

CHAPTER 13.

SEWERS AND SEWAGE DISPOSAL.

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Article I. In General.

Sec. 13-1. Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Biochemical oxygen demand (BOD). The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at twenty degrees Centigrade, expressed in milligrams per liter.

Building drain. That part of the lowest horizontal piping of the 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.

Building sewer. The extension from the building drain to the public sewer of other place of disposal; also called “sewer service line.”

Easement. An acquired legal right for the specific use of land owned by others.

Garbage. The animal vegetable waste resulting from the handling preparation, cooking and service of foods.

Industrial wastes. The wastewater from industrial processes, trades or businesses, as distinct from domestic or sanitary wastes.

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

pH. The logarithm of the reciprocal of the hydrogen ion concentration. The concentration is the weight of hydrogen ions, in grams, per liter of solution.

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

Public sewer. A common sewer controlled by a governmental agency or public utility.

Public works director. The public works director of the wastewater facilities and/or of the wastewater treatment works and/or of water pollution control of the town, or his authorized deputy, agent or representative.

Replacement. Expenditures for obtaining and installing equipment, accessories or appurtenances which are necessary to maintain the capacity and performance during the service life of the treatment works for which such works were designed and constructed. The term “operation and maintenance” includes replacement.

Sanitary sewer. A sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions, together with minor quantities of ground, storm and surface waters that are not admitted intentionally.

Sewage. The spent water of a community. The preferred term is “wastewater.”

Sewer service line. The sewer line running from the town sewer main to the structure or property to be served.

Sewer utility. All sanitary sewers, sewage treatment works, equipment, materials and supplies used by the town to collect and dispose of sewage from property in the town and property served by the town sewers outside the town; provided, that a sewer service line shall be regarded as the property of the owner of such structure or property served.

Slug. Any discharge of water or wastewater which, in concentration of any given constituent or in quantity of flow, exceeds for any period of duration longer than fifteen minutes more than five times the average twenty-four-hour concentration or flows during normal operation, and which shall adversely affect the collection system and/or the performance of the wastewater treatment works.

Storm drain. (sometimes referred to as “storm sewer”). A drain or sewer for conveying water, groundwater, subsurface water or unpolluted water from any source.

Suspended solids. Total suspended matter that either floats on the surface of, or is in suspension in, water, wastewater, or other liquids and that is removable by laboratory filtering as prescribed in “Standard Methods for the Examination of Water and Wastewater” and referred to as “no filterable residue.”

Unpolluted water. Water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.

Wastewater. The spent water of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial building, industrial plants and installations, together with any groundwater, surface water and storm water that may be present.

Wastewater facilities. The structures, equipment and processes required to collect, carry away and treat domestic and industrial wastes and dispose of the effluent.

Watercourse. A natural or artificial channel for the passage of water either continuously or intermittently. (Ord. No. 701, art. I, § 1; Ord. No. 87-4.)

Sec. 13-2. Powers and duties of public works director.

The public works director shall cause to be inspected all openings made in any sewer and all connections made to the sewer utility. He shall take such action as he deems necessary to prevent injury or damage to the sewer utility and to prevent interference with the free flow of sewage. (Ord. No. 70, art. I; § 1; Ord. No. 87-4.)

As to director of public works generally, see §§ 2-44, 2-45 of this Code.

Sec. 13-3. Permit for extension, alteration, etc., of service lines; depositing excrement, garbage, etc., on property; discharges to natural outlets.

It shall be unlawful to extend any sewer service line or to change, enlarge or alter the use of any sewer service line connected to the sewer utility without first obtaining a permit therefore. No such permit shall be issued to property situated outside the town, except under such terms and conditions as the Town Council shall provide.

It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the town, or in any area under the jurisdiction of the town, any human or animal excrement, garbage or other objectionable waste.

It shall be unlawful to discharge to any natural outlet within the town, or in any area under the jurisdiction of the town, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this chapter. (Ord. No. 710, art. I, § 1; Ord. No. 87-4.)

As to licenses generally, see Ch. 7 of this Code.

Sec. 13-4. Plumbing fixtures to be connected by property owner upon notice.

The owner of every house, building, or property used for human occupancy, employment, recreation or other purposes, situated within the town and abutting on any street, alley street, alley or right-of-way in which there is now located or may in the future be located in public sanitary or combined sewer of the town, are hereby required, at the owner's 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 chapter within thirty days after date of official notice to do so. (Ord. No. 70, art. I, § 1; Ord. No. 87-4.)

Sec. 13.5. Discharge of unpolluted waters generally.

No person shall discharge or cause to be discharged any unpolluted waters, such as storm water, surface water, groundwater, roof runoff, subsurface drainage or cooling water, to any sewer; except, that storm water runoff from limited areas, which storm water may be polluted at times, may be discharged to the sanitary sewer by permission of the Town Council and the state department of environmental quality.

Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to natural outlets approved by the Town Council and the state department of environmental quality. Unpolluted industrial cooling water or process waters may be discharged, on approval by the town, to a storm sewer, combined sewer or natural outlet. (Ord. No. 87-4.)

Sec. 13-6. Prohibited and restricted discharges enumerated; pretreatment and flow equalization; grease, oil and sand interceptors; measurements, tests and analyses; special arrangements or agreements; etc.

(A) No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:

- (1) Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas.
- (2) Any waters containing toxic or poisonous solids, liquids or other wastes, to contaminate the sludge of any sewage treatment process, constitute a hazard in or have an adverse effect on the waters receiving any discharge.
- (3) Any waters or wastes having a pH lower than 5.5, or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the wastewater works.
- (4) Solid or viscous substances in quantities or of such size capable causing obstruction to the flow in sewers or other interference with the proper operation of the wastewater 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 flesh, entrails and paper dishes, cups, mild containers, etc., either whole or ground by garbage grinders.
- (5) Any water or wastes which originate in any area located outside of the municipal limits and are hauled or transported in any type of a tank shall not be discharged into the Town's sewer lines, wastewater treatment plant or lagoons.

(B) Each user which discharges any toxic pollutants which cause an increase in the cost of managing the effluent or the sludge of the town treatment facilities shall pay for such increased costs.

(C) The following described substances, materials, waters or wastes shall be limited in discharges to municipal systems to concentrations or quantities which will not harm the sewers, the sludge of any municipal system or the wastewater treatment process or equipment, will not have an adverse effect on the receiving stream or will not otherwise endanger lives, limb or public property or constitute a nuisance. The public works director may set limitations lower than the limitations established in the regulations below if, in his opinion, such more severe limitations are necessary to meet the above objectives. In forming his opinion as to the acceptability, the public works director will give consideration to such factors as the quantity of subject waste in relation to flows and velocities in the sewers, materials of construction of the sewers, the wastewater treatment process employed, capacity of the wastewater treatment plant and other pertinent factors. The limitations or restrictions on materials or characteristics of waste or wastewaters discharged to the sanitary sewer, which shall not be violated without approval of the public works director, are as follows:

1. Wastewater having a temperature higher than one hundred fifty degrees Fahrenheit (sixty-five degrees Celsius).
2. Wastewater containing more than twenty-five milligrams per liter of petroleum oil, non-biodegradable cutting oils or products of mineral oil origin.
3. Wastewater from industrial plants containing floatable oils, fat or grease.
4. Any garbage that has not been properly shredded. Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when such food is served by caterers.
5. Any waters or wastes containing iron, chromium, copper, zinc and similar objectionable or toxic substances to such degree that any such materials received in the composite wastewater treatment works exceed the limits established by the public works director for such materials.
6. Any waters or wastes containing odor-producing substances exceeding limits which may be established by the public works director.
7. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the public works director in compliance with applicable state or federal regulations.
8. Quantities of flow, concentration or both which constitute a "slug", as defined herein.
9. Waters or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed, or are amenable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
10. Any waters or wastes which, by interaction with other waters or wastes in the public sewer system, release

obnoxious gases, form suspended solid which interfere with the collection system or create a condition deleterious to structures and treatment processes.

(D) 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 subsection (C) of this section, and which, in the judgment of the Town Council, may have a deleterious effect, upon the wastewater facilities processes, equipment or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the town may;

- (1) Reject the wastes;
- (2) Require pretreatment to an acceptable condition for discharge to the public sewers;
- (3) Require control over the quantities and rates of discharge; and/or
- (4) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges.

If the Town Council 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 Town Council and the state department of environmental quality.

(E) Grease, oil and sand interceptors shall be provided when in the opinion of the public works director, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts as specified in paragraph (3) of subsection (C) of this section, 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 town and the Wyoming State Plumbing Code, and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors, the owner shall be responsible for the proper removal and disposal by appropriate means of the captivated material and shall maintain records of the dates and means of disposal which are subject to review by the town. Any removal and hauling of the collected materials not performed by the owner's personnel must be performed by currently licensed waste disposal firms.

(F) Where pretreatment or flow equalization facilities are provided or required for any waters or wastes, they shall be maintained continuously in satisfactorily and effective operation by the owner at his expense.

(G) When required by the Town Council, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable structure, together with such necessary meters and other appurtenances in the building

sewer to facilitate observation, sampling and measurement of the wastes. Such structure, when required, shall be accessibly and safely located and shall be constructed in accordance with plans approved by the town. The structure 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.

(H) The Town Council may require a user of sewer services to provide information needed to determine compliance with this chapter. These requirements may include:

- 1) Wastewater's discharge peak rate and volume over a specified time period.
- 2) Chemical analyses of wastewaters.
- 3) Information on raw materials, processes and products affecting wastewater volume and quality.
- 4) Quantity and disposition of specific liquid, sludge, oil, solvent or other materials important to sewer use control.
- 5) A plat plan of sewers of the user's property, showing sewer and pretreatment facility location.
- 6) Details of wastewater pretreatment facilities.
- 7) Details of systems to prevent and control the losses of materials through spills to the municipal sewer.

(I) All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in their chapter shall be determined in accordance with the state department of environmental quality. Sampling methods, location, time, durations and frequencies are to be determined on an individual basis, subject to approval by the public works director.

(J) No statement contained in this section shall be construed as preventing a special arrangement or agreement between the town and any industrial concern, whereby an industrial waste to unusual strength or character may be accepted by the town for treatment. (Ord. No. 70, art. I, § 1; Ord. No. 87-4.)

Sec. 13-7. Discontinuance of service - - For noncompliance with regulations, unauthorized use of sewer system, etc.

If any sewer user fails to comply with the provisions of this chapter or other ordinances or rules and regulations of the town or uses other sewer for a purpose not authorized or in a negligent manner, the town may discontinue water service until the

sewer user is in compliance and has paid any costs incurred because of this noncompliance. (Ord. No. 70, art. I, § 1; Ord. No. 87-4.)

Sec. 13-8. Same - - For failure to pay charges.

In case any sewer user shall fail to pay all charges as prescribed by this chapter, the town shall shut off the water from the premises, building, house or lot, and water shall not be turned on again until all charges are paid, together with any charges for shutting off and turning on the water; provided, that the town shall not shut off the water until the owner shall have been given seven days' notice, in writing by regular mail, mailed to his mailing address as shown on the records of the sewer utility. (Ord. No. 70, art. I, § 1; Ord. No. 87-4.)

Sec. 13-9. Damaging, defacing, etc., wastewater facilities; additional rules and regulations.

No person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the wastewater facilities. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

The Town Council may, from time to time, promulgate such rules and regulations as they consider necessary to carry out the intent of this chapter; provided, that such rules and regulation shall not be inconsistent with this chapter. (Ord. No. 70, art. I, § 1; Ord. No. 87-4.)

Article II. Sewer Connections.

Sec. 13-10. Separate building sewer connections required; exception; privies, etc., prohibited; refusal or neglect to make connections.

A separate and independent building sewer shall be provided for every building; except, that where one building stands at the rear of another on an interior lot, and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer; but the town does not and will not assume any obligation or responsibility for damage caused by or resulting from any such single connection.

Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the public works director to meet all requirements of this chapter.

It shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of wastewater.

If the owner of property coming within the purview of this section neglects or refuses to make such connections, the Town Council shall notify such owner or his agent to make or cause such comply with such notice within thirty days from service of such notice. Every such thirty days' neglect, after service of such notice, shall constitute a separate offense; provided that where the drainage is such that it is impossible or impracticable, as determined by the Town Council, this section shall not apply. (Ord. No. 70, art. II, § 2; Ord. No. 87-4.)

Sec. 13-11. Connections to be made before paving adjacent streets.

Before any street or alley is paved, the owners of all property abutting thereon where a sanitary sewer is laid shall make proper sewer connections with such sanitary sewer, whether the immediate use thereof is required or not. Until used, such connecting sewer shall be supplied with a proper cap or covering material sufficient to prevent the escape of sewer gas. (Ord. No. 70, art. II, § 2; Ord. No. 87-4.)

Sec. 13-12. Permit - -Required.

No unauthorized person shall uncover, make any connection with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the public works director and/or town. (Ord. No. 70, art. II, § 3; Ord. No. 87-4.)

As to licenses generally, see Ch. 7 of this Code.

Sec. 13-13. Same- -Application contents; fees; installation and connection costs; indemnification of town.

There shall be two classes of building sewer permits, as follows: (a) for residential and commercial service; and (b) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a form furnished by the town. Each such application must contain a description of the property to be connected, the kind and size of the service line and the kinds of fixtures to be served. (Ord. No. 70, art. II, § 4; Ord. No. 87-4.)

Sec. 13-14. Same- -Application contents, fees; installation and connection costs; indemnification of town.

The permit application shall state the name, address, plans, specifications, the property to be served, the location of the tap to the town sewer main, the size of the tap and any other information considered pertinent in the judgment of the town. A tap-in permit and inspection fee of two thousand five hundred dollars (\$2,500.00) for a 4" connection into the sewer main shall be paid to the town at the time the application is filed. Any connection into the sewer main that is larger than 4" shall be charged a fee as

set by the Town Council upon approval of an application for a permit to tap the sewer system.

(Interpretation: A water or sewer service subscriber's connection fee (Tap Fee) is that subscriber's proportionate share of the cost of providing the entire system that makes the service available.

For a water system that system cost includes the water treatment plant, the transmission lines, the storage tanks, and distribution system. For the sewer system it includes the cost of the sewage collection lines, the pump station the line to the treatment plant (lagoons), and the lagoons themselves.

The reasoning behind the fee is as follows. The current system subscribers have in one way or another already paid their proportionate share of the purchase of the system through assessments, rate adjustments to retire debt, or other charges derived from the system users. The new subscriber tapping on to the system, through their tap fee, pays their proportionate and fair share of the cost of the system.

The fee charged for connecting to the system is set in proportion the amount of the system's total capacity that the new subscriber will use. If a subscriber, with a $\frac{3}{4}$ " service uses a given percentage of the total system capacity then the subscriber requesting a larger service tap pays proportionately more, thus the higher fee for larger taps.

Once a subscriber is connected to the system, their monthly charges go to pay for operation, maintenance, upkeep, and the eventual replacement of the system.)

All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the town from any loss or damages that may directly or indirectly be occasioned by the installation of the building sewer line.

(Ord. No. 2008-02.)

Sec. 13-15. Same- -Types issued.

The following types of permits shall be issued for connecting to the sewer utility:

(a) Permits to run a sewer service line from the sewer main to the property line of the property to be served.

(b) Permits to run a sewer service line from the sewer main to the property line of the property line of the property to be served.

(c) Permits to run a sewer from the stubbed-in service at the property line to the building or other structure to be served.

(d) Permits to connect a sewer service line to the sewer utility to serve property outside the town; provided that no permit shall be issued to connect with the

sewer utility to serve property lying outside the town except with the express consent of the Town Council and under such terms and conditions as the Town Council may by resolution prescribe.

(e) Permits to renew any of the sewer service lines proved for in this section. (Ord. No. 70, art. II, §6; Ord. No. 87-4.)

Sec. 13-16. Inspection and approval of plumbing; construction materials, methods and procedures.

All plumbing shall be subject to inspection by the public works director or his authorized representatives, in order to ascertain whether the requirements of this chapter have been or are being complied with. It shall be unlawful for any person to cause any plumbing within or outside the town to be connected with the sewer utility of the town until such plumbing shall have been inspected and approved by the public works director.

The size, shape, alignment and materials of construction of all sanitary sewers, including building sewers, and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of the Uniform Building Code and Plumbing Code or other applicable rules and regulations of the town and the state. In the absence of suitable code provisions or in amplification thereof, the materials and procedures set forth in the Wyoming Public Works Specifications shall apply.

Whenever possible, the building sewer shall be brought to the building at an elevation below basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer. (Ord. No. 70, art. II, § 7; Ord. No. 87-4.)

Sec. 13-17. Connections of storm water drains, downspouts, etc.; connection of building sewer to public sewer.

No person shall make connection of roof downspouts, foundation drains, areaway drains or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer, unless such connection is approved by the public works director and the state department of environmental quality for purposes of disposal of polluted surface drainage.

The connection of the building sewer into the public sewer shall conform to the requirements of the Uniform Building Code and Uniform Plumbing Code or other applicable rules and regulations of the town and the state, or the procedures set forth in the Wyoming Public Works Manual. All such connection shall be made gastight and watertight and verified by proper testing. Any deviation from the prescribed procedures and materials must be approved by the public works director before installation. (Ord. No. 87-4.)

Sec. 13-18. Excavations.

All excavations for building sewer installations shall be adequately guarded with barricades and lights, so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the town. All excavating in streets and alleys will be done by a town employee, unless permission is granted from the public works director. (Ord. No. 70, art. II, § 9; Ord. No. 87-4.)

As to excavations in streets and sidewalks generally, see §§ 15-15 to 15-35 of this Code.

Article III. Installation, Maintenance and Repair of Sewer System

Sec. 13-19. Service lines- -Dimensions; materials; distance from water service lines.

The size of any sewer service line shall not be less than four inches inside of the pipe, and such service line shall be a suitable material as determined by the Town Council, with root resistant joints.

All sewer service line ditches shall be at least ten feet from water service line ditches. (Ord. No. 70, art. III, § 1; Ord. No. 87-4.)

Sec. 13-20. Same- -Backfilling of Trenches.

Backfilling of sewer service line trenches shall be hard packed with care and well rammed to prevent the slightest settling of the trenches. (Ord. No. 70, art. III, § 2; Ord. No. 87-4.)

Sec. 13-21. Same- -Maintenance of inside and ends.

The inside of every sewer service line connecting with the sewer utility shall be left smooth and perfectly clean throughout its entire length, and the ends of all lines not to be immediately used shall be securely guarded against the introduction of earth, sand or other foreign material by bricks and cement or other watertight and impervious material. (Ord. No. 70, art. III, § 3; Ord. No. 87-4.)

Sec. 13-22. Same- -Property owners responsible for cost of installing, repairing, etc.; rates not to be reduced when lines inoperative.

The cost of installing the sewer service line shall be paid by the property owner. The owners of the property served by a sewer service line shall be responsible for repairing or replacing such sewer service line when, in the opinion of the town, such line has

become inoperative due to stoppage, crushing, settlement or any other defect. No reduction of rates will be made for any time service lines are inoperative due to stoppage, crushing, settlement or any other defect. No reduction of rates will be made for any time service lines are inoperative due to stoppage, crushing, settlement or other defects. (Ord. No. 70, art. III, § 4; Ord. No. 87-4.)

Sec. 13-23. Same—Separate line required for each property; exceptions.

Each property shall be served by its own service line, and no connection with the sewer system shall be made by extending the service line from one property to a different property prior to January 6, 1976, the continued use of such extension shall be permitted until replacement is necessary, at which time separate connections shall be made to the sewer utility at the expense of the owner of the property served by such extension, and the extended service line shall be discontinued; provided, that this section shall not be construed as prohibiting a single service line to serve a single structure under one roof occupying more than one property. (Ord. No. 70, art. III, § 5; Ord. No. 87-4.)

Sec. 13-24. Same—Methods and specifications for connecting to sewer mains.

No person, other than a plumber licensed by the town or a person authorized by the town, shall install or tap into a sewer service utility. Whenever a sewer connection shall be made, the required trench shall be opened an ample width to permit easy inspection and removal of all rubbish. All service lines shall be laid at least six feet below the established grade of the street. When the main is of greater or less depth, the service line shall be brought to the required depth as soon as possible after leaving the tap. If there is no junction piece in the sewer, a connection may be made by inserting into the sewer a "T" saddle of the size specified in the permit required therefore. After making the opening, which shall be done with great care so as to not injure the sewer, all rubbish shall be carefully removed from inside the main sewer. All connections of one line of sewer pipe with another shall be made with "Y" branches to "T" saddles and long radius eighth bends. The interior of each length of pipe and the inside of the last joint shall be made perfectly clean before the next joint is laid. All joints of vitrified clay pipe shall be set in an approved mastic type joint filler. Slip-on type joints of a type approved by the town shall be acceptable. The "T" saddle may be inserted into the sewer and set even with the inside of the sewer on a bed of mortar and the opening around the pipe carefully repaired and well plastered with an approved mastic type joint filler. In connecting a pipe with a pipe, a "Y" junction or "T" saddle shall be used and the main sewer left in as good a condition as before the work was done. When a connection is made to a sewer main, the service line shall not be connected thereto until the connection has been inspected and approved by the public works director. (Ord. No. 70, art. III, § 6; Ord. No. 87-4.)

Sec. 13-25. Extent of town's participation in bearing cost of mains larger than eight inches in diameter.

Except in such instances where a single sewer district, subdivision or development under one ownership shall require a main greater than eight inches in

diameter, the town may, at its option, participate in the cost of installing larger sized mains. All factors involved in each individual case shall be reviewed by the Town Council. (Ord. No. 70, art. III, § 7; Ord. No. 87-4.)

Sec. 13-26. Construction in subdivisions- -Approvals and permit required.

No sewer shall be constructed in a platted subdivision until all plans and specifications are approved by the Town Council and the subdivider has obtained a permit to construct from the state department of environmental quality. (Ord. No. 70, art. III, § 9; Ord. No. 87-4.)

Sec. 13-27. Same- -Subdivider to install mains.

The subdivider shall install the mains in his subdivisions, upon the approval of plans and specifications by the town, execution of a sewer extension contract and town inspection of actual construction. (Ord. No. 70, art. III, § 8, Ord. No. 87-4.)

Sec. 13-28. Subdivider to pay costs of construction of mains, etc.; mains to be extended to farthest points upgrade.

The subdivider shall pay the costs of construction of all sewer mains and appurtenances to, in and through his subdivision, except as otherwise provided in this chapter. Sewer mains shall always be extended to the farthest points upgrade in a platted subdivision, so that the system may be perpetuated. (Ord. No. 70, art. III, § 10; Ord. No. 87-4.)

Sec. 13-29. Same- -Construction through undeveloped areas to serve platted subdivisions.

When a subdivider finds it necessary to construct a sewer through undeveloped areas to serve his platted subdivision, the entire cost of such sewer line shall be paid by the subdivider. (Ord. No. 70, art. III, § 11; Ord. No. 87-4.)

Sec. 13-30. Extension of sewer to serve property within town but not part of subdivision.

Extension of a sewer to serve property within the town but not a part of a subdivision shall be financed by special assessment against the benefited property or under such terms and conditions as the Town Council shall provide. (Ord. No. 70, art. III, § 12; Ord. No. 87-4.)

Sec. 13-31. Non-gravity lines—Construction of pumping stations.

When pumping stations are required, the cost of constructed such stations shall be the responsibility of the property served thereby. In those instances where it appears

that more than one subdivision may be served by the pumping station, the town may require a larger capacity than that necessary to serve the initial development. Where such larger capacity is required, the additional cost may be paid by the sewer utility and thereafter collected from other property owners or subdivider's connecting to lines served by the pumping station. Such charges shall be paid prior to the time any connections are made. (Ord. No. 70, art. III, § 13; Ord. No. 87-4.)

Sec. 13-32.Same- -Construction of force mains serving areas not otherwise able to enter sewerage system.

Force mains required to serve an area not otherwise able to enter the town's sewerage system shall be constructed at the expense of the owners of the property to be served thereby. (Ord. No. 70, art. III, § 14; Ord. No. 87-4.)

Sec. 13-33.Same- -Connection with gravity system.

In those instances where pumping stations and force mains are required, the sewerage system shall be designed so as to permit an eventual connection into a gravity system with a minimum of expense. Where practicable, easements shall be provided and lines constructed to tie into the gravity system. The town may require deposits, where deemed necessary, from the property owners requiring such force systems to insure the eventual construction of gravity lines. (Ord. No. 70, art. III, § 15; Ord. No. 87-4.)

Sec. 13-34.Extension of service outside town- -Agreements generally.

The Town Council may, in its sole discretion, enter into agreements with customers whose lands lie outside the corporate limits to extend the town's sewer system for the use, needs and requirements of such customers. (Ord. No. 70, art. III, § 16; Ord. No. 87-4.)

Sec. 13-35.Same- -Findings prerequisite to agreements.

Before the Town Council shall enter into any agreement for the extension of the town's sewer system to customers outside the corporate limits, it shall find that:

- a) The extension of sewer service is economically feasible.
- b) The property to be served is readily adaptable to and can be made to conform, within a reasonable time to be fixed by the Town Council, to the then existing ordinances of the town which relate to subdivision, platting, zoning and construction of improvements.
- c) The property to be served is not currently contiguous to the town limits and cannot therefore be annexed to the town pursuant to the laws of the state, but such property can reasonably be expected to be annexable to the town within the foreseeable future.

d) Such extension would help promote the orderly growth and development of the town.

e) Such extension would help promote the health, safety and welfare of the citizens of the town.

f) Such extension would help promote ecological and aesthetic considerations in the growth and development of the town.

g) Such extension is generally in the best interests of the citizens of the town. (Ord. No. 70, art. III, § 17; Ord. No. 87-4.)

Article IV. Service Charges.

As to garbage collection fees, see §§ 6-21 and 6-22 of this Code. As to water rates and charges, see § 17-50.

Sec. 13-36. Purpose of article; basis for determining charges; surcharge for certain nonresidential users; billing procedure generally; review and revision of rates; rate schedule.

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

(b) The town shall determine the total costs of operation and maintenance of the wastewater system which are necessary to maintain the capacity and performance during the service life of the treatment works. The total annual cost of operation and maintenance shall include, but need not be limited to, labor, repairs, equipment replacement, maintenance, necessary modifications, power, sampling and laboratory tests.

(c) The town shall determine for each user or user class the average daily volume of wastewater discharged to the wastewater system, which shall then be divided by the average daily volume of all wastewater discharged to the wastewater system to determine such user's volume contribution percentage. The amount used as the total average daily volume shall exclude infiltration and inflow. The town shall determine for each user or user class the average daily poundage of five-day twenty-degree Centigrade biochemical oxygen demand (BOD) discharged to the wastewater system, which shall then be divided by the average daily poundage of all five-day BOD discharged to the wastewater system to determine such user's BOD contribution percentage.

(d) The town shall determine for each user or user class the average daily total

suspended solids (TSS) poundage discharged to the wastewater system, which shall then be divided by the average daily poundage of all TSS discharged to the wastewater system to determine the user's TSS contribution percentage. The volume contribution percentage, BOD contribution percentage and TSS contribution percentage for each user or user class shall be multiplied by the annual operation and maintenance costs for wastewater treatment of the total volume flow, total five-day, twenty-degree Centigrade BOD and total TSS, respectively.

(e) The town will assess a surcharge rate for all nonresidential users discharging wastes with BOD and TSS strengths greater than the average residential user. Such users will be assessed a surcharge sufficient to cover the cost of treating their above-normal strength wastes. Normal strength wastes are considered to be two hundred ppm BOD and two hundred fifty ppm TSS. The surcharge rate structure for such above-normal strength waste dischargers shall be as provided in this section.

(f) Each nonresidential user's wastewater treatment cost contributions as determined pursuant to this section shall be added together to determine such user's annual wastewater service charge. Residential users may be considered to be one class or user, and an equitable service charge may be determined for each user, based on an estimate of the total wastewater contribution of this class of user. The Town Council may classify industrial, commercial and other nonresidential establishments as residential users, provided, that the wastes from these establishments are equivalent to the wastes from the average residential user with respect to volume, total suspended solids and BOD. Each user's wastewater treatment cost contribution will be assessed in accordance with the rate schedule.

(g) Each user will be notified, at least annually, in conjunction with a regular bill, of the rate and that portion of the user charges which is attributable to wastewater treatment service. The town shall bill one-twelfth of the user's annual wastewater service charge each month on the monthly water, garbage and sewer users billing. Should any user fail to pay the user charge within thirty days of the due date, the town may stop the water service of the property.

(h) The town shall review the total annual cost of operation and maintenance, as well as each user's wastewater contribution percentage, not less often than every two years and will revise the system as necessary to assure equity of the service charge system established herein and to assure that sufficient funds are obtained to adequately operate and maintain the wastewater treatment works. The town shall apply any excess revenues collected from a class of users to the costs of operation and maintenance attributable to that class for the next year and adjust the rate accordingly.

Sec. 13-36. Purpose of article; basis for determining charges; surcharge for certain nonresidential users; billing procedure generally; review and revision of rates; rate schedule.

(i) The sewer rates for within the town limits for residential and non-residential users shall be as follows:

<u>TYPE</u>	<u>MINIMUM RATE FEE PER MONTH</u>
Residential/Churches	\$27.00
Businesses	\$34.00
Bed & Breakfasts	\$28.50
Trailer Courts per Space	\$27.00
Bars	\$38.00
Cafes/Grocery Stores	\$38.00
Motels	\$54.00
Convenience Stores	\$38.00
School per Building	\$38.00

Sec. 13-37.Determination when water from private wells enter system.

The town may require that water used from a private well which enters the wastewater system shall be metered, or may otherwise determine the method to be used to establish the rate to be charged for sewer service in such case.

Sec. 13-44.Effective Date.

This chapter shall be in full force and effect from and after its passage, approval and publication as provided by law, with the exception of article IV, Service Charges, which shall become effective as of January 1, 1998. (Ord. No. 87-4.)

Editor's Note. - - Ordinance No. 87-4, from which this Chapter is derived, was adopted on October 7, 1987.