

GENERAL PROVISIONS**§ 51.001 DEFINITIONS.**

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

BOD (DENOTING BIOCHEMICAL OXYGEN DEMAND). 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 discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet (1.5 meters) outside the inner face of the building wall.

BUILDING SEWER. The extension from the building drain to the public sewer or other place of disposal.

CODE. The Uniform Building Code and Uniform Plumbing Code as adopted by the City Council.

COMBINED SEWER. A sewer receiving both surface runoff and sewage.

GARBAGE. Solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.

INDUSTRIAL WASTES. The liquid wastes from industrial manufacturing processes, trade, or business as distinct from sanitary sewage.

NATURAL OUTLET. Any outlet into a watercourse, pond, ditch, lake, or other body of surface or ground water.

PERSON. Any individual, firm, company, association, society, corporation, or group.

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

PROPERLY SHREDDED GARBAGE. The wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch (1.27 centimeters) in any dimension.

PUBLIC SEWER. A sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

SANITARY SEWER. A sewer which carries sewage and to which storm, surface, and groundwaters are not intentionally admitted.

SEWAGE TREATMENT PLANT. Any arrangement of devices and structures used for treating sewage.

SEWAGE WORKS. All facilities for collecting, pumping, treating, and disposing of sewage.

SEWAGE. A combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and stormwaters as may be present.

SEWER. A pipe or conduit for carrying sewage.

SLUG. 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 of flows during normal operation.

STORM DRAIN or STORM SEWER. A sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

SUPERINTENDENT. The Director of Public Works of the city, or his authorized deputy, agent, or representative.

SUSPENDED SOLIDS. 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.

WATERCOURSE. A channel in which a flow of water occurs, either continuously or intermittently. (Ord. 86-1, passed 1-27-86)

§ 51.002 PRIVATE SEWAGE DISPOSAL.

(A) Where a public sanitary sewer is not available under the provisions of §§ 51.015 and 51.016 the building sewer shall be connected to a private sewage disposal system complying with the provisions of this section.

(B) Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit from the Oregon State Department of Environmental Quality.

(C) At such time as a public sewer becomes available to a property served by a private sewage disposal system as provided in §§ 51.015 and 51.016, a direct connection shall be made to the public sewer in compliance with this chapter, and any septic tanks, cesspools, and similar private sewage disposal facility shall be abandoned in accordance with state law at no expense to the city.

(D) The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times at no expense to the city.

(E) No statement contained in this section shall be construed to interfere with any additional requirements that may be imposed by the Oregon State Department of Environmental Quality. (Ord. 86-1, passed 1-27-86)

§ 51.003 TAMPERING WITH OR DESTROYING SEWAGE WORKS EQUIPMENT.

No unauthorized 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 sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

(Ord. 86-1, passed 1-27-86)

PUBLIC SEWER USE

§ 51.015 UNLAWFUL DEPOSITS AND DISCHARGES.

(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 chapter.

(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 sewage.

(Ord. 86-1, passed 1-27-86) Penalty, see § 51.999

§ 51.016 TOILET FACILITIES REQUIRED.

The owner of all houses, building, 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

facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this chapter, within 90 days after date of official notice to do so, provided that the public sewer is within 100 feet (30.5 meters) of the property line.

(Ord. 86-1, passed 1-27-86) Penalty, see § 51.999

§ 51.017 DISCHARGES OF STORMWATER AND UNPOLLUTED DRAINAGE.

(A) No person shall discharge or cause to be discharged any stormwater, surface water, ground water, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.

(B) Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the Superintendent. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Superintendent, to a storm sewer, combined sewer, or natural outlet.

(Ord. 86-1, passed 1-27-86) Penalty, see § 51.999

§ 51.018 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, including but not limited to cyanides in excess of two mg/l as CN in the wastes as discharged to the public sewer.

(C) Any waters or wastes having a pH lower than (5.5), or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.

(D) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, 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.

(Ord. 86-1, passed 1-27-86) Penalty, see § 51.999

§ 51.019 HARMFUL DISCHARGES; ACTIONS OF SUPERINTENDENT.

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

(1) Any liquid or vapor having a temperature higher than 150° F. (65° C.).

(2) Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of 100 mg/l or containing substances which may solidify or become viscous at temperatures between 32° and 150° F. (0° and 65° C.).

(3) 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.

(4) Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.

(5) 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.

(6) 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 sewage, to meet the requirements of the state, federal, or other public agencies of jurisdiction for such discharge to the receiving waters.

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

(8) Any waters or wastes having a pH in excess of 9.5.

(9) Materials which exert or cause:

(a) 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 and sodium sulfate).

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

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

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

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

(B) (1) 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 (A) of this section, and which in the judgment of the Superintendent, may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Superintendent may:

(a) Reject the wastes;

(b) Require pretreatment to an acceptable condition for discharge to the public sewers;

(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 sewer charges under the provisions of § 51.024 of this chapter.

(2) 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 subject to the requirements of all applicable codes, ordinances, and laws.

(Ord. 86-1, passed 1-27-86) Penalty, see § 51.999

§ 51.020 GREASE, OIL AND SAND INTERCEPTORS.

Grease, oil and sand interceptors shall be provided when, in the opinion of the Superintendent,

they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, 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 superintendents and shall be located as to be readily and easily accessible for cleaning and inspection.

(Ord. 86-1, passed 1-27-86) Penalty, see § 51.999

§ 51.021 PRELIMINARY TREATMENT FACILITIES.

Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

(Ord. 86-1, passed 1-27-86) Penalty, see § 51.999

§ 51.022 CONTROL MANHOLES.

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

(Ord. 86-1, passed 1-27-86) Penalty, see § 51.999

§ 51.023 MEASUREMENTS, TESTS AND ANALYSES.

All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this chapter shall be determined in accordance with the latest edition of *Standard Methods for the Examination of Water and Wastewater*, published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable samples taken at

said 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 out-falls 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 are determined from periodic grab samples.)

(Ord. 86-1, passed 1-27-86)

§ 51.024 SPECIAL AGREEMENTS.

No statement contained in this chapter shall be construed as preventing any special agreement or arrangement between the city and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the city for treatment, subject to payment therefor, by the industrial concern.

(Ord. 86-1, passed 1-27-86)

BUILDING SEWERS AND CONNECTIONS

§ 51.035 PERMIT REQUIRED FOR CONNECTION WITH PUBLIC SEWER.

No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Superintendent.

(Ord. 86-1, passed 1-27-86) Penalty, see § 51.999

§ 51.036 CLASSES OF PERMITS.

There shall be two classes of building sewer permits: for residential and commercial service; and for service to establishments producing industrial

wastes. In either case, the owner or his agent shall make application on a special form furnished by the city. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Superintendent. A permit and inspection fee of \$24 for a residential or commercial building sewer permit and \$50 for an industrial building sewer permit shall be paid to the city at the time the application is filed. (Ord. 86-1, passed 1-27-86)

§ 51.037 COSTS BORNE BY OWNER.

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. 86-1, passed 1-27-86)

§ 51.038 SEPARATE BUILDING SEWERS 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. An adequate cleanout shall be installed and approved by the Superintendent. (Ord. 86-1, passed 1-27-86) Penalty, see § 51.999

§ 51.039 OLD BUILDING SEWERS.

Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Superintendent, to meet all requirements of this chapter. (Ord. 86-1, passed 1-27-86) Penalty, see § 51.999

§ 51.040 SPECIFICATIONS.

(A) The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and back filling the trench, shall all conform to the requirements of the code or other applicable rules and regulations of the city.

(B) The connection of the building sewer into the public sewer shall conform to the requirements of the Building and Plumbing Code or other applicable rules and regulations of the city, or the procedures set forth in appropriate specifications of the A.S.T.M. and the W.P.C.F. Manual of Practice No. 9. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Superintendent before installation. (Ord. 86-1, passed 1-27-86) Penalty, see § 51.999

§ 51.041 ELEVATION OF BUILDING SEWER.

Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer. (Ord. 86-1, passed 1-27-86) Penalty, see § 51.999

§ 51.042 CONNECTION OF SURFACE RUNOFF OR GROUNDWATER.

No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer. (Ord. 86-1, passed 1-27-86) Penalty, see § 51.999

§ 51.043 APPLICANT TO NOTIFY SUPERINTENDENT WHEN READY FOR 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 his representative.

(Ord. 86-1, passed 1-27-86) Penalty, see § 51.999

§ 51.044 EXCAVATIONS TO BE BARRICADED.

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. 86-1, passed 1-27-86) Penalty, see § 51.999

SEWER CONNECTION CODE

§ 51.060 TITLE.

This subchapter shall be known as the "sewer connection code," may be cited as such, and will be referred to herein as "this code."

(Ord. 62-21, passed 7-23-62)

§ 51.061 PURPOSE.

The purpose of this code is to provide minimum standards to safeguard life or limb, health, property, and public welfare by regulating and controlling waste disposal and the design, construction, type and quality of materials, location, and maintenance of all lateral connections to the public sewers within the city, including both sanitary and storm sewers.

(Ord. 62-21, passed 7-23-62)

§ 51.062 POLICE POWERS.

The city engineer is hereby authorized and directed to enforce all the provisions of this code. For such purpose he shall have the powers of a police officer, and may deputize such employees as may be necessary to carry out the provisions of this chapter. He shall keep a permanent record of all permits issued, fees collected, the names of the persons upon whose account the same were paid, date and amount thereof, together with the location of the building or premises to which they relate.

(Ord. 62-21, passed 7-23-62)

§ 51.063 ENTRY ONTO PREMISES.

Upon presentation of proper credentials, the city engineer or his duly authorized representatives may enter at reasonable times any building, structure, or premises in the city to perform any duty imposed upon him by this code.

(Ord. 62-21, passed 7-23-62)

§ 51.064 STOP ORDERS.

Whenever any sewer connection is being made contrary to provisions of this code, the city engineer may order the work stopped by notice in writing served on any persons engaged in doing or causing such work to be done; and any such persons shall forthwith stop such work until authorized by the city engineer to proceed with the work.

(Ord. 62-21, passed 7-23-62)

§ 51.065 LIMITATION OF LIABILITY.

The city engineer or any employee charged with the enforcement of this code, acting in good faith and without malice for the city in the discharge of his duties, shall not thereby render himself liable personally, and he is hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required or by reason of any act or omission in the discharge of his duties. Any suit brought against the city engineer or employee because of such act or omission

performed by him in the enforcement of this code shall be defended by the legal department of the city until final termination of the proceedings. The city engineer may request, and shall receive so far as may be necessary in the discharge of his duties, the assistance and cooperation of other officials of the city.

(Ord. 62-21, passed 7-23-62)

§ 51.066 PROCEDURES TO OBTAIN PERMIT.

(A) No person, firm, or corporation shall connect, construct, alter, repair, or remove any lateral sewer connected to or to be connected to any public sewer in the city, or cause the same to be done without first obtaining a separate permit for each such lateral sewer connection, repair, alteration, or removal from the city engineer. To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished for that purpose.

(B) Every such application shall:

(1) Identify and describe the work (including materials) to be covered by the permit for which application is made;

(2) Describe the property on which the proposed work is to be done by lot, block, tract, and house and street address, or similar description that will readily identify and locate the proposed work;

(3) Give such other information as reasonably may be required by the city engineer;

(4) Be signed by the permittee or his authorized agent, who may be required to submit evidence to indicate such authority.

(C) The application and any plans or supplementary data filed by an applicant for a permit shall be checked by the city engineer. If satisfied that the work described in the application conforms to the requirements of this code and other pertinent laws and ordinances and that the fee specified in § 51.068 has been paid, he shall issue a permit therefor to the applicant.

(Ord. 62-21, passed 7-23-62)

§ 51.067 REVOCATION OR SUSPENSION OF PERMIT UPON VIOLATION.

The issuance or granting of a permit shall not be construed to be a permit for or an approval of any violation of any provisions of this code; nor shall such permit prevent the city engineer from thereafter requiring the correction of errors or from preventing construction from being carried on thereunder when in violation of this code or any other ordinance of the city. The city engineer may, in writing, suspend or revoke a permit issued in error or on the basis of incorrect information supplied, or in violation of any ordinance or regulation or any of the provisions of this code.

(Ord. 62-21, passed 7-23-62)

§ 51.068 PERMIT FEE.

A fee of \$5 shall be paid to the city for each permit hereunder. Where work for which a permit is required by this code is started or proceeded with prior to obtaining said permit, the fee above specified shall be doubled, but the payment of such double fee shall not relieve any persons from fully complying with the requirements of this code in the execution of the work nor from any other penalties prescribed herein.

(Ord. 62-21, passed 7-23-62)

§ 51.069 INSPECTION.

All work for which a permit is required hereunder shall be subject to the inspection of the city engineer, and no piping shall be covered until inspected and approved. In order to assure that all joints are watertight, a pressure test may be required on the lateral sewer line or on the building waste system, or both.

(Ord. 62-21, passed 7-23-62)

§ 51.070 MANDATORY LATERAL SEWER CONNECTION.

The circumstances requiring land owners to construct sanitary sewers, timelines for compliance

and procedures for granting extensions of those timelines are established by this section:

(A) It shall be the responsibility of all owners of property abutting any street or alley in which a sanitary sewer has been or shall be constructed to install lateral sewers in conformity with this code, for the conduction of all sanitary wastes from buildings or premises on such property, and located within 100 feet of such street or alley, to the sanitary sewer within six months of the effective date of this chapter, or within six months of the levying of the assessment for each such sanitary sewer. After the effective date of this ordinance, all sanitary sewer assessment notices to property owners shall cite this requirement, and the requirement for obtaining permits for construction of lateral sewer connections.

(B) Upon written application to the City Council of the city, a property owner may, upon good cause shown, be granted an extension of time to comply with the provisions of this section. Said extension of time shall not extend the time for hookup, including the time provided for in this section, for a period of time in excess of one year. That is to say, that the time for hookup may be extended for an additional period of six months over and above the time set forth in the said section. The extension of time shall only be granted upon good cause shown, and the granting thereof shall be entirely at the discretion of the City Council.
(Ord. 62-21, passed 7-23-62; Am. Ord. 66-30, passed 9-26-66)

§ 51.071 APPROVED MATERIALS, MEASUREMENTS AND EXCLUSIONS.

(A) Approved piping materials for the construction of lateral sewers shall be:

- (1) Cast iron, no hub, pipe with mechanical, or rubber ring joints;
- (2) PVC pipe with rubber ring joints;
- (3) ABS pipe with glue joints.

(B) Prohibited pipe materials shall be:

- (1) Bituminized fiber pipe;
- (2) Concrete or clay pipe;
- (3) Black or galvanized wrought iron or steel pipe of all classes.

(C) Other materials may be approved if usage has shown them to possess the necessary structural strength, durability, resistance to abrasion, and flexibility and tightness of joints. All adapters for connections between two sizes or types of pipe shall be as approved by the City Engineer.

(D) Laterals shall be laid to a uniform slope and shall provide the following minimum slopes per foot:

	4"	6"	8"
Cast Iron and PVC in lengths less than ten feet	1/4"	1/8"	1/12"
PVC and ABS in lengths of ten feet or more	1/8"	1/12"	1/20"

(E) Pipe sizes may be increased but not decreased in the direction of flow. Minimum size in all cases shall be four inches (4"). Changes in horizontal or vertical alignment shall be made only with approved fittings.

(F) Sand bedding of pipe may be required, depending on soil conditions and type of pipe. Minimum depth of burial for pipe shall be three feet, unless special approval and the reasons therefor are stated in the permit. No waste piping shall be laid in the same trench with any potable water line.
(Ord. 62-21, passed 7-23-62; Am. Ord. 88-09, passed 5-23-88)

§ 51.072 MATERIALS REQUIRED WITHIN, AND IN PROXIMITY TO, PREMISES.

It shall be a condition precedent to the approval of any lateral sewer connection to any premises that all underground waste piping within a building, or within five feet of the exterior thereof, shall be of

cast iron pipe and watertight; that each such building shall have at least one vent of not less than three-inch pipe size, extended above the roof line; and that waste connections be separated as required by § 51.074 hereafter. All changes in existing waste piping required hereunder shall be accomplished in conformity with state law.

(Ord. 62-21, passed 7-23-62)

§ 51.073 WYE AND SLOPE SPECIFICATIONS.

Where installation of a lateral sewer involves the tapping of the main, as for connection to a storm sewer, for increase in size of an existing lateral, or for a sanitary sewer lateral where no wye has been provided, such connection shall be made only by insertion of a wye in the main for all mains eight inches and smaller in size and for ten-inch mains if the lateral is to be larger than four-inch pipe size. In other cases, a hole may be cut in the main and a

connection cemented on in an approved manner so as to provide a watertight joint of adequate strength, and with no projection into the interior of the main. Within the street right-of-way, the laterals projected from such connections shall be laid to the minimum slope specified in § 51.071. It shall be the responsibility of the owner of the property served to properly backfill all trenches in the street right-of-way and repair all sidewalks, curbs, other pipe lines, and pavement removed or damaged as a consequence of the work. If the owner shall fail to properly restore such street improvements, or if such restoration subsequently proves defective in any respect, such restoration or correction of defect shall be treated in the manner provided by the city charter for the repair of defective sidewalks.

(Ord. 62-21, passed 7-23-62)

§ 51.074 RESTRICTIONS ON DISCHARGE INTO SANITARY AND STORM SEWERS.

It shall be unlawful to connect or to discharge the effluent from any roof drain, storm drain, subdrain, or refrigeration condenser serving a refrigeration system of two horsepower or greater to the sanitary sewer system of the city. These may be connected to a storm sewer, if available, or shall be disposed of by means of dry wells. It shall likewise be unlawful to dispose of any sanitary wastes to any storm sewer. The conduction of any gasoline, oil, or other petroleum wastes to either a storm sewer or sanitary sewer shall be prohibited. Sewage effluent from any premises not served by a sanitary sewer shall be disposed of within the property by means of an adequate and properly maintained septic tank and dry well or drain field. No raw sewage or effluent from any septic tank shall be allowed to flow to any street, drain ditch, exposed ground surface, or stream. Any condition in violation of this section shall be abated by the property owner within 48 hours after written notice served by the city engineer on the owner or occupant of the premises.

(Ord. 62-21, passed 7-23-62)

§ 51.075 DISPOSITION OF CLOSED NON-SEWER WASTE SYSTEM.

Whenever any cesspool, septic tank, or dry well shall pass into disuse by reason of its replacement or the connection of the premises to the sewer system, or for any other cause, the same shall be uncovered and filled with sand. Sandfill shall be inspected and approved by the city engineer prior to backfilling.

(Ord. 62-21, passed 7-23-62)

§ 51.076 DISPOSITION OF ABANDONED LATERAL SEWER.

Whenever any lateral sewer shall pass into disuse by reason of its replacement, the demolition of the premises served, or for any other cause, the same shall be disconnected and effectively plugged at the street lot line.

(Ord. 62-21, passed 7-23-62)

SEWER USE CHARGE SYSTEM

§ 51.090 POLICY.

(A) The city provides a valuable public service by maintaining a sewer collection, treatment and disposal system within the city limits. This utility exists for the benefit of persons within the city who produce sewage and who have a present or future need for disposing of sewage within the city.

(B) Users of the sewer system are to pay rates which reflect direct and indirect costs of operation of the sewer system as a public utility. Persons not using the sewer utility should not pay utility rates. However, some use of the utility occurs when the sewer service is sized to provide sewer service to the property. These costs and the cost of maintaining these services so as to have sewer services available on demand constitute a cost that should be passed on to all customers through an access/demand charge.

(C) The rate structure of the city sewer utility shall be consistent with the above, shall reflect full actual costs of providing the service, and shall consist of a service charge which allows the customer a degree of control over the amount to be paid.

(D) This rate structure is intended to constitute a service charge, even if it is viewed as a charge against property or against a property owner as a direct consequence of ownership of the property.

(E) Effective July 1, 2009, as compensation for use of the city-owned rights-of-way, the sewer fund shall pay to the street fund an in-lieu-of-franchise fee in the amount of 7% of the sewer user receipts. (Ord. 91-27, passed 10-28-91; Am. Ord. 2009-05, passed 7-27-09)

§ 51.091 DEFINITIONS.

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

ACCESS/DEMAND CHARGE. The charge made to each user to cover direct and indirect costs attributable to sizing and maintenance of the sewer system, including treatment, so that sewer services are available for a customer upon immediate demand.

COMMERCIAL. All buildings or premises used for any purpose other than industrial and single-family dwelling purposes. Includes vacation rentals and bed and breakfasts with more than four bedrooms which rent rooms any time during the calendar year.

HIGH STRENGTH. Effluent with BOD greater than 450 mg/L and suspended solids greater than 460 mg/L.

INDUSTRIAL. Any enterprise discharging high strength effluent.

OPERATION AND MAINTENANCE. All expenditures during the useful life of the treatment

works for materials, labor, utilities and other items which are necessary for managing and maintaining the treatment works to achieve the capacity and performance for which such works were designed and constructed. The term **OPERATION AND MAINTENANCE** includes replacement.

PLANNING PERIOD. The period over which a works is evaluated for cost-effectiveness and shall be a period of 20 years.

RECONSTRUCTION. The "replacement" of equipment, equipment components, or other treatment works components which have been in service for more than 20 years.

REPLACEMENT COSTS. Expenditures for obtaining and installing equipment, accessories or appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designed and constructed.

SERVICE CHARGE. The combination of the access/demand charge and user fee.

SINGLE-FAMILY DWELLING. A detached building designed or used exclusively for the occupancy of one family and having housekeeping facilities for one family. Includes bed and breakfasts and vacation rentals with four or fewer bedrooms.

TREATMENT WORKS. Any devices and systems for the storage, treatment, recycling and reclamation of municipal sewage, domestic sewage, or liquid industrial wastes. These include intercepting sewers, outfall sewers, sewage collection system and their appurtenances, extensions, improvements, remodeling, additions and alteration thereof, elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities, and any fixed assets, including site acquisition of land that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment (including land for composting sludge,

temporary storage of such compost and land used for the storage of treated wastewater, or any other method or system for preventing, abating, reducing, storing, treating, separating, or disposing of municipal waste or industrial waste).

USEFUL LIFE. An estimated period during which a treatment works will be operated, as defined by the planning period.

USER FEE. The charge to a user based on the delivery of water to the property.

WATER METER. A water volume measuring and recording device, furnished and installed by the city, or by a user, and approved by the city. (Ord. 91-27, passed 10-28-91; Am. Ord. 92-48, passed 1-11-93)

§ 51.092 ESTABLISHMENT OF SERVICE CHARGE.

The service charge is established by this subchapter.

(A) The service charge shall generate adequate annual revenues to pay costs of annual operation and maintenance.

(B) The city will perform cost of service analyses that shall include annual costs for operation and maintenance, including replacement. These costs will be adequate to ensure effective and dependable operation during the treatment system's planning period.

(C) The city will review the service charge at least every two years and revise the service charge rates as necessary to ensure the provisions of the cost-effectiveness analysis.

(D) Service charges, along with all charges and rates herein provided, shall be paid to the City Treasurer at such places as may be designated. All such payments so collected shall be placed and maintained in a fund designated as the Sewer Fund.

This fund will be kept in accounts designated in such a manner that funds for defraying the costs of those provisions are adequate to maintain the capability and performance over the useful life of the treatment works, that the funds for providing additional security against the retirement of sewerage system bonds, and for reconstruction, are set aside as may be appropriate.

(E) The Sewer Fund shall be managed in a manner consistent with sound accounting and management practices.

(F) The city will maintain adequate records to document compliance with the service charge requirements, including records of the biennial review, and such records will be available to the users. (Ord. 91-27, passed 10-28-91)

§ 51.093 DETERMINATION OF RATES.

Rates for this service under this subchapter shall be those rates adopted by the City Council by resolution. The City Council shall establish and, as considered necessary from time to time, change rates by resolution after a public hearing.

(Ord. 91-27, passed 10-28-91; Am. Ord. 92-26, passed 7-13-92; Am. Ord. 95-39, passed 9-11-95; Am. Ord. 98-14, passed 7-27-98)

Cross-reference:

System Development Charges, see §§ 32.45 through 32.61

§ 51.094 APPEALS.

Any individual or business paying a charge for a sewer service who feels his sewer charge is unjust and inequitable as applied to his premises may make written application to the City Manager requesting a review of his service charge. The decision of the City Manager may be appealed to the City Council. If the City Council finds an error has been made in the implementation of the intent of this subchapter, it shall direct the city staff to make such adjustment as the City Council may deem fair and equitable.

(Ord. 91-27, passed 10-28-91)

BILLING**§ 51.100 BILLING PROCEDURES.**

(A) *Rendering of bills.* Bills for sewer service shall be rendered bimonthly.

(B) *Payment of bills.*

(1) All bills are due and payable on presentation. Payment may be made at the city finance office or an authorized deposit location.

(2) Closing bills will be collected at the time of discontinuance of service.

(3) When bills are delinquent, the city will follow the procedure as outlined in § 51.101. (Ord. 2002-08, passed 6-25-02)

§ 51.101 PENALTY FOR DELINQUENT PAYMENT.

All bills are due and payable as of the billing date. If a billing is not paid in full within 40 days of the billing date, the account will be considered delinquent and a 10% late fee on the outstanding balance may be charged. If the account is not brought current within 30 days of the late fee charge then notice will be sent notifying the customer that shutoff proceedings will commence in 15 days if not paid in full. If after 15 days the account is not satisfied, notice will be posted/placed on the property stating when shutoff will occur. A minimum of 24 hours notice will be given. Whenever service has been discontinued because of continued delinquency, all charges related to reinstatement of services shall be collected, together with the delinquent amount including late fees, before service is resumed. (Ord. 2002-08, passed 6-25-02)

ADMINISTRATION AND ENFORCEMENT**§ 51.110 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 in accordance with the provisions of this chapter. The Superintendent or his 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.

(B) While performing the necessary work on private properties referred to in division (A) 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 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 § 51.022.

(C) The Superintendent and other duly authorized employees of the city bearing proper credentials and identification shall be permitted to enter all private properties through which the city holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within 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. 86-1, passed 1-27-86)

§ 51.111 VIOLATIONS; NOTICE.

(A) Any person found to be violating any provision of this chapter except § 51.003 shall be served by the city with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

(B) Any person violating any of the provisions of this chapter shall become liable to the city for any expense, loss, or damage occasioned by the city by reason of such violation.

(Ord. 86-1, passed 1-27-86)

§ 51.999 PENALTY.

(A) Any person who shall continue any violation beyond the time limit provided for in § 51.071(A), shall be guilty of a misdemeanor, and on conviction thereof shall be fined in the amount not exceeding \$500 for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

(Ord. 86-1, passed 1-27-86)

(B) It shall be unlawful for any person, firm, or corporation to connect, construct, alter, repair, use, or maintain any sewer connection or lateral sewer, or cause the same to be done contrary to or in violation of any of the provisions of this code. Any person, firm, or corporation violating any of the provisions of this code shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any provision of this code is committed, continued, or permitted; and upon conviction of any such violation, such person shall be punishable by a fine of not more than \$500, or by imprisonment for not more than 180 days, or by both such fine and imprisonment.

(Ord. 62-21, passed 7-23-62; Am. Ord. 63-7, passed 2-25-63)

