

## .Chapter 13.03 PUBLIC AND PRIVATE SEWERS

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### 13.03.01: DEFINITIONS:

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

**BIOCHEMICAL OXYGEN DEMAND (BOD):** The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty degrees centigrade (20°C), expressed in milligrams per liter.

**BUILDING DRAIN:** 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 feet (5') outside the inner face of the building wall. (See definitions of Service Connection Or Service Tap and Service Pipe Or Service Line.)

**BUILDING SEWER:** The extension from the building drain to the public sewer or other place of disposal, also called "house connection". (See definitions of Service Connection Or Service Tap and Service Pipe Or Service Line.)

**COLLECTION MAIN OR MAIN:** A sewer pipe owned, operated and maintained by the town, which is used for the collection of sewage and to which service connections are made.

**COMBINED SEWER:** A sewer intended to receive both wastewater and storm or surface water.

**COMMERCIAL SERVICE:** Any sewer usage other than solely for residential purposes. Where a single structure has combined business and residential usage, the sewer service shall be considered "commercial service". Schools, hospitals, clinics, nursing homes, churches, trailer parks, apartments, condominiums and rooming houses having two (2) or more rooms on a rental basis are examples of "commercial services".

**DEVELOPER:** Any individual, firm, corporation or other entity who causes improvements to be made upon land, with said improvement requiring sewer service.

**EASEMENT:** An acquired legal right for the specific use of land owned by others.

**FLOATABLE OIL:** Oil, fat or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable fat if it is properly pretreated and the wastewater does not interfere with the collection system.

**GARBAGE:** The animal and vegetable waste resulting from the handling, preparation, cooking and serving of foods.

**HEARING BOARD:** That board appointed according to provisions of section [13.08.310](#) of this chapter.

**INDUSTRIAL WASTES:** The wastewater from industrial processes, trade or business as distinct from domestic or sanitary wastes.

**MAY:** Is permissive. (See definition of Shall.)

**NATURAL OUTLET:** Any outlet, including storm sewers and combined sewer flows, into a watercourse, pond, ditch, lake or other body of surface or ground water.

**PERMITTEE:** Any user which obtains a written permit to cause construction work to be performed in accordance with the permit.

**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. Neutral water, for example, has a pH value of 7 and a hydrogen ion concentration of  $10^{-7}$ .

**PROPERLY SHREDDED GARBAGE:** The wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch ( $1/2$ " ) in any dimension.

**PUBLIC SERVICE COMMISSION:** The Montana public service commission.

**PUBLIC SEWER:** A common sewer controlled by a governmental agency or public utility.

**PUBLIC WORKS DIRECTOR:** The town public works director or his authorized deputy, agent or representative.

**RESIDENTIAL SERVICE:** Sewer usage solely for residential purposes.

**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.

**SERVICE CONNECTION OR SERVICE TAP:** The connection at the collection main which connects the customer's service pipe to the main. (See definitions of Building Drain and Building Sewer.)

**SERVICE PIPE OR SERVICE LINE:** The piping from the service connection at the main to the customer's premises. (See definitions of Building Drain and Building Sewer.)

**SEWAGE:** The spent water of a community. The preferred term is "wastewater".

**SEWER:** A pipe or conduit that carries wastewater or drainage water.

**SHALL:** Is mandatory. (See definition of May.)

**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 (15) minutes more than five (5) times the average twenty four (24) hour concentration of flows during normal operation and shall adversely affect the collection system and/or performance of the wastewater treatment works.

**STORM DRAIN (Sometimes Termed 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 nonfilterable residue.

**TOWN ADMINISTRATOR:** The mayor of the town or any person authorized by him to act as administrator of the sanitary sewer department.

**TOWN COUNCIL:** The duly elected governing body of the town, including the mayor.

**TOWN SEWER:** The system operated by the town for the collection, transmission and treatment of sewage.

**TOWN STANDARDS:** Those standards adopted by the town council which pertain to the design, materials and construction practices for sanitary sewers.

**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 sewer and wastewater treatment facilities provided.

**USER, CUSTOMER OR CONSUMER:** An individual, partnership, association, firm, public or private corporation or government agency receiving sewer service. In the case of a tenant, the property owner is considered the customer or consumer.

**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 buildings, industrial plants and institutions, together with any groundwater, surface water and stormwater 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.

**WASTEWATER TREATMENT WORKS:** An arrangement of devices and structures for treating wastewater, industrial wastes and sludge. Sometimes used as synonymous with "waste treatment plant" or "wastewater treatment plant" or "water pollution control plant".

**WATERCOURSE:** A natural or artificial channel for the passage of water, either continuously or intermittently. (2019 Code)

### 13.02.02: POWERS AND AUTHORITY OF INSPECTORS:

- A. Right Of Entry: The public works director and other duly authorized employees of the town bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing pertinent to discharge to the community system in accordance with the provisions of this chapter.
  
- B. Authority Limited: The public works director or other duly authorized employees are authorized to obtain information concerning industrial processes which have a direct bearing on the kind and source of discharge to the wastewater collection system. The industry may withhold information considered confidential. The industry shall establish that the revelation to the public of the information in question might result in an advantage to competitors.
  
- C. Town Easement: The public works director and other duly authorized employees of the town bearing proper credentials and identification shall be permitted to enter all private properties through which the town holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the wastewater 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 duly negotiated easement pertaining to the private property involved. (2019 Code)

### 13.03.03: HEARING BOARD; ARBITRATION:

- A. Council Act As Board: The town council shall act as a hearing board for arbitration of differences between the public works director and sewer users on matters concerning interpretation and execution of the provisions of this chapter by the public works director.
  
- B. Cost Of Arbitration: The cost of the arbitration will be divided equally between the town and the sewer user. (2019 Code)

### 13.03.04: USE OF PUBLIC SEWERS REQUIRED:

- A. Objectionable Deposits Prohibited: 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.
  
- B. Discharge Of Sewage Or Polluted Waters Prohibited: 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.
  
- C. Privies And Septic Tanks: Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of wastewater.

D. Connection To Public Sewer Required: The owners of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated within the town 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 town, is 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 (30) days after date of official notice to do so; provided, that said public sewer is within five hundred feet (500') of the property line. (2019 Code)

### 13.03.05: PRIVATE WASTEWATER DISPOSAL:

A. Connection To Private System: Where a public sanitary or combined sewer is not available under the provisions of subsection [13.03.04](#) of this chapter, the building sewer shall be connected to a private wastewater disposal system complying with the provisions of this section.

#### B. Permit Requirements:

1. Application; Supplementary Documents: Before commencement of construction of a private wastewater disposal system, the owner shall first obtain a written permit signed by the public works director and the mayor. The application for such a permit shall be made on a form furnished by the town, which the applicant shall supplement by any plans, specifications and other information as are deemed necessary by the public works director.
2. Permit And Inspection Fee: A permit and inspection fee shall be paid to the town at the time the application is filed, in an amount specified by the town council from time to time.

C. Inspection Of Installation: A permit for a private wastewater disposal system shall not become effective until the installation is completed to the satisfaction of the public works director and mayor. The public works director shall be allowed to inspect the work at any stage of construction, and, in any event, the applicant for the permit shall notify the public works director when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within forty eight (48) hours of the receipt of notice by the public works director, holidays or weekends excepted.

#### D. Compliance With Regulations And Requirements:

1. The type, capacities, location and layout of a private wastewater disposal system shall comply with all recommendations of the state department of public health and human services.
2. No permit shall be issued for any private wastewater disposal system employing subsurface soil absorption facilities where the area of the lot is less than three thousand five hundred (3,500) square feet (square meters). No septic tank or cesspool shall be permitted to discharge to any natural outlet.

E. Discontinuing Use Of Septic Tanks: At such time as a public sewer becomes available to a property served by a private wastewater disposal system, as provided in subsection [13.03.04](#) of this chapter, a direct connection shall be made to the public sewer within sixty (60) days, in

compliance with this chapter, and any septic tanks, cesspools and similar private wastewater disposal facilities shall be cleaned of sludge and filled with suitable material.

F. Operation In Sanitary Manner: The owner shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times, at no expense to the town.

G. Discharge Into Sanitary Sewer Or Sewer Lagoon: Discharge into the sanitary sewer or sewer lagoon is not allowed. (2019 Code)

### **13.03.06: SANITARY SEWERS, BUILDING SEWERS AND CONNECTIONS:**

A. Public Sewer Connection Or Repair; 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.

B. Classes Of Building Sewer Permits; Fees:

1. Classes: There shall be two (2) classes of building sewer permits: a) for residential and commercial service; and b) for service to establishments producing industrial wastes.
  2. Application; Supplementary Documents: In either case, the owner or his agent shall make application on a special form furnished by the town. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the public works director.
  3. Permit, Inspection And Tapping Fees: A permit and inspection fee for a residential or commercial building sewer permit and for an industrial building sewer permit shall be paid to the town at the time the application is filed, in an amount specified by the town council from time to time. In addition to the permit and inspection fee, a tapping fee in an amount specified by the town council from time to time shall be paid to the town at the time the application is filed, where the property requiring sewer service has not been previously connected with the town sewer.
  4. Service Line Installation Or Repairs; Permit Requirements: Any and all installation, repair, replacement or alteration of service lines from the main to the consumer's premises shall require a permit issued by the town. The permit shall set forth the reason for work and description of work to be performed. The holder of the town permit shall be primarily responsible for compliance with town standards, the state plumbing code, these rules and regulations, or any other applicable rules and regulations.
- C. Owner Responsibilities: All costs and expense 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 damage that may directly or indirectly be occasioned by the installation of the building sewer.
- D. Separate Connection For Each Building; Exception: 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 nor 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 aforementioned.

- E. Old Building Sewers: Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the public works director, to meet all requirements of this chapter.
  
- F. Conformance With Building And Plumbing Codes: The size, slope, alignment and materials of construction of all sanitary sewers, including building sewers, and 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 codes 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 appropriate specifications of the MPWSS (Montana Public Works Standard Specifications
  
- G. Building Drains: 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.
  
- H. Drainage Of Roof Runoff And Groundwater To Public Sewer Prohibited: 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 town council and the state department of public health and human services, for purposes of disposal of polluted surface drainage.
  
- I. Building Sewer Connection Into Public Sewer; Compliance With Codes, Standards: The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing codes or other applicable rules and regulations of the town, and the state, or the procedures set forth in appropriate specifications of MPWSS (Montana Public Works Standard Specifications. All such connections shall be made gastight and watertight and verified by proper testing. Any deviation from the prescribed procedures and materials shall be approved by the public works director before installation.
  
- J. Inspection Before Connection To Public Sewer: The applicant for the building sewer permit shall notify the public works director when the building sewer is ready for inspection and connection to the public sewer. The connection and testing shall be made under the supervision of the public works director or his representative.
  
- K. Excavations<sup>1</sup>:

1. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard.
2. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the town.
3. The customer, at the customer's expense, is responsible for the excavation from the point of intended use to the main and restoration of the surface to acceptable condition, all of which shall be done in strict compliance with any ordinance, resolution or regulation of the town governing excavations in streets and alleys.
4. All excavations in the town streets, alleys or other property require a permit issued by the public works director for a fee in an amount established by the town council from time to time.
5. The customer, at the customer's expense, shall maintain all service piping and appurtenances in good condition, operable and free from leaks. Failure to do so may be cause for discontinuance of service. It is the customer's responsibility to repair any leaks in the service lines immediately upon discovery. (2019 Code)

### **13.03.07: PUBLIC SEWER USE RESTRICTIONS AND REQUIREMENTS**

A. Unpolluted Waters: No person shall discharge, or cause to be discharged, any unpolluted waters such as stormwater, surface water, groundwater, roof runoff, subsurface drainage or cooling water to any sewer, except stormwater runoff from limited areas, which stormwater may be polluted at times, may be discharged to the sanitary sewer by permission of the public works director and the state department of public health and human services.

B. Storm Sewers: Stormwater, other than that exempted under subsection A of this section, 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 public works director and the state department of health. Unpolluted industrial cooling waters or process waters may be discharged, on approval of the public works director, to a storm sewer, combined sewer or natural outlet.

C. Prohibited Waters And Wastes: No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

1. Pollutants which create a fire or explosion hazard including, but not limited to, waste streams with a closed cup flashpoint of less than one hundred forty degrees Fahrenheit (140°F) or sixty degrees centigrade (60°C) using the test methods specified in 40 CFR 261.21. These wastes include, but are not limited to, gasoline, benzene, naphtha, fuel oil, etc., in solid, liquid or gaseous form.
2. a. Toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to contaminate the sludge of any municipal system, to injure or interfere with any sewage treatment process, or equipment, constitute a hazard to humans or animals, create a public nuisance, or result in the pass-through of inadequately treated wastes to receiving waters.
- b. Each user which discharges any toxic pollutants which cause an increase in the cost of managing the effluent or the sludge of the sanitary sewer treatment works shall pay for such increased costs.

3. 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 wastewater facilities, such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.
4. No person shall discharge to a public sewer or storm drainage system wastes which cause, threaten to cause, or are capable of causing, either alone or by interaction with other substances:
  - a. A fire or explosion;
  - b. Obstruction of flow in sewer system or injury of the system or damage to the wastewater collection, treatment or disposal facilities;
  - c. Danger to life or safety of personnel;
  - d. A nuisance or prevention of the effective maintenance or operation of the sewer system, through having a strong or unpleasant odor;
  - e. Air pollution by the release of toxic or malodorous gases or malodorous gas producing substances;
  - f. Interference with the wastewater treatment process;
  - g. The town effluent or any other product of the treatment process, residues, sludges or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process;
  - h. A detrimental environmental impact or nuisance in the waters of the state or a condition unacceptable to any public agency having regulatory jurisdiction over the agency;
  - i. Discoloration or any other condition in the quality of the town treatment works effluent in such a manner that receiving water quality requirements established by law cannot be met;
  - j. Conditions at or near the town treatment works which violate any statute or any rule, regulation or ordinance of any public agency or state or federal regulatory body; and
  - k. Quantities or rates of flow which overload the town collection or treatment facilities or cause excessive town collection or treatment costs, or may use a disproportionate share of the town facilities.

D. Limitations On Certain Discharges: The following described substances, materials, waters and wastes shall be limited in discharges to municipal systems to concentrations or quantities which will not harm either the sewers, the sludge of any municipal system, the wastewater treatment process or equipment, will not have an adverse effect on the receiving stream, or will not otherwise endanger life, limb, 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 (150°F) or sixty five degrees centigrade (65°C).
  2. Wastewater containing petroleum oil, nonbiodegradable cutting oils, or product of mineral oil origin.
  3. Wastewater from industrial plants containing floatable oils, fat or grease.
  4. Any garbage that has not been properly shredded (see definition of "properly shredded garbage" in section [13.03.01](#) of this chapter). 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 served by caterers.
  5. Any waters or wastes containing toxic or deleterious substances to such degree that any such material received in the composite wastewater at the wastewater treatment works exceeds the limits established by the public works director for such materials.
  6. Any waters or wastes containing pollutants which result in the presence of toxic or obnoxious gases, vapors or fumes within the POTW in quantities which may cause acute worker health and safety concerns or public nuisance.
  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, concentrations, or both, which constitute a "slug" as defined in section [13.08.01](#) of this chapter.
  9. Waters and 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 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 solids which interfere with the collection system, or create a condition deleterious to structures and treatment processes.
  11. Pollutants which cause corrosive structural damage to the POTW, but in no case discharges with pH lower than 5.0 unless the POTW is specifically designed to accommodate such discharges.
  12. Any trucked or hauled wastes unless the POTW is designed to adequately treat the wastes and the facility has points designated for such discharges.
- E. Authority Of Public Works Director Regarding Injurious Discharges: 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 D of this section, and which, in the judgment of the public works director, 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 public works director 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 public works director 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 public works director and the state department of public health and human services.

F. Grease, Oil And Sand Interceptors:

1. Grease, oil and sand interceptors shall be required 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 or any flammable wastes, sand or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units.
2. All interceptors shall be of a type and capacity approved by the public works director and the state plumbing code, and shall be located as to be readily and easily accessible for cleaning and inspection.
3. 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 public works director. Any removal and hauling of the collected materials not performed by the owner or personnel shall be performed by currently licensed waste disposal firms.

G. Commercial Garbage: The following provisions shall apply to commercial garbage:

1. A wastewater discharge permit shall be obtained for disposal of waste from garbage grinders or garbage disintegrating machines, except for those installed in dwellings.
2. a. Waste from garbage grinders shall not be discharged into a sanitary sewer, except where the user has obtained a permit for that specific use from the town, and agrees to undertake whatever self-monitoring is required to enable the town to equitably determine the user charges based on the waste constituents and characteristics.
- b. Such grinders shall shred the waste to a degree that all particles will be carried freely under normal flow conditions prevailing in the public sewer. Garbage grinders shall not be used for grinding plastic, paper products, inert materials, garden refuse, human, animal or fowl constituents and metals. Excessive or unnecessarily large quantities of water shall not be used to flush ground garbage into the sanitary sewer.

3. The following provisions shall supplement the building and plumbing codes or other applicable rules and regulations of the town and the state:
- a. Any type of business or establishment, such as, but not limited to, restaurants, bakeries, donut shops, takeout or drive-in eating establishments, ice cream or milk drive-in stations, hospitals, hotels, markets, recreation or reception halls, etc., where any grease or other objectionable materials may be discharged into a public or private sewage main or disposal system, shall have a grease interceptor.
  - b. Interceptors shall be constructed in accordance with the prior approved design by the public works director.
  - c. Each grease interceptor shall be so installed and connected that it shall be at all times easily accessible for inspection, cleaning and removal of the intercepted grease. A grease interceptor may not be installed in any part of a building where food is handled. Proper location of the grease interceptor shall meet the plumbing code and the approval of the public works director.
  - d. Each business establishment for which a grease interceptor is required shall have an interceptor which shall serve only that business establishment.
  - e. Buildings remodeled for use requiring interceptors shall be subject to these regulations.
  - f. Waste discharge from fixtures and equipment in the above mentioned types of establishments which may contain grease or other objectionable materials, including, but not limited to, scullery sinks, pot and pan sinks, dishwashers, food waste disposals, soup kettles, etc., and floor drains located in areas where such objectionable materials may exist, may be drained into the sanitary waste through the interceptor when approved by the public works director. Exception: toilets, urinals and other fixtures containing fecal material may not flow through the interceptor.
  - g. The interceptors shall be maintained in efficient operating condition by periodic removal of the accumulated grease. No such collected grease shall be introduced into any drainage piping or public or private sewer.
  - h. Abandoned grease interceptors shall be emptied and filled as required for abandoned septic tanks in the state plumbing code.
  - i. The cover for grease interceptors shall be one-half inch ( $\frac{1}{2}$ " ) thick steel plate reinforced as required by the public works director, said reinforcing to depend upon the load to be imposed on the plate. Except as otherwise provided, the cover shall be gastight on all interceptors and the waste shall enter the interceptor through the inlet pipe only.
  - j. Interceptors shall be installed in such a manner that drainage from areas outside the area intended to be served may not enter.
- H. Pretreatment Or Flow Equalization Facilities: Where pretreatment or flow equalization facilities are provided or required for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

I. Structure To Facilitate Observation, Sampling And Measurement Of Wastes: When required by the public works director, the owner of the 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 structures, when required, shall be accessibly and safely located and shall be constructed in accordance with plans approved by the public works director. 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.

J. Required Information From User: The public works director may require a user of sewer services to provide information needed to determine compliance with this chapter. These requirements may include:

1. Wastewater discharge peak rate and volume over a specified time period.
2. Chemical analyses of wastewater.
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 plot 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 loss of materials through spills to the municipal sewer.

K. Test And Analyses Determinations: All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this chapter shall be determined in accordance with the latest edition of "Standard Methods For The Examination Of Water And Wastewater", published by the American Public Health Association. Sampling methods, location, times, durations and frequencies are to be determined on an individual basis subject to approval by the public works director.

L. Special Agreements: No statement contained in this section shall be construed as preventing any special agreement or arrangement between the town and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the town for treatment. (2019 Code)

### **13.03.08: TAMPERING WITH WASTEWATER FACILITIES:**

No person shall willfully break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is part of the wastewater facilities. (2019 Code)

### **13.03.09: SEWER RATE SCHEDULE:**

The sewer rate schedule shall be as provided in the fee schedule appendix on file in the town office.

The rate schedule may be amended from time to time by resolution of the town council in accordance with this code and the laws of the state. Any such resolution modifying the rate schedule shall also provide for amendment of these regulations to reflect the new rate schedule. (2014 Code)

A city water/sewer user who requests the permanent discontinuance of their water/sewer service shall pay the shut off fee as established by the City Council. Water/sewer service shall then be shut off at the curb box and/or the meter removed. Any such water/sewer user shall continue to pay the inactive user rate until that property's portion of any bonded indebtedness relating to the Big Sandy water system has been fully paid. The water/sewer user shall have the option of paying in full the outstanding balance of the bond indebtedness at the time of permanent discontinuance of service. Any properties that fall under the inactive user definition at the date of this ordinance's adoption will be responsible for the inactive user rate outlined in the fee schedule appendix. If an inactive user wishes to remove the city curb stop and supply line from their property the water/sewer user shall continue to pay the inactive user rate until that property's portion of any bonded indebtedness relating to the Big Sandy water and sewer systems have been fully paid. The water/sewer user shall have the option of paying in full the outstanding balance of the bond indebtedness at the time of permanent discontinuance of service.

### 13.03.10: VIOLATIONS; PENALTIES:

- A. Notice Of Violation; Remedial Action: Any person found to be violating any provision of this chapter shall be served by the town 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. Penalty Imposed: Any person who shall continue any violation beyond the time limit provided for in subsection A of this section shall be guilty of a misdemeanor and, upon conviction thereof, shall be punishable as provided in section [01.20.10](#) of this code.
  
- C. Liability For Town Costs: Any person violating any of the provisions of this chapter shall become liable to the town for any expense, loss or damage occasioned the town by reason of such violation, including attorney fees reasonably incurred by the town in recovering such damages. (2014 Code)

**Footnotes** - Click any footnote link to go back to its reference.

[Footnote 1](#): See section [12.30](#) of this code for excavation policy.