

CHAPTER XV. UTILITIES

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ARTICLE 1. GENERAL PROVISIONS

- 15-101. DEFINITION. For purposes of this article utility services shall include water, electrical, sewer, solid waste (refuse) and other utility services provided by the city. (Code 2003)
- 15-102. DELINQUENT ACCOUNTS. Unless otherwise provided, water, electric, sewer, solid waste (refuse) or other utility service shall be terminated for nonpayment of service fees or charges in accordance with sections 15-103:104. (Code 2003)
- 15-103. NOTICE; HEARING. (a) If a utility bill has not been paid on or before the due date as provided in this chapter, a delinquency and termination notice shall be issued by the city clerk within five days after the delinquency occurs and mailed to the customer at his or her last known address. A copy also shall be mailed to the occupant of the premises if the occupant and the customer are not the same person.
- (b) The notice shall state:
- (1) The amount due, plus delinquency charge;
 - (2) Notice that service will be terminated if the amount due is not paid within 10 days from the date of the notice unless the date on the notice to pay the charges due shall be on a Saturday, Sunday or legal holiday, in which event such notice will give the consumer until the close of the next business day in which to pay the charges;
 - (3) Notice that the customer has the right to a hearing before the designated hearing officer;
 - (4) Notice that the request for a hearing must be in writing and filed with the city clerk no later than three days prior to the date for termination of service.
- (c) Upon receipt of a request for hearing, the city clerk shall advise the customer of the date, time and place of the hearing which shall be held within three working days following receipt of the request. (Code 2003)

- 15-104. SAME; FINDING. Following the hearing, if the hearing officer shall find that service should not be terminated, then notice of such finding shall be presented to the city clerk. If the officer finds that service should be terminated, an order shall be issued terminating service five days after the date of the order. The customer shall be notified either in person or by mailing a letter to his or her last known address by certified mail, return receipt requested. However, if the order is made at the hearing in the presence of the customer, then no further notice need be given. The hearing officer has a right, for good cause, to grant an extension, not to exceed 10 days, for the termination of such service. (Code 2003)
- 15-105. PETTY CASH FUND. A petty cash fund in the amount of \$1,000 is established for the use of the city utilities department, for the purpose of paying postage, freight, temporary labor, and other emergency expenses, including refund of deposits made to secure payment of accounts. (Code 2014)
- 15-106. SAME; DEPOSITS. The petty cash fund shall be deposited in the regular depository bank of the city and paid out on the order of the city clerk by check which shall state clearly the purpose for which issued. (Code 2014)
- 15-107. SAME; VOUCHERS. Whenever the petty cash fund becomes low or depleted, the city clerk shall prepare vouchers covering expenses as have been paid from the petty cash fund and shall submit such vouchers together with the paid checks to the governing body for review and allowance of the amounts from the regular funds of the utilities. Warrants issued therefor shall be payable to the petty cash fund and shall be deposited therein to restore said petty cash fund to its original amount.
(Code 2014)
- 15-108. CHANGES OF NAMES ON UTILITY SERVICES; FEE. Any person desiring to have any existing utility service changed from the name of another to his or her name on the records of the city without a removal and resetting of a meter, shall request such change in writing at the utility office of the city, shall furnish such information and complete such forms as may be required by the utility office and pay the fee herein established. Thereupon the meter or meters shall be read and the change of name made on the records of the utility. Thereafter all utility service furnished shall be billed in the name of the new customer who shall be liable therefore. A charge of \$10 shall be made to cover the costs of the utility in sending an employee out to read the meter or meters and the administrative costs in changing the records in the utility office. Nothing herein contained shall be construed to in anyway affect charges of the utility in cases where a service is disconnected for any reason, the meter removed and a meter subsequently reset.
(Ord. 211, Sec. 1; Code 2014)
- 15-109. CHANGE OF NAMES ON UTILITY SERVICES FOR RENTAL PROPERTIES. The owner of any rental property desiring to have utility service automatically transferred into the landlord's name upon the tenant vacating said premises and terminating utility service shall file notice to that effect with the city utility office upon a form maintained in said office for that purpose. In the event a tenant is disconnected due to nonpayment of a utility bill, the standard reconnect fee of \$50 will be imposed, regardless of whether the landlord or the tenant has the service reconnected. Otherwise, the \$10 meter reading fee pursuant to Section

15-111 shall apply. Prior to disconnecting service at a rental property, an attempt will be made by the utility clerk to contact the landlord before shutting off the service so that the landlord may elect to have the service transferred into his name to avoid the disconnect order. Such notice may be made by either mail or telephone contact. The landlord may have the option of not participating in this program so that there will be no automatic transfer into the landlord's name. If no election is made by the landlord on the appropriate designated form, then the City shall not automatically transfer the service into the landlord's name. In the event that the same tenant with the delinquent bill continues to reside on the premises, then the landlord may prevent the disconnect for nonpayment, only by paying the delinquent bill. If the delinquent tenant has moved out, then the landlord must notify the city clerk in writing that the tenant has vacated the property in order to have the utility service transferred into the landlord's name without being disconnected.

(Ord. 235; Code 2014)

ARTICLE 2. WATER

- 15-201. REGULATIONS. The furnishing of water to customers by the city through its waterworks system shall be governed by the regulations set out in this article. (Code 1988)
- 15-202. SERVICE NOT GUARANTEED. The city does not guarantee the delivery of water through any of its mains and connecting services at any time except only when its mains, pumping machinery, power service connection are in good working order, and the supply of water is sufficient for the usual demand of its consumers. (Code 1988)
- 15-203. SERVICE CONNECTIONS REQUIRED. (a) The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purpose, situated within the city abutting on any street, alley, or right-of-way in which there is now located or may in the future be located near public water mains, is hereby required at his or her own expense to make connection to such public water main.
(b) Before any connection is made to the city's water system an application must be made in writing to the city clerk by the owner of the premises, or his or her authorized representative, for a permit to make such connection. (Code 1988)
- 15-204. APPLICATION FOR SERVICE. (a) Any person, firm or corporation desiring a connection with the municipal water system shall apply in writing to the city clerk, on a form furnished by the city for that purpose, for a permit to make the connection.
(b) The application shall:
(1) Contain an exact description including street address of the property to be served;
(2) State the size of tap required;
(3) State the size and kind of service pipe to be used;
(4) State the full name of the owner of the premises to be served;
(5) State the purpose for which the water is to be used;
(6) State any other pertinent information required by the city clerk;
(7) Be signed by the owner or occupant of the premises to be served, or his or her authorized agent.
(c) Each application for a connection permit shall be accompanied by payment of fees and/or costs specified in section 15-207. (Code 1981, 18-101:102; Code 1988)
- 15-205. CITY TO MAKE CONNECTIONS. All taps shall be given, street excavations made, corporation cocks inserted, pipes installed from main to curb, and the curb cock installed in a meter box to which the service pipe is to be connected by city employees only. (Code 1988)
- 15-206. CONNECTION FEES. The fees for connection to the city waterworks system shall be as follows:
(a) For connecting water main with three-fourths inch tap, three-fourths inch service line and installing three-fourths inch meter — \$25 plus tax;

(b) For connecting water main with larger than a three-fourths inch tap, service line or meter — material cost city incurs plus tax. (Ord. 108, Sec. 1; Code 1988)

15-207. CURB COCKS. There shall be a curb cock in every service line attached to the city main, the same to be placed within the meter box. Curb cocks shall be supplied with strong and suitable "T" handles. (Code 1988)

15-208. CHECK VALVES. Check valves are required on all connections to steam boilers or on any other connection deemed necessary by the water superintendent. Safety and relief valves shall be placed on all boilers or other steam apparatus connected with the water system where the steam pressure may be raised in excess of 40 pounds per square inch. (Code 1988)

15-209. UNAUTHORIZED SERVICE. It shall be unlawful for any person, firm, or corporation, other than duly authorized city officials or employees to turn water on or off at the water meter or curb cock shut off, with a key or in any other manner, without first obtaining written permission from the mayor or the governing body. (Code 1988)

15-210. CROSS-CONNECTIONS PROHIBITED. (a) No person shall establish or permit to be established or maintain or permit to be maintained, any cross connection whereby a private, auxiliary, or emergency water supply other than the regular public water supply of the city may enter the supply and distribution system of the city unless specifically approved by the Kansas Department of Health and Environment and the governing body.

(b) Approved devices to protect against backflow or backsiphonage shall be installed at all fixtures and equipment where backflow and/or backsiphonage may occur and where there is a hazard to the potable water supply in that polluted water or other contaminating materials may enter into the public water supply. Any situation in which a heavy withdrawal of water, such as a sudden break in the main or water being used from a fire hydrant, may cause a negative pressure to develop which would lead to backsiphonage of polluted water into the system shall be improper and must be protected by approved backflow preventive valves and systems as determined by the water superintendent of the city.

(c) The city water superintendent or other designee of the governing body shall have the right of entry into any building or premises in the city as frequently as necessary in his or her judgment in order to ensure that plumbing has been installed in accordance with the ordinances of the city so as to prevent the possibility of pollution of the water supply of the city.

(d) Pursuant to the city's constitutional home rule authority and K.S.A. 65-163a, the city may refuse to deliver water through pipes and mains to any premises where a condition exists which might lead to the contamination of the public water supply system and it may continue to refuse the delivery of water to the premises until that condition is remedied. In addition, the city may terminate water service to any property where the cross connections or backsiphonage condition creates, in the judgment of the water superintendent, an emergency danger of contamination to the public water supply. (Ord. 194, Sec. 1:4)

15-211. METERS. (a) All water furnished to customers shall be metered.

(b) Meters shall be located between the sidewalk or property line and curbing when the main is in the street and on private property within three feet of

the alley line when the main is in the alley. In the business district the meters may be installed in the basement at a location specified by the city.

(c) The city's responsibility stops at the property line.
(Code 1981, 18-106; Code 1988)

15-212. SAME; TESTING. Meters shall be tested before being set and at any other time thereafter when they appear to be measuring incorrectly. If a test is requested by the customer and the meter is found to be accurate within two percent, the meter will be deemed correct and a charge of \$10 will be made to the customer.
(Code 1988)

15-213. TAMPERING WITH METER. It shall be unlawful for any person to break the seal of any meter, to alter the register or mechanism of any meter, or to make any outlet or connection in any manner so that water supplied by the city may be used or wasted without being metered. It shall be unlawful for any person except an authorized employee of the water department to turn any curb cock on or off.
(Code 1981, 18-108; Code 1988)

15-214. LEAKS PROHIBITED; PENALTY. No allowances shall be made for water used or lost through leaks, carelessness, neglect or otherwise after the same has passed through the meter. However, every customer shall have the right to appeal to the city from water bill or meter reading which he or she may consider excessive. (Code 1988)

15-215. DISCONNECTION, RECONNECTION CHARGE. The governing body shall establish, by ordinance, a water service disconnection and reconnection charge. Any service disconnected for nonpayment of delinquent bill shall be reconnected only upon payment of the delinquent bill, interest penalty thereon, and the reconnection charge of \$25. (Ord. 108, Sec. 2; Code 1988)

15-216. UTILITY DEPOSIT. At the time of making application for water service, the property owner or customer shall make a cash deposit in the amount and manner specified in section 15-105 to secure payment of accrued bills or bills due on discontinuance of service. (Code 1988)

15-217. INTERRUPT SERVICE. The city reserves the right to interrupt water service for the purpose of making repairs or extensions to water lines or equipment.
(Code 1981, 18-110; Code 1988)

15-218. PROHIBITED ACTS. It shall be a violation of this article for any unauthorized person to:

(a) Perform any work upon the pipes or appurtenances of the city's waterworks system beyond a private property line unless such person is employed by the city;

(b) Make any connections with any extension of the supply pipes of any consumer without written permission to do so having been first obtained from the governing body;

(c) Remove, handle or otherwise disturb any meter, meter lid, cutoff, or any other appurtenances to the water system of the city.

(Code 1988)

- 15-219. WASTING WATER. Water users shall prevent unnecessary waste of water and shall keep sprinklers, hydrants, faucets and all apparatus, including the service line leading from the property to the meter in good condition at their expense. (Code 1988)
- 15-220. WATER RATIONING. The city reserves the right to restrict or prohibit the use of water and to specify the purposes for which it may be used whenever the governing body determines the public exigency so requires. (Code 1988)
- 15-221. SAME; PROCEDURE. Whenever the governing body determines that water use must be restricted or prohibited, it shall forthwith issue a proclamation of emergency through the news media and use other appropriate methods of making public the proclamation. (Code 1988)
- 15-222. SAME; PRIORITY USE. In the event a proclamation of emergency is issued, water usage will be restricted or prohibited first for uses in the following priority:
- (a) Water lawns, gardens, trees, shrubs, plants and water outside dwellings for such purposes as car, boat, or trailer washing or washing exterior of dwellings;
 - (b) Industrial uses of water, including but not limited to car wash operations and packing plant operations;
 - (c) Business use, other than industrial;
 - (d) Home uses other than those set forth in subsection (a).
- (Code 1988)
- 15-223. RIGHT OF ACCESS. Authorized employees of the city may enter upon any premises at reasonable hours for the purpose of reading the meter or servicing or inspecting meters or water lines. (Code 1988)
- 15-224. RATES. The rates to be charged for water sold from the municipal water system of the city shall be as follows:
The minimum charge for all water sold to individual customers whether within or outside of the city, shall be \$10 per month.
First 1,000 gallons, per month – \$10;
Next 5,000 gallons per month, per 1,000 gallons – \$3.30;
Next 4,000 gallons, per month, per 1,000 gallons – \$2.75;
All over 10,000 gallons, per month, per 1,000 gallons – \$2.20.
(Ord. 288; Code 2014)
- 15-225. PAYMENT OF BILLS. All water bills for the previous month's water service shall be paid on or before the 20th day of the month following the service. For any billing not paid when due a late charge of 10 percent will be added to the bill. (Code 1981, 18-111; Code 1988)
- 15-226. DELINQUENT ACCOUNTS; NOTICE; HEARING; FINDING; LIABILITY. Water service shall be terminated for nonpayment of service fees or charges as provided in sections 15-102:104. (Code 1988)

- 15-227. USE DURING FIRE. No person owning or occupying premises connected to the municipal water system shall use or allow to be used during a fire any water from the water system except for the purpose of extinguishing the fire. Upon the sounding of a fire alarm it shall be the duty of every such person to see that all water services are tightly closed and that no water is used except in extraordinary cases of emergency during the fire. (Code 1981, 18-109; Code 1988)
- 15-228. CONSUMERS TO MAKE REPAIRS. All consumers shall keep their own service pipes, fittings and apparatus in good repair and protected from freezing at their own expense, and shall take all appropriate steps to prevent the waste of water and shall make no claim against the city by reason of breakage of or leakage from the consumers, the pipes, fittings and apparatus. All such pipes, fittings and apparatus used in the city shall conform to the requirements of the ordinances and codes of the city. (Code 1981, 18-104)
- 15-229. EXTENSION OF MAINS. The city may, at its option, extend its water mains within or without the corporate limits of the city on the basis of special contracts for the construction of the extension at the cost of the consumers to be served by the extension. All such extensions shall be laid and connections made under the supervision of the superintendent of utilities. (Code 1981, 18-105)

ARTICLE 3. ELECTRICITY

- 15-301. APPLICATION FOR SERVICE. Any person desiring a connection with the electric distribution system of the city shall apply in writing to the city clerk on a form furnished for that purpose for a permit to connect to such system. The application shall contain a description of the property to be served, the estimated amount of electricity to be used per month and the uses to which the electricity is to be put, and shall be accompanied by a connection fee of \$25. (Ord. 108, Sec. 3)
- 15-302. PERMIT. Upon receipt of an application as provided for in this article, if the same is in proper form, the city clerk shall refer the same to the superintendent of utilities who shall promptly inspect all wiring to be connected to the city system under the application and endorse his or her approval or disapproval on the application and return it to the city clerk. If the superintendent of utilities shall have endorsed his or her approval on the application, the city clerk shall then issue a permit to connect. No connection shall be made to the electric distribution system of the city until a permit has been issued as in this article provided. (Code 1981, 18-202)
- 15-303. NEWLY CONSTRUCTED BUILDINGS; INSULATION. Before any newly constructed dwelling or commercial building is connected to the electric distribution system of the city, the owner shall furnish the superintendent of utilities a certificate of the owner with attached supporting statements of the architect and contractor, if either or both were employed in the design and construction of such structure, certifying that the dwelling or building to be connected to the city's system meets the following standards:
- (a) A new residential dwelling must be equipped with storm windows and storm doors or other satisfactory window and door thermal treatment. Total heat loss, based on the ASHRAE Handbook of Fundamentals, of a new residential dwelling shall not exceed 35 BTU's per square foot per hour of floor area of heated finished living space at a design temperature differential of 80 degrees Fahrenheit with a maximum of one and one-half air changes per hour.
 - (b) New commercial buildings must be constructed so heat transmission loss of heated areas, based on the ASHRAE Handbook of Fundamentals, does not exceed 35 BTU's per square foot per hour of floor area based on a design temperature differential of 80 degrees Fahrenheit.
 - (c) All installed air conditioning systems shall have an energy efficiency ratio of 8.0 BTU's or more of cooling capacity per watt hours of input based on the current ARI Standards. All heat pump systems shall have an energy efficiency ratio of 7.5 BTU's or more of cooling capacity per watt hours of input based on current ARI Standards. (Code 1981, 18-203)
- 15-304. ALL ELECTRICITY TO BE METERED. All electricity furnished by the electrical distribution system of the city shall be measured by meters furnished by the city for that purpose. (Code 1981, 18-204)
- 15-305. EVERY PREMISES TO HAVE SEPARATE CONNECTION. Unless special permission is granted by the superintendent of utilities, each premises shall have a separate and distinct service connection, and where permission is granted for branch services, each service must have a separate meter and cut off. (Code 1981, 18-206)

- 15-306. ACCESS TO PROPERTY. The superintendent of utilities, his or her assistants or any person authorized by him, her or the mayor shall have the right of access at all reasonable hours to any premises connected to the city electric distribution system for the purpose of reading meters, inspecting the location and condition of all wiring and fixtures therein, and seeing that the rules and regulations of this article are being observed. It shall be unlawful for any person to prevent, hinder or delay the superintendent of utilities, his or her assistants or other persons authorized by him or her in the discharge of their duties under the provisions of this article. (Code 1981, 18-207)
- 15-307. TAKING ELECTRICITY WITHOUT AUTHORITY. (a) It shall be unlawful for any person to take any electricity from the electrical distribution system of the city except through a meter installed by the city or to turn on electricity on any premises where, because of violation of ordinances of the city, such electricity has been turned off by the city, or its duly authorized agents, without first obtaining written authority from the superintendent of utilities.
 (b) Any person taking electricity without authority shall be billed at the highest monthly usage and/or demand rate for the preceding 12 months for the period the electricity was taken without authority.
 (Code 1981, 18-208; Code 1988)
- 15-308. CITY RESERVES RIGHT TO DISCONNECT SERVICE. The city hereby reserves the right to discontinue service to any or all customers of the electric distribution system of the city without notice when the same is necessary for the repair of the system, or after reasonable notice and an opportunity for a hearing before the city council, for the non-payment of electric bills for a period of more than 30 days after the bill shall have become due and payable, and when such service has been discontinued for nonpayment of the bill, it shall not be resumed until the bill plus penalties due thereon and a reconnection fee of \$25 have been paid. (Ord. 108, Sec. 4)
- 15-308A. DISCONTINUANCE OF ELECTRIC SERVICE; SPECIAL CIRCUMSTANCES. (a) If a residential customer notifies the city and establishes that discontinuance of electric service would be especially dangerous to the health of the customer, resident member of the customer's family or other permanent resident of the premises where service is rendered, and that such customer is unable to pay for such electric service in accordance with the city's billing, therefore, or is able to pay for such service only installments, the city shall either allow payment in reasonable installments or postpone discontinuance of service for at least 21 days so that the customer can make arrangements for reasonable installment payments.
 (b) In determining whether discontinuance would be especially dangerous to health, consideration shall be given to the weather, and the customer's or other resident's medical condition, age or disability. (Ord. 196, Sec. 1)
- 15-309. PAYMENT OF ELECTRIC BILLS. All electric bills shall be due and payable at the office of the city clerk on the first day of each month, for electricity used during the preceding month. A penalty of 10 percent of the amount due shall be added to each bill not paid on or before the 20th day of the month in which the bill becomes due and payable and shall be collected at the time the bill is finally paid.
 (Code 1981, 18-210)

- 15-310. ELECTRIC RATES; RESIDENTIAL SERVICE. The following monthly charges shall be made for electricity used for residential purposes:
 (a) Within the corporate limits of the city, a minimum monthly customer service charge of \$10 plus an energy charge of \$.0785 per kWh used during the month plus a fuel cost adjustment as applicable.
 (b) Outside the corporate limits of the city, a minimum monthly customer charge of \$10 plus an energy charge of \$.0847 per kWh used during the month plus a fuel cost adjustment as applicable.
 (Ord. 268; Code 2014)
- 15-311. ELECTRIC RATES; COMMERCIAL AND SMALL POWER SERVICE. The following monthly charges shall be made for electricity used for commercial and small power purposes:
 (a) Within the corporate limits of the city, a minimum monthly service charge of \$10 plus an energy charge of \$.076 per Kwh used during the month plus a fuel cost adjustment as applicable.
 (b) Outside the corporate limits of the city, a minimum monthly customer charge of \$10 plus an energy charge of \$.0822 per kWh used during the month plus a fuel cost adjustment as applicable.
 (Ord. 268; Code 2014)
- 15-312. ELECTRIC RATES; POWER SERVICE. The following monthly charge shall be made for electricity used for power purposes:
 (a) Within the corporate limits of the city, a demand charge of \$7.05 per kW of billing demand plus an energy charge of \$0.0550 per kWh plus a fuel cost adjustment as applicable.
 (b) Outside the corporate limits of the city, a demand charge of \$7.76 per kW of billing demand plus an energy charge of \$.0610 per kWh plus a fuel cost adjustment as applicable.
 (c) The term billing demand as used in this section shall mean the maximum kilowatt demand established by the customer for a period of 15 consecutive minutes measured by the demand meter installed for the user's service during the billing period for which the bill is rendered. Billing demand shall apply to all power service, three phase and/or single phase.
 (d) The minimum monthly charge for power service shall be \$30 per month.
 (Ord. 268; Code 2014)
- 15-313. ELECTRIC RATES; NON-PROFIT ORGANIZATIONS. The monthly rate for electricity used by non-profit organizations shall be \$0.076 per kWh plus a fuel cost adjustment as applicable. No minimum monthly charge shall be made for such organizations. (Ord. 268; Code 2014)
- 15-314. FUEL AND ENERGY COST ADJUSTMENT. The rates for electricity to all users shall be increased in each month in which the monthly average cost per Kwh of fuel and purchased power for the preceding month exceeds the established base cost of power per Kwh by the amount of such excess. In determining the amount of such increase the following formula shall be used:
 Increase per Kwh = $\frac{(A + B)}{(C+D)} - b$

Where

A = Total cost of fuel consumed during preceding month.

B = Total cost of purchased power during preceding month.

C = Net Kwh generated (gross generation less plant use) at the city's power plant during preceding month.

D = Kwh purchased from other sources during the preceding month.

b = the established base cost of power expressed in cents per Kwh. The established base cost is now declared to be \$.03189 per Kwh.

(Ord. 173, Sec. 5)

- 15-315. RATES FOR LARGE CUSTOMERS. The city hereby reserves the right to contract with large customers of electric current on such rates as may be agreed upon between the city and the customer. (Code 1981, 18-215)
- 15-316. SPECIAL TYPE ELECTRICAL INSTALLATIONS; COST. The additional cost of special type electrical installations over and above the cost of normal overhead installations ordinarily provided by the city shall be paid for by the customer for whom the special type installation is made. (Code 1981, 18-217)
- 15-317. ELECTRIC INSTALLATIONS OUTSIDE CITY; COST. The capital investment of all electric installations outside the corporate limits of the city shall be computed and determined on a cost basis, and the customer for whom such installation is made shall be charged a monthly rate that will include income sufficient to amortize such capital investment over a period of five years. (Code 1981, 18-218)
- 15-318. ELECTRICAL EQUIPMENT OF CUSTOMER; REPAIRS. Electrical equipment related to any electric lines, poles, transformers, wiring control boxes or station's purchased or provided by the customer shall be serviced by the customer at his or her expense, and the cost of repairs to or replacement of the same shall be the responsibility of the customer. (Code 1981, 18-219)

ARTICLE 4. SEWERS

15-401. DEFINITIONS. Unless the context clearly indicates otherwise, the meaning of words and terms as used in this article shall be as follows:

(a) Building Drain shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet outside the innerface of the building wall.

(b) Building Sewer shall mean the extension from the building drain to the public sewer or other place of disposal.

(c) B.O.D. (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20 degrees centigrade, expressed in parts per million by weight.

(d) PH shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

(e) Individual Domestic means any single family residence, commercial business, office, institution, school, church or public entity having an individual direct or indirect connection to the wastewater facilities of the city and on individual city or private water service meter, or connection to any such water service.

(f) Industrial means any industrial business engaged in the manufacturing or processing of one or more products, and in which wastewaters are produced from such manufacturing or processing and said wastewaters are discharged directly or indirectly to the wastewater facilities of the city.

(g) Multi-domestic means any multi-family residence, apartment or mobile home and any commercial business, office, institution, school, church or public entity having a direct or indirect connection to the wastewater facilities of the city and not having an individual water service meter but is served with city or private metered water by the owner of the property on which it is located.

(h) Superintendent shall mean the superintendent of the city or his or her authorized deputy, agent or representative.

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

(j) Sewer shall mean a pipe or conduit for carrying sewage.

(k) Public Sewer shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

(l) Combined Sewers shall mean sewers receiving both surface runoff and sewage, are not permitted.

(m) Sanitary Sewer shall mean a sewer which carries sewage and to which storm, surface, and groundwaters are not intentionally admitted.

(n) Storm Sewer or Storm Drain shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and polluted industrial wastes.

(o) Sewage Treatment Plant shall mean any arrangement of devices and structures used for treating sewage.

(p) Suspended Solids shall mean 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.

(q) User means any person as defined in section 1-102, including an institution, governmental agency or political subdivision producing wastewater

requiring processing and treatment to remove pollutants and having premises connected to the wastewater facilities.

(r) Wastewater means sewage, the combination of liquids and water carried wastes from residences, commercial and industrial buildings, institutions, governmental agencies, together with any ground, surface or storm water that may be present.

(s) Normal Wastewater. The strength of normal wastewater shall be considered within the following ranges:

(1) A five day biochemical oxygen demand of 300 milligrams per liter or less;

(2) A suspended solid concentration of 350 milligrams or less;

(3) Hydrogen ion concentration of 5.0 to 9.0.

(Code 1988)

15-402. CONNECTIONS TO SEWERS MAY BE REQUIRED. (a) All persons and property owners owning buildings within the city, which buildings are, or shall be located near a sewer or in a block within any sewer district in the city through which a sewer extends, shall make such connections with the sewer system of the city, as may be necessary in the judgment of the board of health for the protection of the health of the public, for the purpose of disposing of all substances from any such building affecting the public health which may be lawfully and properly disposed of by means of such sewer.

(b) If any person shall fail, neglect or refuse to connect any building or buildings with the sewer system of the city, as provided in this article, within 10 days after being notified in writing by the board of health to do so, the city may cause the buildings to be connected with the sewer system, or may advertise for bids for the construction and making of such sewer connections, and contract with the lowest responsible bidder or bidders, and may assess the costs and expenses thereof against the property and premises so connected, such assessment to be made in the same manner as other special assessments are made. All costs incurred by the city under the provisions of this section may be financed, until the assessment is paid, out of the general fund or by the issuance of no-fund warrants. (K.S.A. 12-631; Code 1981, 15-101:102)

15-403. PERMIT; CONNECTION FEE. (a) No person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the city.

(b) There shall be charged a fee of \$20 payable at the time of making application for the permit.

(Code 1981, 15-103; Code 1988)

15-404. APPLICATION. Any person desiring to make a connection to the city sewer system shall apply in writing to the city clerk who shall forward the application to the utility superintendent. The application shall contain:

(a) The legal description of the property to be connected;

(b) The name and address of the owner or owners of the property;

(c) The kind of property to be connected (residential, commercial or industrial);

(d) The point of proposed connection to the city sewer line.

(Code 1981, 15-103; Code 1988)

- 15-405. COSTS. All costs and expense incident to the installation and connection of the building sewer shall be paid 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. (Code 1988)
- 15-406. SEWER CONNECTION. The connection of the building sewer into the public sewer shall be made at the "Y" branch if such branch is available at a suitable location. Where no properly located "Y" branch is available, the connection shall be made in the manner approved by the utility superintendent and at a location designated by the superintendent. (Code 1988)
- 15-407. SEWER FOR EACH BUILDING. A separate and independent building sewer shall be provided for every building except where one building stands at the rear of another on an interior lot and no private sewer is available or can be feasibly constructed to the rear building. In such case, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer. (Code 1988)
- 15-408(1) SAME; SPECIFICATIONS. The building sewer shall be constructed of cast iron pipe, ASTM specifications A74-42, or approved equal; vitrified clay sewer pipe, ASTM specifications C13-44T, or approved equal; or an approved plastic pipe. Any plastic pipe to be installed on any building sewer shall not be approved by the city until the owner has furnished descriptive literature and typical sample section of the plastic pipe proposed for installation, to the city for inspection and review. All joints on all pipe installed shall be tight and waterproof. Any part of the building sewer that is located within 10 feet of a water service pipe or city water main shall be constructed of approved cast iron soil pipe with approved joints. No building sewer shall be installed within three feet of existing gas lines. If installed in filled or unstable ground, the building sewer shall be constructed of cast iron soil pipe, except that non-metallic material may be accepted if laid on a suitable concrete bed or cradle as approved by the city. (Code 1988)
- 15-408(2) SAME. The size and slope of the building sewer to be installed shall be subject to the approval of the city inspector, but in no event shall the diameter of the pipe be less than four inches. The slope at which a six inch pipe is to be laid shall be not less than 1/8 inch per foot and for four inch pipe, not less than 1/4 inch per foot. Any grades for the pipe, which are proposed for installation at grades less than these specified, shall be approved by the city inspector prior to placement. (Code 1988)
- 15-408(3) SAME. Whenever possible the building sewer shall be brought to the building at an elevation below the basement floor. No building sewer shall be laid parallel to or within three feet of any bearing wall, which might thereby be weakened. The depth shall be sufficient to afford protection from frost. The building sewer shall be laid at a uniform grade and in straight alignment insofar as possible. Changes in direction shall be made only with approved curved pipe and fittings, including cleanout fittings. (Code 1988)
- 15-408(4) SAME. At buildings in which the building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such drain shall be lifted by approved artificial means and discharged to the building sewer. The use of any pumping equipment for which cross-connections with a public water supply system

are needed, is prohibited. The total costs of pumping equipment and pumping equipment operational costs shall be those of the owner. (Code 1988)

15-408(5) SAME. No building sewer shall be laid across a cesspool, septic tank or vault until the cesspool, septic tank or vault has been well cleaned and filled with an approved earth or sand fill, then thoroughly tamped and water settled. Cast iron pipe may be used across cesspools or septic tanks, if proper bedding and support for the sewer pipe is acquired. (Code 1988)

15-408(6) SAME. All excavation required for the installation of the building sewer shall be open trench work unless otherwise approved by the city. Pipe laying and backfill shall be performed in accordance with ASTM specifications C12-19, except that no backfill shall be placed until the work has been inspected and approved. (Code 1988)

15-408(7) SAME. All joints in the building sewers shall be made watertight. If recommended by the city inspector, a water pressure test shall be made on the completed sewer to insure a compliance with this requirement, requiring that the building sewer withstand an internal water pressure of 5 psi, without leakage.

Cast iron pipe with lead joints shall be firmly packed with oakum or hemp and filled with molten lead, Federal Specifications QQ-L-156, not less than one inch deep. Lead shall be run in one pour and caulked and packed tight. No paint, varnish or other coatings shall be permitted on the jointing material until after the joint has been tested and approved.

All joints in vitrified clay pipe shall be the polyurethane-compression type joints, approved by the city inspector.

Joints for all plastic pipe used in building sewers shall be the slip type joints or solvent weld type, approved by the city.

Joints between any two different types of pipes shall be made with lead, asphaltic jointing materials or concrete, as approved by the city. All joints shall be watertight and constructed to insure minimum root penetration and to the satisfaction of the city. (Code 1988)

15-409. SEWER EXCAVATIONS: DAMAGES. All excavations for buildings sewers shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, curb and gutters, sidewalks, parkways and other public property removed or damaged during the installation of the building sewer, shall be repaired or replaced in a manner acceptable to the city and at the total expense of the owner. It is further agreed that any parties involved in any excavating or installation work for sewer installations as above set out, will hold the city harmless from any and all damages to persons or property resulting from or growing out of any opening or excavation or any negligent act or from any operation made within the city. (Code 1988)

15-410. FAILURE TO CONNECT. (a) If any person as defined in section 1-102 shall fail to connect any dwelling or building with the sewer system after being noticed, the city may cause such buildings to be connected with the sewer system as authorized by K.S.A. 12-631.

(b) The cost and expense, including inspection fees, shall be assessed against the property. Until such assessments shall have been collected and paid to the city, the cost of making such connection may be paid from the general fund or through the issuance of no fund warrants. (Code 1988)

- 15-411. PRIVY UNLAWFUL. It shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage except as provided in this article. (Code 1988)
- 15-412. PRIVATE SEWER SYSTEM. Where a public sanitary sewer is not available under the provisions of section 15-402 the building sewer shall be connected to a private sewage disposal system complying with the provisions of sections 15-411 to 15-416. (Code 1988)
- 15-413. SAME; PERMIT. Before commencing construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the utility superintendent. The application shall be accompanied by any plans, specifications or other information deemed necessary by the utility superintendent. A permit and inspection fee of \$100 shall be paid to the city at the time the application is filed. (Code 1988)
- 15-414. SAME; INSPECTION. The utility superintendent or his or her authorized representative shall be allowed to inspect the work at any stage of construction and the applicant shall notify the superintendent when the work is ready for final inspection or before any underground portions are covered. The inspection shall be made within 48 hours of the receipt of notice by the superintendent. (Code 1988)
- 15-415. SAME; DISCHARGE. (a) The type, capacities, location, and layout of the private sewage disposal system shall comply with all recommendations and requirements of the Water Pollution Control Section of the Kansas State Department of Health. No permit shall be issued for any private sewage disposal system employing subsurface soil absorption facilities where the area of the lot is less than one acre. No septic tank or cesspool shall be permitted to discharge to any public sewer or natural outlet.
(b) At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in section 15-402, a direct connection shall be made to the public sewer in compliance with this article, and any septic tank, cesspool, and similar private sewage disposal facilities shall be abandoned and filled with suitable and acceptable materials. (Code 1988)
- 15-416. SAME; ADDITIONAL REQUIREMENTS. No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the city or county health officer. (Code 1988)
- 15-417. DISPOSAL OF SEWAGE. It shall be unlawful for any person to deposit or discharge from any source whatsoever any sewage or human excrement upon any public or private grounds within the city, or to permit the contents of any privy, vault or septic tank to be deposited or discharged upon the surface of any grounds. Any unauthorized or unapproved privy vault, septic tank or other means or places for the disposal of sewage, excrement and polluted water may be abated as a public nuisance upon the order of the city or county board of health in accordance with the laws of Kansas. (K.S.A. 12-1617e; 12-1617g; Code 1988)

- 15-418. **DAMAGE TO SEWERS.** It shall be unlawful for any unauthorized person to maliciously, willfully, or negligently break, damage, destroy, uncover, deface or tamper with any sewer, structure, appurtenance, or equipment which is part of the municipal sewer system. (Code 1988)
- 15-419. **NATURAL OUTLET.** It shall be unlawful to discharge to any natural outlet within the city or in any area under the jurisdiction of the city any sanitary sewage, industrial wastes or other polluted waters except where suitable treatment has been provided in accordance with the provisions of this article. (Code 1988)
- 15-420. **STANDARDS.** The size, slope, alignment, materials, excavation, placing of pipe, jointing, testing and backfilling shall all conform to the requirements of the building and plumbing codes or other applicable rules and regulations of the city. (Code 1988)
- 15-421. **OLD BUILDING SEWERS.** Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the utility superintendent, to meet all requirements of this article. (Code 1988)
- 15-422. **MUD, GREASE TRAPS.** All garages, filling stations, milk plants or other commercial or industrial plants connected to the public sewer shall construct and maintain proper and sufficient interceptors or traps to prevent the discharge of any sand, mud, sediment, litter, waste or any substance harmful to the effective operation and maintenance of the city sewer system, into the building sewer. (Code 1988)
- 15-423. **ROOF, FOUNDATION DRAINS.** (a) It shall be unlawful to connect downspouts from any roof area, drains from any building foundation, paved areas, yards or open courts, or to discharge liquid wastes from any air conditioning unit or cooling device having a capacity in excess of one ton per hour or one horsepower into any city sanitary sewer.
 (b) All discharges prohibited in subsection (a) may be discharged into the public gutter or storm drains or open drainage ditches provided such discharge does not create a nuisance. No such liquids may be discharged into any unpaved street or alley.
(Code 1988)
- 15-424. **SAME; EXCEPTION.** Discharges from air conditioning units in excess of one ton per hour or one horsepower may be permitted into a building sewer upon approval of the utility superintendent where there is a finding that such cooling water cannot be recirculated and that such waste water does not overload the capacity of the sewer or interfere with the effective operation of the sewage disposal works of the city. (Code 1988)
- 15-425. **PROHIBITED DISCHARGES.** No person shall discharge any of the following waters or wastes to any public sewer:
 (a) Liquid or vapor having a temperature higher than 150 degrees Fahrenheit;
 (b) Water or waste which may contain more than 100 parts per million, by weight, of fat, oil or grease;
 (c) Gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas;

- (d) Garbage that has not been properly shredded;
 - (e) 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;
 - (f) Waters or wastes having a ph lower than 5.5 or higher than 9.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works;
 - (g) Waters or wastes containing a toxic poisonous substance in sufficient quantity to injury or interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any hazard in the receiving waters of the sewage treatment plant;
 - (h) Water or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant;
 - (i) Noxious or malodorous gas or substance capable of creating a public nuisance.
- (Code 1988)

15-426. **BILLS.** All sewer service charges shall be due and payable at the office of the city clerk on the first day of each month, for service rendered during the preceding month. A penalty of 10 percent of the amount due shall be added to each bill not paid on or before the 20th day of the month in which the bill becomes due and payable, and shall be collected at the time the bill is finally paid.
(Code 1981, 15-202)

15-427. **DELINQUENT ACCOUNTS; LIEN AGAINST PROPERTY.** (a) In the event any person, except the United States and the State of Kansas or any political subdivision thereof, shall fail to pay the user charges when due, water service shall be terminated as provided in sections 15-102:104.
(b) In lieu of terminating water service, the governing body may elect to assess such delinquent charges as a lien upon the real estate serviced as provided in section 15-106, and the city clerk shall certify such delinquent charges to the county clerk to be placed on the tax roll and collected in like manner as other taxes are collected.
(Code 1981, 15-203; Code 1988)

15-428. **SEWER SERVICE CHARGE.** (a) Sewer service charges to be paid by all users of the Oxford Municipal Wastewater Collection and Treatment System shall be as follows.

- (1) For residences occupied by only one person, per month — \$7.75.
- (2) For residences occupied by two or more persons in a single-family unit, per month — \$8.75.
- (3) Riverview Village I shall be charged \$7.75 per month for each of the 22 living units therein for a total of \$170.50 per month and Riverview Village II shall be charged \$7.75 per month for each of the 11 living units therein for a total of \$85.25 per month.

(b) Commercial establishments, industries and schools shall be charged monthly \$2.00 per 1,000 gallons of its average monthly water usage for the prior 12 months with a monthly minimum of \$7.75. The customers charge shall be adjusted in January of each year based on the prior 12 months usage. Commercial

users with no prior water usage shall be assigned a monthly rate which shall be averaged each month for the succeeding 12 months.

(c) Where more than one water meter is installed for service to one commercial establishment, industry or school located at a single or adjoining sites, the monthly charge shall be based up the total water use from all meters that supply service to the establishment, industry or school.

(d) Where it can be established that a user had a water leak, the user charge may be adjusted by the city council.

(Ord. 247; Code 2014)

ARTICLE 5. SOLID WASTE

15-501. DEFINITIONS. Unless the context clearly indicates otherwise, the meaning of words and terms as used in this article shall be as follows:

(a) Commercial Waste. All refuse emanating from establishments engaged in business including, but not limited to stores, markets, office buildings, restaurants, shopping centers, theaters, hospitals, governments and nursing homes.

(b) Dwelling Unit. Any enclosure, building or portion thereof occupied by one or more persons for and as living quarters;

(c) Garbage. Waste resulting from the handling, processing, storage, packaging, preparation, sale, cooking and serving of meat, produce and other foods and shall include unclean containers;

(d) Multi-Family Unit. Any structure containing more than four individual dwelling units;

(e) Refuse. All garbage and/or rubbish or trash;

(f) Residential. Any structure containing four or less individual dwelling units, rooming houses having no more than four persons in addition to the family of the owner or operator, and mobile homes;

(g) Rubbish or Trash. All nonputrescible materials such as paper, tin cans, bottles, glass, crockery, rags, ashes, lawn and tree trimmings, stumps, boxes, wood, street sweepings and mineral refuse. Rubbish or trash shall not include earth and waste from building operations or wastes from industrial processes or manufacturing operations;

(h) Single Dwelling Unit. An enclosure, building or portion thereof occupied by one family as living quarters.

(i) Solid Waste. All non-liquid garbage, rubbish or trash.
(Code 1981, 9-401; Code 1988)

15-502. COLLECTION. (a) The city or its authorized contractor shall collect solid waste from all premises in the city not less than once each week, and from commercial and industrial premises more frequently if necessary to adequately dispose of the solid waste accumulated by such business or industry and to keep such premises in a clean and sanitary condition.

(b) Storage containers for the solid waste shall be kept in a convenient location for the collection, as designated by the city or its authorized contractor, in order that collection may be made without the collectors entering buildings, garages, locked gates or fenced yards with dogs.

(c) Every resident of the city is hereby required to keep the premises occupied by him or her in a clean and sanitary condition so as not to endanger the public health or safety and not to create a nuisance to the inhabitants of the city.

(Ord. 141, Sec. 2)

15-503. CONTRACTS. The city shall have the right to enter into a contract with any responsible person for collection and disposal of solid waste. (Code 1981, 9-403; Code 1988)

- 15-504. DUTY OF OWNER, OCCUPANT. The owner or occupant of every dwelling unit or commercial enterprise shall provide at his or her own expense a suitable container for the storage of solid waste as provided in this article. No owner or occupant shall permit to accumulate quantities of refuse or other waste materials within or close to any structure within the city unless the same is stored in approved containers and in such a manner as not to create a health or fire hazard. (Code 1988)
- 15-505. CONTAINERS. Residential containers shall have a capacity of not less than 20 nor more than 35 gallons and the total weight shall not exceed 60 pounds. They shall be of galvanized metal or other non-rusting material of substantial construction. Each container shall have a tight fitting lid and shall be leak-proof and fly-tight. All containers shall have handles of suitable construction to permit lifting. Plastic bags manufactured for garbage and refuse disposal may be substituted for residential containers. Plastic bags, when used, shall be securely closed. All garbage shall be drained of all liquids before being placed in bags or containers. (Code 1981, 9-402; Code 1988)
- 15-506. BULK CONTAINERS. On premises where excessive amounts of refuse accumulate or where cans or bags are impractical bulk containers for the storage of refuse may be used. Containers shall have a capacity and shall be equipped with appurtenances for attaching mechanical lifting devices which are compatible with the collection equipment being used. Containers shall be constructed of durable rust and corrosion resistant material which is easy to clean. All containers shall be equipped with tight fitting lids or doors to prevent entrance of insects or rodents. Doors and lids shall be constructed and maintained so they can be easily opened. Containers shall be watertight, leak proof and weather proof construction. (Code 1981, 9-402; Code 1988)
- 15-507. ENTER PRIVATE PREMISES. Solid waste collectors, employed by the city or operating under contract with the city, are hereby authorized to enter in and upon private property for the purpose of collecting solid waste therefrom as required by this article. (Ord. 141, Sec. 2; Code 1988)
- 15-508. OWNERSHIP OF SOLID WASTE. Ownership of solid waste when placed in containers by the occupants or owners of premises upon which refuse accumulates, shall be vested in the city and thereafter shall be subject to the exclusive control of the city, its employees or contractors. No person shall meddle with refuse containers or in any way pilfer or scatter contents thereof in any alley or street within the city. (Ord. 141, Sec. 2; Code 1988)
- 15-509. WRAPPING GARBAGE. All garbage shall be drained of all excess liquid, and wrapped in paper or other disposable container before being placed in solid waste containers. (Code 1988)
- 15-510. HEAVY, BULKY WASTE. Heavy accumulations such as brush, tree limbs, broken concrete, sand or gravel, automobile frames, dead trees, and other bulky, heavy materials shall be disposed of at the expense of the owner or person controlling same. (Code 1988)

- 15-511. HAZARDOUS MATERIALS. No person shall deposit in a solid waste container or otherwise offer for collection any hazardous garbage, refuse, or waste. Hazardous material shall include:
- (a) Explosive materials;
 - (b) Rags or other waste soaked in volatile and flammable materials;
 - (c) Chemicals;
 - (d) Poisons;
 - (e) Radio-active materials;
 - (f) Highly combustible materials;
 - (g) Soiled dressings, clothing, bedding and/or other wastes, contaminated by infection or contagious disease;
 - (h) Any other materials which may present a special hazard to collection or disposal personnel, equipment, or to the public.
- (Code 1988)
- 15-512. PROHIBITED PRACTICES. It shall be unlawful for any person to:
- (a) Deposit solid waste in any container other than that owned or leased by him or under his control without written consent of the owner and/or with the intent of avoiding payment of the refuse service charge;
 - (b) Interfere in any manner with employees of the city or its contractors in the collection of solid waste;
 - (c) Burn solid waste except in an approved incinerator and unless a variance has been granted and a written permit obtained from the city or the appropriate air pollution control agency;
 - (d) Bury refuse at any place within the city except that lawn and garden trimmings may be composted.
- (Code 1981, 9-405; Code 1988)
- 15-513. OBJECTIONABLE WASTE. Manure from cow lots, stables, poultry yards, pigeon lofts and other animal or fowl pens, and waste oils from garages or filling stations shall be removed and disposed of at the expense of the person controlling the same and in a manner consistent with this article. (Code 1988)
- 15-514. UNAUTHORIZED DISPOSAL. No person shall haul or cause to be hauled any garbage, refuse or other waste material of any kind to any place, site or area within or without the limits of the city unless such site is a sanitary landfill, transfer point or disposal facility approved by the Kansas State Department of Health and Environment. (Code 1988)
- 15-515. PRIVATE COLLECTORS; LICENSE REQUIRED. (a) It shall be unlawful for any person, except an employee of the city specifically authorized for that purpose, to collect or transport any solid waste within the city, without securing a license from the city.
- (b) Nothing herein shall be construed to prevent a person from hauling or disposing of his or her own solid waste providing it is done in such a manner as not to endanger the public health or safety or not to become an annoyance to the inhabitants of the city, and not to litter the streets and alleys of the city.
- (Ord. 141, Sec. 1; Code 1988)

15-516. CLOSED VEHICLE. Any vehicle used by any person for the collection and transportation of solid waste shall be maintained in a good mechanical condition. Vehicle shall be equipped with an enclosed covered body to prevent the contents leaking or escaping therefrom. Only tree trimmings or brush may be transported in open-bodied vehicles provided the material is securely tied in place to prevent scattering along the streets and alleys. (Ord. 141, Sec. 2; Code 1988)

15-517. RULES AND REGULATIONS. The collection and transportation of trash and waste materials shall be at all times under the general supervision of the mayor or his or her duly authorized agent, who shall have the authority by and with the consent of the governing body to make additional rules and regulations not inconsistent with the terms and provisions of this article requiring that the collection and transportation of trash and waste materials shall be conducted in such manner as not to endanger the public health, or to become an annoyance to the inhabitants of the city, and providing for a proper fee to be charged to the customer. (Code 1988)

15-518. CHARGES. The city shall establish and collect a service charge to defray the cost and maintenance of the collection and disposition of solid waste within the city. (Code 1988)

15-519. CHARGES FOR COLLECTION AND DISPOSAL. (a) A refuse charge shall be charged and paid by users of the solid waste collection system of the city as follows:

Single — one person accumulating not more than two 30-gallon containers of solid waste

Weekly	\$7.50 per month;
With poly cart	\$9.50 per month;

Family — family unit accumulating not more than four 30-gallons containers of solid waste

Weekly	\$10.00 per month;
With poly cart	\$12.00 per month;
Churches	\$14.00 per month.

In addition to the foregoing charges an administration fee of \$1 per month shall be charged and paid by each user of the city's solid waste collection system.

Provided, however, that if an occupant of any premises is on vacation or otherwise absent from the premises only temporarily, for a period of more than one month, the occupant may put such collection service on vacation by notifying the office of the city clerk and no charge shall be made during the vacation or absence of the occupant.

(b) Commercial establishments, industries and schools shall be charged such sum as is determined by agreement of the contractor and the customer to be reasonable based upon the frequency of collection, quantity of refuse, type of containers used, accessibility of collection point and other pertinent factors.

(c) Charges and the administrative fee fixed herein shall be due and payable monthly at the time and place as charges for electric and water service furnished by the city are due and payable and may be included as a separate item on the electric and water billings, and shall be subject to the same grace periods and penalties as provided for the electric and water billings.

(Ord. 225, Sec. 1)

15-520. BILLING. Solid waste charges shall be billed monthly and shall be included on water or utility bills. No payment shall be accepted on utility bills except for the full amount billed for all services. Delinquent solid waste bills shall carry the due dates, grace periods and penalties as water bills. (Code 1988)