

TITLE 7 CHAPTER 5

SEWER SYSTEM REGULATIONS

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7-5-1: PURPOSE: It is hereby determined and declared to be necessary and conducive to and for the protection of the health, safety and welfare of the public inhabitants of the City, and for the purpose of controlling the use and connection to and for providing an equitable distribution of costs and expenses of maintenance, operation, upkeep and repair of the entire sewerage system which includes the sewer collection system and sewage disposal facilities of the city, to charge and collect service charges or fees upon all lots, lands, property and premises served or benefitted by the sewerage system of the City, which system and facilities consist generally of all pipe lines, conduits, catch basins, manholes, clean outs, sewer mains, intercepting sewers, outfall sewers, lift stations, pumps, structures, mechanical equipment and facilities for the treatment and disposal of sewage or sewage by-products; and to provide for the control, use and administration of the installation of private sewage disposal systems where a public sanitary sewer is not available.

7-5-2: DEFINITIONS: Unless the context specifically indicates otherwise, the meaning of terms used in this Chapter shall be as follows:

APPLICANT: Any person making application for a permit for a sewer or plumbing installation and shall be the owner of premises to be served by the sewer for which a permit is requested or his/her authorized agent.

BOD: 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 Celsius expressed in milligrams per liter (mg/l).

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 (5) feet outside the inner face of the building wall.

BUILDING SEWER: The extension from the building drain to a point of connection with the public sewer or other place of disposal.

CITY: Refers to the City of Albion, Cassia County, Idaho, or its authorized or designated agent, representative or deputy thereto.

CLERK: The City Clerk of Albion.

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

CONTRACTOR: A person, firm, corporation, partnership or association duly licensed by the State of Idaho to perform the type of work to be done under the permit.

ENGINEER: The Engineer appointed by and acting for the City.

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

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

MULTIPLE BUILDING DEVELOPMENT: Includes the various types of development that would have common joint ownership areas such as condominiums, townhouses, mobile home parks or courts, shopping centers, etc.

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

PERMIT: Any written authorization required pursuant to this or any other regulation of the City for the installation of any sewage works.

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

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

PLUMBING SYSTEM: All plumbing fixtures and traps or soil, waste, special waste and vent pipes, and all sanitary sewer pipes within a building and extending to the building sewer connection five (5) feet outside the building wall.

PRIVATE SEWER: An independent sewage disposal system not connected with a public sewer and which accommodates one or more buildings or industries.

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

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

SERVICE CONNECTION: The point at which the building sewer connects to the public sewer.

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

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

SEWER: A pipe or conduit for carrying sewage.

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

SEWER SUPERINTENDENT: The person in charge of the sewer system, appointed by the Council.

SEWER USER: Any individual, firm, company, association, society, or corporation or group who has connected to the sewerage system.

SHALL: "Shall" is mandatory; "may" is permissive.

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

STORM DRAIN (SOMETIMES TERMED STORM SEWER): A sewer which carries storm and surface water and drainage, but excludes sewage and industrial wastes, other than unpolluted water such as cooling water.

SUSPENDED SOLIDS: Solids that either float on the surface of, or are in suspension in water, sewage or other liquids, and which are removable by laboratory filtering.

WATERCOURSE: A channel in which a flow of water occurs, either continuously or intermittently.

7-5-3: **TO WHOM CHAPTER APPLICABLE:** The provisions of this Chapter shall apply to all property within the corporate limits of the City, and any special users outside of the corporate limits of the City, including all property owned or occupied by the United States of America, Cassia County, and the State of Idaho

7-5-4: **REQUIRED USE OF SEWERS:** The owner or occupant of any house, building or property used for residential, commercial, industrial, governmental or recreational use, or other purpose, when or upon being occupied by human beings, situated within the City which is abutting on or having a permanent right of access to any street, alley or right-of-way in which there is located a public sewer of said City is hereby required to cease using any other method of disposing of sewage, waste or polluted water and at his/her expense to connect such building directly with the public sewer in accordance with the provisions of this Chapter, provided however, that said sewer is within One Hundred (100) feet of any property line of the building to be served or common property line in a multiple building development. Each connection shall be completed in accordance with Section 7-5-9 of this Chapter.

- (A) It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the city, or in any area under the jurisdiction of the City, any human or animal excrement, garbage or other objectionable waste.
- (B) It shall be unlawful to discharge to any natural outlet within the City, or in any area under the jurisdiction of the City, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Chapter.
- (C) Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facilities intended or used for disposal of sewage.

7-5-5: **USE OF THE PUBLIC SEWERS:** The use of the public sewers of the City shall be in accordance with the following regulations:

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

- (B) Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the City. Industrial cooling water or unpolluted process waters may be discharged, on approval of the City, to a storm sewer or natural outlet.
- (C) 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 or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance or create any hazard in the receiving waters of the sewage treatment plant, including but not limited to cyanides in excess of two (2) mg/l in the wastes as discharged to the public sewer.
 - (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 sewage works.
 - (4) Solid or viscous substances in quantities or of such size capable of causing obstruction to flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, corn husks, shavings, metal, garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc. either whole or ground by garbage grinders.
- (D) 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 City that such wastes can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving stream or can otherwise endanger life, limb, public property or constitute a nuisance. In forming its opinion as to the acceptability of these wastes, the City will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials or construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant and other pertinent factors. The substances prohibited are:
- (1) Any liquid or vapor having a temperature higher than one hundred fifty (150) degrees Fahrenheit or sixty (60) degrees Celsius.
 - (2) Any water or waste containing fats, wax, grease or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which

may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150) degrees Fahrenheit or zero (0) and sixty five (65) degrees Celsius.

- (3) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower or greater shall be subject to the review and approval of the City.
- (4) Any waters or wastes containing strong acid, iron, pickling wastes, or concentrated plating solutions whether neutralized or not.
- (5) Any waters or wastes containing iron, chromium, copper, zinc and similar objectionable or toxic substances; or wastes exerting any excessive chlorine requirement, to such degree any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the City for such materials.
- (6) Any waters or wastes containing phenols or other taste or odor-producing substances, in such concentrations exceeding limits which may be established by the City as necessary, after treatment of the composite sewage, to meet the requirements of the State, Federal or other public agencies of jurisdiction for such discharge to the receiving waters.
- (7) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the City in compliance with applicable State or Federal regulations.
- (8) Any waters or wastes having a pH in excess of 9.5.
- (9) Materials which exert or cause:
 - (a) Unusual concentrations of inert suspended solids, (such as, but not limited to, fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).
 - (b) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
 - (c) Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
 - (d) Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.

- (10) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
- (E) 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 7-5-5(D) of this Chapter, and which in the judgment of the City, 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 City 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 under the provisions of Section 7-5-15 of this Chapter. If the City permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and requirements of all applicable codes, ordinances, and laws.
- (F) Grease, oil, and sand interceptors shall be provided when, in the opinion of the City, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients, except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the City, and shall be located as to be readily and easily accessible for cleaning and inspection.
- (G) Where preliminary treatment or flow-equalization facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.
- (H) When required by the City or Engineer 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 City. 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.

- (I) All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this Chapter shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable samples taken at said control 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.
- (J) No statement contained in this Chapter shall be construed as preventing any special agreement or arrangement between the City and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the City for treatment, subject to payment therefore, by the industrial concern.
- (K) Any property owner, or sewer user violating the provisions of this section shall upon notice by the City immediately install such preliminary treatment through separators, traps, and/or chemical, physical, or biochemical processes as will make and assure that the sewage contributed from such property or premises will meet the requirements of this Chapter.

7-5-6: INJURY TO SEWERAGE SYSTEM UNLAWFUL: 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 sewerage works. It shall be unlawful for any person to deposit any garbage, rubbish, dead animals or any substance having a tendency to obstruct the flow of the sewer in any manhole, clean out, or sewer opening.

7-5-7: PERMISSION TO DISCHARGE OBJECTIONABLE WASTE OR WATER: The admission into the public sewers of any water or wastes having (a) biochemical oxygen demand (BOD) greater than 300 mg/l, or (b) suspended solids in excess of 300 mg/l, shall be subject to the review and approval of the City. Where necessary, in the opinion of the City, the owner shall provide, at his expense, such preliminary treatment as may be necessary to reduce the BOD to 300 mg/l or less and the suspended solids to 300 mg/l or less. Plans, specifications and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the City and the State of Idaho, Department of Health and Welfare or the local Health District, and no construction of such facilities shall be commenced until said approvals are obtained in writing.

7-5-8: PERMITS, CHARGES, AND FEES:

- (A) No unauthorized person shall uncover, make any connection with or opening into, use, alter, or disturb any public sewer or appurtenances or perform any work on any lateral or building sewer without first obtaining a written permit from the City.
- (B) Any person legally entitled to apply for and receive a permit shall make such application on forms provided by the City for that purpose. He/she shall give a description of the character of the work proposed to be done and the location, ownership, occupancy and use of the premises in connection therewith. The Superintendent may require plans, specifications, or drawings and such other information as he may deem necessary. If the Superintendent determines that the plans, specifications, drawings, descriptions, or information furnished by the applicant are in compliance with the ordinances, rules, and regulations of the City, he/she shall issue the permit applied for upon payment of the required fees as fixed by Resolution of the City Council, from time-to-time. *[Amended January 7, 2020, Ordinance No. 2020-01-01].*
- (C) After approval of the application, evidenced by the issuance of a permit, no change shall be made in the location of the sewer, the grade, materials, or other details from those described in the permit or as shown on the plans and specifications for which the permit was issued except with written permission from the City, the Superintendent, or other authorized representatives.
- (D) The applicant's signature on an application for any permit shall constitute an agreement to comply with all the provisions, terms and requirements of this and other ordinances, rules, and regulations of this and other Chapters, rules and regulations of the City, and with the plans and specifications he/she has filed with his/her application, if any, together with such corrections or modifications as may be made or permitted by the City, if any. Such agreement shall be binding upon the applicant and may be altered only by the City upon the written request for the alteration from the applicant.
- (E) The owner or owners of lands within areas proposed to be annexed to the City and proposed to be connected to the sewage works shall deposit with the Superintendent a sum to be fixed by the Superintendent, prior to the commencement of proceedings by the Council on the proposed annexation. The amount to be fixed by the Superintendent shall be in a sum estimated to equal the engineering, legal and publication costs and all other charges which may be incurred by the City in preparing and examining maps, legal descriptions, and other documents in relation thereto, and other expenses regularly incurred in connection therewith. Should the amount of the deposit exceed the costs incurred by the City the excess shall be refunded to the owner or owners following the conclusion of the final hearing on the proposed annexation. Should the amount of the deposit be insufficient to pay such costs incurred by the City the owner or owners shall advance such additional sums as shall be necessary to pay said costs prior to the final hearing on the proposed annexation.

- (F) Permit Fees: A fee, as set by Resolution of the City Council, shall be paid to the City for issuing a permit for each building sewer line installation. *[Amended January 7, 2020, Ordinance No. 2020-01-01].*
- (G) Prior to the issuance of a permit for public sewer construction the applicant shall furnish to the City a faithful performance bond or cash in the amount of the total estimated cost of the work, said bond to be secured by a surety or sureties satisfactory to the City. This cash deposit or faithful performance bond shall be conditioned upon the performance of the terms and conditions of the permit and shall guarantee the correction of faulty workmanship and the replacement of defective materials for a period of two (2) years after the date of acceptance of the work.
- (H) The monthly sewer service fee for outside of the City sewer connections shall be double the rate charged for service within the City limits. All costs for labor and material, related to the installation of a connection and maintenance of such service are to be paid by the applicant. All rules and regulations concerning use and connection to the City sewer system within the City limits shall apply to the use and connection to the City sewer system outside the City limits. *[Amended January 7, 2020, Ordinance No. 2020-01-01].*
- (I) The granting of such permission for an outside of the City sewer service in any event shall be optional with the Council. *[Amended January 7, 2020, Ordinance No. 2020-01-01].*
- (J) Where special conditions exist relating to an outside of the City sewer service, they shall be the subject of a special contract between the applicant and the City. *[Amended January 7, 2020, Ordinance No. 2020-01-01].*
- (K) All fees collected on behalf of the City shall be deposited with the City Clerk.
- (L) All sewer construction work, building sewers, plumbing and drainage systems shall be inspected by an inspector acting for the City to insure compliance with all requirements of the City. No sewer shall be covered at any point until it has been inspected and passed for acceptance. No sewer shall be connected to the City's public sewer until the work covered by the permit has been completed, inspected and approved by the Superintendent. If the test proves satisfactory and the sewer has been cleaned of all debris accumulated from construction operations, the Superintendent shall issue a certificate of satisfactory completion.
- (M) It shall be the duty of the person doing the work authorized by permit to notify the office of the Superintendent in writing that said work is ready for inspection. Such notification shall be given not less than twenty-four (24) hours before the work is to be inspected. It shall be the duty of the person doing the work to make sure that the work will stand the tests required by the City giving the above notification.

- (N) When any work has been inspected and the work condemned and no certification of satisfactory completion given, a written notice to the effect shall be given instructing the owner of the premises, or the agent of such owner, to repair the sewer or other work authorized by the permit in accordance with the ordinances, rules, and regulations of the City, or any other applicable regulatory authority. *[Amended January 7, 2020, Ordinance No. 2020-01-01].*
- (O) All costs and expenses incident to the installation and connection of any sewer or other work for which a permit has been issued shall be borne by the owner. The owner shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by the work. *[Amended January 7, 2020, Ordinance No. 2020-01-01].*
- (P) A separate permit must be secured from the City, State, County, or any other entity having jurisdiction by owners or contractors intending to excavate in a public street for the purpose of installing sewers or making sewer connections. All time restrictions shall be stated on each individual permit. *[Amended January 7, 2020, Ordinance No. 2020-01-01].*
- (Q) The City and its officers, agents and employees shall not be answerable for any liability or injury or death to any person or damage to any property arising during or growing out of the performance of any work by or on behalf of any applicant. The applicant, his agents and representatives shall be answerable for, and shall hold the City and its officers, agents and employees harmless from any liability imposed by law upon the City or its officers, agents or employees, including all costs, expenses, fees and interest incurred in defending same or in seeking to enforce this provision. Applicant shall be solely liable for any defects in the performance of work done by applicant or on applicant's behalf or any failure which may develop therein. *[Amended January 7, 2020, Ordinance No. 2020-01-01].*
- (R) Time Limit on Permits and Sewer Connections.
- (1) If work under a permit is not commenced within six (6) months from the date of issuance or if after partial completion, the work be discontinued for a period of one (1) year, the permit shall thereupon become void and no further work shall be done until a new permit shall have been secured. A new fee shall be paid upon the issuance of said new permit.
- (2) All persons occupying a building within the City limits prior to January 1, 1976, shall complete the building sewer connection within twenty-four (24) months of the date of the official notice to do so from the City. Persons occupying buildings after January 1, 1976, shall complete said connection within 90 days after the date of the application or date of the official issuance to do so by the City, whichever date occurs first. *[Amended January 7, 2020, Ordinance No. 2020-01-01].*

7-5-9: BUILDING SEWERS AND SERVICE CONNECTIONS: All materials and workmanship in the installation of building sewers and service connections shall conform to the following regulations:

- (A) All costs and expenses incident to the installation and connection of the building sewer and service connection shall be borne by the owner. The owner shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer and the making of the service connection for same to the public sewer.
- (B) A separate and independent building sewer and service connection shall be provided for every building; except where one building stands at the rear of another on an interior lot and no separate sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the building sewer may be extended to the rear building and the whole considered as one building sewer.
- (C) Old building sewers may be used in connection with new buildings only when they are found, on examination and being tested as required by the City, to meet all requirements of this Chapter.
- (D) The materials of construction of the building sewer and service connections and the methods to be used in excavating, placing of pipe, jointing, testing, and back-filling of the trench, shall all conform to the requirements of the building and plumbing codes as have been or may be adopted by the City and/or the State of Idaho.
- (E) The building sewer from the building drain to the public sewer and the service connection thereto shall not be smaller than four inch (4") diameter sewer pipe. The minimum grade or slope of the building sewer shall be as follows:
 - (1) Four-inch (4") diameter sewer pipe shall be laid on a grade of not less than One-quarter inch per foot (1/4" /1').
 - (2) Six-inch (6") diameter sewer pipe shall be laid on a grade of not less than One-eighth inch per foot (1/8" /1')
 - (3) Eight-inch (8") diameter sewer pipe shall be laid on a grade of not less than four feet per one thousand feet (4'/1000').
 - (4) The alignment of the building sewer from the outlet of the building drain to the public sewer connection shall be straight, with no bends, warps, or sags permitted except with the permission of the City. The trench bottom shall be cut to proper grade so that when the pipe is laid the body or barrel of the pipe shall be on solid material. Bell holes are to be excavated in the trench bottom at all pipe joints.

- (F) No person shall make connection of roof downspouts, exterior foundation drains, area-way 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.
- (G) The service connection to the public sewer shall conform to the requirements of the building and plumbing codes as adopted by the City and/or the State of Idaho. In addition, the materials and workmanship of the service connection shall meet the following requirements:
- (1) A precast service connection tee shall be fitted onto the sewer pipe line at the appropriate point and near the center of a length of the public sewer pipe, to avoid breaking the bell or the spigot end of the sewer pipe. The service connection tee shall be installed as a water-tight connection to the outside of the public sewer, care being taken not to extend the building sewer line into the public restriction. The invert of the building sewer line at the service connection tee shall be at an elevation above the invert of the public sewer at least equal to two-thirds of the diameter of the public sewer. All foreign material shall be removed from the sewer pipe and there shall be a permanent connection which is gas-tight and water-tight between the public sewer line and the building sewer line.
 - (2) The building sewer tee connection to reinforced sewer pipe lines shall be made as specified under Section 7-5-9(G)(1) hereof, except that in cutting a hole in reinforced pipe for installation of the service tee, extreme care shall be exercised to avoid damage to the pipe. The hole for the tee shall be carefully chipped first to expose the reinforcing steel and the steel cut by torch or saw. No chisel cutting of the reinforcing steel of any character will be permitted.
- In lieu of a standard tee service connection, a riser service connection may be made to sewer lines that are deep below ground surface. The branch or rise shall be connected the same as a tee, except that it shall be set vertically upward such that the top of the riser is not less than five feet (5') below the surface of the ground.
- (H) The applicant for the building sewer permit shall notify the City when the building sewer is ready for inspection and connection to the public sewer. Inspection shall be made within forty-eight (48) hours, Sundays and holidays excluded, from the receipt of notice by the Superintendent.
- (I) 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.

- (J) The connection of the building sewer to the public sewer shall be made under the following conditions:
- (1) Old building sewers may be used in connection with new buildings only when they are found, upon examination and test by the Superintendent, to meet all requirements of the City.
 - (2) Cleanouts in building sewers shall be provided by the owner as he/she sees necessary. All cleanouts shall be maintained watertight by the owner.
 - (3) In all buildings in which any building sewer is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building sewer shall be lifted by artificial means, approved by the Superintendent, and discharged to the public sewer at the expense of the owner.
 - (4) The connection of the building sewer into the public sewer shall be made in strict accordance with standard City specifications, at the applicant's expense, and in the presence of the Superintendent and under his/her supervision and direction. Any damage to the public sewer shall be repaired at the cost of the applicant to the satisfaction of the Superintendent.
 - (5) In accordance with any other provisions or limitations set out on the permit.

7-5-10: POWERS AND AUTHORITY OF CITY AUTHORIZED REPRESENTATIVE:

- A. The City through its authorized representative bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this Chapter. The City 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 public sewers or natural waterways.
- B. The City through its authorized representative bearing proper credentials and identification shall be permitted to enter all private properties through which the City holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewerage 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.

7-5-11: INSPECTION: No connection of any kind to a public sewer line shall be made and no sewage permitted to flow through such connection except pursuant to inspection of and approval issued by the City.

7-5-12: REJECTIONS OR DISAPPROVALS: The City may reject any materials or workmanship for cause and upon such order, the rejected material shall be removed and replaced with approved material. Disapproved workmanship shall cause the removal and replacement of all materials involved, including appurtenances, excavation, backfilling and other work items.

7-5-13: BACKFILLING: Backfilling of building sewers and service connections within the limits of public rights of ways or easements shall conform to special specifications promulgated by the City for sewer installation and shall be subject to inspection by and approval of the City.

7-5-14: MAINTENANCE OF BUILDING SEWER: Building sewers shall be maintained by the owner of the property served thereby.

7-5-15: SEWER SERVICE CHARGES:

- (A) The monthly sewer user charge is established by resolution of the Council to cover operation and maintenance costs of the system, and to provide funds to pay for capital improvement costs, additions to the system, bonds that have been used to establish the sewage system or to finance future improvements to the system.
- (B) [Repealed.] *[Amended January 7, 2020, Ordinance No. 2020-01-01].*
- (C) The City may install measuring devices at anytime to determine the amount of waste water and/or collect BOD samples and the City Council may change said sewer service charges and provide for the charges for other than normal domestic sewage from time to time by resolution or minute entry which shall become a part of the user charge resolution which shall without the necessity of amending this Chapter and which shall be the effective sewer service charge thereafter. *[Amended January 7, 2020, Ordinance No. 2020-01-01].*
- (D) The owner or occupants of any premises who by reason of special circumstances finds that the charges for services are unjust or inequitable as applied to his/her premises, may make written application to the Council, stating the circumstances and requesting a different basis of charges for sewer services to his/her premises. Any cost of monitoring or sampling sewage to substantiate the application shall be paid by applicant. If such application be approved, the Council may, by resolution, fix and establish fair and equitable rates for such premises to be effective as of the date of decision upon such application and continuing during the period of such special circumstances, said charges are unjust and inequitable as applied to particular premises and may by resolution fix and establish fair and equitable sewer service charges for such premises during

the period of such special circumstances, or any part thereof. *[Amended January 7, 2020, Ordinance No. 2020-01-01].*

(E) Notifications. Prior to termination, the following notices shall be given:

- (1) On the Tenth (10) calendar day after the bill has not been paid, the Customer will be mailed a Delinquent Notice. The Delinquent Notice will tell the Customer the service will be disconnected five (5) calendar days after the notice if the bill is not paid.
- (2) On the sixth (6) calendar day after the mailing of the Delinquent Notice, a yellow-colored notice will be delivered to the place of service. The yellow notice will advise the Customer that the service will be disconnected the following calendar day, if the bill is not paid by the time specified.
- (3) If the bill is not paid by the deadline of the yellow notice, a red colored notice will be delivered to the place of service advising the Customer that the service has been disconnected.
- (4) Each of the notices will contain a statement of additional administrative charges and any reconnect fee that may be imposed as well as the account balance. *[Subsection "E" Amended January 9, 2024, Ordinance No. 2024-01-01.]*

(F) SCHEDULE OF RATES; PAYMENT POLICY.

- (1) Administrative Charges. Administrative charges and reconnect fees, as determined by the City Council and as set by their resolution, shall be imposed under the following conditions:
- (2) On the fifth (5th) calendar day, from the due date printed on the current utility billing statement, after the utilities system bill has not been paid, an administrative charge will be imposed to cover the cost of processing notices, and general administration as to the delinquency. The administrative charge authorized herein will not apply to Accounts with a balance of Nine Dollars and Ninety-Nine Cents (\$9.99) or less.
- (3) If it is necessary to deliver a Disconnect Notice and if service is disconnected, a fee for reconnection of services shall be charged and shall be paid before services can be reconnected to that point of service.
- (4) The Delinquency charge notice, the administrative charge and the reconnect Fee will be required to be paid in addition to the amount of the unpaid balance for services rendered, before any reconnection may occur.

- (5) At the time of the creation of the next utilities system bill creation cycle, all accounts with a delinquent balance on any or all utility services, will have an administrative fee equal to one and one-half percent (1.5%) of the entire utility billing delinquent balance added to the account balance due on a monthly basis until such balance is fully paid. *[Subsection "F" Amended January 9, 2024, Ordinance No. 2024-01-01.]*
- (G) The City may collect unpaid sewer and water service charges by suit in which event any judgment shall include costs of suit and reasonable attorney's fees.
- (H) The remedies for collecting and enforcing water and sewer rates are cumulative and may be pursued alternatively or may be used consecutively as determined by the City Council. If any remedy is invalid, then all valid remedies shall remain effectual.
- (I) In the event that any sewer service charge or water service charge shall not be paid by the fifteenth of the month after which said services have been rendered and have been billed, then water service may be disconnected for the premises until full payment of the dual charges and interest and reconnection charges have been paid in full.
- (J) If the City disconnects services because the user fails to pay the water and sewer charges for his/her premises by the fifteenth day of the month following the month that said services have been rendered and billed by the City. The person in charge of the sewer system shall estimate the cost of disconnection of the premises from the water system and the cost of reconnecting it thereto, and the user shall deposit with the City the cost as estimated for disconnecting and reconnecting the water before such premises is reconnected to said system. In the event the delinquent sewer and water service charges are paid and the premises is reconnected to the sewer system, the City shall refund any part of the deposit remaining after payment of all costs of disconnection and reconnection. *[Amended January 7, 2020, Ordinance No. 2020-01-01].*
- (K) During any period of non-connection or disconnection from the water system, habitation of such premises by human beings shall constitute a public nuisance whereupon the City Council shall cause proceedings to be brought for the abatement of occupancy of said premises by human beings. In such event and as a condition of disconnection and reconnection, there shall be paid to the City reasonable attorney's fees and costs of suit for any such action.
- (L) All new users and all previous users who made use of said City water or sewer system in another premises, and all users who have had said service disconnected as above provided, prior to the time of commencement of use, shall make application to the City Clerk and pay a water connection charge/disconnection water fee charge as elsewhere provided in this Code together with any disconnection and reconnection charges for the sewer system and all delinquent water and sewer charges as herein provided and in addition

shall pay a deposit in the sum of two months' minimum water and sewer charges, prior to using or connecting with said water or sewer system. All deposits shall be kept in a separate fund and shall be refunded to the user upon termination of said water and sewer services and upon application therefor by said users provided, however, if any sums are due or are to become due to the City for any of said services, then said deposit shall be used to pay said users account and any balance remaining shall be refunded to said user. In the event a user shall have maintained current payment of all water and sewer service charges for a period of two years, then upon application, said deposit shall be refunded to said user.

- (M): There shall be a fee charged to a new user of the city sewer services in hooking a building sewer service line to the city's public sewer lines. Such hookup fees shall be established by Resolution of the City Council, as the Council deems necessary from time to time. *[Amended January 7, 2020, Ordinance No. 2020-01-01].*
- (N): It shall be the responsibility and obligation of the applicant desiring to hook-up building sewer to public sewer system to contract with a qualified contractor to install the building sewer and make the connection to the public sewer. Only licensed, bonded and insured Contractors may perform such work. All costs and expenses incident to the installation and connection of the building sewer shall be borne by the applicant. The applicant shall indemnify the City from any loss or damage that may directly or indirectly be incurred by the installation of the building sewer as well as its connection to the public sewer. *[Added January 7, 2020, Ordinance No. 2020-01-01].*
- (O): The Contractor for applicant shall provide insurance, as deemed suitable by the City, and shall endorse on such insurance policy that the City, its officers, employees and representatives are additional insureds, with such policy of insurance being primary insurance. Such policy must be in effect before any work commences under the permit issued by the City. *[Added January 7, 2020, Ordinance No. 2020-01-01].*
- (P): The inspection of connection of building sewer to public sewer will be performed by a city employee, or city representative, qualified and designated by the City Council to verify the quality and correctness of the link between the building sewer line and the public sewer mains. *[amended June 15, 2004, Ordinance 2004-06-01; amd. 12-04-2018, Ordinance 2018-12-01 amd. January 7, 2020, Ordinance No. 2020-01-01].*

7-5-16: UNAVAILABILITY OF PUBLIC SEWER; PRIVATE DISPOSAL SYSTEMS: Where a public sanitary sewer is not available under the provisions of this Chapter, the building sewer shall be connected to a private sewage disposal system complying with the provisions of the Chapter.

- (A) The type, capacities, location and layout of a private sewage disposal system shall comply with all of the rules and regulations and recommendations of the South Central Idaho Public Health District. No septic tanks or cesspools shall be permitted to discharge into any public sewer or natural outlet.
- (B) At such times as a public sewer becomes available to property served by a private sewer disposal system, a direct connection shall be made to the public sewer in compliance with this Chapter, and any septic tank, cesspool, or similar private sewage disposal facility shall be removed or abandoned and filled with suitable material.
- (C) The owners shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, and at no expense to the City.
- (D) No statement contained in this section shall be construed to interfere with or eliminate or alter any additional requirements that may be imposed by the South Central Idaho Public Health District. *[Amended January 7, 2020, Ordinance No. 2020-01-01].*

7-5-17: PENALTIES:

- A. Any person found to be violating any provisions of this Chapter shall be served by the City with written notice stating the nature of the violation and providing a reasonable time limit, but in any event, not to exceed sixty (60) days, 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 hereinabove in this section shall be guilty of a general misdemeanor, and on conviction thereof shall be subject to the statutory penalties for each violation. Each day in which any 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 expense, loss, or damage incurred by the City by reason of such violation. *[Amended January 7, 2020, Ordinance No. 2020-01-01].*