

ARTICLE 2. SEWERS

17-201. DEFINITIONS. Unless the context specifically indicates otherwise the meaning of terms used in this article shall be as follows:

(a) ASTM shall mean the American Society of Testing Materials or publications thereof.

(b) BOD (denoting Biochemical Oxygen Demand) shall mean 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.

(c) Building Drain shall mean 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 two feet outside the building wall.

(d) Building Sewer shall mean the extension from the building drain to the public sewer or other place of disposal.

(e) City shall mean the City of Ulysses, Kansas.

(f) Combined Sewer shall mean a sewer receiving both surface runoff and sewage.

(g) Garbage shall mean solids wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.

(h) Governing Body shall mean the mayor and city council of the city.

(i) Health Officer shall mean the person duly appointed by the State of Kansas and/or Grant County.

(j) Industrial Cost Recovery (ICR) shall mean recovery by the governing body from the industrial users of a treatment works and collection system of the grant amount allocable to the treatment and collection of wastes from such users.

(k) Industrial Cost Recovery Period shall mean the industrial cost recovery period shall be equal to 20 years or to the period to which the grant amount allocable to the treatment of waste from industrial users is recovered from the industrial users of such wastes.

(l) Industrial User shall mean any nongovernmental user of publicly-owned treatment works identified in the Standard Industrial Classification Manual, 1971, Office of Management and Budget, as amended and supplemented, under the following divisions:

(1) Division A. Agriculture, Forestry and Fishing

(2) Division B. Mining

(3) Division D. Manufacturing

(4) Division E. Transportation, Communications, Electric, Gas and Sanitary Services.

(5) Division I. Services.

A user in any of the divisions listed above may be excluded from classification as an industrial user if it is determined that it will introduce primarily segregated domestic wastes or wastes from sanitary conveniences.

(m) Industrial Wastes shall mean the liquid wastes from industrial manufacturing processes, trade, or business as distinct from sanitary sewage.

(n) Natural Outlet shall mean any outlet into a watercourse, pond, ditch, lake, or other body of surface or groundwater.

(o) Person shall mean any individual, firm, company, association, society, corporation, or group.

(p) pH shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

(q) Properly Shredded Garbage shall mean 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 (1.28 centimeters) in any dimension.

(r) Public Sewer shall mean a sewer in which all owners of abutting properties have equal rights and is controlled by public authority.

(s) Sanitary Sewer shall mean a sewer which carries sewage and to which storm, surface, and groundwaters are not intentionally admitted.

(t) Sewer shall mean a pipe or conduit for carrying sewage.

(u) Slug shall mean any discharge of water, sewage or industrial waste 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.

(v) Storm Drain (sometimes termed storm sewer) shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

(w) Superintendent shall mean the city administrator of the city or his or her authorized deputy, agent, or representative.

(x) Suspended Solids shall mean 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.

(y) Watercourse shall mean a channel in which a flow of water occurs either continuously or intermittently.

(z) Uniform Plumbing Code shall mean the latest adopted revision of the Uniform Plumbing Code published by the International Association of Plumbing and Mechanical Officials.

(aa) Useful Life shall mean the estimated period during which a sewage treatment plant will be operated; for the city the design life of 20 years shall be used.

(bb) Wastewater shall mean a combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such ground, surface and storm waters that may be present.

(cc) Wastewater Collection System shall mean each, and all, of the common lateral sewers, within a public-owned treatment system which are primarily installed to receive wastewater directly from facilities which convey wastewater from individual structures or from private property, and which include service connection "Y" fittings designed for connection with those facilities. The facilities which convey wastewater

from individual structures or from private property to the public lateral sewer or its equivalent, are specifically excluded from the definition, with the exception of pumping units, and pressurized lines, for individual structures or groups of structures when such units are cost effective are owned and maintained by the city.

(dd) Wastewater Treatment Facility shall mean any devices and systems used in the storage, treatment, recycling and reclamation of municipal wastewater or industrial waters of a liquid nature to implement section 201 of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) as amended by the Federal Water Pollution Control Act Amendments of 1972 (Pub. L. 92-500) and Pub. L. 93-243, or necessary to recycle or reuse water at the most economical cost the useful life of the works, including intercepting sewers, outfall sewers, wastewater collection 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 stand-by treatment units and clear well facilities; and any works, including site acquisition of the land that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment; or any other method or system for preventing, abating, reducing, storing, retaining, separating or disposing of municipal waste in combined storm water and sanitary sewer systems.

(ee) WPCF shall mean the Water Pollution Control Federal or publications thereof. (Ord. 743, Art. 1)

- 17-202. UNLAWFUL DEPOSITS. It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the city or in any area under the jurisdiction of the city, any human or animal excrement, garbage or other objectionable waste. (Ord. 743, Art. 2)
- 17-203. PROHIBITED DISCHARGES. 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 wastes, except where suitable treatment has been provided in accordance with subsequent provisions of this article. (Ord. 743, Art. 2)
- 17-204. PRIVYS, SEPTIC TANKS. 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. (Ord. 743, Art. 2)

- 17-205. CONNECTION REQUIRED. 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 sewer of the city, is hereby required at his or her expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this article, within one year after date of official notice to do so, provided that the public sewer is within 150 feet of the property line. (Ord. 743, Art. 2)
- 17-206. PRIVATE DISPOSAL SYSTEM. Where a public sanitary or combined sewer is not available under the provisions of section 17-205, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this article. (Ord. 743, Art. 3)
- 17-207. SAME; PERMIT. 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 with duplicate plans, specifications, and other information as are deemed necessary by the superintendent. A permit and inspection fee of \$25 shall be paid to the city clerk at the time the application is filed. (Ord. 743, Art. 3)
- 17-208. SAME; INSPECTION. A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the superintendent. He or she 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 24 hours of the receipt of notice by the superintendent. (Ord. 743, Art. 3)
- 17-209. SAME; SPECIFICATIONS. The type, capacities, location and layout of a private sewage disposal system shall comply with all recommendations of the Kansas Department of Health and Environment. 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 20,000 square feet, when a public water supply is used. In the case of a private water supply, the minimum lot size will be 40,000 square feet. No septic tank or cesspool shall be permitted to discharge to any natural outlet. (Ord. 743, Art. 3)

- 17-210. SAME; CONNECTION TO PUBLIC SEWER. At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in section 17-205, a direct connection shall be made to the public system within one year in compliance with this article, and any septic tanks, cesspools and similar private wastewater disposal facilities shall be cleaned of sludge and filled with clean bank-run gravel, locally available chat, or soil. (Ord. 743, Art. 3)
- 17-211. SAME; OPERATION. 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. 743, Art. 3)
- 17-212. SAME; REQUIREMENTS OF HEALTH OFFICER. No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the health officer. (Ord. 743, Art. 3)
- 17-213. CONNECTIONS, PERMITS. No unauthorized person shall uncover, make any connections with or opening into, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the superintendent. (Ord. 743, Art. 4)
- 17-214. SAME; APPLICATION FEE. There shall be one class of building sewer permit for residential and commercial service. The owner or his or her 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. A permit and inspection fee of \$25 for a residential or commercial building sewer permit shall be paid to the city clerk at the time the application is filed. (Ord. 743, Art. 4)
- 17-215. EXPENSES, DAMAGE. All costs and expense 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. 743, Art. 4)
- 17-216. SEWER FOR EACH BUILDING. 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. (Ord. 743, Art. 4)

- 17-217. OLD BUILDING SEWERS. Old building sewers may be used in connection with new buildings only when they are found on examination and test by the superintendent, to meet all requirements of this article. (Ord. 743, Art. 4)
- 17-218. SPECIFICATIONS. The size, slope, alignment, materials of construction of a building sewer, and the method to be used in excavating and backfilling the trench, installing jointing, and testing the building sewer, shall conform to the Uniform Plumbing Code as hereinafter modified.
- (a) Minimum internal pipeline diameter for all building sewers shall be four inches.
 - (b) Building sewers shall be constructed of one of the following pipeline materials:
 - (1) Extra-strength vitrified clay pipeline and fittings conforming to ASTM C 700.
 - (2) Polyvinyl chloride (PVC) gravity sewer pipe and fittings, Type PSP or PSM conforming to ASTM Standards D 3033 or D 3034. All PVC sewer pipe shall be at least Schedule 40.
 - (3) Cast or ductile iron pipe with a minimum pressure rating of 150 pounds per square inch conforming to Federal Specification WW-P421b, or ANSI A21.5, A21.6, or A21.8, except that iron used in the manufacture of pipe shall have minimum design strength and 45,000 for modules of rupture.
 - (4) All business buildings and dwelling units shall have a "Y" for cleanout purposes within 10 feet of the structure.
- 17-219. ELEVATION. (a) 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 public sewer, sanitary sewage carried by such drain shall be lifted by approved artificial means and discharged into the building sewer. (Ord. 743, Art. 4)
- 17-220. CONNECTION STANDARDS. The connection of the building sewer shall conform to the requirements of the building and plumbing codes or other applicable rules and regulations adopted by the city. All such connections shall be made gastight and watertight. (Ord. 743, Art. 4)

- 17-221. SAME; INSPECTION. The applicant for the building sewer permit shall notify the superintendent when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the superintendent or a designated representative within 24 hours of the receipt of notice. (Ord. 743, Art. 4)
- 17-222. BARRICADES, LIGHTS. 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. 743, Art. 4)
- 17-223. DOWNSPOUTS, DRAINS. No person shall make connections of roof downspouts, exterior foundation drains, areaway drains or other sources of surface run-off or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to public wastewater collection system. (Ord. 743, Art. 4)
- 17-224. SANITARY SEWERS. No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer. (Ord. 743, Art. 5)
- 17-225. STORM SEWERS. Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers or to a natural outlet approved by the superintendent. Such flows are also subject to federal and state regulations. (Ord. 743, Art. 5)
- 17-226. PROHIBITED DISCHARGES. 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 injure or interfere with any sewage treatment process, constitute a hazard to humans or animals create a public nuisance or create any hazard in the receiving waters of the sewage treatment plant.
 - (c) Any waters or wastes having a pH lower than 6.0 or higher than 9.0, or having any other corrosive property capable of causing

damage or hazard to structures, equipment and personnel of the sewage works.

(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, unground garbage, whole blood, paunch manure, hair and fleshing, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders. (Ord. 743, Art. 5)

17-227. SAME; DISCRETION OF 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, wastewater 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 or her 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 process, capacity of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant and other pertinent factors. The substances prohibited are:

(a) Any liquid or vapor having a temperature higher than 120°F (49°C).

(b) Any water or wastes containing fats, wax, grease or oils, whether emulsified or not, in excess of 100 mg/1 or containing substances which may solidify become viscous at temperature between 32 and 120°F (0 and 49°C).

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

(g) Any radioactive wastes or isotopes of such half-life concentration as may exceed limits established by the superintendent in compliance with applicable state or federal regulations.

(h) Materials which exert or cause:

(1) Unusual concentrations 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 wastewater treatment works.

(4) Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.

(i) Waters or wastes containing substances which are not amendable to treatment or reduction by the wastewater treatment processes employed or are amendable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

(j) Any waters or wastes (1) having a five-day BOD greater than 300 milligrams per liter, or (2) containing more than 350 milligrams per liter of suspended solids, or (3) having an average daily flow greater than two percent of the average wastewater flow of the city, shall be subject to the review of the superintendent. Where necessary, the owner shall provide, at his or her expense, such preliminary treatment as may be necessary to (1) reduce the BOD to 300 milligrams per liter,

or (2) reduce the suspended solids to 350 milligrams per liter, (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 governing body and no construction of such facilities shall be commenced until the approvals are obtained in writing. (Ord. 743, Art. 5)

17-228. SAME; PROCEDURE. If any waters or wastes are discharged or are proposed to be discharged to the public wastewater collection system, which waters contain the substances or possess the characteristics enumerated in section 17-227 and which in the judgment of the governing body, 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:

- (a) Reject the wastes,
- (b) Require pretreatment to an acceptable condition for discharge to the public wastewater collection system,
- (c) Require control over the quantities and rates of discharge, and/or
- (d) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or user charges.

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 governing body, and subject to the requirements of all applicable codes, ordinances, and laws. (Ord. 743, Art. 5)

17-229. 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, sand 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. 743, Art. 5)

17-230. PRELIMINARY TREATMENT. 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 or her expense. (Ord. 743, Art. 5)

17-231. **MANHOLES.** When required by the governing body, the owner of any property services 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 constructed in accordance with plans approved by the governing body. The manhole 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. (Ord. 743, Art. 5)

17-232. **TESTING.** All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this article shall be performed by a laboratory approved by the superintendent and 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 and shall be determined at the control manhole provided or upon suitable samples taken at the 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 24 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 24 hour composites of all outfalls whereas pH's and heavy metals are determined from periodic grab samples.) (Ord. 743, Art. 5)

17-233. **MINIMUM STANDARDS.** Any pretreatment standards as established by state, federal or other agencies of jurisdiction for such discharge will be used as the minimum requirements by the superintendent as applied to this article. (Ord. 743, Art. 5)

17-234. **DAMAGING SEWERS.** No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, uncover, or tamper with any structure, appurtenance or equipment which is part of the municipal wastewater collection system and treatment facility. (Ord. 743, Art. 6)

- 17-235. **RIGHT OF ENTRY.** The superintendent and other duly authorized employees of the city bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing in accordance with the provisions of this article. The superintendent or his or her representatives shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment. Any report, record, or information taken for purposes of administering this article shall remain confidential to the superintendent, except that such report, record, or other information may be disclosed to other officials, employees, or authorized representatives of the city and except for such effluent information as may be required by federal and state regulations. (Ord. 743, Art. 7)
- 17-236. **SAME; DAMAGE, LIABILITY.** While performing the necessary work on private properties referred to in section 17-235, 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 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 17-231. (Ord. 743, Art. 7)
- 17-237. **EASEMENT.** 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, inspection observation, measurement, sampling, repair and maintenance of any portion of the wastewater collection system 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. (Ord. 743, Art. 7)
- 17-238. **INDUSTRIAL COST RECOVERY.** (a) Any industrial user requesting sewer service after January 1, 1984 shall establish or cause to be established the quality, quantity and peak flow rate characteristics of the users wastewater and shall present this information to the city in such a manner that the city shall determine if

an Industrial Cost Recovery (ICR) rate shall be established for the user. The cost of establishing these characteristics shall be paid for by the user.

(b) Under the ICR program, any industrial user's share shall be based on all factors which significantly influence the cost of the wastewater collection and treatment system, such as quality, volume, and delivery flow rate characteristics which shall be considered and included to insure a proportional distribution of the grant assistance allocable to the industrial user's use, or capacity firmly committed for its use and shall not include an interest proportional to its flow in relation to the treatment works flow.

(c) Whenever current standards, regulations or guidelines are altered by any governmental agency in such a manner as to cause an expansion and/or upgrading of the treatment works which are not covered by user's fees, and require federal grant moneys, each industrial contributors' ICR fee will be adjusted in accordance with the current regulations to reflect the costs of expanding and/or upgrading the treatment works. (Ord. 743, Art. 8)

17-239. **USER CHARGES.** All users of the Ulysses wastewater collection and treatment system shall be charged a user fee that shall be billed monthly.

- (a) Residential and Commercial -- A base charge of \$5.00 per month and \$1.65 per 1,000 gallons of average water usage based on the months of December, January and February. Exception: Seasonal or commercial activities, in which all or almost all of the water used is collected by the city wastewater collection system, such as schools, pools, carwashes, Laundromats, etc shall be charged \$1.65 per 1,000 gallons water usage based on an average monthly usage of the last year.
- (b) Outside Rates – Rates for service outside the city limits when allowed by the governing body shall be 200% of the city rates.
- (c) Private Water Supply – Customers with a private water supply will be required to meter their water usage during December, January, and February. Failure to comply will result in an estimated sewage user charge.
- (d) Yard Meters – No sewer charge shall be assessed for meters, which are used solely for the purpose of outside or yard

watering.
(Ord. 1083, Section 1)

17-240. BILLING. Billing and delinquent account procedures for sewer service shall be governed by sections 17-123:129 of this chapter.
(Code 1984)

17-241. PENALTY. (a) Any person found to be violating any provision of this article except section 17-234 shall be served by the city with written notice stating the nature of the violation and providing a reasonable time, within the period of time stated in such notice, permanently cease all violations.

(b) Any person who shall continue any violation beyond the time limit provided for in subsection (a) above, shall upon conviction thereof, be fined in an amount not exceeding \$100 for each violation, or a jail sentence not exceeding 30 days, or both such fine and incarceration. If the conviction committed after a first conviction of such person under this section, punishment shall be a fine not exceeding \$300 per day as may be assessed by the court for each day of violation. Each day in which any such violation shall continue shall be deemed a separate offense.

(c) Any person violating any of the provisions of this article shall become liable to the city for any expense, loss, or damage occasioned by the city, by reason of such violation, including such fines, penalties and other costs which may be assessed to the city for violation of wastewater treatment plan effluent requirements, where such violation is created by a user of the treatment works who, in turn, is in violation of city, state, or federal regulations.
(Ord. 743, Art. 10)