

ORDINANCE NO. 92

AN ORDINANCE (1) REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, PRIVATE SEWAGE DISPOSAL, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SANITARY SEWER SYSTEM, PROVIDING PENALTIES FOR VIOLATIONS THEREOF, AND PROVIDING FOR THE ESTABLISHMENT AND COLLECTION OF FEES AND CHARGES FOR SEWER USE AND SEWER SERVICE; AND (2) REGULATING THE USE OF THE PUBLIC WATER DISTRIBUTION SYSTEM, CONNECTIONS THERETO FOR SUCH USE, PROVIDING FOR PENALTIES FOR VIOLATIONS THEREOF, AND PROVIDING FOR THE ESTABLISHMENT AND COLLECTION OF FEES AND CHARGES FOR WATER USE AND WATER SERVICE, IN AND FOR THE CITY OF UNIVERSITY HEIGHTS, IOWA.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF UNIVERSITY HEIGHTS, STATE OF IOWA, AS FOLLOWS:

ARTICLE I. SEWERS AND SEWAGE DISPOSAL.

Division 1. General Provisions.

Section 1. Definitions.

Unless the context specifically indicates otherwise, the meaning of terms used in this article shall be as follows:

- (a)(1) *Act or the Act* shall mean the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. (United States Code) 1251 et seq.
- (2) *Approval authority* shall mean the executive director of the Iowa Department of Natural Resources.
- (3) *Authorized representative of industrial user* shall mean:
 - (a) A principal executive officer of at least the level of vice-president, if the industrial user is a corporation;
 - (b) A general partner or proprietor if the industrial user is a partnership or proprietorship, respectively;

- (c) A duly authorized representative of the individual designated above if such representative is responsible for the overall operation of the facilities from which the indirect discharge originates.
- (b)(1) *Biochemical oxygen demand (BOD)* shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty (20) degrees centigrade, expressed in milligrams per liter (mg/l).
- (2) *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 five (5) feet (1.5 meters) outside the inner face of the building wall.
- (3) *Building sewer* shall mean the extension from the building drain to the public sewer or other place of disposal, also called "house connection."
- (c)(1) *Categorical standard* shall mean national categorical pretreatment standard or pretreatment standard.
- (2) *City* shall mean the city of University Heights, or such other person or entity authorized by the city council of University Heights to enforce this ordinance.
- (3) *City clerk* shall mean the duly appointed city clerk of University Heights, or such other person or entity authorized by the city council of University Heights to enforce this ordinance.
- (4) *City engineer* shall mean the duly appointed city engineer of University Heights, or such other person or entity authorized by

the city council of University Heights to enforce this ordinance.

- (5) *Combined sewer* shall mean a sewer receiving both surface runoff and sewage.
- (6) *Control authority* shall mean the superintendent, defined hereinafter.
- (7) *Consistent removal* shall mean reduction in the amount of a pollutant or alteration of the nature of the pollutant by the waste water treatment system to a less toxic or harmless state in the effluent which is achieved by the system in samples taken and measured according to the procedure set forth in Section 403.7(c)(2) of Title 40 of the Code of Federal Regulations (CFR), Part 403, "General Pretreatment Regulations for Existing and New Sources of Pollution" promulgated pursuant to the Act.
- (8) *Cooling water* shall mean the water discharged from any use such as air conditioning, cooling or refrigeration, or to which the only pollutant added is heat.
- (d)(1) *Direct discharge* shall mean the discharge of treated or untreated waste water directly to the waters of the state.
- (e)(1) *Easement* shall mean an acquired legal right for the specific use of land owned by others.
- (2) *Environmental Protection Agency (EPA)* shall mean the U.S. Environmental Protection Agency, or where appropriate, the administrator or other duly authorized official of said agency.
- (f)(1) *Floatable oil* is oil, fat or grease in a physical state such that it will separate by gravity from waste water by treatment in approved pretreatment facility. A waste water shall be considered free of floatable fat if it is properly pretreated

and the waste water does not interfere with the collection system.

- (g)(1) *Garbage* shall mean animal and vegetable waste from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.
- (2) *Grab sample* shall mean a sample which is taken from a waste stream on a one-time basis with no regard to the flow in the waste stream and without consideration of time.
- (h)(1) *Holding tank waste* shall mean any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump tank trucks.
- (i)(1) *Indirect discharge* shall mean the discharge or the introduction of non-domestic pollutants from any source regulated under Section 307(b) or (c) of the Act (33 U.S.C. 1317), into the POTW, including holding tank waste discharged into the system.
- (2) *Industrial user* shall mean a source of indirect discharge which does not constitute a "discharge of pollutants" under NPDES regulations issued pursuant to Section 402 of the Act (33 U.S.C. 1342).
- (3) *Industrial wastes* shall mean the liquid wastes from industrial manufacturing processes, trade or business as distinct from domestic or sanitary wastes.
- (4) *Infiltration/inflow (I/I)* shall mean clear, unpolluted water which enters the collection system from the ground or uncontrollable sources.
- (5) *Interference* shall mean the inhibition or disruption of the POTW treatment program or operations which are the primary cause of a violation of any requirement of the city's NPDES permit. The term includes prevention of sewage sludge use or disposal by the

POTW in accordance with Section 405 of the Act (33 U.S.C. 1345) or any criteria, guidelines, or regulations developed pursuant to the Solid Waste Disposal Act (SWDA, 42 U.S.C. 6901 et seq.), the Clean Air Act, the Toxic Substances Control Act, or more stringent state criteria (including those contained in any state sludge management plan prepared pursuant to Title IV of SWDA) applicable to the method of disposal or use employed by the POTW.

(j)-(1) Reserved.

(m)(1) *May* is permissive. (See "shall".)

(n)(1) *National categorical pretreatment standard or pretreatment standard* shall mean any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307(b) and (c) of the Act (33 U.S.C. 1347) which applies to a specific category of industrial users.

(2) *National pollution discharge elimination system (NPDES or NPDES permit)* shall mean a permit issued pursuant to Section 402 of the Act (33 U.S.C. 1342).

(3) *National prohibitive discharge standard or prohibitive discharge standard* shall mean any regulation developed under the authority of Section 307(b) of the Act and 40 CFR, Section 403.5.

(4) *Natural outlet* shall mean any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake or other body of surface or groundwater.

(5) *New source* shall mean any source, the construction of which is commenced after the publication of proposed regulations prescribing a Section 307(c) (33 U.S.C. 1317) national categorical pretreatment standard which will be applicable to such source, if such standard is thereafter promulgated within one hundred twenty (120) days of proposal in the "Federal

Register." Where the standard is promulgated later than one hundred twenty (120) days after proposal, a new source means any source the construction of which is commenced after the date of promulgation of the standard.

- (6) *Normal domestic waste water* shall mean waste water that has a BOD concentration of not more than three hundred (300) mg/l; a suspended solids concentration of not more than three hundred fifty (350) mg/l; a pH in the range of 6 to 10.5; not more than twenty-five (25) mg/l of petroleum oil, nonbiodegradable cutting oils or products of mineral oil; and not exceeding three hundred (300) mg/l of oil or grease of animal or vegetable origin.

- (o)(1) *Operation and maintenance* shall mean 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.

- (p)(1) *Person* shall mean any owner, individual, firm, company, association, society, corporation or group.

- (2) *pH* shall mean the logarithm of the reciprocal of the weight of hydrogen ion concentration expressed in grams per liter of solution. Neutral water, for example, has a pH value of 7 and a hydrogen ion concentration of 10^7 .

- (3) *Plumbing official* shall mean the person designated by the city to administer and enforce the city codes relating to plumbing.

- (4) *Pollutant* shall mean any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt or industrial, municipal, or agricultural waste discharged into water.

- (5) *Pollution* shall mean the man-made or man-induced alteration of the chemical, physical, biological, and radiological integrity of water.
- (6) *Pretreatment or treatment* shall mean the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutants, or the alteration of the nature of pollutant properties in waste water to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants in to POTW. The reduction or alteration can be obtained by physical, chemical or biological processes, process changes or other means, except dilution.
- (8) *Properly shredded garbage* shall mean the wastes from the preparation, cooking and dispensing of foods 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.
- (9) *Publicly owned treatment works (POTW)* shall mean a treatment works as defined by Section 212 of the Act (33 U.S.C. 1292) which is owned in this instance by the city of University Heights, or which is owned by a city providing treatment services to University Heights pursuant to intergovernmental agreement. This definition includes any sewers that convey waste water to the POTW treatment plant, but does not include pipes, sewers or other conveyances not connected to a facility providing treatment. For the purposes of this division, a POTW shall also include any sewers that convey waste waters to the POTW from persons outside the city who are, by contract or agreement with the city, users of the city's POTW.
- (10) *POTW treatment plant* shall mean the portion of the POTW designed to provide treatment to waste water.

- (11) *Public sewer(s)* shall mean the common sewers located within the city of University Heights which are owned, controlled, maintained, operated by the city, and which are part of the sanitary sewer system serving the residents of University Heights.
- (q)
- (r)(1) *Replacement* shall mean 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. The term "operation and maintenance" includes replacement subject to the limitations set forth hereinafter in Section 33-44(a)-(g).
- (2) *Residential contributor* shall mean any contributor to the city's treatment works whose lot, parcel of real estate, or building is used for domestic dwelling purposes only.
- (s)(1) *Sanitary sewer* shall mean a sewer which carries waste water and to which storm, surface and groundwaters are not intentionally admitted.
- (2) *Sewer* shall mean a pipe or conduit that carries waste water or drainage water.
- (3) *Shall* is mandatory. (See "may".)
- (4) *Significant industrial user* shall mean any industrial user of the city's waste water disposal system who:
- (a) Has a discharge flow of fifty thousand (50,000) gallons or more per average workday, or
- (b) Has a flow greater than five (5) per cent of the flow in the city's waste water treatment system, or

- (c) Has in his wastes significant quantities of toxic pollutants, or
 - (d) Is found by the city, the Iowa Department of Water, Air and Waste Management or the EPA to have significant impact, either singly or in combination with other contributing industries, on the waste water treatment system, the quality of sludge, the system's effluent quality or air emissions generated by the system.
- (5) *Slug* shall mean any discharge of water or waste water which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four hour concentration or flows during normal operation and shall adversely affect the collection system and/or performance of the water pollution control plant.
- (6) *Standard industrial classification (SIC)* shall mean a classification pursuant to the "Standard Industrial Classification Manual" issued by the Executive Office of the President, Office of Management and Budget, 1972.
- (7) *State* shall mean the State of Iowa.
- (8) *Storm drain* (sometimes termed "storm sewer") shall mean a drain or sewer for conveying water, groundwater, subsurface water or unpolluted water from any source.
- (9) *Storm water* shall any flow occurring during or following any form of natural precipitation and resulting therefrom.
- (10) *Suspended solids* shall mean the total suspended matter that either float on the surface of, or are in suspension in water, waste water or other liquids and which are removable by laboratory filtering as prescribed in "Standard Methods for the

Examination of Water and Wastewater" and referred to as non-filterable residue.

- (t)(1) *Toxic pollutant* shall mean any pollutant or combination of pollutants listed as toxic in regulations promulgated by the administrator of the Environmental Protection Agency under the provisions of Section 307(a) of the Act, under other acts mentioned in this division or under Iowa statutes and rules.
- (2) *Treatment works* shall mean 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 systems, individual systems, pumping, power and other equipment and their appurtenances; extension, improvements, remodeling, additions and alterations thereof; elements essential to provide a reliable supply such as standby treatment units and clear well facilities; and any work, 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 (including land for composting sludge, temporary storage of such compost, and land used for the storage of treated waste water in land treatment systems before land application); or any other method or system for preventing, abating, reducing, storing, treating, separating or disposing of municipal waste or industrial waste, including waste in combined storm water and sanitary sewer systems.
- (u)(1) *Unpolluted water* is water of quality equal to or better than the waste water treatment effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and waste water facilities provided.
- (2) *Useful life* shall mean the estimated period during which a treatment works will be operated.

- (3) *User* shall mean any person who contributes, causes or permits the contribution of waste water into the City's POTW.
- (4) *User charge* shall mean that portion of the total waste water service charge which is levied in a proportional and adequate manner for the cost of operation, maintenance, debt service and replacement of the treatment works.
- (v) Reserved.
- (w)(1) *Waste water* shall mean 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. Waste water is also commonly known as "sanitary sewage."
- (2) *Waste water facilities* shall mean the structures, equipment and processes required to collect, carry away and treat domestic and industrial wastes and dispose of the effluent. Waste water facilities are synonymous with "sewage works" or "sanitary sewerage system."
- (3) *Water meter* shall mean any water volume measuring and recording device, furnished and installed by the city.
- (4) *Water pollution control plant* shall mean an arrangement of devices and structures for treating waste water, industrial wastes and sludge. Water pollution control plant is synonymous with "sewage treatment plant," "waste water treatment works" or "waste water treatment plant."
- (5) *Waters of the state* shall mean all streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained

within, flow through, or border upon the state or any portion thereof.

(6) *Watercourses* shall mean a natural or artificial channel for the passage of water either continuously or intermittently.

(x)-(z) Reserved.

Section 2. Connections.

(a) *Required.* Before the permanent improvements of any street, highway, avenue, alley, public ground or place whereon are located water or sewer pipes, connections therefrom to the curb lines of adjacent property shall be made according to the specifications of the city clerk and under his direction.

(b) *Location.* Such connections shall be made one for each platted lot in residential districts and one for each separate building in non-residential districts.

(c) *City may construct.* In case the owners of property described in paragraphs (a) and (b) of this section shall fail to make the connections required by such paragraphs in the manner and within the time fixed by the council, it shall cause the same to be made, and the cost and expense thereof assessed against the property in front of which they are made.

(d) *Material.* All water service pipes one inch to two (2) inches in size laid from the water main to the curb shall be type K copper, or other approved material.

Section 3. Privies, cesspools and like prohibited.

No privy vault, cesspool nor manure pit shall hereafter be constructed in the city.

Section 4. Emptying and disinfecting.

All privy vaults, cesspools and reservoirs shall be emptied whenever filled, and at least once every year before the first of May; and shall be kept thoroughly deodorized and disinfected by adding to the contents thereof at least once every month, or more often if necessary, fresh chloride of lime or other suitable disinfectant in sufficient quantity to abate the odor of putrefication. The privy vaults shall be removed and incinerated, or otherwise disposed of in a manner approved by the local board of health.

Section 5. Drain.

No privy vault, water closet, cesspool, sink, laundry or stable drain, shall open into any street or alley, ditch or stream, nor into any drain except into the public sewer of the city or into disposal tanks equipped with filters that are of ample area.

Division 2. Building Sewer Requirements and Industrial Waste Control.

Section 1. Unlawful deposits and discharges.

- (a) It shall be unlawful for an 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 said 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 said city any waste water or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this division.

Section 2. Connection required; number of sewers.

- (a) The owners of all houses, buildings or properties used for human occupancy and/or employment, situated within the jurisdiction of the

city in which there is now located or may in the future be located a public sanitary sewer of the city are hereby required at their 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 division, within ninety (90) days after date of official notice to do so, provided that said public sewer is within three hundred (300) feet (91.44 meters) of the property line.

- (b) A separate and independent building sewer shall be provided for every building except as otherwise provided.

Section 3. Building sewer installation requirements.

- (a) *Permit required.* No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the city clerk.
- (b) *City to be indemnified.* 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.
- (c) *Specifications.* The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the city, and shall be subject to inspection and approval by the city's inspector prior to use.
- (d) *When drain is too low.* In all buildings in which any building drain is too low to permit gravity flow to the public sewer, waste water carried by such building drain shall be lifted by an approved means and discharged to the building sewer for gravity flow into the public sewer.

- (e) *Certain connections prohibited.* No person shall make connection of roof downspouts, interior and exterior foundation drains, areaway drains or other sources of surface runoff or groundwater which are connected directly or indirectly to a public sanitary sewer.
- (f) *Excavations.* All excavations for building sewer installation shall be in conformance with section 31-21, et seq., of the Iowa City Code of Ordinances.

Section 4. Discharge of unpolluted waters.

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 city. Industrial cooling water unpolluted process waters may be discharged to a storm sewer or natural outlet on approval of the city clerk.

Section 5. 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 petroleum derivative or flammable or explosive liquid, solid or gas.
- (b) Any waters or wastes containing toxic materials and any other poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any waste water treatment process, constitute a hazard to humans or animals, create a public nuisance or create any hazard in the receiving waters of the water pollution control plant.
- (c) Any waters or wastes having a pH lower than 6.0 or greater than 10.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the waste water facilities.

- (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 waste water facilities, such as but not limited to ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, underground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups and milk containers, either whole or ground by garbage grinders.

- (e) Any waters or wastes having five-day biochemical oxygen demand greater than three hundred (300) milligrams per liter, or containing more than three hundred fifty (350) milligrams per liter of suspended solids, or having an average daily flow greater than two (2) percent of the average waste water flow of the city shall be subject to the review of the superintendent. Where necessary, in the opinion of the city clerk, the owner shall provide, at his expense, such preliminary treatment as may be necessary to reduce the biochemical oxygen demand to three hundred (300) milligrams per liter, or reduce the suspended solids to three hundred fifty (350) milligrams per liter, or 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 city clerk, and no construction of such facilities shall be commenced until said approvals are obtained in writing.

Section 6. Certain wastes permissible upon approval of superintendent.

No person shall discharge or cause to be discharged the following described substances, materials, waters or wastes where determined by the city clerk that such wastes can harm either the sewers, waste water treatment process or equipment, have an adverse affect on the receiving stream or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming his/her opinion as to the acceptability of these wastes, the city clerk 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 waste water treatment process, capacity of the water pollution control plant, degree of treatability of wastes in the water pollution control plant, and

other pertinent factors. The substances which are prohibited, unless approved in writing by the superintendent, are:

- (a) Waste water containing more than twenty-five (25) milligrams per liter of petroleum oil, non-biodegradable cutting oils or products of mineral oil origin.
- (b) Any waters or wastes containing fats, wax, grease, or oils, whether emulsified or not, in excess of three hundred (300) milligrams per liter or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150) degrees Fahrenheit (0 and 65 degrees Centigrade).
- (c) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of one horsepower or greater shall be subject to the review and approval of the city clerk.
- (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 objectionable amounts of iron, chromium, copper, zinc, nickel, cadmium and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite waste water at the waste water treatment works exceeds the limits established by the city clerk 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 city clerk as necessary, after treatment of the composite waste water, to meet the requirements of state, federal or other public agencies of jurisdiction for such discharge to the receiving waters.

- (g) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the superintendent in compliance with applicable state or federal regulations.
- (h) Any waters or wastes having a pH in excess of 9.5.
- (i) Materials which exert or cause:
 - (1) Unusual concentrations of inert suspended or dissolved solids.
 - (2) Excessive discoloration, such as but not limited to dye wastes and vegetable tanning solutions.
 - (3) Unusual biochemical oxygen demand, chemical oxygen demand or chlorine requirements in such quantities as to constitute a significant load on the water pollution control plant.
 - (4) Volumes of flow, concentrations or both, which constitute a "slug," as defined herein.
- (j) Waters or wastes containing substances which are not amenable to treatment or reduction by the waste water treatment process employed, or are amenable to treatment only to such degree that the water pollution control plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

Section 7. . What city may require for hazardous waste discharge.

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 section 6 and which in the judgment of the city clerk may have a deleterious effect upon the waste water facilities, processes, equipment or receiving waters, or which otherwise create a hazard to life to constitute a public nuisance, the city clerk may:

- (a) Revoke or cancel the permit,
- (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.

If the city clerk 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 city clerk and subject to the requirements of all applicable codes, ordinances and laws.

Section 8. Grease, oil and sand interceptors.

Grease, oil and sand interceptors shall be provided when, in the opinion of the city clerk, 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 city clerk and shall be located as to be readily and easily accessible for cleaning and inspection.

Section 9. Maintenance of special facilities.

Where preliminary treatment of 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.

Section 10. Control manhole.

When required by the city clerk, 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 appurte-

nances 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 city clerk. 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.

Section 11. Testing, analysis and measurements.

All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this division shall be determined in accordance with the latest edition of "Standard Methods for Examination of Water and Wastewater," published by the American Public Health Association, and shall be determined at the control manholes provided, or upon suitable samples taken at said control manholes. 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 waste water facilities and to determine the existence of hazards to life, limb and property. The particular analyses involved will determine whether a twenty-four hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, biochemical oxygen demand and suspended solids analysis are obtained from twenty-four hour composites of all outfalls whereas pH's are determined from periodic grab samples.

Section 12. City clerk's right of entry for inspection, testing, etc.

The city clerk and other duly authorized employees or agents 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 division. The city clerk or his/her representative 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.

Section 13. Liability for loss, damage, etc., during inspection, testing, etc.

While performing the necessary work on private properties referred to in section 33-76.7, the city clerk or duly authorized employees or agents of the city shall comply with all safety rules applicable to the premises established by the company and the person shall be held harmless for injury or death to the city employees and agents, and the city shall indemnify the person against loss or damage to its property by city employees or agents and against liability claims and demands for personal injury or property damage asserted against the person and as a result 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 10.

Section 14. Right of entry through easements.

The city clerk and other duly authorized employees and agents of the city bearing proper credentials and identification shall be permitted to enter all private properties through which the city holds easement for the purposes of, but not limited to inspection, observation, measurement, sampling, repair and maintenance of any portion of the waste water facilities lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the easement pertaining to the private property involved.

Section 15 - Section 17. Reserved.

Section 18. Compliance required.

Industrial users shall provide necessary waste water treatment as required to comply with this division and shall achieve compliance with all federal categorical pretreatment standards within the time limitations

as specified by the federal pretreatment regulations. Any facilities required to pretreat waste water to a level acceptable to the city shall be provided, operated, and maintained at the industrial user's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the city for review and shall be acceptable to the city before construction of the facility. The review of such plans and operating procedures will in no way relieve the user from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the city under the provisions of this division. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the city prior to the industrial user's initiation of the changes.

Section 19. Pretreatment standards - generally.

- (a) Upon the promulgation of the federal categories pretreatment standards for a particular industrial subcategory, the federal standard, if more stringent than limitations imposed under this division for sources in that subcategory, shall immediately supersede the limitations imposed under this division.
- (b) Where the city's waste water treatment system achieves consistent removal of pollutants limited by federal pretreatment standards, the city may apply to the approval authority for modification of specific limits in the federal pretreatment standards. The city may then modify pollutant discharge limits in the federal pretreatment standards if the requirements contained in 40 CFR Part 403, Section 403.7 are fulfilled and prior approval from the approval authority is obtained.

Section 20. Same - specific standards for certain pollutants.

- (a) An industrial user may not contribute to the POTW any substance which may cause the POTW's effluent or any other product of the POTW such as residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the POTW cause the POTW to be in non-

compliance with sludge use or disposal criteria, guidelines or regulations developed under Section 405 of the Act; any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State criteria applicable to the sludge management method being used.

- (b) No industrial user shall discharge waste water causing the following limitations to be exceeded at the POTW treatment plant influent when measured in a twenty-four hour composite sample:

	mg/l
Aluminum	15
Arsenic	0.006
Barium	2
Cadmium	0.003
Total chromium	0.16
Copper	0.24
Cyanide	0.1
Iron	10
Lead	0.1
Manganese	10
Mercury	0.001
Nickel	0.1
Phenol	4
Selenium	0.1
Silver	5
Zinc	0.3

mg/l = milligrams per liter

If the potable water supply exceeds the established limitations, industrial user discharge limitations shall be based on POTW performance and sludge disposal criteria.

- (c) No industrial user shall discharge waste water having a pH lower than 6.0 or greater than 10.5 or having any other corrosive property

capable of causing damage or hazard to POTW structures, equipment or personnel.

- (d) No industrial user shall discharge any waste water causing the water pollution control plant influent waste water temperature to exceed forty (40) degrees centigrade (140 degrees fahrenheit).

Section 21. Applicability of more stringent requirements.

- (a) State requirements and limitations on discharges shall apply in any case where they are more stringent than federal requirements and limitations or those in this division.
- (b) The city reserves the right to establish by ordinance more stringent limitations or requirements on discharges to the waste water disposal system if deemed necessary to comply with the objectives of this division.

Section 22. Application by specific industrial users for acceptance of discharge, connection.

- (a) No significant industrial user shall connect to or contribute to the POTW after one hundred eighty (180) days following the effective date of this division unless the industrial user's discharge has been specifically accepted by resolution of approval by the city council.
- (b) Industrial users seeking acceptance of their discharges shall complete and file with the city an application for a resolution of approval in the form prescribed by the city. Proposed new significant industrial users shall request a resolution of approval at least ninety (90) days prior to connecting to or contributing to the POTW. In support of the application, the industrial user shall submit, in units and terms appropriate for evaluation, the following information:
 - (1) Name, address, and location (if different from the address);

- (2) SIC number according to the "Standard Industrial Classification Manual," Bureau of the Budget, 1972, as amended;
- (3) Waste water constituents and characteristics, including but not limited to BOD, suspended solids, those mentioned in sections 33-76.18 through 33-76.20 and any other pollutant which would inhibit plant performance, affect low rate sludge quality or affect water quality standards as determined by a reliable analytical laboratory. Sampling and analysis shall be performed in accordance with procedures established by the EPA pursuant to Section 304(g) of the Act and contained in 40 CFR, Part 136, as amended;
- (4) Time and duration of contribution;
- (5) Average daily, maximum daily and peak hourly waste water flow rates, including daily, monthly and seasonal variations, if any;
- (6) Site plans, floor plans, mechanical and plumbing plans and details to show sewers, sewer connections, and appurtenances to the extent and detail as requested by the city clerk;
- (7) Description of activities, facilities, laboratories and plant processes on the premises, including all significant materials which are or could be discharged;
- (8) Where know, the nature and concentration of any pollutants in the discharge which are limited by any city, state, or federal pretreatment standards, and a statement regarding whether or not the pretreatment standards are being met on a consistent basis and if not, whether additional operation and maintenance (O and M) and/or additional pretreatment is required for the industrial user to meet applicable pretreatment standards;
- (9) If additional pretreatment and/or operation and maintenance will be required to meet the pretreatment standards, the shortest schedule by which the industrial user will provide such

additional pretreatment. The completion date in this schedule shall not be later than the compliance date established. The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the industrial user to meet the applicable pretreatment standards (e.g. hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, etc.). No increment of progress shall exceed nine (9) months. Not later than fourteen (14) days following each date in the schedule and the final date for compliance, the industrial user shall submit a progress report to the superintendent, including, as a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment of progress, the reason for delay, and the steps being taken for the industrial user to return the construction to the schedule established. In no event shall more than nine (9) months elapse between such progress reports to the superintendent.

The city will evaluate the data furnished by the industrial user and may require additional information. After evaluation and acceptance of the data furnished, the city council may adopt a resolution of approval accepting and limiting the industrial waste water discharge. Industrial users with resolutions of approval shall report significant changes in operations, waste water constituents and characteristics to the city.

- (c) All provisions of this division shall be expressly subject to all other applicable regulations, user charges and fees established by the city.
- (d) The terms and conditions of discharge limitations in resolutions of approval may be subject to modification by the city as limitations or requirements identified in sections 19 through 21 are modified or other just cause exists. The industrial user shall be informed of

any proposed changes in his specific limitations at least thirty (30) days prior to the effective date of change. Any changes or new conditions in the specific limitations shall include a reasonable time schedule for compliance.

- (e) Industrial user discharge limitations shall be assigned to a specific industrial user for a specific operation. A specific limitation shall not be reassigned or transferred or sold to a new owner, new industrial user, different premise, or a new or changed operation without the approval of the city. Any succeeding owner or industrial user shall also comply with the terms and conditions of the existing specific limitations.

Section 23. Information required when standards are promulgated; compliance reports.

- (a) Industrial users subject to national categorical pretreatment standards shall submit to the city clerk within one hundred eighty (180) days after the promulgation of an applicable national categorical pretreatment standard the information required by paragraphs (8) and (9) of subsection (b) of section 22.
- (b) Within ninety (90) days following the day for final compliance with applicable pretreatment standards, any industrial user subject to pretreatment standards and requirements shall submit to the city clerk a report indicating the nature and concentration of all pollutants in the discharge from the regulated process which are limited by pretreatment standards and requirements and the average and maximum daily flow for these process units in the industrial user's facility which are limited by such pretreatment standards or requirements. The report shall state whether the applicable pretreatment standards or requirements are being met on a consistent basis and, if not, what additional O and M and/or pretreatment is necessary to bring the industrial user into compliance with the applicable pretreatment standards or requirements. This statement shall be signed by an authorized representative of the industrial user and certified to by a qualified professional.

- (c) Any industrial user subject to a pretreatment standard, after the compliance date of such pretreatment standard, or, in the case of a new source, after commencement of the discharge into the POTW, shall submit to the city clerk during the months of June and December, unless required more frequently in the pretreatment standard or by the city clerk, a report indicating the nature and concentration of pollutants in the effluent which are limited by such pretreatment standards. In addition, this report shall include a record of measured daily flows during the reporting period. At the discretion of the city clerk and in consideration of factors such as local high or low flow rates, holidays or budget cycles, the city clerk may agree to alter the months during which the above reports are to be submitted.

Section 24. Dilution no substitute for treatment.

No industrial user shall increase the use of process water or, in any way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in this division, in the federal categorical pretreatment standards, or in any other pollutant-specific limitation developed by the city or state except where expressly authorized to do so by an applicable standard or limitation.

Section 25. Mass limitations.

- (a) A resolution of approval may be revised to impose mass limitations on industrial users which are using dilution to meet applicable pretreatment standards or requirements, or in other cases where the imposition of mass limitations are appropriate. In such cases, the report required by section 23(b) shall indicate the mass of pollutants regulated by pretreatment standards in the effluent of the industrial user. These reports shall contain the results of sampling and analysis of the discharge, including the flow and the nature and concentration, or production and mass where requested by the city clerk, of pollutants contained therein which are limited by the

applicable pretreatment standards. The frequency of monitoring shall be as prescribed in the applicable pretreatment standard.

- (b) All analyses shall be performed in accordance with procedures established by the EPA pursuant to Section 304(g) of the Act and contained in 40 CFR, Part 135 and amendments thereto, or with any other test procedures approved by the EPA. Sampling shall be performed in accordance with the techniques approved by the EPA.

Section 26. Manholes and sampling equipment.

When required by the city clerk, an industrial user shall install a suitable control manhole together with such necessary meters, samplers and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the flows. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the city clerk. 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. Costs incurred by the city for sampling, data recovery and analysis shall be assessed to the industrial user.

Section 27. Accidental discharges.

- (a) Each industrial user shall provide protection from accidental discharge of hazardous quantities of pollutants, prohibited materials or other substances regulated by this division. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner or industrial user's own cost and expense. Detailed plans showing appropriate disposal facilities and operating procedures to provide this protection shall be submitted to the city for review, and shall be approved by the city before construction of the facility. All existing industrial users shall complete such a plan within three hundred sixty-five (365) days following the effective date of this division. No industrial user who commences contribution to the POTW after the effective date of this division shall be permitted to introduce pollutants into the system until accidental discharge procedures have been approved by

the city. Review and approval of such plans and operating procedures shall not relieve the industrial user from the responsibility to modify the industrial user's facility as necessary to meet the requirements of this division.

- (b) In the case of an accidental discharge, the industrial user shall immediately telephone and notify the POTW of the incident. The notification shall include location of discharge, type of waste, concentration and volume, and corrective actions. A notice shall be permanently posted on the industrial user's bulletin board or other prominent place advising employees whom to call in the event of a dangerous discharge. Employers shall ensure that all employees who may cause or suffer such a dangerous discharge to occur are advised of the emergency notification procedure. Within five (5) days following an accidental discharge, the industrial user shall submit to the city clerk a detailed written report describing the cause of the discharge and the measures to be taken by the industrial user to prevent similar future occurrences. Such notification shall not relieve the industrial user of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, fish kills, or any other damage to person or property; nor shall such notification relieve the industrial user of any fines, civil penalties, or other liability which may be imposed by this division or other applicable law.

Section 28. Records; confidentiality.

- (a) All records relating to compliance with pretreatment standards shall be made available to officials of the EPA or approval authority upon request.
- (b) Information and data on an industrial user obtained from reports, questionnaires, applications for resolutions of approval, permits and monitoring programs and from inspections shall be available to the public or other governmental agency without restriction unless the industrial user specifically requests and is able to demonstrate to the satisfaction of the city that the release of such information

would divulge information, processes or methods of production entitled to protection as trade secrets of the industrial user. When requested by the person furnishing a report, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public but shall be made available upon written request to governmental agencies for uses related to this division, the national pollutant discharge elimination system permit, state disposal system permit and/or the pretreatment programs; provided, however, that such portions of a report shall be available for use by the state or any state agency in judicial review or enforcement proceedings involving the person furnishing the report. Waste water constituents and characteristics will not be recognized as confidential information. Information accepted by the city as confidential shall not be retained by the city or transmitted to any governmental agency or to the general public by the city until and unless a ten-day notification is given to the industrial user.

Section 29. Enforcement.

- (a) The city may suspend the waste water treatment service and/or repeal resolutions of approval when such suspension or repeal is necessary, in the opinion of the city, in order to stop an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health or welfare of persons, to the environment, to the POTW, causes interference to the POTW or causes the city to violate any condition of its NPDES permit. Any person notified of a suspension of the waste water treatment service shall immediately stop or eliminate the contribution. In the event of a failure of the person to comply voluntarily with the suspension order, the city shall take such steps as deemed necessary, including immediate severance of the building sewer connection, to prevent or minimize damage to the POTW system or endangerment to any individuals. The city shall reinstate the waste water treatment service upon proof of the elimination of the non-complying discharge. A detailed written statement submitted by the industrial user describing the causes of the harmful contribution and the measures taken to prevent nay future

occurrence shall be submitted to the city within fifteen (15) days of the date of occurrence.

- (b) Any individual user who violates the following conditions of this division, or applicable state and federal regulations, is subject to having his waste water treatment service revoked in accordance with the procedures of subsection (a), above:
 - (1) Failure of an industrial user to factually report the waste water constituents and characteristics of his discharge;
 - (2) Failure of the industrial user to report significant changes in operations, or waste water constituents and characteristics;
 - (3) Refusal of reasonable access to the industrial user's premises for the purpose of inspection or monitoring; or,
 - (4) Violation of conditions of this division.
- (c) Any person found to be violating any provision of this division shall be served with written notice by the city clerk and said notice shall state the nature of the violation and provide a specific time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations. The notice shall inform the offender of his/her right to appeal. The hearing on appeal shall be heard by the city council. Nothing in this section shall prohibit emergency orders.
- (d) Any person who shall continue any violation beyond the time limit set forth in the notice provided for in subsection (c), above, shall be guilty of a simple misdemeanor.
- (e) Any person violating any of the provisions of this division shall become liable to the city for any expense, loss, or damage occasioned the city by reason of such violation. The amounts of any such expenses, losses, or damages to the city shall be fixed and determined by the city council. The city manager, or the superinten-

[c] Multi-Family

$$(75 \text{ gal/cap day}) \times 2.5 \text{ (peak factor)} + 100 \text{ gal/cap day (infiltration)} = 287 \text{ gpcpd}$$

[d] Motels and Hotels

$$(50 \text{ gal/cap day}) \times 2.5 \text{ (peak factor)} + 100 \text{ gal/cap day (infiltration)} = 225 \text{ gpcpd}$$

(2) Schools

[a] Without cafeteria or showers

$$(10 \text{ gal/cap day}) \times 2.5 \text{ (peak factor)} + 100 \text{ gal/cap day (infiltration)} = 125 \text{ gpcpd}$$

[b] With cafeteria and showers

$$(20 \text{ gal/cap day}) \times 2.5 \text{ (peak factor)} + 100 \text{ gal/cap day (infiltration)} = 150 \text{ gpcpd}$$

(3) Office Buildings

$$(10 \text{ gal/cap day}) \times 2.5 \text{ (peak factor)} + 100 \text{ gal/cap day (infiltration)} = 125 \text{ gpcpd}$$

(4) Light Industrial

$$(14,000 \text{ gal/cap day}) \times 2.5 \text{ (peak factor)} + 1200 \text{ gal/cap day (infiltration)} = 36,200 \text{ gpapd}$$

gpcpd = gallons per capita per day

gpapd = gallons per acre per day

- (d) Where velocities greater than 15 feet per second are attained, special provision shall be made to protect against displacement, erosion or shock.
- (e) When a smaller sewer joins a larger one, the invert of the larger sewer shall be lowered sufficiently to maintain the same energy

gradient. An approximate method for securing these results is to place the 0.8 depth point of both sewers at the same elevation.

Section 2. Pipe Standards.

- (a) Extra strength vitrified clay pipe shall be used for sanitary sewers 15 inches in diameter or less. Reinforced concrete pipe shall be used for sewers larger than 15 inches. Special conditions may require the use of reinforced concrete pipe for diameters smaller than 15 inches or the use of cast iron pipe. Pipe will be of sufficient strength to support the superimposed loads.
- (b) All sanitary sewers shall be a minimum of 8 inches in diameter.
- (c) In general, sanitary sewers shall be sufficiently deep so as to receive sewage by gravity from basements as well as to prevent freezing.
- (d) Sanitary sewer joints shall be designed to minimize infiltration and to prevent the entrance of roots. Allowable infiltration shall not exceed 200 gallons per inch diameter per mile per day.
- (e) A 4-inch diameter service wye of a material equal in quality to the main sewer shall be installed wherever a residential service connection is anticipated. House services connected with tees are not acceptable.

Section 3. Manhole Standards.

- (a) Manholes shall be installed as follows:
 - (1) at the end of each line;
 - (2) at all changes in grade, size, or alignment;
 - (3) at the intersection of all lines 8" in diameter or larger;

- (4) at distances not greater than 400 feet for sewers 15 inches or less in diameter and 600 feet for sewers 18 inches to 30 inches. Greater spacing may be permitted in larger sewers and in those carrying a settled effluent.
- (b) A drop pipe shall be provided for a sewer entering a manhole at an elevation of 24 inches or more above the manhole invert. Where the difference in elevation between the incoming sewer and the manhole invert is less than 24 inches, the invert shall be filleted to prevent solids deposition.
- (c) The minimum diameter of manholes shall be 48 inches. The minimum diameter of the opening at the top of the manhole shall be 23 inches.
- (d) The flow channel through sanitary sewer manholes shall be made to conform in shape and slope to that of the sewers.
- (e) Manholes, drop connections and risers shall be constructed in accordance with the current design specifications provided or approved by the city engineer.

Section 4. Protection of Water Supplies.

- (a) There shall be no physical connection between a public or private potable water supply system and a sewer appurtenance which would permit the passage of any sewage or polluted water into the potable supply.
- (b) Wherever possible, sewers should be laid at least 10 feet, horizontally, from any existing or proposed water main. Should local conditions prevent a lateral separation of 10 feet, a sewer may be laid closer than 10 feet to a water main if:
- (1) it is laid in a separate trench;
 - (2) it is laid in the same trench with the water mains located at one side on a bench of undisturbed earth; or

- (3) in either case the elevation of the crown of the sewer is at least 18 inches below the invert of the water main.
- (c) Whenever sewers must cross under water mains, the sewer shall be laid at such an elevation that the top of the sewer is at least 18 inches below the bottom of the water main.
- (d) When the elevation of the sewer cannot be buried to meet the above requirements, the water main shall be relocated to provide this separation or reconstructed with slip-on or mechanical-joint cast iron pipe, for a distance of 10 feet on each side of the sewer. One full length of water main should be centered over the sewer so that both joints will be as far from the sewer as possible.

Section 5. Proper Backfilling.

- (a) Where the sewer crosses an existing or proposed sidewalk or street, the sewer trench shall be backfilled with a suitable material compacted to 90% modified Proctor Density.
- (b) Normally the pipe shall be Class "C" bedded with hand tamping around the lower half of the pipe. If severe subgrade conditions are encountered, the engineer shall direct Class "B" bedding to be used.

Section 6. Engineering review.

The design, specifications, and construction plans for all sanitary sewers to be constructed upon city street or alley right-of-way, or upon city property or easement, shall be subject to review and approval by the city engineer for conformance with the provisions of this Division.

Division 4. Rates and Charges.

Section 1. Tap charges.

All taps to sanitary sewer facilities shall be of a size approved by the city and may be made by the city upon application of the owner or his authorized agent. The city shall charge a uniform fee for the making of all taps, such fee to be based on labor, material, and overhead expenses. The fees for such taps shall be as provided in the Schedule of Fees, Article III hereof.

Section 2. User charge system - purpose.

It is determined and declared to be necessary and conducive to the protection of the public health, safety, welfare and convenience of the city to collect charges from all users who contribute waste water to the city's treatment works. The proceeds of such charges so derived will be used for the purposes of operation, maintenance, replacement and debt service for such waste water treatment works.

Section 3. Same - funding to generate adequate revenue.

The user charge system shall generate adequate annual revenues to pay:

- (a) Costs of annual operation and maintenance, and
- (b) Costs associated with sewer bond retirement for bonds now outstanding, including payments to all sinking, revenue, depreciation, extension and improvement funds established in the ordinances or resolutions authorizing such bonds, and
- (c) When required, costs associated with sewer bond retirement of bonds to be issued in the future.

Section 4. Same - rates.

- (a) *Basics.* Each user shall pay for the services provided by the city based on his/her use of the treatment works as determined by water meter(s) acceptable to the city.

- (b) *Estimated billings: separate meters.* User charges shall be based on actual water used during the billing period. If actual water use is not available, the user charge will be based on prior water usage. New customers shall have a first billing based on an estimate determined by the city clerk.

- (c) *Minimum charge.* All users of sewer service shall be charged:
 - (1) A minimum monthly charge for the first two hundred (200) cubic feet, or less, of water usage, and
 - (2) A monthly charge for water used in excess of first two hundred (200) cubic feet used.

Said charges shall be in the amounts set forth in the Schedule of Fees, Article III hereof.

- (d) *Surcharge.* For those contributors who contribute waste water, the strength of which is greater than normal domestic sewage, a surcharge in addition to the normal use charge will be collected each month. The surcharge for operation and maintenance shall be in the amounts set forth in the Schedule of Fees, Article III hereof.

- (e) *Users to bear increased costs.* Any user which discharges any toxic pollutants which cause an increase in the cost of managing the effluent or the sludge from the city's treatment works, or any user which discharges any substance which singly or by interaction with other substances causes identifiable increases in the cost of operation, maintenance or replacement of the treatment works, shall pay for such increased costs. The charge to each such user shall be

as determined by the city clerk and approved by the city council by resolution.

- (f) *Applicability of charges.* The user charge rates established in this section apply to all users of the city's treatment works, regardless of the location of such users.
- (g) *Water not discharged into system.* If any user of water consumes water for any purpose which does not cause discharge into the sanitary sewer system, and if approved by the city and as established by a separate water meter installed and maintained by such user, the consumption of such water can be determined, no charge shall be made on the basis of water so supplied. Residential contributors shall not be allowed this option, unless approved by the finance department.
- (h) *Water discharged into system from private source.* If any person shall discharge water into the city sanitary sewer system from private wells or other sources other than the city water system, the city shall have the right to install a meter at the owner's expense to measure such flow or to use whatever means are satisfactory to the owner and the city to measure such flow for the purpose of determining sewage treatment charges.
- (i) *Effective dates.* The sewer rates and charges herein established will be effective with the billings sent after the effective dates listed in the Schedule of Fees, Article III hereof.

Section 5. Same - billing procedures; delinquent accounts; collection procedures.

- (a) *Billing frequency; delinquent accounts.* All users shall be billed either monthly or bimonthly. Billings for any particular period shall be mailed to users within thirty (30) days after the end of that period. Payments are due as of the date the billings are mailed, which date shall be the billing date. If full payment of the

amount billed is not received within fifteen (15) days after the billing date, the user's account shall be considered delinquent.

As to locations at which city sewer and water service is being provided, the user's/consumer's account shall be billed and collected as a single combined account. In the event of a delinquency in payment as to either sewer service or water service, subsequent payments shall be credited first to the delinquent bill or bills, and then to the current billing.

In the event that a user fails to pay the full amount of the user's bill for sewage treatment system service within thirty (30) days after the billing date, service may be discontinued, following due notice, or such charges may be certified by the University Heights city council and assessed against the property connected with the sewage disposal system and forwarded to the county auditor for collection in the same manner as a property tax.

- (b) *Notice of service discontinuance; hearing.* The city may discontinue sewer service to any user who has failed to pay for the sewer service supplied, after giving the user notice and an opportunity for a hearing before the city clerk. The notice shall be mailed by first class mail to the affected user not less than twenty-four (24) days in advance of discontinuance, and shall be posted at the service location or locations not less than five (5) days in advance of discontinuance, shall state in writing the reason for discontinuance of service, shall identify the account or accounts and service location or locations for which payment is delinquent, shall state the amount or amounts of such delinquencies and service charges, shall identify the service location or locations at which service will be discontinued, and shall state the date or dates on which such service will be discontinued.
- (c) *Discontinuance of sewer service; location with joint sewer and water accounts.* When a user's account for sewer service, for a location served by water and sewer service under a single account with the city, is delinquent as provided in (a) above, sewer service may be

discontinued by the cessation of water service at that location. Cessation of water service may, at the city's option, be accomplished by shutting off the service water valve at the stop box, if available, or removal of the user's meter. The city shall have unrestricted access to such valves and meters for the purposes specified herein, regardless of whether those devices are located in city street right-of-way, city easement, or on the property of the user.

- (d) *Discontinuance of sewer service; locations with sewer service only.* When a user's account for sewer service at a location served by city sewer service, but not by city water service, is delinquent as provided in (a) above, sewer service may, at the city's option, be discontinued either by disconnection of the user's sewer service line from the city's sewer main, or by plugging said service line. The city shall have unrestricted access to all sewer service connections for the purposes specified herein, regardless of whether those connections are located in city street right-of-way, city easement, or on the property of the user.
- (e) *Discontinuance of sewer service; users with multiple accounts at multiple sites.* Notwithstanding (c) and (d) above, when an individual user is billed under two (2) or more accounts for sewer use at two (2) or more separate sewer service locations, a delinquency in payment for service provided at any one or more of the said locations shall be cause for the city to discontinue service at all service locations serving that user, regardless of whether the accounts for use at such other locations are delinquent.
- (f) *Restoration of service; fees and charges.* Upon payment of all delinquent sewer service fees, and water service fees where applicable, and service charges hereafter provided, the city shall cause the user's sewer service to be restored. A user whose sewer service is to be restored by restoration of water service shall pay the carding fee for shutoff authorized by Article II, Division 4, Section 6(b) hereof, and set forth in the Schedule of Fees, Article III hereof.

A user whose sewer service is to be restored by reconnection of the user's sewer service line, or removal of the plug therefrom, shall pay as a service charge the city's actual cost of disconnection or plugging, and the estimated cost of reconnection or unplugging of the service line or lines involved. The user will be credited or billed for the difference between the estimated and actual cost of reconnection or unplugging.

It shall be prohibited for any person to restore or attempt to restore, without city authorization, sewer service at a location where sewer service is been discontinued by the city.

- (g) *Lien.* In addition to the above, the city shall have a lien upon the property of any user or property owner who has failed to pay for sewer service supplied. After notice and public hearing, the city shall adopt by resolution and the city clerk shall certify the amount of the lien and file the same with the county auditor. Such lien shall attach to the property which was served upon certification by the city council. Liens perfected in this manner shall be assessed against the property to the extent of the balance due to the city for sewer service supplied and losses incurred in perfecting such lien. Such lien shall be enforced until payment of the claim. When the lien is satisfied by payment of the claim, the city shall acknowledge satisfaction thereof and file a release with the county auditor. Provided further, however, that any rental property owner or manager shall furnish to the city in writing the name and forwarding address and telephone number (if known) of former tenants who have vacated the premises where sewer bills are past due and unpaid. Providing this information shall cause the city to forbear filing the lien provided for in this section.
- (h) *Fee for delinquent accounts.* The city clerk is authorized to charge a fee for delinquent sewer service accounts. The amount of such fee shall be as set forth in the Schedule of Fees, Article III hereof. Sewer service to a property which has been discontinued pursuant to this section may be resumed provided that the customer or property

owner pays the delinquent amount plus all additional fees and charges. Sewer service to rental properties shall be resumed notwithstanding failure of the persons formerly living there or occupying the premises to have paid all sewer bills provided that all such persons have vacated the premises as verified in writing by the rental property owner or manager.

- (i) *Regulations regarding the billing and maintenance of sewer service account records.* The city clerk is authorized to adopt and promulgate rules and regulations not inconsistent with this chapter regarding billing procedures for sewer service accounts, regarding the maintenance of records on such accounts, and regarding collection procedures for such accounts.

Section 6. Same - review; changes to rates.

- (a) The city shall review the user charge system at least every two (2) years and revise user charge rates as necessary to ensure that the system generates adequate revenues to pay the costs of operation and maintenance, including replacement, payment of principal and interest and the bond and interest reserve fund, and that the system continues to provide for the proportional distribution of operation and maintenance, including replacement costs amount users and user classes. Before any ordinance is enacted to fix rates to be charged under this division, a public hearing on the proposed change shall be held by the city council.
- (b) The city will notify each user at least annually, in conjunction with a regular bill, of the rate being charged for operation and maintenance, including replacement and the rate being charged for sewer bond debt service for the treatment works.

ARTICLE II. WATER.

Division 1. General.

Section 1. Definitions.

As used in this article, the following terms shall have the meanings indicated:

(a)-(b) Reserved.

(c)(1) *City* shall mean the city of University Heights, or such other person or entity authorized by the city council of University Heights to enforce this ordinance.

(2) *City clerk* shall mean the duly appointed city clerk of University Heights, or such other person or entity authorized by the city council of University Heights to enforce this ordinance.

(3) *City water* or *city water distribution system* means and includes all water mains, valves, and fire hydrants located in and upon the streets, alleys, and public ways or easements within University Heights which, although presently owned, controlled, maintained and operated by the city of Iowa City, are part of the potable water distribution system serving the residents of University Heights.

(4) *Consumer* shall mean any person using water furnished by the city, including all persons occupying and/or owning premises at the time the water is used.

(d)-(r) Reserved.

(s)(1) *Service pipe* shall mean the pipe laid beyond the water main toward the premises to be served with water; the service pipe

shall include all pipes and valves between the water main and the water meter.

(t)-(v) Reserved.

(w)(1) *Water main* shall mean any pipe laid by the city or an agent thereof, or accepted by the city, which is a portion of the water distribution system for the city.

(x)-(z) Reserved.

Section 2. Denial of application for service pipe.

The city clerk may deny an application for a water service pipe when, in the judgement of the city clerk, the extension of a water main rather than a service line is necessary to provide adequate service or to assure the future development of the distribution system.

Section 3. Inspections.

Any employee or agent of the city, or any authorized inspector, shall be permitted at all reasonable hours to enter the premises or buildings of consumers for the purpose of reading meters and inspecting water pipes and fixtures. The city clerk is authorized to set or remove a meter whenever it is deemed advisable. Refusal on the part of the owner, consumer, or occupant of any premises serviced by the city water to permit any employee or agent of the city to enter such premises shall be sufficient cause for discontinuance of the water services at such premises.

Section 4. Opening hydrants.

No person except authorized city employees or agents acting in the performance of their duties shall open a fire hydrant belonging to the city at any time without written permission issued by the city clerk.

Section 5. Information supplied to plumbers and interested parties.

Information which may be obtained from the records, maps, employees, or agents of the city relative to the location of water mains and service pipes will be furnished to licensed plumbers and interested parties; but the city will not guarantee the accuracy of such records.

Section 6. Mains - sizes and extensions.

- (a) The size of the water main required to serve any part of the city shall be determined by the city clerk.
- (b) All water main extensions shall be made to the furthest point on the owner's property line in order to allow for any future expansions.

Section 7. Same - costs.

When water mains are extended, the property owners benefited thereby as determined by the city clerk shall be charged a uniform fee based upon the cost of extending a water main six (6) inches in diameter together with all the necessary valves, fire hydrants, and other parts.

Section 8. Same - assessments.

Extension of water mains to serve property within the limits of the city of University Heights, excluding subdivisions platted after September 13, 1963, shall be financed by special assessments against the benefited property. Assessments against the benefited property shall not exceed the actual cost of an extension plus engineering and administrative costs.

Section 9. City not liable for damages by turning on water.

In turning on water, the city shall not be responsible for any damage that may occur by reason of improper fixtures, open or improper connections, or for any other cause.

Section 10. Shutoff of service.

The city serves the right to shut off the water in the water distribution system mains at any time for the purpose of making repairs or extensions or for other reasons.

Section 11. Private wells.

All wells located in the city or which service properties located in the city, which constitute the source of domestic water supplies, must be of a sanitary character and must be constructed and equipped in accordance with specifications established in the rules and regulations of the state department of health.

Division 2. Connections.

Section 1. Application.

Application for water service connections shall be made in writing to the city clerk by the owner of the property to be served or by his agent. Such application shall state the official house number or numbers of the premises to be served, the size of the pipe tap that is required, and the approximate location where the service will enter the premises.

Section 2. Service pipes.

- (a) *Installation.* All service pipes and fixtures from the street water main to the premises, including the corporation cock, shall be installed at the expense of the owner.
- (b) *Size.* All new service pipes from the main to and including the stop box shall be at least one inch in diameter. All pipes requiring a service larger than two (2) inches shall be made with a tapping sleeve and a cast iron gate valve a minimum of four (4) inches in size; and a roadway valve box of a design approved by the city clerk shall also be installed.

Exception: Existing three-fourths inch services may be replaced with a three-fourths inch diameter service upon approval of the city clerk.

- (c) *Shutoff installation.* The stop box on every service must be flush with the surrounding ground or surfaced, be visible from the sidewalk, and be of a design and in a location approved by the city clerk.
- (d) *Extension.* After a service connection has been laid, no person shall make any attachment or connection to such service connection in order to serve any other premises or buildings than those set forth in the original application for service.

Section 3. Taps to mains.

All taps to water mains shall be of a size approved by the city clerk and shall be made by the city or its authorized agent. The city shall charge a uniform fee for the making of all taps, such fee to be based on labor, material, and overhead expenses.

Section 4. Maintenance of service.

All service pipes and fixtures from the street water main to the premises, including the corporation cock at the main, shall be maintained at the expense of the owner. Any leak or other defect in the service shall be promptly repaired by the owner; if not repaired promptly, the water shall be turned off until such repairs have been made. In any case where the city informs the property owner that there is a leak in the service and it is found that the leak is actually in the main, the city will reimburse the property owner for any actual expense and will assume responsibility for the repairs, unless the property owner negligently caused said leak to occur.

Section 5. Service materials, joints.

- (a) All service pipes for the street water main to the curb box shall be of extra heavy lead, Type K copper, cast iron, or other approved material. All services from the street main shall be carried to the curb stop at an angle of ninety (90) degrees with the street curblin and shall be at least five (5) feet deep.
- (b) The number of joints in the service pipe shall be kept to a minimum.

Section 6. Connecting loops and cross-ties.

Connecting loops and cross-ties within a subdivision shall be constructed by the subdivider.

Section 7. Filling of trench.

Whenever any hard surfaced or treated street has been opened, the trench must be filled with dirt or sand to the satisfaction of the city.

Section 8. Non-conforming connections.

Owners of premises having water services, which do not have separate stop cocks and boxes for each building or which did not otherwise conform to the requirements of this article on September 13, 1963, shall be required to install stop cocks or make such other changes as are necessary in order to conform with the requirements of this article. Service lines presently in use shall be replaced by copper, cast iron, or other approved pipes at the expense of the owner when, in the opinion of the city clerk, such lines have become so disintegrated as to be unfit for further use.

Section 9. Abandoned service pipes.

All service pipes which are no longer used may be permanently closed off at the water main by the city or its authorized agent at the expense of the owner of the premises. Also, if the service is to be replaced, the old service must be shut off at the main and the old pipe cut off at the

corporation cock by the city. If a service pipe or connection which is not currently in use is found to be leaking, the city may, without notice, turn off same and charge the expense thereof to the owner of the property.

Division 3. Meters.

Section 1. Required.

§33-149 All water furnished to the consumers shall be metered unless provided otherwise by ordinance. All meters shall be furnished and set by the city or its authorized agent, but owners must provide a suitable location and piping system for same. Piping systems shall be so constructed and the meters so placed that all water to be used in or about the premises shall pass through the water meter; and the owner or his authorized agent shall be responsible for compliance with this provision and shall be liable for payment of water used in violation hereof.

Section 2. Proof prerequisite to installation.

If the water meter is to be installed in a new building or structure, the applicant must furnish the city proof that the plumbing has been approved by the plumbing inspector, that all charges for water and service previously furnished such applicant have been paid, and that a suitable place has been provided for the meter.

Section 3. Location.

- (a) Meters shall be placed on a service pipe in a position no more than two (2) feet from where the service pipe enters the premises. The meter shall be placed in a clean, dry location which is readily accessible to the city's employees or agents.
- (b) Where a service pipe of two (2) inches or larger is used, the plumber shall contact the city for instructions regarding the fittings and placement of the water meter.

Section 4. Valves and fittings.

There shall be a valve between the water meter and the wall and valve on the outlet side of each meter not more than three (3) feet from such meter. All valves and fittings necessary for installation of a meter shall be provided by the owner of the premises to be served.

Section 5. Size; use of multiple meters authorized when meter larger than two inches is required.

The city clerk shall determine the size of the water meter to be installed. For premises requiring a two (2) inch meter or larger, the city or its agent may install two (2) or more meters of a smaller size. Where meters are so placed, each meter shall have a valve or shutoff on both the inlet and outlet pipe in addition to the basement shutoff.

Section 6. Protection.

- (a) The owner of the premises where a water meter is installed shall be responsible for its care and protection from freezing, hot water, and from damage by any person. In case of damage to the meter or in case of its stoppage or improper operation, the owner shall give immediate notice to the city.
- (b) In all cases where meters are broken or damaged by the negligence of the owner or the occupants of the premises or by freezing, hot water or other injury except ordinary wear and tear, the necessary repairs to the meter shall be made by the city; and the cost of such repairs shall be paid by the owner. If payment for damages is not received at the time of demand, the city shall turn off the water and shall not turn it on until full payment has been made together with all service charges. Damaged meters may be repaired by the city without first giving notice to the owner of the premises served by such meter.

(c) No one shall in any way interfere with the proper registration of water meters, and no one except an authorized employee or agent of the city shall break a seal on a water meter.

§ 33-156
(d) Whenever a water meter is installed in premises that are to be remodeled, removed, or destroyed or where the service is to be discontinued, the owner of such premises shall give notice in writing to the city requesting removal of such meter and granting free access thereto. The owner or his authorized agent shall be responsible for the meter until such written notice is given and the meter is recovered. If the meter is damaged, buried, or lost, the owner shall be required to pay for the same at cost less depreciation.

§ 33-167
(e) When a tenant notifies the city that he/she is moving and no one has authorized service to start for a new tenant, the city may, without notice, place the account into the name of the owner/manager. Billings generated during the first fifteen (15) days, after which a rental property account has been put into the owner's/manager's name, shall include charges for actual water usage only; no minimum charges or refuse charges will be included. No reading fee is to be charged when the account is placed in the owner's/manager's name. When an owner/manager receives a bill for water usage, for the interim period between tenants, he/she may determine that the bill should be paid by the tenant and inform the tenant of his/her responsibility to pay the bill. Upon written notification from the owner/agent, the city will transfer the billed amount to the tenant's account.

Section 7. Testing.

In case there is any doubt as to the accuracy of a water meter on the part of a consumer, he may request that a meter be tested by the city, at which test he may be present or have a representative present if he so desires. If the water meter is found to register within two (2) percent of being correct, a charge of ten dollars (\$10.00) will be made to cover the cost of making such test. If the meter is found to measure more than two (2) percent fast, no charge shall be made for making the test; and there shall be a proportional deduction made from the last water bill

preceding the test. A water meter shall be considered to register satisfactorily when it registers within two (2) percent accuracy.

Division 4. Rates and Charges.

Section 1. Rates.

§ 33-163 (a) All users of city water service shall be charged:

- (1) A minimum monthly charge for the first two hundred (200) cubic feet, or less, of water usage, based on meter size, and
- (2) A monthly charge on all water used in excess of two hundred (200) cubic feet per month.

Said charges will be for the quantities of water used and in the amounts set forth in the Schedule of Fees, Article III hereof.

Section 2. Temporary use during construction.

§ 33-164 (a) When temporary water service is requested for a structure under construction, the owner or contractor shall pay a temporary use fee based on the type of structure under construction, as set forth in the Schedule of Fees, Article III hereof.

(b) If such rates are inadequate for the amount of water to be used, the city clerk may establish higher rates for a particular premises.

(c) The water used under this provision may not be used to settle ditches or irrigate lawns or gardens; and the city clerk may discontinue service to any owner or contractor who has failed to pay for water supplied or used contrary to the provisions of this section.

Section 3. Direct purchase rates.

Water can be purchased at any location that may be designated by the city for that purpose. Water purchased in tanks furnished by the

purchaser will be billed at the rate provided therefor in the Schedule of Fees, Article III hereof. The city will not be responsible for the purity of water after it leaves the supply line when it is delivered to the purchaser's container.

Section 4. Billing procedures; delinquent accounts; collection procedures.

- (a) *Classification of service; billing frequency; delinquent accounts.* Water service shall be classified by consumer type: residential, commercial/retail, industrial, governmental/institutional, other (consumers outside corporate limits). The city clerk shall determine the classification of each consumer based on such criteria as rate of consumption, water use, size of meter, etc. Meters on residential service shall be read bimonthly (once every two (2) months). Charges and billings for services shall be billed bimonthly (once every two (2) months) based upon actual readings. The frequency of meter readings and billings for other consumers shall be determined by the city clerk.

Billings for any particular period shall be mailed to consumers within thirty (30) days after the end of that period. Payments are due as of the date the billings are mailed, which date shall be the billing date. If full payment of the amount billed is not received within fifteen (15) days after the billing date, the consumer's account shall be considered delinquent.

As to locations at which city sewer and water service is being provided, the user's/consumer's account shall be billed and collected as a single combined account. In the event of a delinquency in payment as to either sewer service or water service, subsequent payments shall be credited first to the delinquent bill or bills, and then to the current billing.

In the event that a consumer fails to pay the full amount of the consumer's bill for water service within thirty (30) days after the billing date, service may be discontinued, following due notice, or

such charges may be certified by the city council and assessed against the property connected with the water system and forwarded to the county auditor for collection in the same manner as a property tax.

- (b) *Notice of service discontinuance; hearing.* The city clerk may discontinue water service to any consumer who has failed to pay for the water supplied, after giving the consumer notice and an opportunity for a hearing. The notice shall be mailed by first class mail to the affected consumer not less than twenty-four (24) days in advance of discontinuance, shall be posted at the service location or locations not less than five (5) days in advance of discontinuance, shall state in writing the reason for discontinuance of service, shall identify the account or accounts and service location or locations for which payment is delinquent, and shall state the amount or amounts of such delinquencies and service charges, shall identify the service location or locations at which service will be discontinued, and shall state the date or dates on which such service will be discontinued.

- (c) *Discontinuance of water service.* When a consumer's account for water service at a particular location is delinquent as provided in (a) above, the city clerk may discontinue water service at that location by shutting off the service water valve at the stop box, if available, or removal of the consumer's meter. The city shall have unrestricted access to such valves and meters for the purposes specified herein, regardless of whether those devices are located in city street right-of-way, city easement, or on the property of the consumer.

- (d) *Discontinuance of water service; consumers with multiple accounts at multiple sites.* Notwithstanding (c) above, when an individual consumer is billed under two (2) or more accounts for water consumption at two (2) or more separate water service locations, a delinquency in payment for service provided at any one or more of the said locations shall be cause for the city to discontinue service at

all service locations serving the consumer, regardless of whether the accounts for consumption at such other locations are delinquent.

- (e) *Restoration of service; fees and charges.* Upon payment of all delinquent water service fees, and sewer service fees where applicable, and service charges as hereafter provided, the city shall cause the consumer's water service to be restored. A consumer whose water service is to be restored shall pay the carding fee for shut-off authorized by Article II, Division 4, Section 6(b) and set forth in the Schedule of Fees, Article III hereof.

It shall be prohibited for any person to restore or attempt to restore, without authorization from the city clerk, water service at a location where water service has been discontinued by the city.

- (f) *Lien.* In addition to the above, the city shall have a lien upon the property of any user or property owner who has failed to pay for water supplied. After notice and public hearing, the city shall adopt by resolution and the city clerk shall certify the amount of the lien and file the same with the county auditor. Such lien shall attach to the property which has served upon certification by the city council. Liens perfected in this manner shall be assessed against the property to the extent of the balance due to the city for water supplied and losses incurred in perfecting such lien. Such lien shall be enforced until payment of the claim. When the lien is satisfied by payment of the claim, the city shall acknowledge satisfaction thereof and file a release with the county auditor in the county where the property is situated. Provided, further, however, that any rental property owner or manager shall furnish to the city in writing the name and forwarding address and telephone number (if known) of former tenants who have vacated the premises where water bills are past due and unpaid. Providing this information shall cause the city to forbear filing the lien provided for in this section.

- (g) *Fee for delinquent accounts.* The city clerk is authorized to charge a fee for delinquent water service accounts. The amount of such fee

shall be as set forth in the Schedule of Fees, Article III hereof. Water service to a property which has been discontinued pursuant to this section may be resumed provided that the customer or property owner pays the delinquent amount plus all additional fees and charges. Water service to rental properties shall be resumed notwithstanding failure of the persons formerly living there or occupying the premises to have paid all water bills provided that all such persons have vacated the premises as verified in writing by the rental property owner or manager.

- (h) *Regulations regarding billing and maintenance of water service account records.* The city clerk is authorized to adopt and promulgate rules and regulations not inconsistent with this chapter regarding billing procedures for water service accounts, regarding the maintenance of records on such accounts, and regarding collection procedures for such accounts.

Section 5. Procedure for fixing rates.

Before any ordinance is enacted to fix rates to be charged under this division, a public hearing on the proposed change shall be held by the city council at the time determined by motion of the city council. Notice of such hearing shall contain the date, time, and place for the hearing and shall be published once in a newspaper of general circulation in the city, not less than four (4) nor more than twenty (20) days prior to such public hearing.

Section 6. Deposit upon establishment of account; fees and charges for consumer services.

- §33-169
- (a) Upon initial establishment of a residential water service account, a residential sewer service account, or either of these, with the city, or upon re-establishment of such accounts with the city, the person establishing the account shall be required to execute a service agreement and make a combined account deposit before commencement of the city's service. The amount of the deposit shall be as provided in the Schedule of Fees, Article III hereof.

Upon initial establishment of a commercial water service account, or a commercial sewer service account, or either of these, with the city, the person establishing the account shall be required to execute a service agreement and make a combined account deposit before commencement of the city's service. The amount of the deposit shall be as provided in the Schedule of Fees, Article III hereof.

Deposits shall be held by the city either until three years after establishment of the account, or until service is terminated and the account closed, whichever occurs first. At that time, the amount of the deposit shall be credited to the customer's account.

\$33-169(b) →
~~(b)~~ Fees and charges for various consumer services, including water main
(c) taps, water main installation and connection fees, and routine water service procedures are hereby established. Such fees and charges shall be as set forth in the Schedule of Fees, Article III hereof.

Section 7. Connecting loops.

Before connection by the abutting property owner to water mains constructed at the expense of the city, such property owner shall pay to the city a charge based upon the front footage of the property to be served and based upon the costs of a six (6) inch water main. If the connecting loop is such that property outside the subdivision abuts such loop or ties and connections are made to such line, the city shall collect the regular charge per front foot and shall reimburse the original payer to the extent of the collection so made. In no event shall the actual amount so paid to the individual or subdivider by the city exceed the original cost of the extension.

ARTICLE III. SCHEDULE OF FEES.

Section 1.

The purpose of this article is to set forth those fees, charges, penalties, and fines authorized to be charged by the city pursuant to

specific authorization of the city council, as evidenced herein, this chapter shall constitute authorization for the city manager and his/her designees to charge and collect the fees, charges, penalties, and fines set forth herein. If a fee, charge, penalty, or fine is authorized to be made or charged in another chapter of this Code but it not set forth in this chapter, such fee, charge, penalty, or fine is nonetheless authorized to be made or charged the same as if it were set forth herein.

Section 2. Fees and charges authorized in Article I, Division 4, Section 4.

*Description of Fee,
Charge, Fine, or Penalty*

Sewer Service Charges:

Minimum monthly charge (includes the first 200 cu. ft. of water used)	\$ 5.75
Monthly charge for each additional 100 cu. ft. of water used	\$ 1.26

Monthly surcharge

BOD (per pound)	\$.10
SS (per pound)	\$.06

Deposit fee, combined, for city water and/or sewer and/or solid waste collection accounts:	Residential account: \$50.00 per combined residential service for city water and/or sewer and/or solid waste collection service. Commercial account: an amount equal to the two- month billing for commercial service for city water and/or sewer service.
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See amendment
to § 32.1-73
re § 34-48(b) *Delinquency Deposit*

Section 3. Fees and charges authorized in Article II, Division 4, Section 1.

Water service charges:

Monthly user charges for the first 200 feet or less of water used, based on meter size

Meter Size (Inches)

5/8	\$ 3.80
3/4	4.35
1	5.10
1½	10.15
2	13.60
3	25.15
4	43.85
6	88.20

<i>Description of Fee, Charge, Fine, or Penalty</i>	<i>Charge</i>
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The minimum user charges for larger meters will be based on comparative costs to a 6-inch meter. The minimum user charge for a customer who furnished the meter at their own costs will be based on the minimum for a 5/8-inch meter, regardless of the size.

Monthly user charges for water use in excess of 200 cubic feet per month:

Monthly Usage (Cu. Ft.)

Next 2,800	\$ 0.87
Next 17,000	0.53
Next 20,000	0.46

*See amendment
to § 32.1-73
re § 33-163*

Section 4. Fees and charges authorized in Article II, Division 4, Section 2.

See amendment
to § 32.1-73
re § 33-164
Fee for temporary water use during construction/

Single- and two-family residences	\$ 5.00 per month
Multi-family residences	\$10.00 per month
Commercial structures	\$20.00 per month

Section 5. Fees and charges authorized in Article II, Division 4, Section 3.

See amendment
to § 32.1-73
re § 33-165
Fee for direct purchase of water \$4.00, per 1,000 gallons or fraction thereof

Section 6. Fees and charges authorized in Article II, Division 4, Section 4.

Fee for delinquent water service account	\$3.00 for each water service account not paid within 30 days of the billing date
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Section 7. Fees and charges authorized in Article II, Division 4, Section 6.

(a) Deposit fee, combined for city water and/or sewer and/or solid waste collection service	\$50.00 per combined residential service for city water and/or sewer and/or solid waste collection service, an amount equal to the two-month billing for commercial service
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See amendment
to § 32.1-73
re § 33-169(b) Delinquency Deposit

(b) Fees and charges for various services

Tap fees:

Size	Tap	Corps	Curbs	Boxes
3/4"	\$13.50	\$11.05	\$20.10	\$27.75
1"	17.40	17.45	34.00	27.75
1 1/4"	22.90	33.20	55.30	38.80
1 1/2"	28.00	45.95	73.70	38.80
2"	31.50	74.40	110.00	38.80

See amendment
to § 32.1-73
re § 33-169(c)

1 1/4-inch, 1 1/2-inch and 2-inch will require saddles which are to be charged at the city's purchase price cost.

Installation and connection fees:

Size (inches)	Cost per linear foot
6	\$ 13.20
8	17.10
10	21.80
12	27.00
16	35.80

(c) Routine service fees

	Fee During Normal Working Hours	Fee After Normal Working Hours
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Service

~~#~~ New Fees

See amendment
to § 32.1-73
re § 33-169(c)

- | | | |
|---|-----------------------------------|---|
| (1) Connection fee for
(a) Installing new meter
(b) Resetting meter | \$11.00 | \$30.00 |
| (2) Carding fee for shut-off
in collection procedure | \$110.00 | \$30.00 |
| (3) Check leaky meters and
meter connections | No charge | No charge |
| (4) Frozen meters | \$11.00 + cost
of meter repair | \$30.00 + cost
of meter repair |
| (5) Shut-off service at curb
and check for leaks | No charge | \$30.00 + hourly
rate for time
over 2 hours |
| (6) Broken hydrant | \$11.00 + repair
cost | \$30.00 + repair
cost |
| (7) Location of water mains
for other utilities | No charge | No charge |
| (8) Location of water mains
for private enterprise | No charge | \$30.00 + hourly
rate for time
over 2 hours |
| (9) Meter accuracy check at
customer's request | \$30.00 | Not done after
normal working
hours |
| (10) Miscellaneous services
for other governmental | No charge | \$30.00 + hourly
rate for time |

agencies

2 hours

If service is requested outside normal working hours, a \$30.00 after-hour fee shall be charged in addition to the normal working hour fee. In addition, when service time after hours exceeds two hours, an additional charge will be added to cover equipment expense and actual employee wages, including overtime. The water service division's normal working hours are 8:00 a.m. to 4:30 p.m. daily.

SECTION I. REPEALER: All ordinances and parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION II. SEVERABILITY: If any section, provision or part of the Ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

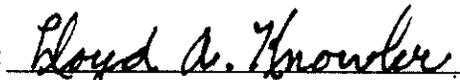
SECTION III. EFFECTIVE DATE: This Ordinance shall be in effect after its final passage, approval and publication as required by law.

Passed and approved this

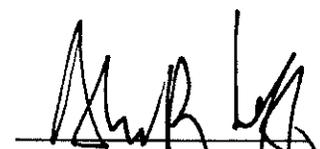


MAYOR

ATTEST:


CITY CLERK

Approved as to Form


Legal Department