

TITLE V: PUBLIC WORKS

Chapter

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CHAPTER 50: GARBAGE

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§ 50.01 DEFINITIONS.

For the purposes of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

GARBAGE. All refuse or accumulation of animal and vegetable matter which attends the preparation, transportation, cooking, eating, sale, disposal or storage of meat, fish, vegetables, fruit and all other food or food products.

TRASH. All waste paper, rags, refuse, leaves, cans, other containers and all accumulations of waste not defined as garbage.
(Prior Code, § 5:1:1)

§ 50.02 LICENSE FOR COLLECTION AND HAULING OF GARBAGE.

It shall be unlawful for anyone to engage in the business of collecting and hauling garbage or trash from any place within the city without first having obtained a license. All applications for licenses shall be in writing and shall give the name and address of the person or firm proposing to enter into the business, together with the number and type of vehicles to be used. The application may be given to the City Finance Officer, any member of the City Council or may be presented at any regular meeting in person. The City Council shall act on all license applications and, if any are refused, the reasons therefore shall be stated in writing. All licenses shall be annual and shall expire December 31, of each year. The annual fee for each vehicle engaged in this business shall be set by the City Council annually.
(Prior Code, § 5:1:2) Penalty, see § 10.99

§ 50.03 GARBAGE CONTAINERS.

The occupant of every dwelling house or apartment and of every place of business and building shall provide a suitable container in which the occupants shall deposit all garbage accumulating upon the premises, which garbage containers shall be kept in an unobtrusive manner except to facilitate scheduled pickup. Garbage cans shall be provided with tightly fitting covers. The vicinity of garbage cans shall be kept free from garbage.
(Prior Code, § 5:1:3) Penalty, see § 10.99

§ 50.04 DEPOSITING GARBAGE.

No person shall deposit, throw or place any garbage or trash in or upon any street, avenue, alley or other public place in the city, nor upon any private property whether owned by the person or not, unless the garbage shall be enclosed in a suitable container; provided, however, that this section shall not apply to fertilizer placed on lots or parcels of land if the same is done in a manner that it is not offensive nor injurious to public health.
(Prior Code, § 5:1:4) Penalty, see § 10.99

§ 50.05 RESTRICTED USE WASTE SITE.

(A) The city operates a restricted use site under the following regulations and charges.

(1) The following items may be disposed of at the site:

(a) Shingles, furniture and mattresses to be buried; and

(b) Scrap lumber, untreated wood, trees and tree branches to be burned and buried.

(2) The following items may be stored at the site:

(a) Refrigerators, washer, dryers, freezers, stoves, water heaters and other recyclable scrap metal. Refrigerators and freezers shall be rendered child safe; and

(b) Leaves and grass clippings for compost.

(3) (a) The charges for items will be on an “as use” basis. Fees for use by non-residents will be set by resolution of the Council from time to time:

<i>Use</i>	<i>Charge</i>
Per each water meter billed by the city per month	\$2
Out of town (no city water service)	Pay at the gate
Pickup load	Resolution
Trailer (flatbed load)	Resolution
Farm truck load	Resolution

Out of town (no city water service)	Pay at the gate
White good	Resolution
Contractors	
Same rate as out of town use; keep track of loads at gate and send monthly billing; will be encouraged to use a construction dumpster if possible	

(B) No one, unless authorized by the city, may remove any items from the restricted use site after they have been deposited there.

(C) Scavenging is prohibited.

(D) All other household garbage to be picked up curbside on a weekly basis at the following rates:

Residential	Resolution
Commercial	To be negotiated and paid directly to the garbage hauler

(E) All household garbage to be picked up must be contained in plastic bags.

(F) No items accepted at the restricted use site will be picked up with the household garbage by the hauler.

(G) After hours dumping at the restricted use site will only be allowed on non-holiday weekdays. Any dumping must be attended by an employee or official from the city and an extra charge of double the regular charge or \$15 which ever is greater, will be assessed to any individual requesting after hours privileges.

(H) All fees are subject to change by resolution of the City Council as it deems necessary.

(I) The city restricted use site shall not allow waste tire storage.

(J) All persons dumping shall follow instructions for sorting waste as outlined by the DENR. Also, dumping hours may be set by the City Council on an as needed or seasonal basis. (Prior Code, § 5:1:5) (Ord. 2080, passed 4-7-1997; Ord. 2082, passed 9-3-1997; Res. 1999-21, passed 3-1-1999; Ord. 2131, passed 2-6-2006)

§ 50.06 VEHICLES USED FOR COLLECTING.

(A) Collectors of garbage shall provide themselves with a suitable vehicle covered on the top so as to prevent the escape of odors and contents.

(B) The vehicles shall be thoroughly washed whenever necessary to prevent them from becoming dangerous or offensive to public health. (Prior Code, § 5:1:6)

§ 50.07 BURNING GARBAGE.

No garbage or other matter that gives off an offensive odor during combustion shall be burned in the city.

(Prior Code, § 5:1:7) Penalty, see § 10.99

Cross-reference:

Burning rubbish, see § 36.26

§ 50.08 REVOCATION OF LICENSE.

In addition to any penalties provided elsewhere in this code, the City Council may, upon a showing of sufficient cause, revoke any license granted for the collection of garbage. Conviction for violating any or the provisions of this chapter shall be sufficient cause.

(Prior Code, § 5:1:8)

§ 50.09 TRASH DISPOSAL.

Any combustible trash that can be burned without offensive or injurious odors may be burned provided the same is burned in an approved trash burner as adopted in § 36.26.

(Prior Code, § 5:1:9)

CHAPTER 51: WATER

Section

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WATER DEPARTMENT

§ 51.01 DEPARTMENT ESTABLISHED.

There is established in the city a Water Department which shall consist of the Water and Street Superintendent and two members of the City Council to be appointed by the Mayor. The Department is to have charge and control of the municipal water plant and water system of the city and to make regulations for its operation and service as they deem necessary in addition to the regulations hereinafter established.

(Prior Code, § 8:1:1) (Ord. 2025, passed 3-9-1990; Ord. 2026, passed 3-9-1990)

§ 51.02 WATER SUPERINTENDENT; DUTIES, SALARY, OTHER EMPLOYEES.

(A) The Superintendent of Water Works shall have the immediate control, protection and

management of the water works of the city and have all the powers and duties hereinafter enumerated, or which may hereafter be given him or her and shall discharge his or her duties under the direction and control of the City Council and Water Department of the city. He or she shall be appointed in the same manner as all other appointive officers at a salary to be fixed by the City Council.

(B) All other regular employees of the water works shall be appointed in the same manner as other appointive officers and shall receive compensation as the City Council may determine.

(C) The Superintendent shall, at the end of each year, make and file with the City Finance Officer, a complete inventory in detail, of all tools, implements, furniture and other articles of personal property belonging to the Department with which he or she shall be charged. He or she shall also keep in a book provided therefore, records with a suitable diagram showing the location, number and size of all taps in the main and service pipes connecting therewith, and other records as he or she may be directed.

(Prior Code, § 8:1:2) (Ord. 2025, passed 3-9-1990; Ord. 2026, passed 3-9-1990)

§ 51.03 RULES AND REGULATIONS.

The following rules and regulations are hereby established for the Water Department and the control of all persons doing any plumbing work in and upon any of the mains, connections and appliances appertaining to the city water works.

(A) *Application.* Application for water service or a service renewal must be made in writing in person by the owner or agent in charge of the property to the Water Department, stating the street and number and legal description of the property where service is desired.

(B) *Security deposit.* There shall be required of all applications for water service a security deposit as hereafter provided. The security deposit will be waived for any customer who has a record of 60 consecutive months of non-delinquent payments for water services. A customer who has 60 months of non-delinquent payments shall be entitled to a refund

of the security deposit upon written request. A customer wishing to discontinue water service shall be entitled to a refund of the security deposit upon written request, less any unpaid or delinquent payments.

(1) *Residential customers.* The security deposit of single-family residential accounts shall be \$75.

(2) *Commercial lodging.* The security deposit for hotels, motels, apartments or other accounts providing temporary or transient lodging shall be \$30 per unit.

(3) *Commercial campground.* The security deposit for a commercial campground shall be \$6 per space without a pool and \$14 per space with a pool.

(4) *Commercial accounts.* The security deposit for commercial accounts not providing lodging facilities shall be as follows.

Restaurant	\$4.75 per seat
Auto service stations	
With a car wash	\$500
Without a car wash	\$100
Car wash facilities	\$500
Laundromats	\$250
Others	\$100

(5) *Rental property.* The deposit for rentals shall be \$100 per unit. The deposit shall be applied, at the discretion of the city, to any unpaid water bill or repair bill due from the owner or the lessor.

(C) *Owner responsible for pipes and fixtures.* The Water Department will not be responsible for pipes and fixtures. All owners must keep their service pipe from the point of connection with the city curb stop to their premises and all other apparatus in good working order and properly protected from frost and other danger. No claim shall be made against the city by reason of the breaking of any of the service pipes or apparatus or from any other damage that may result from shutting off water for repairs or any other purpose. No reduction will be made from regular rates because of leaking pipes or fixtures.

(D) *Must not permit others to use water.* No consumer shall permit the owner or occupant of other premises to use water from his or her service except by special permission from the Water Department.

(E) *Pipes inspected before covering.* No water pipes laid underground shall be covered until after the water has been turned into the pipes and the pipes tested by an authorized employee of the Water Department and found to be water-tight and below frost line, except when otherwise specifically permitted by the Water Department.

(F) *Extension of pipes.* Water pipes must not be extended from one premises to another without special permission from the Water Department.

(G) *Meters required.* All dwellings or places supplied with water shall be metered. All meters shall be of a type approved by the Water Department and shall be installed by the Water Department. Before being installed, all meters shall be tested by the Water Department. The city shall own and supply all one-inch meters. Larger meters shall be purchased by the owner through the city and owned by the user. All meters must be installed by the city or a state-certified plumber.

(H) *Meters failing to register.* In cases where water meters fail to register the amount of water passing through them, the quantity used shall be determined and the charge based upon previous consumption or an analysis of the account.

(I) *Testing meters.* In case there is any doubt regarding the accuracy of any meter, the meter may be tested by depositing a \$10 fee with the Water Department, and if the meter proves to be correct, the deposit shall be retained to pay for labor in making the test. If the meter is more than 2% fast, the deposit will be refunded and proper reductions made from the bill for the preceding period. If the meter is more than 2% slow, the proper amount will be added to the bill and the deposit retained.

(J) *Tampering with meters.* No person shall tamper in any way with a water meter or interfere with its registering. No person shall in any way by-pass the water around the meter or make any connections on the

water line ahead of the water meter. In those cases the Water Department shall approximate the water bills according to information and records on file in the Water Department.

(K) *Repairs to meters.* The city will make all necessary repairs to meters occasioned by ordinary wear and tear, all other repairs including damage from freezing or intentional acts shall be made at the expense of the owner of the premises and charged against the rental account of the owner or user and payable as water rent. The repairs may include replacement of the meter.

(L) *Breaking seals.* No person shall break any seal upon any meter, valve, private fire hydrant or other fixtures that may be sealed by the Water Department, except that the seals on private fire hydrants and private fire protection valves may be broken in case of fire, and when so broken shall be reported to the Water Department within 24 hours.

(M) *City not responsible.* The city will not be responsible for accidents resulting from insecure boilers or from variations in the water pressure or the ram of the water from the mains or from collapse from any cause whatsoever.

(N) *Interfering with fire hydrants.*

(1) No person except as authorized by the Water Department or Fire Department shall open or take any water from any fire hydrant belonging to the Water Department, nor shall any person in any way interfere with, injure, break or deface any fire hydrant belonging to the Water Department.

(2) Any person damaging a fire hydrant, water main or any connection thereto shall notify the Water Department or the Police Department at once. The person responsible for the damages shall pay the cost of repairs or replacements.

(O) *Sprinkling.* All water used for air cooling systems, street, lawn or garden sprinkling is subordinate to domestic use or fire protection and may be restricted by the Water Department at any time should the scarcity of water or an emergency so require. Water shall not be drawn from a fire hydrant for sprinklers or flushers during a fire.

(P) *Notice to discontinue required.* Owners or consumers desiring to discontinue the use of water shall give written notice to the Water Department. Regular rates shall be continued until the notice is given.

(Q) *Licensed plumbers.* No person, except a regularly licensed plumber or a regular employee of the Water Department, shall be permitted to do any work on any pipes or connections made with the mains of, or in any way connected with, the water supply of the city. No plumber shall directly or indirectly allow any other person to do any work on the appliances under his or her license. All plumbers shall be subject to the provisions of this chapter.

(R) *Permit from Plumbing Inspector.* No plumbing work of any kind mentioned in division (Q) above shall be done by any plumber in or upon any water pipes, fixtures or apparatus connected therewith without written permission to do that work granted by the Water Department.

(S) *May shut off water to make repairs.* In case of leaks or other accidents to pipes or other apparatus connected with the city water works, licensed plumbers may shut off the water to make the necessary repairs. Where it is necessary to disconnect a water meter, notice must be given to the Water Department. No meter shall be removed or moved without permission of the Department.

(T) *Comply with regulations.* All water consumers connected with the city water system must comply with the sanitary regulations of the city.

(U) *Building purposes.* Any person desiring to use water for building purposes shall make application to the Water Department and shall pay for water used according to the meter.

(V) *Authority of Department.* The Superintendent or other officer or employee of the Water Department shall be permitted at all reasonable hours to enter the premises or buildings of consumers for the purpose of reading meters and examining water pipes and fixtures, and the manner in which water is used. The city reserves the right to require the owner or user to set or remove a meter or change its location whenever it is deemed advisable. The owner or occupant of the premises must at all times, frankly and without concealment, answer all questions put to them by the representative of the city pertaining to the use of the water and its consumption. If in the opinion of the Superintendent, the water is wasted through negligence, want or repairs or for any other reason he or she shall give verbal or written notice thereof to the consumer or owner to make the necessary repairs or changes and if the waste is not repaired within a reasonable length of time after notice is given, the water will be shut off and shall not be turned on again until the Superintendent so orders. If the waste of the water is great or when damage is likely to result from leakage, the water will be turned off immediately. The water will be turned off for any willful or persistent violation of the rules in force in relation to the use thereof. In any case, when the water is cut off, it shall not be turned on again until the sum of \$20 has been paid into the City Treasury as a penalty therefore, and the amount shall go to the credit of the Water Fund.

(W) *Water shut-off expense.*

(1) The Water Department may shut off the water to any premises when the water bill is not paid by the user in accordance with the rules of the Department or upon violation of any of the rules and regulations of the Department or of this chapter by the user or owner of the premises served. When the water is turned off, it shall not be turned on again until arrangements have been made with the Finance Officer for the payment of all the arrears, together with the additional sum of \$20 to cover the expense of shutting off and turning on the water plus any additional deposit required by the city. When a partial payment is made, the credit shall apply on the oldest item of the account.

(2) No person shall turn on the water to any premises from which the water has been turned off as herein provided without authority from the Water Department.

(X) *Interfering with or damaging property of Water Department prohibited.*

(1) No person shall willfully deface, damage, move, obstruct or interfere with any fire or water hydrant, main or other property of the Water Department, and for violation of this section any person convicted thereof, in addition to other penalties provided shall be required to pay the cost of restoring and repairing the property damaged.

(2) No new connection made to a private dwelling from the city mains shall be smaller than mandated by the State Plumbing Code.

(Prior Code, § 8:1:3) (Ord. 2004, passed 5-9-1988; Ord. 2025, passed 3-9-1990; Ord. 2026, passed 3-9-1990) Penalty, see § 10.99

§ 51.04 MAP OF CITY MAINS.

It shall be the duty of the Water Superintendent to provide and maintain a comprehensive map of all water mains, branches, extensions, hydrants and gates, showing their location and size and it shall be the duty of the Superintendent to furnish all information of any changes of or additions to the water system so that the maps and records thereof may be from time to time corrected and enlarged as the occasion may require.

(Prior Code, § 8:1:4)

§ 51.05 RATES.

(A) Water users within the city limits shall pay \$10.50 as a continuing connection fee and an additional \$3.50 per 1,000 gallons. These rates may be modified hereafter by resolution of the Council.

(B) Water users outside the city limits who receive water service via pipeline, shall pay \$10.50 as a

continuing connection fee and an additional \$4.50 per 1,000 gallons. These rates may be modified hereafter by resolution of the Council.

(C) Water users who receive water through the outside coin operated water salesman and transport the water by tank, truck or any other container shall pay \$4.50 per 1,000 gallons.

(D) Minimum charges for services, water, sewer and landfill, (or those services designated to an account) will apply in all circumstances unless service is permanently terminated. This is interpreted to mean water service will be disconnected for not less than the period of one year. If service is requested by the same party in less than one year, the city will require the back charges paid before service is restored.
(Prior Code, § 8:1:5) (Ord. 2009, passed 12-8-1988; Ord. 2106, passed 1-6-2003; Ord. 2139, passed 12-30-2009)

§ 51.06 CITY BILLING DATES.

(A) Residential water meters will be read by the City Water Department via an outside readout on the water meter to be paid for and installed by the city. Commercial water meters must be easily accessible to be read by the city during normal business hours. Water meters will be read between the tenth and the fifteenth of every month or as soon thereafter as possible. The bills will be calculated and mailed by the city approximately the twentieth of every month, and payment is due by the fifth of the following month. Bills are delinquent and the account will be charged the delinquent fee if payment is not received by that date.

(B) Water bills will include the sewer, restricted use site and landfill charges.
(Prior Code, § 8:1:6) (Ord. 2009, passed 12-8-1988; Ord. 2072, passed 12-4-1995; Ord. 2075, passed 5-3-1996)

§ 51.07 METER PITS.

All meter pits shall be a minimum of four feet in diameter. Meter pits for water delivered outside the city limits shall be placed inside the city limits as close to the connection with the main as possible. All meter pits, including vaults, must be approved by the Water Department.
(Prior Code, § 8:1:7)

§ 51.08 DELINQUENT AND RECONNECT FEES.

(A) *Delinquent fees.*

(1) A late fee of \$10 will be added if the bill is not paid by the close of business on the fifth day of the month after the bill is processed.

(2) Delinquent accounts will be disconnected if the bill is not paid in 30 days of being delinquent.

(B) *Reconnect fees.*

(1) If a service is disconnected, due to delinquency, a \$20 reconnect charge must be paid along with all charges on the account prior to reactivation.

(2) If an account is temporarily or seasonally disconnected, a \$30 charge will be assessed to the account upon reconnecting.

(3) A request must be made to the City Water Department for temporary disconnection or the regular monthly minimum will be assessed to the account. No new account may be opened unless all delinquent account and fees chargeable to new account holder and any deposit or connection fees have been paid.
(Prior Code, § 8:1:8) (Ord. 2009, passed 12-8-1988; Ord. 2075, passed 5-3-1996)

§ 51.09 DISCONNECTION FOR LATE PAYMENT.

(A) It is the policy of the city to discontinue utility service to customers by reason of nonpayment of bills only after notice and a meaningful opportunity to be heard on disputed bills. The city's form for application for utility service and all bills shall contain, in addition to the title, address, room number, and telephone number of the official in charge of billing, clearly visible and easily readable provisions to the effect:

(1) That all bills are due and payable on or before the date set forth on the bill; and

(2) That if any bill is not paid by or before that date, a second bill will be mailed containing a cutoff notice that if the bill is not paid within ten days of the mailing of the second bill, service will be discontinued for nonpayment; and

(3) That any customer disputing the correctness of his or her bill shall have a right to a hearing at which time he or she may be represented in person and by counsel or any other person of his choosing and may present orally or in writing his or her complaint and contentions to the city official in charge of utility billing. This official shall be authorized to order that the customer's service not be discontinued and shall have the authority to make a final determination of the customer's complaint.

(B) Requests for delays or waiver of payment will not be entertained; only questions of proper and correct billing will be considered. In the absence of payment of the bill rendered or resort to the hearing procedure provided herein, service will be discontinued at the time specified, but in no event until the charges have been due and unpaid for at least 30 days.

(C) When it becomes necessary for the city to discontinue utility service to a customer for nonpayment of bills, service will be reinstated only after all bills for service then due have been paid, along with a turn-on charge in the sum as set out in § 51.08.

§ 51.10 CONSUMER TO PAY COST OF NEW WATER AND SEWER LINES; MAINTENANCE BY CITY.

(A) Installation costs for materials and labor for new water and sewer service lines shall be paid entirely by the consumer who requests permission in writing to connect to the city water or sewer mains. The city will not bear any costs incurred.

(B) After initial installation, the city will maintain all water service lines of one inch or smaller diameter from the city main to the consumer's side of the curbstop, not to exceed a distance of 50 feet.

(C) All maintenance costs on water services larger than one inch in diameter, including the costs of meters, shall be paid by the consumer.

(D) All maintenance costs on sewer service lines shall be paid by the consumer.
(Ord. 2003, passed 5-9-1988)

PLUMBING REGULATIONS

§ 51.25 INSPECTOR; OFFICE AND DUTIES.

(A) The office of Plumbing Inspector is hereby established. The Plumbing Inspector shall be the Water and Street Superintendent. He or she shall perform duties as the Council shall prescribe and shall be charged with the enforcement of all rules, regulations and order relating to plumbing, sewers, house drainage, ventilation and the inspection, examination and approval or rejection of all plans for plumbing in new or old buildings.

(B) The Plumbing Inspector shall receive no additional compensation for his or her services. The Plumbing Inspector during his or her term of office shall not be interested directly or indirectly in any sewer or plumbing contract or work in the city.

(C) (1) It shall be the duty of the Plumbing Inspector to see that the construction and maintenance of the plumbing, draining and ventilating of all buildings shall conform to the provisions of this chapter and to pass upon all plans submitted.

(2) He or she shall inspect all plumbing during construction in new or old buildings and shall see that all plumbing work complies with this chapter and the rules and regulations of the State Plumbing Commission. (Prior Code, § 8:2:1)

§ 51.26 ACCESS TO BUILDINGS.

The Plumbing Inspector shall have access to all buildings for the purpose of examining and carrying into effect all provisions relating to health and ventilation. (Prior Code, § 8:2:2)

§ 51.27 ALL WORK SUPERVISED.

All plumbing work shall be subject to inspection and review by the Street or Water Superintendent until its completion. The Building Committee can revoke the permit at any time when the work is not being done in accordance with this chapter, and it will be unlawful for any person to proceed further with the work. (Prior Code, § 8:2:3) Penalty, see § 10.99

§ 51.28 TIME FOR INSPECTION.

The Building Committee or Street or Water Superintendent shall inspect within two working days after having been notified that the work is ready for inspection. (Prior Code, § 8:2:4)

§ 51.29 NOTICE TO BUILDING COMMITTEE.

Any person doing plumbing shall, when work has been prepared for inspection as provided for in this chapter, notify the Building Committee. (Prior Code, § 8:2:5)

§ 51.30 PLUMBING REGULATIONS.

All work shall be subject to the supervision of the Building Committee or Street or Water Superintendent and shall conform to the regulations of the State Plumbing Code and the State Plumbing Commission. Any connection to a city owner water or sewer main can be undertaken only by a state-certified plumber who has filed a certificate of insurance with the city in an amount at least equal to the insurance carried by the city. (Prior Code, § 8:2:6)

CHAPTER 52: SEWERS

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REGULATION OF SEWER USE

§ 52.01 DEFINITIONS.

For the purposes of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BIOCHEMICAL OXYGEN DEMAND (BOD). The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20°C, expressed in milligrams per liter.

BUILDING DRAIN. The part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet (one and one-half meters) outside the inner face of the building wall.

BUILDING SEWER. The extension from the building drain to the public sewer or other place of disposal, also called **HOUSE CONNECTION**.

COMBINED SEWER. A sewer intended to receive both wastewater and storm 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. 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, disposal and serving of foods.

INDUSTRIAL WASTES. The wastewater from industrial processes, trade or business as distinct from domestic or sanitary wastes.

MAY. Is permissive.

NATURAL OUTLET. Any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake or other body of surface 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 value of 7 and a hydrogen ion concentration of 10.

PROPERLY SHREDDED GARBAGE. The wastes from the preparation, cooking and dispensing of food that have been shredded to 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 (one and twenty-seven hundredths 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 wastes from residences, commercial buildings, industrial plants and institutions together with minor quantities of ground, storm 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. Is 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 15 minutes more than five times the average 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. Sometimes termed **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 or her 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 benefitted by discharge to the sanitary sewers and wastewater treatment facilities provided.

WASTEWATER FACILITIES. 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 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.**

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.

WATERCOURSE. A natural or artificial channel for the passage of water either continuously or intermittently.
(Prior Code, § 14:1)

§ 52.02 USE OF PUBLIC SEWERS REQUIRED.

(A) 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) 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 subchapter.

(C) 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) The owner(s) 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, is hereby required at the owner(s) expense to install, suitable toilet facilities therein, and to connect the facilities directly with the proper public sewer in accordance with the provisions of this subchapter, within 60 days after date of official notice to do so, provided that the public sewer is within 200 feet of the property line.
(Prior Code, § 14:2) Penalty, see § 52.99

§ 52.03 PRIVATE WASTEWATER DISPOSAL.

(A) Where a public sanitary or combined sewer is not available under the provisions of § 52.02(D), the building sewer shall be connected to a private wastewater disposal system complying with the provisions of this subchapter.

(B) Before commencement of construction of a private wastewater disposal system, the owner(s) shall first obtain a written permit signed by the Superintendent. The application for the 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 \$50 shall be paid to the city at the time the application is filed.

(C) A permit for a private wastewater disposal system shall not become effective until the installation is completed to the satisfaction of the Superintendent. The Superintendent shall be allowed to inspect the work at any stage 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 six hours of the receipt of notice by the Superintendent.

(D) The type, capacities, location and layout of a private wastewater disposal system shall comply with all recommendations of the Department of Public Health of the state. No permit shall be issued for any private wastewater disposal system employing subsurface soil absorption facilities where the area of the lot is less than 43,560 square feet. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

(E) At the time as a public sewer becomes available to a property served by a private wastewater disposal system, as provided in division (D) above, a direct connection shall be made to the public sewer within 60 days in compliance with this subchapter, and any septic tanks, cesspools and similar private wastewater disposal facilities shall be cleaned of sludge and filled with suitable material.

(F) The owners shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times, at no expense to the city.

(G) No statement contained in this section shall be construed to interfere with any additional requirements that may be imposed by the Health Officer.
(Prior Code, § 14:3)

§ 52.04 SANITARY SEWERS, BUILDING SEWERS AND CONNECTIONS.

(A) No unauthorized person(s) 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.

(B) (1) There shall be two classes of building sewer permits:

(a) For residential and commercial service; and

(b) For service to establishments producing industrial wastes.

(2) In either case, the owner(s) or his or her agent shall make application on a special form furnished by the city.

(3) The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the Superintendent.

(C) All costs and expense incidental to the installation and connection of the building sewer shall be borne by the owner(s). The owner(s) shall indemnify the city from any loss or damage that may directly or indirectly

be occasioned by the installation of the building sewer.

(D) 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 single connection aforementioned.

(E) 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 subchapter.

(F) 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 A.S.T.M. and W.P.C.F. *Manual of Practice No. 9* shall apply.

(G) 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 the building drain shall be lifted by an approved means and discharged to the building sewer.

(H) No person(s) 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 the connection is approved by the Superintendent and the State Department of Health for purposes of disposal of polluted surface drainage.

(I) 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 A.S.T.M. and the W.P.C.F. *Manual of Practice No. 9*. All 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.

(J) 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 or her representative.

(K) 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.

(Prior Code, § 14:4) Penalty, see § 52.99

§ 52.05 USE OF PUBLIC SEWERS.

(A) No person(s) 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.

(B) Stormwater other than that exempted under division (A) above and all other unpolluted drainage shall be discharged to the 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) No person(s) 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) (a) 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; and

(b) 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 increased costs.

(3) Solid or viscous substances in quantities or of a size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the wastewater facilities such as, but no 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 and the like, either whole or ground by garbage grinders.

(D) 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 below if, in his or her opinion, the more severe limitations are necessary to meet the above objectives. In forming his or her opinion as to the acceptability, the Superintendent will give consideration to factors such as the quantity of subject waste in relation to flows and velocities in the sewers, materials of construction of the sewers, the wastewater treatment process employed, 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 150°F (65°C);

(2) Wastewater containing more than 25 milligrams per liter of petroleum oil, nonbiodegradable 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 (as defined in § 52.01). 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 a degree that any material received in the composite wastewater at the wastewater treatment works exceeds the limits established by the Superintendent for these 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 the 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 § 52.01;

(9) Waters or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed, or are amenable to treatment only to the degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving water; and

(10) Any water or wastes which, by interaction with other water or wastes in the public sewer system, release obnoxious gases, form suspended solids which interfere with the collection system or create a condition deleterious to structures and treatment processes.

(E) If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in division (D) above 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 division (C)(2)(b) above 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) 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 § 52.04(C) or any flammable wastes, sand or other harmful ingredients; except that the 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 the State Plumbing Code, and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors, the owners 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 owners personnel must be performed by currently licensed waste disposal firms.

(G) Where pretreatment or 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(s) at his or her expense.

(H) When required by the Superintendent, the owner(s) of any property serviced by a building sewer carrying industrial wastes shall install a suitable structure together with necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes. The structures, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Superintendent. The structure shall be installed by the owner at his or her expense, and shall be maintained by him or her so as to be safe and accessible at all times.

(I) The Superintendent may require a user of sewer services to provide information needed to determine compliance with this subchapter. These requirements may include:

(1) Wastewater's 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;
- (4) Quantity and disposition of specific liquid, sludge, oil, solvent or other materials important to sewer use control;
- (5) A plot plan of sewer of the user's property showing sewer and pretreatment facility location;
- (6) Details of wastewater pretreatment facilities; and
- (7) Details of systems to prevent and control the losses of materials through spills to the municipal sewer.

(J) All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this subchapter 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.

(K) 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.
(Prior Code, § 14:5)

§ 52.06 VIOLATIONS.

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 guilty of disorderly conduct.
(Prior Code, § 14:6) Penalty, see § 52.99

§ 52.07 POWERS AND AUTHORITY OF INSPECTORS.

(A) 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 subchapter.

(B) 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) While performing the necessary work on private properties referred to in this section above, 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 § 52.05(H).

(D) 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 the easement. All entry and subsequent work, if any, on the easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.
(Prior Code, § 14:7)

§ 52.08 DISPUTES.

The City Council shall decide disputes between the Superintendent and sewer users on matters concerning interpretation and execution of the provisions this subchapter by the Superintendent.
(Prior Code, § 14:8)

§ 52.09 VALIDITY.

The invalidity of any section, division, sentence or provision of this subchapter shall not affect the validity of any other part of this subchapter which can be given effect without the invalid part or parts.
(Prior Code, § 14:10)

SEWER SERVICE CHARGES

§ 52.20 PURPOSE.

The purpose of this subchapter shall be to generate sufficient revenue to pay all costs for the operation and maintenance of the complete wastewater system. The costs shall be distributed to all users of the system in proportion to each user's contribution to the total loading of the treatment works. Factors such as strength (BOD and TSS), volume and delivery flow rate characteristics shall be considered and included as the basis for the user's contribution to ensure a proportional distribution of operation and maintenance costs to each user (or user class).
(Prior Code, § 14:11:1)

§ 52.21 DETERMINING THE TOTAL ANNUAL COST OF OPERATION AND MAINTENANCE.

The city or the City Engineer 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 treatment works, for which the works were designed and constructed. The total annual cost of operation and maintenance shall include, but need not be limited to, labor, repairs, equipment replacement, maintenance, necessary modifications, power, sampling, laboratory tests and a reasonable contingency fund.
(Prior Code, § 14:11:2)

§ 52.22 DETERMINING EACH USER'S WASTEWATER CONTRIBUTION PERCENTAGE.

(A) The city or the City Engineer shall determine for each user or user class the average daily volume of wastewater discharged to the wastewater system, which shall then be divided by the average daily volume of all wastewater discharged to the wastewater system to determine the user's volume contribution percentage. The amount used as the total average daily volume of wastewater shall exclude infiltration and inflow. The city or the City Engineer shall determine for each user or user class the average daily poundage of five-day 20°C biochemical oxygen demand (BOD) discharged to the wastewater system which shall then be divided by the

average daily poundage of all five-day BOD discharged to the wastewater system to determine the user's BOD contribution percentage.

(B) The city or the City Engineer shall determine for each user or user class the average daily total suspended solids (TSS) poundage discharged to the wastewater system which shall then be divided by the average daily poundage of all TSS discharged to the wastewater system, to determine the user's TSS contribution percentage. The volume contribution percentage, BOD contribution percentage and TSS contribution percentage for each user or user class shall be multiplied by the annual operation and maintenance costs for wastewater treatment of the total volume flow, total five-day 20°C BOD and total TSS, respectively. (Prior Code, § 14:11:3)

§ 52.23 DETERMINING A SURCHARGE SYSTEM FOR USERS WITH EXCESS BOD AND SS.

The city or the City Engineer will assess a surcharge rate for all nonresidential users discharging wastes with BOD and TSS strengths greater than the average residential user. The users will be assessed a surcharge sufficient to cover the cost of treating their above-normal strength wastes. Normal strength wastes are considered to be 200 ppm BOD and 250 ppm TSS. See § 52.29 for the surcharge rate structure for the above-normal strength waste dischargers. (Prior Code, § 14:11:4)

§ 52.24 DETERMINING EACH USER'S WASTEWATER SERVICE CHARGE.

Each nonresidential user's wastewater treatment cost contributions as determined in §§ 52.22 and 52.23 shall be added together to determine the user's annual wastewater service charge. Residential users may be considered to be one class of user and an equitable service charge may be determined for each user based on an estimate of the total wastewater contribution of this class of user. The governing body may classify industrial, commercial and other nonresidential establishments as a residential user, provided that the wastes from these establishments are equivalent to the wastes from the average residential user with respect to volume, total suspended solids and BOD. Each user's wastewater treatment cost contribution will be assessed in accordance with the rate schedule. See § 52.30. (Prior Code, § 14:11:5)

§ 52.25 WASTES PROHIBITED FROM BEING DISCHARGED TO THE WASTEWATER TREATMENT SYSTEM.

(A) 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.

(B) 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 the increased costs. (Prior Code, § 14:11:10) Penalty, see § 52.99

§ 52.26 PROHIBITION OF 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. (Prior Code, § 14:11:11) Penalty, see § 52.99

§ 52.27 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 or other applicable rules and regulations of the city and the state. In the absence of code provision or in amplification thereof, the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. *Manual of Practice No. 9* shall apply.
(Prior Code, § 14:11:12)

§ 52.28 VALIDITY.

The invalidity of any section, division, sentence or provision of this subchapter shall not affect the validity of any other part of this subchapter which can be given effect without the invalid part or parts.
(Prior Code, § 14:11:13)

§ 52.29 SURCHARGE RATE SCHEDULE FOR ABOVE NORMAL STRENGTH WASTES.

(A) The city or the City Engineer has determined that the average total suspended solids (TSS) and five-day biochemical oxygen demand (BOD) daily loadings for the average residential user are 200 ppm BOD and 250 ppm TSS.

(B) The city or the City Engineer has assessed a surcharge rate for all nonresidential users discharging wastes with BOD and TSS strengths greater than the average residential user. The surcharge will be sufficient to cover the costs of treating the users' above normal strength wastes. The users will pay an additional service charge of \$.10 per 1,000 gallons for each 25 ppm over 200 ppm of BOD and \$0.065 per 1,000 gallons for each 25 ppm over 250 ppm TSS.
(Prior Code, § 14:11:14)

§ 52.30 RATE SCHEDULE.

(A) Residential users are considered to be one class of user and will be assessed a flat rate of \$17.50 for sewer use charge to be paid on a monthly basis. Rates apply under all circumstances, unless service is permanently terminated. Future changes in rates may be made by resolution of the Council.

(B) (1) Nonresidential (commercial) users are considered to be one class of user and will be assessed one-half of the water bill for sewer charges or the minimum of \$17.50, whichever is greater, to be paid on a monthly basis. Rates apply under all circumstances unless service is permanently terminated. Future changes in rates may be made by resolution of the Council.

(2) Any nonresidential users with BOD and TSS greater than the average residential user's strength of 200 ppm BOD and 250ppm TSS will pay a surcharge in accordance with the rates shown in the surcharge rate schedule in § 52.33.

(Prior Code, § 14:11:15) (Ord. 2008, passed 12-8-1988; Ord. 2073, passed 11-27-1995; Ord. 2096, passed 10-1-2001; Ord. 2107, passed 1-6-2003; Ord. 2118, passed 1-14-2004; Ord. 2126, passed 2-7-2005; Ord. 2140, passed 12-30-2009)

PRIVIES AND CESSPOOLS

§ 52.50 INSPECTIONS.

The City Council may make inspections of the city and its environs as necessary. Anything which might prove dangerous to health may be abated by appropriate action.
(Prior Code, § 5:2:1)

§ 52.51 RENDERING OF ANIMAL MATTER.

(A) No person shall carry on the business of rendering any animal matter or manufacturing the same into fertilizing material except by permission of the City Council.

(B) The City Council's designee shall be permitted entrance to all buildings used for the purpose of rendering any animal matter.
(Prior Code, § 5:2:2) Penalty, see § 52.99

§ 52.52 DEFINITIONS.

For the purposes of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CESSPOOL. A pit into which household sewage or other liquid waste is discharged and from which the liquid leaches into the surrounding soil or is otherwise removed.

PRIVY VAULT. The pit beneath the privy building in which is received human excreta and which is not connected to a sewer system.

SEPTIC TANK. A tank wherein sewage is retained for a sufficient time to permit the precipitation of the settleable solids and the decomposition of these solids by bacterial action.

SUBSURFACE FILTER. A system of distributing pipe with appurtenances which will enable the effluent from the septic tank to be distributed beneath the surface of the ground where bacterial action will further purify the sewage.
(Prior Code, § 5:2:3)

§ 52.53 SEPTIC TANKS, PRIVIES AND CESSPOOLS PROHIBITED.

No one shall construct a septic tank, privy or cesspool. Provided, however, that in any circumstance where sewer service is not required under state law, a septic tank and associated equipment may be installed provided further that any installation may only be performed by a plumber certified by the state to undertake the installations and the plumber has a certificate of insurance on file with the city in an amount equal to the city's own insurance.
(Prior Code, § 5:2:4) Penalty, see § 52.99

§ 52.54 DRAINAGE.

No domestic liquid wastes shall drain to the surface of the ground.
(Prior Code, § 5:2:5)

GENERAL REGULATIONS

§ 52.65 INSTALLATION INSPECTION OF SEWER PIPES.

No sewer installation shall be made on any property to the city main unless installed by a licensed

journeyman plumber or master plumber, and inspected by the City Building Committee or Street or Water Superintendent.
(Prior Code, § 8:2:7) Penalty, see § 52.99

§ 52.66 SADDLE CONNECTIONS.

All sewer service shall be connected to city mains by saddle connectors approved by the Building Committee or Street or Water Superintendent.
(Prior Code, § 8:2:8) Penalty, see § 52.99

§ 52.99 PENALTY.

(A) *Generally.* Any person violating any provision of this chapter, for which no other penalty is provided, shall be subject to the penalty provisions of § 10.99.

(B) *Regulation of sewer use.*

(1) Any person found to be violating any provision of §§ 52.01 through 52.09, except § 52.06, 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 the notice, permanently cease all violations.

(2) Any person who shall continue any violation beyond the time limit, shall be fined in the amount not exceeding \$200 for each violation. Each day in which any violation shall continue shall be deemed a separate offense.

(3) Any person violating any of the provisions of §§ 52.01 through 52.09 shall also become liable to the city as a civil penalty for any expense, loss or damage occasioned the city by reason of the violation.
(Prior Code, § 14:9)
(Ord. 2044, passed 1-6-1992)