

CHAPTER 2

SEWER SERVICE REGULATIONS

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8-2-1: **SEWER DEPARTMENT:**

- A. Creation: The Sewer Department is hereby created. It shall comprise all of the property, equipment and personnel necessary to the maintenance and operation of the City's sewage collection and the disposal system. The Department shall administer the operation and maintenance of the City sewer system.
- B. Duties: The Public Works Director of the Sewer Department shall manage and supervise the City's sewer system under the direction of the City Council, which from time to time shall, by resolution or otherwise, prescribe his powers and duties and direct the manner and frequency with which he shall make reports to the Mayor and City Council relating to the sewer system. (Ord. 88-1, 4-12-1989; 1998 Code)

8-2-2: **USE OF SYSTEM MANDATORY:**

- A. Restrictions: It shall be unlawful for the owner or other person having charge of or occupying any property, upon which a building used for human occupancy shall have been or is being constructed, and any part of the building is within two hundred feet (200') of a public sewer then in existence and used in the City, to construct or permit to be constructed or to use, or to permit to be used, any privy vault, septic tank or cesspool connection with such building.

- B. Notice: Whenever an accepted public sewer is available to receive connections therewith, the City Administrator shall cause appropriate notice to be served upon the owner, agent, or other person having charge of or occupying all property coming within scope of this Section, that said public sewer is ready to receive connections therewith and that all plumbing must be connected with such sewer.
- C. Compliance: Each such owner or other person shall, within sixty (60) days after having been given notice by the City that an accepted public sewer is available within three hundred feet (300') of such property line and ready to receive connections, cause such building to be connected with said sewer, except that if such building shall not at the time such notice is given have therein any toilets, the owner or other person having charge thereof or occupying such building shall have a period of two (2) years within which to connect it with such public sewer, and it shall thereafter be unlawful for such owner or other person to have the plumbing in such building remain unconnected to the public sewer or to maintain or use or cause to permit or exist any privy vault, septic tank or cesspool to which said building is connected or which is used by the occupant thereof.
- D. Services Discontinued: Whenever the owner, agent or other person having charge of or occupying any property coming within the scope of this Section has been properly notified to make connection with an available public sewer and has not made or caused to be made such connection, or when such connection has been made but the connection and/or service charges therefore have not been paid, any water service to such premises shall immediately be discontinued, as provided in this Chapter. Those to be excluded will be considered on an individual basis. (Ord. 88-1, 4-12-1989; 1998 Code)
- E. Exceptions: Citizens do not have to connect their buildings to a sewer if:
1. Structure is not in [source protection] zone 1 or 21 **and**
 2. A sewer main line is not parallel to the property line **or**
 3. Connecting would require an ejection pump for all floors of a structure **or**
 4. An existing home was annexed to the city from Cache County over the owner's objections.

The City may enter into an agreement with property owners who do not connect to the sewer within five years of this ordinance being enacted wherein the property owner will agree to connect to the sewer upon sale or transfer of the property.

All other structures must connect to the sewer.

1 Zone designations change with demands on the aquifer so a home in Zone 3 today may be in Zone 2 in five years. If that happens, the home must be hooked to the sewer system.

8-2-3: APPLICATION FOR CONNECTION, SERVICE:

- A. Connection: Any person other than a subdivider who must comply with the Subdivision Title², who desires or is required to secure a new connection to the City sewer system, shall file with the Sewer Department for each such connection a written and signed connection application, which is on file in the office of the Sewer Department.
- B. Service: Any person who desires or is required to secure sewer service when such service is available from the City sewer system, shall file with the Sewer Department a written application and agreement for the service, which is on file in the office of the Sewer Department.
- C. Non-owner Applicants: Applications for sewer service made by the tenant of an owner must, in addition to the requirements in subsection B of this Section, be guaranteed by an agreement signed by the owner of the premises or his duly authorized agent in such form as is on file in the office of the Sewer Department. (Ord. 88-1, 4-12-1989, 1998 Code)

8-2-4: FEES:

- A. Service Rates and Connection Fees: The rates, penalty fee for delinquency in payment, and connection fees for sewer services from the City sewer system shall be fixed from time to time by resolution or ordinance of the City Council. The City Council may from time to time enact rules for levying, billing, guaranteeing and collection charges for sewer services and all other rules necessary for the management and control of the sewer system.
- B. Special Rates: The City Council may from time to time fix by agreement or resolution special rates and/or conditions upon such terms as they may deem proper for users of the sewer service discharging wastes of unusual characteristics or making use thereof under exceptional circumstances.
- C. Complaints; Corrections: The City Council is hereby constituted a Board of Equalization of sewer rates to hear complaints and make corrections of any assessments or charges deemed to illegal, unequal, or unjust. (Ord. 88-1, 4-12-1989)

8-2-5: USER CHARGES:

- A. Purpose: The purpose of this Section shall be to generate sufficient revenue to pay all costs for the operation and maintenance of the complete wastewater system. The costs shall be distributed to all users of the system in proportion to each user's contribution to the total loading of the treatment works. Factors such as strength (BOD and TSS), volume, and delivery flow rate characteristics shall be considered and included as the basis for the user's contribution to ensure a proportional distribution of operation and maintenance costs to each user (or user class).
- B. Determining Factors;
1. Annual Operation And Maintenance Costs:
 - a. Established: The City shall determine the total annual costs of operation and maintenance of the wastewater system which are necessary to maintain the capacity and performance, during the service life of the treatment works, for which such works were designed and constructed. The total annual cost of operation and maintenance shall include, but need not be limited to, labor, repairs, equipment replacement, maintenance, necessary modifications, power, sampling, laboratory tests, and a reasonable contingency fund.
 - b. Toxic Pollutants; Increased Costs: Each user which discharges any toxic pollutants which cause an increase in the cost of managing the effluent or sludge of the City collection and trunk line or the Logan City treatment works shall pay for such increased costs.
 2. User's Contribution Percentage:
 - a. The City shall determine for each user or user class the average daily volume of wastewater discharged to the wastewater system, which shall then be divided by the average daily volume of all wastewater discharges to the wastewater system to determine such user's volume and contribution percentage.
 - b. The City shall determine for each nonresidential user or user class the average daily poundage of five (5) day twenty degree Celsius (20°C) biochemical oxygen demand (BOD) discharged to the wastewater system which shall then be divided by the average daily poundage of all five (5) day BOD discharged to the wastewater system to determine such user's BOD contribution percentage.

c. The City shall determine for each nonresidential user or user class the average daily total suspended solids (TSS) poundage discharges to the wastewater system which shall then be divided by the average daily poundage of all TSS discharged to the wastewater system to determine such user's TSS contribution percentage and TSS contribution percentage for each user or user class shall be multiplied by the annual operation and maintenance costs for wastewater treatment of the total of the total volume flow, total five (5) day twenty degree Celsius (20°C) BOD and total TSS, respectively.

d. Average user flows and strength contribution for residential users has been determined to be eight thousand (8,000) to twelve thousand (12,000) gal/month, BOD of two hundred (200) mg/l, TSS of two hundred fifty (250) mg/l. In those cases where a user exceeds the average minimum flow, the volume of wastewater shall be based on the gallons of water used with said water usage being based on average wintertime flows.

3. Surcharge for Excessive and Regulated Users: Should it become necessary, the City will assess a surcharge rate for all "regulated users", as defined in subsection 8-2-10A of this Chapter, and those which discharge wastes with BOD and TSS strengths greater than the average sufficient to cover the additional administrative and inspection costs associated with such users and for additional efforts required to treat such waste.

4. Wastewater Service Charge: Each nonresidential user's wastewater treatment cost contributions as determined in subsections B2 and B3 of this Section shall be added together to determine such user's annual wastewater service charge. Residential users may be considered to be one class of user based on an estimate of the total wastewater contribution of this class of user. The City Council may classify industrial, commercial, and other nonresidential establishments as a residential user; provided, that the wastes from these establishments are equivalent to the wastes from the average residential user with respect to volume, total suspended solids and BOD. Each user's wastewater treatment cost contribution will be assessed in accordance with the rate schedule available at the City Office.

C. Replacement Fund: A reserve fund called the Wastewater Facilities Replacement Fund is hereby established within the Wastewater Utility Fund for the purpose of providing sufficient funds to be expended for obtaining and installing equipment, accessories and appurtenances during the useful life (20 years) of the wastewater treatment facilities necessary to maintain the capacity and performance for which such facilities are designed and constructed.

D. Review of Costs and Contribution:

1. Required: The City shall review the total annual cost of operation and maintenance as well as each user's wastewater contribution percentage not less often than every two (2) years and will revise the system necessary to assure equity of the service charge system established herein and to assure that sufficient funds are obtained to adequately operate and maintain the wastewater treatment works. The City shall apply excess revenues collected from a class of users to the costs of operation and maintenance attributable to that class for the next year and adjust the rate accordingly. If a significant user, such as an industry, has completed in-plant modifications which would change that user's wastewater contribution percentage, the user can present, at a regularly scheduled meeting of the City Council, such factual information and the City shall then determine if the user's wastewater contribution percentage is to be changed. The City shall notify the user of its findings as soon as possible.

2. Notification: Each user will be notified, at least annually, in conjunction with a regular bill, of the rate and that portion of the user charges which are attributable to wastewater treatment services. (Ord. 14-290, 4-12-1989; 1988 Code)

8-2-6: **STATEMENT OF CHARGES; DELINQUENCY:**

- A. Statement: The Sewer Department, or such other person as the City Council may designate, shall furnish to each user by mail or leave at his place of residence or usual place of business, a written or printed statement stating the sewer service charges assessed against him/her once each month or at such other regular intervals as the City Council shall direct. The statement shall specify the amount of the bill, the place of payment, and the date due.
- B. Notice of Discontinuance: If any person fails to pay his/her sewer charges within thirty (30) days of the date due, the City Recorder or the City Administrator shall give the customer notice in writing of the intent to discontinue the service of water to the premises unless the customer pays the bill in full within five (5) days from the date of notice.
- C. Reconnection: If the water service is thereafter discontinued for failure to make payment of the sewer service charges, before the water service to the premises shall again be provided, all delinquent sewer charges must have been paid to the City Treasurer or arrangements made for their payment that are satisfactory to the City.

- D. **Additional Charges:** In the event water is turned off for nonpayment of sewer charges, before the water services to the premises shall again be provided, the customer shall pay, in addition to all delinquent charges, such extra charge for turning the water on and off as the City Council may have established by resolution or ordinance.
- E. **Collection Enforcement:** If any person fails to pay his/her sewer charges within thirty (30) days of the due date, the City Recorder or the City Administrator is hereby authorized to take all action necessary to enforce collection, including, but not limited to, the commencement of legal proceedings in a court of proper jurisdiction seeking judgment for all the amount of the delinquent fees and service charges and all costs of collection, including court costs and reasonable attorney fees. (Ord. 88-1, 4-12-1989)

8-2-7: INSTALLATION AND CONNECTION TO SYSTEM:

- A. **Separate Connections:** A separate and independent building sewer shall be provided for every building; except where an accessory building stands at the rear of a main building and a private sewer cannot be constructed to the accessory building through an adjoining alley, court, yard, or driveway. In such case, the building sewer from the front building may be extended to the rear accessory building and the whole considered as one building sewer. Both buildings must be under common ownership and the City does not and will not assume any obligation or responsibility for damage cause by or resulting from any such single connection Aforementioned. (Ord. 88-1, 4-12-1989)
- B. **Service Line Extension:**
1. Once the application for sewer service has been made and accepted and the required fees have been paid by the applicant, the sewer line can be extended.
 2. This subsection B refers to those extension lines installed at the time of initial construction of the sewer trunk lines. After the initial installation of a sewer trunk line, anyone connecting to the sewer line must make application to the Sewer Department as well as the Street Department. The applicant will bear all costs of materials and labor for sewer installation and for repair to streets, curbs, sidewalks, and landscape. A City employee or City inspector must be on site during the excavation, installation and backfill of any section of the sewer line on City property or right of way. Twenty four (24) hours' notice for inspections is required. (Ord. 88-1, 4-12-1989; 1998 Code)

- C. Permit:
1. Required: It shall be unlawful for any person to directly or indirectly engage in the laying, repairing, altering or connecting of any drain or sewer pipe connected with or part of the City sewer system without first having received a permit from the office of the City Recorder or the City.
 2. Adequate Plumbing: Permits to connect to the City sewer system shall not be issued unless the plumbing in the house or building to be connected is in accordance with the provisions of the Building and Plumbing Codes of the City¹.
- D. Licensed Plumber; Exception: It shall be unlawful for any person to connect any drain or sewer pipe with the City sewer system unless the person is a duly licensed plumber or unless, in the absence of a duly licensed plumber, any proposed connection to, alteration of, or change of connection to the sewer system shall be first submitted to the City Engineer for review and approval. After such approval, the installation or work done must be inspected by the City Engineer or his agent.
- E. Ownership of Connecting Lines: Unless provision is expressly made for ownership of mains or lines by the owner of the adjacent property by means or written agreement, all lines and mains connecting the sewer system to a landowner and resident's premises which are situated on the public way between the main and the property line shall be deemed to be the property of the City and subject to its absolute control and supervision, even though actual installation may have been performed by the owner or resident of the premises.
- F. Issuance, Revocation of Permit: All construction permits for sewer connections or installations shall be issued to the plumber who is to do the work or to the owner of the property, with supervision and inspection by the City Administrator or his agents. The city Administrator or his agents may at any time revoke a permit because of defective work or because of undue delay in completing the permitted work. (Ord. 88-1, 4-12-1989)

8-2-8: MATERIALS AND CONSTRUCTION:

- A. Code Compliance: The size, slope, alignment and materials of construction of all sanitary sewers, including building sewers, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of the Building and Plumbing Codes or other applicable rules and regulations of the City.
- B. Compaction: At the time of installation of sewer lines or sewer service pipe, and thereafter as may be recommended or required by the City Engineer, compaction of all sewer lines or sewer service pipe trenches located within City rights or way shall be strictly required. Method of compaction shall be dependent upon the type of soil and location of the trench and shall be at the discretion of the City Engineer. Such trenches shall be approved by the City Engineer after on-site inspection and testing.
- C. Excavation: All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from the hazards. Streets, sidewalks, parkways, and other public property disturbed in the course or work shall be restored in a manner satisfactory to the City.
- D. Inspection: The applicant for the building sewer permit shall notify the City Engineer when the building sewer is ready for inspection and connection to the public sewer. The connection and testing must be made under the supervision of the City Engineer or his agent.
- E. Service Lines:
 - 1. Pipes in Good Repair: All users of the sewer services shall keep their service pipes, connection, and other apparatus in good repair and protected from frost at their own expense. No person, except under the direction of the City Engineer, shall be allowed to dig into the street for the purpose of removing or repairing any sewer service pipe or main.
 - 2. Quality of Service Pipe: All service and other pipes used in conjunction with the sewer services of the City shall be of such material, quality and specifications as the City Council may from time to time by resolution provide and shall be installed at such distances below ground as may be specified by regulations relating to the Sewer Department. All work, alterations or extensions affecting sewer pipes shall be subject to the acceptance of the Public Works Director or City Engineer, and no connections with sewer mains shall be made without first obtaining a permit therefore from the City Recorder.

3. Old Service Connections: Old building sewers may be used in connection with new buildings only when they are found, on examination and test, and the results reviewed, by the City Engineer, to meet all requirements of this Chapter.
4. Clean-Outs: A clean-out consisting of a wye, a four inch (4") pipe to the surface, and a brass cap must be installed at or near the property line and all bends.
5. Trial Sewer Survey: In order to determine the feasibility of connecting a basement or proposed basement to the sanitary sewer, the owner or plumber may make application for a trial sewer survey, the cost of which shall be as established from time to time by resolution of the City Council. The result of a trial sewer survey shall not constitute a permit to connect to the sewer and is merely for information purposes. (Ord. 88-1, 4-12-1989; 1998 Code)

8-2-9: **USE PERMITS:**

- A. Industrial Use: Any industrial user of the sewer producing industrial wastes (other than domestic household wastes) will be required to apply for a permit. Such notice shall be given by the Logan City Engineer or his delegate and an application for permit on a form supplied by the Logan City Engineer must be filed with the Logan City Engineer within thirty (30) days after receipt of notice. Within thirty (30) days after the application is received, the Logan City Engineer or his delegate shall issue a permit good for not more than one year, which shall contain as a minimum the following information:
 1. Applicable pretreatment standards and/or discharge limits.
 2. A compliance deadline date or effective date of limits.
 3. Reporting requirements as appropriate.
 4. A statement of the effective date, the expiration date and the authority to revoke in the event of noncompliance.
 5. Any person discharging industrial waste into the sewer system without a permit, or in violation of the terms of the permit, shall be guilty of a Class C misdemeanor, and subject to the penalty provisions contained in Section 1-4-1 of this Code.

B. Waste Haulers: Waste haulers shall not be permitted to dispose of waste in the City sewer system. The dumping of concentrated waste shall be at a location designated by Logan City and within thirty (30) days after written notice, any waste hauler shall be required to apply for a permit at the office of the Logan City Engineer. Within thirty (30) days after application, the Logan City Engineer or his delegate shall issue a permit which shall include the following.

1. Duration of the permit which shall be not more than one year.
2. A requirement that the waste hauler submit a manifest form for any waste to be deposited in the Logan City sewer system which shall include the name of the customer, the type of waste and the estimated volume of the waste. The waste hauler must certify that the manifest is true, accurate and complete. No waste from oil, sand or grease traps will be accepted for discharge into the sewer system. (Ord. 88-1, 4-12-1989; 1998 Code)

8-2-10: **INDUSTRIAL PRETREATMENT:**

A. Definitions:

CATEGORICAL PRETREAT- MENT STANDARD:	Any regulation containing pollutant discharge limits promulgated by the Environmental Protection Agency in accordance with section 207 (b) and (c) of the Federal Water Pollution Control Act (title 33 USC 1347) which applies to a specific category of industrial users.
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REGULATED INDUSTRY:	<p>An industrial user directly or indirectly discharging to the City sewer system that satisfies any of the following:</p> <ol style="list-style-type: none"> 1. Has a flow of fifty thousand (50,000) gallons or more per average work day. 2. Has a flow greater than five percent (5%) of the flow carried by the City sewer system. 3. Has in its waste a toxic pollutant in toxic amount as defined under section 307(a) of the Clean Water Act of 1977 (Federal Register dated January 31, 1978); or
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4. Is found by the City to have a significant impact on the treatment works or the quality of effluent from the Logan City treatment works.

B. Limitations:

1. Upon the promulgation of Federal categorical pretreatment standards for a particular industrial category, developed pursuant to 40 CFR section 403.6, the Federal standard, if more stringent than limitations imposed herein for sources in that category, shall immediately supersede the limitations imposed herein. The City Engineer shall notify all affected users of the applicable reporting requirements under 40 CFR section 403.12.

2. Notwithstanding the foregoing Federal categorical pretreatment standards, the City reserves the right to change local limits as circumstances may require which limits may be more stringent than the Federal standards; provided however, that the City Engineer shall notify all affected users of any new and more stringent local standards not less than thirty (30) days prior to the effective date of the new local standards.

C. Treatment Provided by Discharger: Where necessary, in the opinion of the City Engineer, a discharger shall provide, at his expense, such preliminary treatment as may be necessary to assure the elimination of all pollutants or other materials, the discharge of which is prohibited by this Chapter. If necessary, a spill prevention, containment and control plan shall also be developed. Plans, specifications, and other pertinent information relating to the proposed preliminary treatment facilities shall be submitted for the approval of the City Engineer, and no construction of such facilities shall be commenced until said approval is obtained in writing.

D. Compliance Schedule:

1. Where additional pretreatment and/or operation and maintenance activities will be required to comply with this Chapter, the discharger shall provide a declaration of the shortest schedule by which the discharger will provide such additional pretreatment and/or implementation of additional operational and maintenance activities.

2. The schedule shall contain milestone dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the discharger to comply with the requirements of this Chapter, including, but not limited to, dates relating to hiring an engineer,

completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, and all other acts necessary to achieve compliance with this Chapter.

3. Under no circumstances shall the City permit a time increment for any single step directed toward compliance which exceeds nine (9) months.

4. No later than fourteen (14) days following each milestone date in the schedule and the final date for compliance, the discharger shall submit a progress report to the City, including no less than a statement as to whether or not it complied with the increment of progress represented by that milestone date and, if not, the date on which it expects to comply with this increment of progress, the reason for delay, and the steps being taken by the discharger to return the construction to the approved schedule. In no event shall more than nine (9) months elapse between such progress reports to the City.

E. Reporting Requirements For Discharges:

1. Compliance Date Report: Within ninety (90) days following the date for final compliance by the discharger with applicable pretreatment standards set forth in this Chapter or ninety (90) days following commencement of the introduction of wastewater into the POTW by a new discharger, any discharger subject to this Chapter shall submit to the City a report indicating the nature and concentration of all prohibited or regulated substances contained in its discharge, and the average and maximum daily flow in gallons. The report shall state whether the applicable pretreatment standards or requirements are being met on a consistent basis and, if not, what additional O & M and/or pretreatment is necessary to bring the discharger into compliance with the applicable pretreatment standards or requirements. This statement shall be signed by an authorized representative of the discharger.

2. Periodic Compliance Reports:

a. Any discharger subject to a pretreatment standard set forth in this Chapter, after the compliance date of such pretreatment standard, in the case of a new discharger, after commencement of the discharge to the City, shall submit to the City during the months of June and December, unless required more frequently by the City, a report indicating the nature and concentration of prohibited or regulated substances in the effluent which are limited by the pretreatment standards in the effluent which are limited by the pretreatment standards hereof. In addition,

this report shall include a record of all measured or estimated average and maximum daily flows during the reporting period reported in this subsection. Flows shall be reported on the basis of actual measurement, provided however, where cost or feasibility consideration justify, the City may accept reports of average and maximum flows estimated by verifiable techniques. The City, for good cause shown considering such factors as local high or low flow rates, holidays, budget cycles, or other extenuating factors may authorize the submission of said reports on months other than those specified above.

b. Reports of discharges shall contain all results of sampling and analysis of the discharge, including the flow and the nature and concentration, or production and mass where required by the City. The frequency of monitoring by the discharger shall be as prescribed in the applicable pretreatment standard of this Chapter.

3. All analyses shall be performed in accordance with 40 CFR part 136 does not include a sampling or analytical technique for the pollutant in question, sampling and analysis may be performed in accordance with the procedures set forth in the EPA publication, Sampling and Analysis Procedures for Screening of Industrial Effluents for Priority Pollutants, April 1977, and amendments thereto, or with any other sampling and analytical procedures approved by the Administrator of United States EPA or by any other reasonable method approved by the City.

F. Manhole: When required by the City Engineer, the owner or occupier of any property or building served by a sewer carrying industrial wastes which, in the opinion of the City Engineer, needs to be monitored to assure compliance with this Chapter, shall install a suitable control manhole in the sewer to facilitate observation, sampling and measurement of the wastes. Such manholes, when required, shall be accessible at all times.

G. Monitoring:

1. Facilities: Each discharger whose effluent, in the opinion of the City Engineer, needs to be pretreated or monitored, shall provide and operate at the discharger's own expense, a monitoring facility to allow inspection, sampling, and flow measurement of each sewer discharge to the treatment works. Each monitoring facility shall be situated on the discharger's premises, except where such a location would be impractical or cause undue hardship on the discharger, the City may concur with the facility being constructed in the Public street or sidewalk area; providing, that the facility is located so that it will not be obstructed by landscaping

or parked vehicles. There shall be ample room in or near such sampling facility to allow accurate sampling, and measuring equipment shall be maintained at all times in a safe and proper operating condition at the expense of the discharger. Sampling procedures shall be in accordance with guidelines provided by the City.

2. Construction: All monitoring facilities shall be constructed and maintained in accordance with all applicable local construction standards and specifications. Construction shall be completed within one hundred twenty (120) days of written request by the City Engineer to install such facilities.

3. Inspection and Sampling: The City may inspect the monitoring facilities of any discharge to determine compliance with the requirements of this Chapter. The discharger shall allow the City or its representatives to enter upon the premises of the discharger at all reasonable hours, for the purposes of inspection, sampling, or records examination. The City shall have the right to set upon the discharger's property such devices as are necessary to conduct sampling, inspect compliance, monitoring and/or metering operations. At the City Engineer's request, at the discharger's expense, the discharger shall do such monitoring and testing, inspection or sampling as the City Engineer deems necessary to assure compliance with this Chapter. The results of all such activities shall be immediately available to the City.

4. Non-complying Discharges; Publication: The City shall annually publish in a local newspaper a list of the discharges which were not in compliance with applicable pretreatment requirements at least once during the previous twelve (12) months.

H. Confidential Information:

1. Information and data furnished to the City with respect to the nature and frequency of discharge shall be available to the public or other government agency without restriction, unless the discharger specifically requests and is able to demonstrate to the satisfaction of the City that the release of such information would divulge information, process or methods of production entitled to protection as trade secrets or proprietary information of the discharger.

2. When requested by a discharger furnishing a report, the portions of a report which may disclose trade secrets or secret processes shall not be made available upon written request to governmental agencies for uses related to this Chapter; provided however, that such portions of a report shall be available for use by the State or any State agency in judicial review or enforcement proceeding involving the

discharger furnishing the report. Wastewater constituents and characteristics will not be recognized as confidential information.

3. Information accepted by the City as confidential shall not be transmitted to any governmental agency until and unless a ten (10) day notification is given to the discharger.

4. All dischargers subject to this Chapter shall retain and preserve for no less than three (3) year, any records, books, documents, memoranda, reports, correspondence, and any and all summaries thereof, relating to monitoring, samplings and chemical analysis made by or in behalf of a discharger in connection with its discharge. All records which pertain to matters which are the subject of administrative adjustment or any other enforcement or litigation activities brought by the City pursuant hereto shall be retained and preserved by the discharger until all enforcement activities have concluded and all periods of limitation with respect to any and all appeals have expired. If after monitoring, sampling and testing, etc., the City Engineer deems it necessary that the discharger pretreat his effluent in order to comply with this Chapter, he shall do so at his own expense and according to the compliance schedule established for the discharger after being so instructed by the City Engineer.

I. Facility Maintenance: Where preliminary treatment facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner or discharger at his own expense.

J. Enforcement Of Program:

1. Emergency Suspension Of Service: The City may for good cause shown suspend the wastewater treatment service to a discharger when it appears to the City that an actual or threatened discharge presents or may present an imminent or substantial danger to the health or welfare of persons, substantial danger to the environment, interference with the operation of the treatment plant, or violate any pretreatment limits imposed by this Chapter. Any discharger notified of the suspension of the City's wastewater treatment service shall, within a reasonable period of time as determined by the City, cease all discharges. In the event of failure of the discharger to comply voluntarily with the suspension order within the specified time, the City shall commence judicial proceedings immediately thereafter to compel the discharger's compliance with such order. The City shall reinstate the wastewater treatment service and terminate judicial proceedings pending proof by the discharger of the elimination of the non-complying discharge or conditions

creating the threat of imminent or substantial danger as set forth above.

2. Revocation Of Treatment Service: The City may seek to terminate the wastewater treatment service to any discharger which fails to:

a. Factually report the wastewater constituents and characteristics of its discharge;

b. Report significant changes in wastewater constituents or characteristics;

c. Refuses reasonable access to the discharger's premises by representative of the for the purpose of inspection or monitoring; or

d. Violates the conditions of this Chapter, or any final judicial order entered with respect thereto.

3. Notification Of Violation; Administrative Adjustment: Whenever the City finds that any discharger has engaged in conduct which justifies termination of a wastewater treatment service, the City shall serve notice either personally or by certified or registered mail, return receipt requested, stating the nature of the alleged violation. Within thirty (30) days of the receipt of the notice, the discharger shall respond personally and in writing to the City, advising of its position with respect to the allegations. Thereafter, the parties shall meet to ascertain the veracity of the allegations and where necessary, establish a plan for the satisfactory correction thereof.

4. Show Cause Hearing: Where the violation of subsection J2 of this Section is not corrected by timely compliance by means of administrative adjustment, the City may order any discharger which causes or allows conduct prohibited by subsection J2 of this Section, to show cause before the City or its duly authorized representative, why the proposed service termination action should not be taken. A written notice shall be served on the discharger by personal service, certified or registered, return receipt requested, specifying the time and place of a hearing to be held by the City or its designee why the proposed enforcement action should not be taken. The notice of hearing shall be served no less than ten (10) days before the hearing. Service may be made on any agent, officer, or authorized representative of a discharger. The proceedings at the hearing shall be considered by the City which shall then enter appropriate orders with respect to the alleged improper activities of the discharger. Appeal of such orders may be taken by the discharger in accordance with applicable local or State law.

5. Judicial Proceedings: Following the entry of any order by the City with respect to the conduct of a discharger contrary to the provisions of this Chapter, the City Attorney may, following the authorization of such action by the City, commence an action for appropriate legal and/or relief in the appropriate court.

6. Right Of Appeal:

a. Any discharger or any interested party shall have the right to request in writing an interpretation or ruling by the City on any matter covered by this Chapter and shall be entitled to a prompt written reply.

b. In the event that such inquiry is by a discharger and deals with matters of performance or compliance with this Chapter for which enforcement activity relating to an alleged violation is the subject, receipt of a discharger's request shall stay all enforcement proceedings pending receipt of the aforesaid written reply. Appeal of any final judicial order entered pursuant to this Chapter may be taken in accordance with local and State law.

7. Falsifying Information: Any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to this Section or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this Chapter shall, upon conviction, be guilty of a Class B misdemeanor and subject to the penalty provisions provided in Section 1-4-1 of this Code.

K. Recovery Of Costs: Any discharger violating any of the provisions of this Chapter, or who discharges or causes a discharge producing a deposit or obstruction, or causes damage or impairs the City's wastewater disposal system, shall be liable to the City for any expenses, loss, or damage cause by such violation or discharge. The City shall bill the discharger for the costs incurred by the City for any testing, analysis, cleaning, repair, or replacement work caused by violation or discharge. Refusal to pay the assessed costs shall constitute a violation of this Chapter, enforceable under the provisions of this Chapter, or other applicable law. (Ord. 88-1, 4-12-1989)

8-2-11: **ACCESS BY DEPARTMENT:** The City Engineer and his agents shall at all ordinary hours have free access to places supplied with sewer services from the City system for the purpose of examining the apparatus, ascertaining the sewer service being used and the manner of its use. (Ord. 88-1, 4-12-1989)

8-2-12: PROHIBITED USES AND REGULATIONS:

A. Injuring Sewer; Discharging Oil: It shall be unlawful for any person to injure, break or remove any part or portion of any sewer appliance or appurtenance, or to discharge into a sewer any mud or dirt or any inflammable gas, gasoline, oil or grease of any kind from automobiles, or any calcium carbide or residue therefrom, or any liquid or other material or substance which will evolve an inflammable gas when in contact with water, sewage or fire.

B. Manhole Covers: It shall be unlawful for any person to open any sewer manhole, or in any way interfere with the same, without permission from the City Engineer or his agent.

C. Disposal System Abandonment: When a dwelling served by an individual wastewater disposal system is connected to a public sewer, the existing system shall be abandoned and made safe and shall be disconnected from and bypassed with the building sewer.

D. Storm Water:

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

2. Storm Water and all other unpolluted drainage shall be discharged to such sewers as are specifically designed as storm sewers or to a natural outlet approved by the City Engineer. Industrial cooling water or unpolluted process waters may be discharged, on approval of the City Engineer, to a storm sewer or natural outlet.

E. Waters and Wastes: Except as herein provided, no person shall discharge or cause to be discharged any of the following described waters or wastes to any of the following described waters or wastes to any public sewer.

1. Any liquid or vapor having a temperature heated to a degree and in amounts which will inhibit biological activity in the publicly-owned treatment works resulting in interference or which would cause the temperature of the wastewater entering the treatment works to exceed one hundred four degrees (104°).

2. Any treatment or wastewater that contains solid or viscous substances in amounts which obstruct flow in sewers or interfere with the wastewater treatment system.

3. Any gasoline, benzine, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas or any other pollutant which might create a fire or explosion hazard in the sewer collection or treatment.
4. Any garbage that has not been properly shredded.
5. Any ashes, cinders, sand, mud, straw, shavings, metal, glass rags, feathers, tar, plastics, wood, paunch manure, or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works.
6. Any waters or wastes containing a toxic or poisonous substance in sufficient quantity either singly or by interaction with other pollutants, to injure to interfere with any sewage treatment process, constitute a hazard to humans or animals, create any hazard in the receiving waters of the sewage treatment plant, or to exceed the limitations set forth in a categorical pretreatment standard. A toxic pollutant shall include but not limited to any pollutant identified pursuant to section 307(a) of the Federal Water Pollution Control Act.
7. Any waters or wastes containing suspended solids or other pollutants, including oxygen demanding pollutants, of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant.
8. Any noxious or malodorous gas or substance capable of creating a public nuisance.
9. Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Director of Public Works in compliance with applicable State or Federal regulations.
10. Any substance which will cause a violation in the discharge permitted or receiving water quality standards.

F. Interceptors:

1. When Required: Grease, oil and sand interceptors shall be provided when, in the opinion of the City Engineer, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand and other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be located as to be

readily and easily accessible for cleaning and inspection.

2. Maintenance: Where installed, all grease, oil and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times.

G. Oxygen Requirement: The admission into the public sewers of any waters or wastes having a five (5) day biochemical oxygen demand greater than three hundred (300) parts per million by weight or having an average daily flow greater than two percent (2%) of the average daily sewage flow of the City shall be subject to the review and approval of the City Engineer.

H. Modification of Wastewater or Effluent Flow: No discharger shall dilute the wastewater or increase the effluent flow as a means to keep BOD less than three hundred (300) parts per million, nor shall a discharger use dilution as a means of compliance with any other regulation of pollutants under this Chapter.

I. Dumping by Waste Haulers: The dumping of waste into the City sewer system by waste haulers is prohibited. All such waste shall be disposed of in the Logan City sewer system at a location designated by the Logan City Engineer and there only after a permit has been secured by the haulers¹. (Ord. 88-1, 4-12-1989)

8-2-13: **SERVICES OUTSIDE CITY:**

A. Petition: Any person located outside the City limits who desires sewer service may make application to the City Council by petition containing:

1. A description of the proposed extension.
2. A map showing the location thereof.
3. An offer to pay the entire expense incurred by the City in providing such extension beyond the City limits and to advance such expense as shall be verified to by the City Engineer.
4. An acknowledgment that the applicant's request will be limited to one hookup for

one home. No other connections will be permitted to be run off the approved hookup.

5. An acknowledgment that the hookup fee and the monthly charge for sewer service will be at the rate established by the City for sewer service outside the City limits.

6. A deposit equal to the minimum charge for two (2) billing periods shall be presented to the City. It is agreed and understood that the City may apply the deposit as payment toward past due sewer service bills and on final settlement of the applicant's account, any unused balance of the deposit will be refunded to the applicant upon termination of the service.

7. A statement whereby the applicant agrees to adhere to all regulations contained within this Chapter.

8. An acknowledgment that if the applicant fails to pay his sewer his within thirty (30) days of the date due, the City Recorder or the City Administrator shall give the customer notice in writing of the intent to physically discontinue sewer service to the premises unless the customer pays the bill in full within five (5) days from the date of notice. If the sewer service is thereafter discontinued for failure to make payment of the sewer service charges, before the sewer services to the premises shall again be provided, all delinquent sewer charges must have been paid to the City Treasurer or arrangements made for their payment that are satisfactory to the City. (Ord. 88-1, 4-12-1989)

9. The applicant hereby agrees to sign an application for sewer service and agrees to pay such sums as required by the City and be bound by the terms set forth in said application. (Ord. 88-1, 4-12-1989; 1998 Code)

B. Extensions May Be Master Metered: When an extension serving more than one than one house or user outside the City limits is connected to the City sewer system, the City Engineer may required a master meter to be installed near the point where the connection is to be made to the City line. This installation will be at the expense of those persons being metered. Responsible parties must agree to pay all bills for sewer service through the meter at the applicable rates. (Ord. 88-1, 4-12-1989)

8-2-14: **PENALTY:** Any person or entity violating any of the provisions of this Chapter shall be deemed guilty of a Class B misdemeanor and upon conviction thereof, shall be subject to penalty as provided in Section 1-4-1 of this Code. Each day of violation shall be deemed to be a separate offense. (Ord. 88-1, 4-12-1989)

8-2-15: **SERVICE LINE REPAIR:** This applies to sewer service lines that are located on City property, more so the service line from the property owner's property line to the connection of the City's main line.

A. **Blockage Occurs:** When blockage occurs in the service line between the property line and the City's main line, it is the responsibility of the property owner to have the service line cleaned and repaired. The property owner must report the problem to the City and obtain the necessary permits before beginning the repair.

1. **Emergency Repair:** Emergencies must be reported to the City immediately. It is the responsibility of the property owner to take action to prevent further damage and have the service line repaired.

B. **Submission of Information and Documentation:** If, after the service line is video taped and/or excavated for repairs, it is determined the blockage may be due to faulty or improper installation, the property owner may submit the information and documentation to the City for review.

C. **Review Board:** The Sewer Service Line Review Board shall consist of the Mayor or Designee, the City Council Member assigned to waste water, the Public Works Director, and the City Engineer or a waste water trade person.

D. **Action of Review Board:** Within two (2) working days after the City receives the information and documentation, the Review Board will determine the cause of the blockage.

1. The Review Board will present their findings and/or recommendations to the City Council.

E. **Action of the City Council:** After hearing the findings and/or recommendations of the Review Board, the City Council shall determine the amount of City participation. The City may participate from 0% to 100%, depending upon the cause.

(OM 012-2002 09/10/02)