

TITLE 10

WATER AND SEWER

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CHAPTER 10.04

SEWER REGULATIONS

Sections:

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10.04.01 Definitions. Unless the context specifically indicates otherwise, the meaning of the terms used shall be as follows:

1. "BOD" (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty (20) degrees C, expressed in milligrams per liter.
2. "Building Drain" shall mean that part of the lowest horizontal piping of 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.
4. "Combined Sewer" shall mean receiving both surface run off and sewage.
5. "Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.
6. "Industrial Wastes" shall mean the liquid wastes from industrial manufacturing processes, trade, or business as distinct from sanitary sewage.

7. "Natural outlet" shall mean any outlet into a watercourse, pond, ditch, lake, or other body of surface or ground water.

8. "Person" shall mean any individual, firm, company, association, society, corporation or group.

9. "pH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

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

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

12. "Sanitary Sewer" shall mean a sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.

13. "Sewage" shall mean a combination of the water carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and storm waters as may be present.

14. "Sewage Treatment Plant" shall mean any arrangement of devices and structures used for treating sewage.

15. "Sewage Works" shall mean all facilities for collecting, pumping, treating, and disposing of sewage.

16. "Sewer" shall mean a pipe or conduit for carrying sewage.

17. "Shall" is mandatory; "May" is permissive.

18. "Slug" shall mean any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation.

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

20. "Superintendent" shall mean the city engineer or his authorized agent, deputy, or representative.

21. "Suspended Solids" shall mean solids that either float on the surface, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.

22. "Watercourses" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

10.04.02 Use of public sewers required.

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

2. It shall be unlawful to discharge to any natural outlet within the city or in any area under the jurisdiction of the city, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this chapter.

3. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.

4. The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes,, situated within the city and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary or combined sewer of the city, is hereby required at his 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 (30) days after date of official notice to do so, provided that the public sewer is within 300 feet of the property line.

10.04.03 Private sewage disposal.

1. Where a public sanitary or combined sewer is not available under the provisions of Section 10.04.02, the building sewer shall be connected to a private sewage disposal system complying with the provisions of State Health Department Rules and Regulations.

2. At such time as a public sewer becomes available to a property served by private sewage disposal system, as provided in this Section a direct connection shall be made to the public sewer in compliance with this chapter, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned and filled with suitable materials.

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

4. No statement contained in this chapter shall be construed to interfere with any additional requirements that the health officer may impose.

5. When a public sewer becomes available, the building sewer shall be connected to said sewer within sixty (60) days and the private sewage disposal system shall be cleaned of sludge and filled with clean bank-run gravel or dirt.

10.04.04 Building sewers and connections.

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

2. There shall be two classes of building sewer permits: (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 special form furnished by the city. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the superintendent. A permit and inspection fee as established by Chapter 11.08 for a residential or commercial building sewer permit and Twenty-five (\$25.00) Dollars for an industrial building sewer permit shall be paid to the city at the time the application is filed.

3. All costs and expenses incident to the installation and connection of the building sewer shall be born by the owner. The owner shall indemnify the city from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

4. A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway. The building sewer from the front building may extend to the rear building and the whole considered as one building sewer.

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

6. The size, slope, alignment, materials or 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. In the absence of code provisions or in application thereof, the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. Manual of Practice No 9 shall apply.

7. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

8. No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.

9. The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the city, or the procedures set forth in appropriate specifications of the A.S.T.M. and the W.P.C.F. Manual of Practice No. 9. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the superintendent before installation.

10. The applicant for the building sewer permit shall notify the superintendent when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the superintendent or his representative.

11. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the city.

10.04.05 Use of public sewers.

1. No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process water to any sanitary sewer.

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

3. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

(a) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquids, oil, or gas.

(b) Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, or any part of the sewer treatment facilities or sanitary sewerage works, or create any hazard in the receiving waters of the sewage treatment plant, including but not limited to cyanides in excess of two (2) mg/L as CN in the wastes as discharged to the public sewer.

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

(d) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers or pumping facilities, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, pauch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

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

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

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

(c) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of 3/4 horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the Superintendent.

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

(e) Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Superintendent for such materials.

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

(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 excess of 9.5.

(i) Materials which exert or cause: 1. Unusual concentrations of inert suspended solids (such as but not limited to Fuller's earth, lime slurries, and lime residues) or of dissolved solids (such as but not limited to sodium chloride, sodium sulfate). 2. Excessive discoloration (such as but not limited to dye, wastes and vegetable tanning solutions). 3. Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load in the sewage treatment works. 4. Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.

(j) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment process employed, or are amenable

to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

5. 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 10.04.05, part 4, and in which in the judgment of the superintendent, may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the superintendent may: (a) reject the wastes, (b) require pretreatment to an acceptable condition for discharge to the public sewers, (c) require control over the quantities and rates of discharge, and/or (d) require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of part 10 of this section.

If the superintendent permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the superintendent and subject to the requirements of all applicable codes, ordinances and laws.

6. Grease, oil, and sand interceptors shall be provided when, in the opinion of the superintendent, they are necessary for the proper handling of liquid wastes containing greases in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the superintendent and shall be located as to be readily and easily accessible for cleaning and inspection.

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

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

9. All measurements, tests, and analysis of the characteristics of waters and wastes to which reference is made in this chapter shall be determined in accordance with the latest edition of "Standard methods for the Examination of Water and Wastewater", published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable samples taken at said control 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 sewage works and to determine the existence of hazards to life, limb, and property.

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

10.04.06 Power and authority of superintendent.

1. The superintendent and other duly authorized employees of the city bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observation, measurements, sampling, and testing in accordance with the provisions of this chapter. The superintendent or his representatives shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways of facilities for waste treatment.

2. While performing the necessary work on private properties referred to in part one (1) above, the superintendent or duly authorized employees of the city shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to city employees except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Section 10.04.05, part 8.

3. The superintendent and other duly authorized employees of the city bearing proper credentials and identifications shall be permitted to enter all private properties through which the city holds a duly negotiated easement for the purpose of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works 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 duly negotiated easement pertaining to the private property involved.

10.04.07 Protection from damage. No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the sewer works. Any person violating this provisions shall be deemed guilty of a misdemeanor.

10.04.08 Penalty for violation.

- A. Any person found to be violating any provision of this chapter except Section 10.04.07 shall be served by the city with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender, shall within the period of time stated in such notice, permanently cease all violations.
- B. Any person who shall continue any violation beyond the time limit provided for in Part 1 of this section shall be guilty of a misdemeanor and on conviction thereof, shall be fined in the amount not exceeding Twenty-Five Dollars (\$25.00) for each violation. Each day in which such violation shall continue shall be deemed a separate offense.
- C. Any person violating any of the provisions of this chapter shall become liable to the city for any expenses, loss or damage occasioned the city by reason of such violation.

CHAPTER 10.08

WATER AND SEWER RATES

Sections:

- 10.08.01 Water rates
- 10.08.02 Sewer rates
- 10.08.03 Payment procedures
- 10.08.04 Statement

10.08.01 Water rates. That the following rates and charges which the City Council hereby finds and declares are fair, reasonable and necessary minimum rates be and they are hereby fixed as rates to be charged for water services to be rendered by the system effective February 1, 2008 .

- A. Monthly Water Rates. The water usage of each customer shall be determined each month by meter measurement, and the amount to be paid by each customer shall be computed on the basis of the following schedule of rates:

For the first 2,000 gallons of water consumption per month, or portion thereof	\$11.00 (Minimum)
For the next 3,000 gallons of water consumption per month or portion thereof	\$5.40 per 1,000 gallons
For the next 45,000 gallons of water consumption per month or portion thereof	\$5.00 per 1,000 gallons
For all water consumption in excess of 50,000 gallons (Ord. No. 395, Sec. 1.)	\$3.50 per 1,000 gallons

- B. Customers whose water connection is located outside the corporate limits of the city shall, in addition to the above charges, pay a monthly surcharge of Eighteen Dollars and Twenty-Five Cents (\$18.25) per meter. (Ord. No. 395, Sec. 1.)
- C. Each owner of a fire hydrant (including the city) shall pay a charge of Twenty-five Dollars (\$25.00) per year per hydrant.
- D. For water delivered to a portable tank truck there shall be a charge of Ten Dollars (\$10.00) per 1,000 gallons. (Ord. No. 395, Sec. 1.)
- E. Tapping fee (Water) There shall be a tapping fee of Six Hundred Sixty Dollars (\$660.00) or the cost of making the connection, whichever is greater, for each connection to the Water System. (Ord. No. 372, Sec. 1.)
- F. Meter deposit Each customer who hereafter connects with the Water System shall pay a meter deposit in the amount of Eighty-Five Dollars (\$85.00) for each meter installed. The meter deposit shall be retained to assure prompt payment of monthly water bills. (Ord. No. 372, Sec. 1.)
- G. Re-connection charge In the event any premises are disconnected from the Water System, the customer concerned, prior to reconnection, shall pay all delinquent charges, together with a reconnection charge of Fifty Dollars (\$50.00) for each reconnection of the premises to the Water System. (Ord. No. 372, Sec. 1.)
- H. That none of the facilities or services afforded by the Water System shall be furnished without a charge being made therefore.
- I. The operation of the Water System shall be on fully metered basis, that is, that meters shall be installed at each water connection and all bills for water services shall be rendered in the net amount due. If any water bill is not paid on or before

the tenth (10th) day after the bill therefor shall be rendered, a ten percent (10%) penalty shall be added and if any bill is not paid within twenty (20) days after the bill shall be rendered, water service may be disconnected. There shall be no dual connection, that is, there shall be not more than one (1) user to a single meter. (Ord. No. 312, Sec. 1.)

10.08.02 Sewer rates. That the following monthly rates and charges which the City Council hereby finds and declares are fair, reasonable and necessary minimum rates be and they are hereby fixed as rates to be charged for sewer services to be rendered by the system.

The City Council does hereby declare that the sewer rates for properties connected to and using the water system shall be one hundred percent (100%) of the billed water charges. Monthly billings for the sewer system shall be made with and as a part of the water system billings and payment of water service shall not be accepted without the payment for sewer system services.

For properties using the sewer system but not connected with the water system, the charges shall be as follows:

\$45.00 flat rate per house per month for single family houses.

\$45.00 per unit per 1,200 square feet of floor space, whichever is greater, for all other users.

There shall be a sewer tapping fee of Six Hundred Sixty Dollars (\$660.00) or the cost of making the tap, whichever is greater, for each connection to the sewer line.

That none of the facilities or services afforded by the Sewer System shall be furnished without a charge being made therefore. (Ord. No. 372, Sec. 2.)

10.08.03 Payment Procedures. Vacant unoccupied property not actually using the Sewer System shall not be subject to a charge, but the burden of showing vacancy and non-use shall rest on the owner of the property. All bills for sewer services shall be rendered monthly in the net amount due. Under the provisions of A.C.A. 14-235-223, a lien is fixed upon the land for any unpaid charge, even though the use of the Sewer System is by a tenant or lessee instead of the owner. If any sewer charge is not paid on or before the tenth (10th) day after the bill therefore shall be rendered, a ten percent (10%) penalty shall be added, and if any sewer charge is not paid on or before the twentieth (20th) day after the bill is rendered, suit shall be brought to enforce the lien and to collect the amount due, together with the expenses of collection and a reasonable attorney's fee. (Ord. No. 312, Sec. 3)

10.08.04 Statement. A single statement will be submitted for monthly water and sewer charges. Collections shall be applied first to discharge of sewer charges. (Ord. No. 312, Sec. 4)