.250 Bond—Required. A. No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb the waterworks or appurtenances thereof without first obtaining a written permit application from the city clerk.

B. Before a permit application may be issued, the person applying for such permit application shall have executed unto the city and deposited with the city clerk/treasurer a corporate surety in the sum of one thousand dollars, conditioned that he will perform faithfully all work with due care and skill, and in accordance with the laws rules and regulations established under the authority or any ordinances of the city pertaining to plumbing, waterworks or appurtenances.

C. This bond shall state that the person will indemnify and save harmless the city and the owner of the premises against all damages, costs, expenses, outlays and claims of every nature and kind arising out of unskillfulness or negligence on his part in connection with plumbing, waterworks or appurtenances as prescribed in this chapter. (Ord. 212 §19, 1974).

13.04.260 Bond—Term. The bond required by Section 13.04.250 shall remain in force and must be executed for a period of one year, except that on such expiration it shall remain in force as to all penalties, claims and demands that may have accrued thereunder prior to such expiration. (Ord. 212 §20 (part), 1974).

13.04.270 Permit application specifications. A. There shall be two classes of permit applications: one for residential service, and the second for commercial and industrial service.

B. In either case, the owner or his agent shall make application on a special form furnished by the city clerk.

C. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the inspector.

D. A permit and inspection fee of two dollars for a residential service connection and fifteen dollars for a commercial or industrial service connection shall be paid to the city clerk/treasurer at the time the permit application is filed. (Ord. 212 §20 (part), 1974).

13.04.280 Specifications for service lines. Service lines and appurtenances shall be constructed of any of the following materials and in accordance with this chapter and/or the State Plumbing Code:

A. Steel shall comply with AWWA standard specifications 7A.3 (1) and 7A.4 (2), ASTM A 120-62T.

B. Flexible polyethylene plastic shall comply with commercial standards CS 255-63, National Sanitation Foundation approved and stamped as published by United States Department of Commerce minimum rating 125 psi, minimum size three-fourths inch I.D.

C. Polyvinyl chloride (PVC) shall comply with commercial standards 256-68.

D. National Sanitation Foundation approved and stamped as published by United States Department of Commerce, High Impact (type 2) for service lines.

E. Acrylonitrile butadiene styrene shall comply with commercial standards 254-63, National Sanitation Foundation approved and stamped.

F. Copper shall comply with ASTM specifications B-88 for type K seamless annealed. (Ord. 212 §20 (part), 1974).

13.04.290 Customer Liability. If any loss or damage to the property of the municipality or any accident or injury to persons or property is caused by or results from the negligence or wrongful act of the customer, member of his household, his agent or employee, the cost of the necessary repairs or replacements shall be paid by the customer to the municipality and any liability otherwise resulting shall be that of the customer. (Ord. 212 §21, 1974).

13.04.300 Refusal of service. The municipality may refuse service to persons not presently customers when, in the opinion of the municipality, the capacity of the facilities will not permit such service. (Ord. 212 §25, 1974).

13.04.310 Changes and amendments. The rules set out in this chapter may be changed or amended. (Ord. 212 §26, 1974).

13.04.320 Complaints. Complaints may be made to the operator of the system and may be appealed to the city council within ten days. (Ord. 212 §27, 1974).

Chapter 13.08

WATER SERVICE – RATES AND CHARGES

Sections:

- 13.08.010 Rates and charges established.
- 13.08.020 Billing, collection and enforcement.
- 13.08.030 Bills—Collection.
- 13.08.040 Application specifications.
- 13.08.050 User liability—Deposit required.
- 13.08.060 Separate fund designated.
- 13.08.070 Recordkeeping—Auditing.
- 13.08.080 Combined utility service bills—Lien for nonpayment.
- 13.08.090 Combined utility service bills—Lien exemption.
- 13.08.100 Combined utility service bills—Delinquency and lien notices.

13.08.010 Rates and charges established.

There are established rates and charges for the use of and for the service supplied by the municipal water system of the city, based upon the meter readings of the amount of water consumed as follows:

A. For the first two thousand five hundred gallons or lesser amount used per month, twenty-five dollars per month, with twenty-five dollars being the minimum monthly bill.

B. For each one thousand gallons in excess of two thousand five hundred gallons used per month, six dollars and thirty cents per one thousand gallons. (Ord. 301 §1, 2006: Ord. 297 §1, 2005: Ord. 294 §1, 2004: Ord. 277 §1, 1997).

13.08.020 Billing, collection and enforcement.

All fees and charges for water service, sewer service, the collection and disposal of solid waste, and any other city utility shall be billed on a single monthly combined utility service bill. The office of the city clerk is authorized and directed to prepare such monthly combined utility service bills and collect the fees or service charges resulting from such billings. All monthly combined utility service bills shall be due and payable on the first day of each month following the reading of meters and shall be paid at the office of the city clerk. If a monthly combined utility service bill is not paid by the tenth day of the month in which it becomes due and payable, a late payment charge of ten percent of the amount of the bill shall be assessed and added to the bill. If any combined utility service bill, including any late payment charge, remains unpaid after ten days following the date of the bill, all city utilities including water service, sewer service, and solid waste collection and disposal service shall be discontinued and shall not be restored until payment of all unpaid due or delinquent combined utility service bills, including any late payment charges, have been made along with the reconnection fee required by Section 13.04.170 and any deposit required under Section 13.04.190 of this title.

If a billed party has notified the city clerk in writing by the tenth day of the month in which a combined utility service bill becomes due and payable that such bill is being contested or if a written request for a hearing is received by the city clerk no later than noon on the day preceding the day scheduled for water service disconnection, then the city utilities shall not be discontinued until after a hearing has been held by the mayor or the mayor's designee. The hearing shall be held within two business days after the written request has been received by the city clerk and the decision of the hearing officer shall be final. (Ord. 292 §10, 2003: Ord. 211 §2, 1974).

13.08.030 Bills—Collection. It is the duty of the clerk to render bills for water service and all other charges in connection therewith and to collect all moneys due therefrom. (Ord. 211 §5, 1974).

13.08.040 Application specifications. A. Applications for water service shall be filed with the water treasurer or city clerk upon a form to be supplied by the city.

B. The application shall state the name of the applicant and the premises to be served.

C. All applications filed after the commencement of the operation of the water system shall be accompanied by a fee of one hundred dollars, payable to the treasurer of the city, for the connection charge. (Ord. 211 §3, 1974).

13.08.050 User liability—Deposit required. A. The owner of the premises served, the occupant thereof and the user of the water, sewer, and solid waste collection or other utility service shall be jointly and severally liable for payment of the combined utility service bill for such utility service provided to the premises.

B. A deposit of one hundred fifty dollars is required from all tenants to ensure payment of all combined utility service bills. When utility service to the tenant is discontinued permanently, this

deposit less any amount still due the city for utility services shall be refunded. Upon temporary disconnection of the water and other utility services due to delinquency in payment of the combined utility service bill, this deposit less the amount of the delinquency and late payment charges will also be refunded, however, reconnection of the water and other utility service for that tenant or a new tenant will require the payment of a new deposit of one hundred fifty dollars. (Ord. 292 §11, 2003; Ord. 262 §1, 1991; Ord. 254 §1, 1989; Ord. 211 §4, 1974).

13.08.060 Separate fund designated. All revenues and moneys derived from the operation of the water system shall be paid to and held by the city separate and apart from all other funds of the city. All of such sums and all other funds and moneys incident to the operation of such system, as may be delivered to the city, shall be deposited in a separate fund designated the Waterworks Fund Account. The city shall administer such fund in every respect in a manner provided by the Code of Iowa and all other laws pertaining thereto. (Ord. 211 §6, 1974).

13.08.070 Recordkeeping—Auditing. A. The city shall establish a proper system of accounts and shall keep proper records, books and accounts in which complete and correct entries shall be made of all transactions relative to the water system.

B. At regular annual intervals the city council shall cause to be made an audit by an independent audit concern of the books to show the receipts and disbursements of the water system. (Ord. 211 §7, 1974).

13.08.080 Combined utility service bills—Lien for nonpayment. Combined utility service bills remaining unpaid and delinquent shall constitute a lien upon the premises served and shall be certified by the city clerk to the county auditor or county treasurer for collection in the same manner as real estate property taxes. A fee of five dollars shall be added to the amount of the delinquent combined utility service bill by the city clerk for expenses to the city in certifying such delinquency to the county. (Ord. 292 §12 (part), 2003).

13.08.090 Combined utility service bills—Lien exemption. The lien for nonpayment shall not apply to residential rental properties for which a separate combined utility service bill is made and for which the bill is paid directly by the tenant, providing the landlord has given written notice to the city clerk that the tenant is solely liable for the billing and deposit of two hundred dollars has been paid to the city by either the landlord or the tenant. The landlord's written notice shall contain the name of the tenant responsible for the billing, the address of the premises and the date of occupancy. A change in tenants shall require a new written notice and a new deposit. When the tenant moves from the rental property, the clerk shall apply the deposit to any unpaid combined utility service bills or other unpaid utility service fees and shall refund the remainder of the deposit to the party who provided the deposit and the lien exemption shall be lifted from the rental property. (Ord. 292 §12 (part), 2003).

13.08.100 Combined utility service bills—Delinquency and lien notices. When a combined utility service bill becomes delinquent, the city clerk shall give notice of such delinquency to the person or party whose name is on the bill and shall also give notice to a landlord who has filed a request to be notified when the landlord's tenant is notified of a delinquency. Before placing a lien upon the premises served for failure to pay the combined utility service bill, the city clerk shall give ten days written notice

by first class mail to the person or party whose name is on the bill and the owner has filed a written request with the city clerk to be notified prior to the filing of the lien. (Ord. 292 §12 (part), 2003).

Chapter 13.12

WATER FLUORIDATION

Sections:

- 13.12.010 Equipment installation—Required.
- 13.12.020 Equipment installation—Water department responsibility.
- 13.12.030 Deemed exercise of police power.

13.12.010 Equipment installation—Required. There shall be installed in the water system of the city the necessary equipment to provide a continuous and controlled addition of fluoride into the public water supply of the city. (Ord. 202 §1, 1968).

13.12.020 Equipment installation—Water department responsibility. The water department of the city is directed to install the equipment required by Section 13.12.010 and to operate the same for the addition and supplementing of fluoride in continuous and controlled amounts to the public water supply of the city, subject to inspection by and directions of the Iowa Department of Health. (Ord. 202 §2, 1968).

13.12.030 Deemed exercise of police power. This chapter shall be deemed a valid exercise of the general police power delegated to cities and towns by the General Assembly of the state of Iowa contained in Section 366.1 of the Code of Iowa. (Ord. 202 §3, 1968).

Chapter 13.16

USER CHARGE SYSTEM

Sections:

- 13.16.010 Purpose.
- 13.16.020 Definitions.
- 13.16.030 User charge system.
- 13.16.040 User charge.
- 13.16.050 Determination of quantity used.
- 13.16.060 Payment of bills.
- 13.16.070 Liability.
- 13.16.080 Nonpayment—Lien.
- 13.16.090 Special agreements.

- 13.16.100 Review of user charge system.
- 13.16.110 Notification of rate.

13.16.010 Purpose. The purpose of this chapter is to protect the health, safety, welfare and convenience of the city to collect charges from all users who contribute wastewater to the city's treatment works. The proceeds of such charges so derived will be used for the purpose of operating, maintaining and retiring the debt for such public wastewater treatment works. (Ord. 275 §1, 1997).

13.16.020 Definitions. For the purposes of this chapter the following terms are defined:

"BOD (biochemical oxygen demand)" means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at twenty degrees C, expressed in milligrams per liter (mg/l).

"City" means the city of Corydon, Iowa.

"Contributor" means any person responsible for the production of domestic, commercial or industrial waste which is directly or indirectly discharged into the public sewer system.

"Debt retirement fund" means a separate fund consisting of the revenue bond sinking account and the revenue bond reserve account.

"Extra strength users" means industrial-commercial contributors to the city's treatment works with waste greater than normal domestic strength wastewater.

"Industrial—commercial user" means any contributor to the city's treatment works whose lot, parcel of real estate, or building is used for other than domestic dwelling purposes.

"Industrial—commercial wastes" means wastewater that has a BOD concentration of more than three hundred mg/l, a total suspended solids concentration of more than three hundred fifty mg/l.

"Normal domestic wastewater" means wastewater that has a BOD concentration of not more than three hundred mg/l, a total suspended solids concentration of not more than three hundred fifty mg/l.

"Operation and maintenance" means all expenditures during the useful life of the treatment works for material, labor, utilities and other items which are necessary for managing and maintaining the treatment works to achieve the capacity and performance for which such works were designed and constructed.

"Operation, maintenance and replacement fund" means a separate nonlapsing fund which includes the operations and maintenance account and the replacement account.

"Parts per million (ppm)" means a weight to weight ratio; the part per million value multiplied by the factor 8.345 shall be equivalent to pounds per million gallons of water, and for the purposes of this chapter means the same as milligrams per liter (mg/l).

"pH" means the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

"Replacement" means expenditures for obtaining and installing equipment, and accessories, or appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designed and constructed. The term "operating and maintenance" includes replacement.

"Residential contributor" means any contributor to the city's treatment works whose lot, parcel of real estate, or building is used for domestic dwelling purposes only.

“Sewage (wastewater)” means the water-carried wastes from residences, business and commercial buildings; institutions and industrial establishments, together with such ground, surface waters and storm waters or unpolluted industrial wastes as may be present in a public or private sewer.

“Sewage treatment plant” means any arrangement of devices and structures used for treating sewage.

“Sewer” means a pipe or conduit for carrying sewage.

“Sewer rental” means any and all charges, rates, fees or rentals levied against and payable by contributors, as consideration for servicing of the contributors by the sewer system.

“Shall” is mandatory; “may” is permissive.

“TKN (total kjeldahl nitrogen)” means the measure of organic nitrogen plus ammonia content in domestic wastewater.

“TSS (total suspended solids)” means solids that either float on the surface of or are in suspension in water, sewage or other liquids and which are removable by laboratory filtering.

“Treatment works” means any devices and systems for the storage, treatment, recycling and reclamation of municipal sewage, domestic sewage or liquid industrial wastes. These include intercepting sewers, individual systems, pumping, power and other equipment and their appurtenances; extensions, improvement, remodeling, additions and alterations thereof, elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities, and any works, including site and acquisition of the land that will be an integral part of the treatment process or is used for the ultimate disposal of residues resulting from such treatment (including land for composting sludge, temporary storage of such compost, and land used for the storage of treated wastewater in land treatment systems before land applications); or any other method of system for preventing, abating reducing, storing, treating, separating or disposing of municipal waste or industrial waste, including waste in combined storm water and sanitary sewer systems.

“Useful life” means the estimated period during which a treatment works will be operated.

“User charge” means that portion of the total wastewater service charge which is levied in a proportional and adequate manner for the cost of operation, maintenance and replacement of the wastewater treatment works.

“Watercourse” means a channel in which a flow of water occurs, either continuously or intermittently.

“Water meter” means a water volume measuring and recording device, furnished and/or installed by the city or furnished and/or installed by a user and approved by the city. (Ord. 275 §2, 1997).

13.16.030 User charge system.

A. The user charge system shall generate adequate annual revenues to pay cost of annual operation, maintenance and replacement and costs associated with debt retirement of bonded capital associated with financing the treatment works which the city may by ordinance designate to be paid by the user charge system which is designated for operation and maintenance including replacement of the treatment works shall be established by this chapter.

B. That portion of the total user charge collected which is designated for operation and maintenance including replacement purposes as established in Section 13.16.040 shall be deposited in a separate nonlapsing fund known as the operation, maintenance and replacement fund and will be kept in two primary accounts as follows:

1. An account designated for the specific purpose of defraying operation and maintenance costs of the treatment works (operation and maintenance account);

2. An account designated for the specific purpose of ensuring replacement needs over the useful life of the treatment works (replacement account). Deposits in the replacement account shall be made annually from the operation, maintenance and replacement revenue in the amount of four thousand two hundred dollars annually.

C. That portion of the total user charge collected which is designated for the debt retirement fund as established in Section 13.16.040 shall be deposited in a separate fund known as the debt service fund and will be kept in two primary accounts as follows:

1. An account designated for the specific purpose of paying principal of and interest on the bonds and parity bonds. The account shall be known as the revenue bond sinking account;

2. An account designated for the specific purpose of providing a reserve for paying principal of and interest on the bonds and parity bonds. The account shall be known as the revenue bond reserve account.

D. Fiscal year-end balances in the operation and maintenance account and the replacement account shall be carded over to the same accounts in the subsequent year, and shall be used for no other purposes than those designated for these accounts. Moneys which have been transferred from other sources to meet temporary shortages in the operation, maintenance and replacement fund shall be returned to their respective accounts upon appropriate adjustment. The user charge rate shall be adjusted such that the transferred monies will be returned to their respective accounts within the fiscal year following the fiscal year in which the moneys were borrowed.

E. Fiscal year-end balances in the revenue bond sinking account and the revenue bond reserve account shall be carded over to the same accounts in the subsequent year, and shall be used for no other purposes than those designated for these accounts. The required amount to be deposited to the revenue bond sinking account in any month shall be an amount equal to one-sixth of the installment of interest coming due on the next interest payment date and one-twelfth of the installment of principal coming due on such bonds on the next principal payment date until the full amount of such installment is on hand. (Ord. 275 §3, 1997).

13.16.040 User charge.

Each user shall pay for the use of and for the service supplied by the municipal sewer system of the city as follows:

A. The minimum charge per month for all users shall be twenty dollars per month, for the first two thousand five hundred gallons or lesser amount of water used per month. For each one thousand gallons in excess of two thousand five hundred gallons used per month, seven dollars per thousand gallons of water used as determined by the water meters acceptable to the city showing the amount of water consumed.

B. For those contributors who contribute wastewater the strength of which is greater than normal domestic wastewater as defined in Section 13.16.020, an extra strength surcharge in addition to the normal user charge will be collected. The extra strength surcharge for the operation and maintenance, replacement and debt retirement is:

1. Eighty-two cents per pound of BOD;

2. Eighty-seven cents per pound of TSS.

C. Any user which discharges any toxic pollutants which cause an increase in the cost of managing the effluent or the sludge from the city's treatment works or any user which discharges any substance which singly or by interaction with other substances causes identifiable increases in the cost of operation, maintenance, or replacement of the treatment works, shall pay for such increased costs. The charge to each such user shall be as determined by the city council. (Ord. 300 §1, 2006; Ord. 275 §4, 1997).
(Ord. No. 310, §2, 10-6-2010; Ord. No. 314, §2, 3-7-2013)

13.16.050 Determination of quantity used.

A. The user charge shall be applied to the quantity of water used by each contributor of sanitary sewerage for each individual water meter contributing to the sewer system as determined by monthly water meter readings of the municipal waterworks of the city, and by such privately owned water supplies as may contribute to the sewerage system; and in the case of unmetered water supplies, the quantity of water used and discharged into the sewerage system of the city shall be determined to the satisfaction of the council at the expense of the owner of unmetered water supply. If the estimated quantity of water from any unmetered water supply is estimated to be in excess of an average of four thousand five hundred gallons per month the council may require that such water supply be metered at the expense of the owner of such water supply.

B. Where flow measurement devices are required of persons contributing industrial wastes to the sewer system, the city may authorize the quantities shown on the permanently recorded records of such flow measurement devices to be used as the basis of determination of the rate to be paid by the person. (Ord. 275 §5, 1997).

13.16.060 Payment of bills.

All fees and charges for sewer service shall be billed on the monthly combined utility service bill for the residence or commercial establishment served and such fees shall be due and payable under the same terms and conditions provided for the payment of combined utility service bills in Chapter 13.08 of the Corydon Municipal Code. Extra strength surcharges assessed under Section 13.16.040(B) of this chapter shall be due and payable at the office of the city clerk within ten days from the due date thereof. (Ord. 292 §13, 2003; Ord. 275 §6, 1997).

13.16.070 Liability.

The owner of the premises served and the occupant thereof and the user of the sanitary sewer service shall be jointly and severally liable for the sewer service provided to the premises. (Ord. 275 §7, 1997).

13.16.080 Nonpayment—Lien.

Sewer service fees and charges remaining unpaid and delinquent by failure to make full payment of the monthly combined utility service bill shall constitute a lien upon the premises served and shall be certified by the city clerk to the county auditor or county treasurer for collection in the same manner as real estate property taxes unless the provisions for lien exemption relating to residential rental properties have been satisfied for the premises. (Ord. 292 §14, 2003; Ord. 275 §8, 1997).

13.16.090 Special agreements.

The user charge ordinance shall take precedence over any terms or condition of agreements or contracts which are inconsistent with the requirements of Section 204 (b) (1) (A) of the Act and 40CFR 35.2140 dated February 17, 1984. (Ord. 275 §9, 1997).

13.16.100 Review of user charge system.

The city shall review the user charge system annually and revise user charge rates as necessary to ensure that the system generates adequate revenues to pay the costs of operation and maintenance including replacement and that the system continues to provide for the proportional distribution of operating and maintenance including replacement costs among users and user classes. (Ord. 275 §10, 1997).

13.16.110 Notification of rate.

The city will notify each user at least annually, in conjunction with a regular bill, of the rate being charged for operation, maintenance including replacement of the treatment works. (Ord. 275 §11, 1997).

Chapter 13.20

SEWER USE REGULATIONS

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ARTICLE I. DEFINITIONS

13.20.010 Generally.

Unless the context specifically indicates otherwise, the meaning of terms used in this chapter shall be as set out in this article. (Ord. 251 Art. I (part), 1986).

13.20.020 BOD.

“BOD” (denoting biochemical oxygen demand) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at twenty degrees centigrade, expressed in milligrams per liter. (Ord. 251 Art. I §1, 1986).

13.20.030 Building drain.

“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 (1.5 meters) outside the inner face of the building wall. (Ord. 251 Art. I §2, 1986).

13.20.040 Building Sewer.

“Building Sewer” means the extension from the building drain to the public sewer or other place of disposal. (Ord. 251 Art. I §3, 1986).

13.20.050 Combined sewer.

“Combined sewer” means a sewer receiving both surface runoff and sewage. (Ord. 251 Art. I §4, 1986).

13.20.060 Garbage.

“Garbage” means solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of produce. (Ord. 251 Art. I §5, 1986).

13.20.070 Industrial Waste.

“Industrial waste” means the liquid wastes from industrial manufacturing processes, trade, or business as distinct from sanitary sewage. (Ord. 251 Art. I §6, 1986).

13.20.80 Natural outlet.

“Natural outlet” means any outlet into a watercourse, pond, ditch, lake, or other body of surface or groundwater. (Ord. 251 Art. I §7, 1986).

13.20.090 Person.

“Person” means any individual, firm, company, association, society, corporation, or group. (Ord. 251 Art. I §8, 1986).

13.20.100 pH.

“pH” means the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution. (Ord. 251 Art. I §9, 1986).

13.20.110 Properly shredded garbage.

“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 one-half inch (1.27 centimeters) in any dimension. (Ord. 251 Art. I §10, 1986).

13.20.120 Public Sewer.

“Public sewer” means a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority. (Ord. 251 Art. I §11, 1986).

13.20.130 Sanitary sewer.

“Sanitary sewer” means a sewer which carries sewage and to which stormwaters, surface waters, and groundwaters are not intentionally admitted. (Ord. 251 Art I §12, 1986).

13.20.140 Sewage.

“Sewage” means a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such groundwaters, surface waters and stormwaters as may be present. (Ord. 251 Art. I §13, 1986).

13.20.150 Sewage treatment plant.

“Sewage treatment plant” means any arrangement of devices and structures used for treating sewage. (Ord. 251 Art. I §14, 1986).

13.20.160 Sewage works.

“Sewage works” means all facilities for collecting, pumping, treating and disposing of sewage. (Ord. 251 Art. I §15, 1986).

13.20.170 Sewer.

“Sewer” means a pipe or conduit for carrying sewage. (Ord. 251 Art. I §16, 1986).

13.20.180 Shall, may.

“Shall” is a mandatory; “may” is permissive. (Ord. 251 Art. I §17, 1986).

13.20.190 Slug.

“Slug” means any discharge of water, sewage or industrial waste which in connection 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. (Ord. 251 Art. I §18, 1986).

13.02.200 Storm drain.

“Storm drain” (sometimes termed “storm sewer”) means a sewer which carries stormwaters and surface waters and drainage but excludes sewage and industrial wastes other than unpolluted cooling water. (Ord. 251 Art. 1 §19, 1986).

13.02.210 Superintendent.

“Superintendent” means the superintendent of sewage works or other duly authorized deputy, agent, or representative as appointed by the city council of Corydon, Iowa. (Ord. 251 Art. I §20, 1986).

13.02.220 Suspended solids.

“Suspended solids” means solids that either float on the surface of, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering. (Ord. 251 Art. I §21, 1986).

13.20.230 Watercourse.

“Watercourse” means a channel in which a flow of water occurs, wither continuously or intermittently. (Ord. 251 Art. I §22, 1986).

ARTICLE II. UNLAWFUL DEPOSITS AND DISCHARGES – INSTALLATION OF TOILET FACILITIES

13.20.240 Deposit of unsanitary matter prohibited.

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, any human or animal excrement, garbage, or other objectionable waste. (Ord. 251 Art. II §1, 1986).

13.20.250 Prohibited discharge.

It shall be unlawful to discharge to any natural outlet within the city of 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. (Ord. 251 Art. II §2, 1986).

13.20.260 Privies and cesspools.

Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage. (Ord. 251 Art. II §3, 1986).

13.20.270 Installation of toilet facilities.

The owner of all houses, buildings, or properties used for human 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, is required at his expense to install suitable toilet facilities therein, and to connect such facilities directly into the proper public sewer in accordance with the provisions of this chapter within ninety days after date of official notice to do so, provided that such public sewer is within three hundred feet of the property line. (Ord. 251 Art. II §4, 1986).

ARTICLE III. PRIVATE SYSTEMS

13.20.280 Where permitted.

Where a public sanitary or combined sewer is not available under the provisions of Section 13.20.270, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this article. (Ord. 251 Art. III §1, 1986).

13.20.290 Permit required – Fee.

Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the superintendent. The application for such permit shall be made on a form furnished by the city, which the applicant shall supplement by any plans, specifications and other information as are deemed necessary by the superintendent. A permit and inspection fee of ten dollars shall be paid to the city at the time the application is filed. (Ord. 251 Art. III §2, 1986).

13.20.300 Inspection.

A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of superintendent. He shall be allowed to inspect the work at any state of construction and, in any event, the applicant for the permit shall notify the superintendent when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within forty-eight hours of the receipt of notice by the superintendent. (Ord. 251 Art. III §3, 1986).

13.20.310 Compliance required.

The type, capacities, location, layout of a private sewage disposal system shall comply with all recommendations of the Health Department of the state of Iowa. No permit shall be issued for any private sewage disposal system employing subsurface soil absorption facilities where the area of the lot is less than one acre. No septic tank or cesspool shall be permitted to discharge to any natural outlet. (Ord. 251 Art. III §4, 1986).

13.20.320 Applicability of public sewer—Connection required.

At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Section 13.20.310, a direct connection shall be made to the public sewer in compliance with this chapter, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned and filled with suitable material. (Ord. 251 Art. III §5, 1986).

13.20.330 Operation and maintenance.

The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the city. (Ord. 251 Art. III §6, 1986).

13.20.340 Provisions not exclusive.

No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the health officer. (Ord. 251 Art. III §7, 1986).

13.20.350 Availability of public sewer – Connection requirements.

When a public sewer becomes available, the building sewer shall be connected to the sewer within sixty days and the private sewage disposal system shall be cleaned of sludge and filled with clean bankrun gravel or dirt. (Ord. 251 Art. III §8, 1986).

ARTICLE IV. CONNECTION WITH PUBLIC SEWER

13.20.360 Permit required.

No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the superintendent. (Ord. 251 Art. IV §1, 1986).

13.20.370 Permit application.

There shall be two classes of building sewer permits: (a) for residential and commercial service, and (b) 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. A permit and inspection fee of ten dollars for a dollars for residential or commercial building sewer permit and twenty-five dollars for an industrial building sewer permit shall be paid to the city at the time the application is filed. (Ord. 251 Art. IV §2, 1986).

13.20.380 Expenses – Indemnification.

All costs and expenses incident 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. (Ord. 251 Art. IV §3, 1986).

13.20.390 Separate connections required.

A separate and independent building sewer shall be provided for every building; except where on 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 and the whole considered as one building sewer. (Ord. 251 Art. IV §4, 1986).

13.20.400 Old building sewers.

Old building sewers may be used in connection with new building only when they are found, on examination and test by the superintendent, to meet all requirements of this chapter. (Ord. 251 Art. IV §5, 1986).

13.20.410 Construction and excavation to conform with building codes.

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 all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the city. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of ASTM and WPCF Manual of Practice No. 9 shall apply. (Ord. 251 Art. IV §6, 1986).

13.20.420 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 to 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. (Ord. 251 Art. IV §7, 1986).

13.20.430 Surface runoff connections prohibited.

No person shall make connection of roof downspouts, interior and 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. 251 Art. IV §8, 1986).

13.20.440 Connection with public sewer to comply with codes and specifications.

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, or the procedures set forth in appropriate specifications of the ASTM and the WPCF Manual of Practice No. 9. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the superintendent before installation. (Ord. 251 Art. IV §9, 1986).

13.20.450 Inspection – Notification.

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 shall be made under the supervision of the superintendent or his representative. (Ord. 251 Art. IV §10, 1986).

13.20.460 Barricading and restoration of 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. 251 Art. IV §11, 1986).

ARTICLE V. WASTEWATER DISPOSAL

13.20.470 Discharge into sanitary sewer prohibited.

No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, including interior and exterior foundation drains, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer. (Ord. 251 Art. V §1, 1986).

13.20.480 Stormwater and unpolluted drainage.

Stormwater and all other unpolluted drainage shall be discharged to such sewers or storm sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the superintendent. Industrial cooling water or unpolluted process waters may be discharged on approval of the superintendent to a storm sewer, combined sewer, or natural outlet. (Ord. 251 Art. V §2, 1986).

13.20.190 Discharges prohibited to public sewer.

No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers.

- A. Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid, or gas;
- B. Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to institute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant, including but not limited to cyanides in excess of two mg/l as CN in the wastes as discharged to the public sewer;
- C. Any waters or wastes having a pH lower than 5.5, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works;
- D. 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 sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, underground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders. (Ord. 251 Art. V §3, 1986).

13.20.500 Discharge prohibited by superintendent.

No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the superintendent that such wastes can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving stream or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the superintendent will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment works, degree of treatability of wastes in the sewage treatment works, degree of treatability of wastes in the sewage treatment works, and other pertinent factors. The substances prohibited are:

A. Any liquid or vapor having a temperature higher than one hundred fifty degrees Fahrenheit (sixty-five degrees Celsius);

B. Any water or wastes containing fats, wax, grease or oils, whether emulsified or not, in excess of one hundred mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two and one hundred fifty degrees Fahrenheit (zero and sixty-five degrees Celsius);

C. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the superintendent;

D. Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not;

E. Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the superintendent for such materials;

F. Any works or wastes containing phenols or other taste-producing or odor-producing substances, in such concentrations exceeding limits which may be established by the superintendent as necessary, after treatment of the composite sewage, to meet the requirements of state, federal, or other public agencies of jurisdiction for such discharge to the receiving waters;

G. 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;

H. Any waters or wastes having a pH in excess of 9.5;

I. Materials which exert or cause:

1. Unusual concentration of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride or sodium sulfate),

2. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions),

3. Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works,

4. Unusual volume of flow or concentration of wastes constituting "slugs" as defined in this chapter;

J. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters;

K. Any waters or wastes having (1) a five-day BOD greater than three hundred parts per million by weight, or (2) containing more than three hundred fifty parts per million by weight of suspended solids, or (3) having an average daily flow greater than twenty percent of the average sewage flow of the city, shall be subject to the review of the superintendent. Where necessary in the opinion of the superintendent, the owner shall provide, at his expense, such preliminary treatment as may be necessary to (1) reduce the biochemical oxygen demand to three parts per million by weight, or (2) reduce the suspended solids to three hundred fifty parts per million by weight, or (3) control the quantities and rates of discharge of such waters or wastes. Plans, specifications, and any other pertinent information

relating to proposed preliminary treatment facilities shall be submitted for the approval of the superintendent and no construction of such facilities shall be commenced until said approvals are obtained in writing. (Ord. 251 Art. V §4, 1986).

13.20.510 Unacceptable discharges—Action by superintendent.

A. If any waters or wastes are discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 13.20.500 of this article, and which in the judgement of the superintendent, may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life to 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 Section 13.20.560 of this article.

B. 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 requirements of all applicable codes, ordinances and laws. (Ord. 251 Art. V §5, 1986).

13.20.520 Grease, oil and sand interceptors.

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 grease in excessive amounts, or any flammable wastes, and/or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the superintendent and shall be located as to be readily and easily accessible for cleaning and inspection. (Ord. 251 Art. V §6, 1986).

13.20.530 Preliminary treatment or flow-equalizing facilities.

Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense. (Ord. 251 Art. V §7, 1986).

13.20.540 Control manhole.

When required by the superintendent, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located, and shall be installed by him so as to be safe and accessible at all times. (Ord. 251 Art. V §5, 1986).

13.20.550 Measurements, tests, and analyses of water and wastes.

All measurements, tests, and analyses of the characteristics of water and wastes to which reference is made in this chapter shall be determined in accordance with the latest edition of "Standard Methods for Examination of Water and Wastewater," published by the American Public Health

Association, and shall be determined at the control manhole provided, or upon suitable samples taken at such control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb, and property. (The particular analyses involved will determine whether a twenty-four-hour composite of all outfalls of a premises is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from twenty-four-hour composites of all outfalls whereas pH's are determined from periodic grab samples). (Ord. 251 Art. V §9, 1986).

13.20.560 Special agreements between city and industrial concern.

No statement contained in this article shall be construed as preventing any special agreement or arrangement between the city and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the city for treatment, subject to payment therefore, by the industrial concern. (Ord. 251 Art. V §10, 1986).

ARTICLE VI. DESTRUCTION OR TAMPERING WITH EQUIPMENT

13.20.570 Prohibited acts.

No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is part of the sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct. (Ord. 251 Art. VI §1, 1986).

ARTICLE VII. ACTS BY EMPLOYEES

13.20.580 Right of entry on property.

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 in accordance with the provisions of this chapter. The superintendent or his representative shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper, or other industries beyond that point that a direct bearing on the kinds and source of discharge to the sewers or waterways or facilities for waste treatment. (Ord. 251 Art. VII §1, 1986).

13.20.590 Safety—Indemnification.

While performing the necessary work on private properties referred to in Section 13.20.580, 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 person injury or property damage asserted against the company and 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 Section 13.20.540. (Ord. 251 Art. VII §2, 1986).

13.20.600 Right of entry where easement negotiated.

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 sewage works lying within such 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. 251 Art. VII §3, 1986).

ARTICLE VIII. VIOLATIONS

13.20.610 Service of notice.

Any person found to be violating any provision of this chapter except Article VI shall be served by the city with written notice stating the nature of the violation and proving a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of times stated in such notice, permanently cease all violations. (Ord. 251 Art. VIII §1, 1986).

13.20.620 Penalty for violation.

Any person who shall continue any violation beyond the time limit provided for in Section 13.20.610 shall be guilty of a misdemeanor, and on conviction thereof shall be fined in the amount not exceeding one hundred dollars for each violation. Each twenty-four-hour period in which any violation shall continue shall be deemed a separate offense. (Ord. 251 Art. VIII §2, 1986).

13.20.630 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. 251 Art. VIII §3, 1986).

Title 14

(RESERVED)