

## **TITLE 22. WASTE TREATMENT DEPARTMENT**

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### **Chapter 22.01. Waste Treatment Department.**

#### **22.01.010. Superintendent.**

The entire waste treatment system shall be under the immediate care, supervision and control of the waste treatment superintendent, who shall be appointed by the mayor and confirmed by the Council.

The waste treatment superintendent is hereby charged with the duty of enforcing this chapter.

#### **22.01.020. Injuring Sewer Appliance or Appurtenance.**

It shall be unlawful for any person to willfully injure, break or remove any part or portion of any sewer appliance or appurtenance.

#### **22.01.030. Discharge of Dangerous or Harmful Substances into Public Sewers. Enumeration of Restricted Substances.**

Except as hereinafter provided, no person or owner or applicant for sewer service shall discharge or cause to be discharged any of the following described waters, or waste to any public sewers:

- A. Any liquid or vapor having a temperature higher than one hundred fifty degrees Fahrenheit.
- B. Any water or waste which may contain more than one hundred parts per million, by weight, of fat, oil or grease.
- C. Any garbage that has not been properly shredded.
- D. 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 and sewage treatment plant.
- E. Any waters or wastes having a public hearing lower than five point five or higher than nine point zero, or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works or sewage treatment plant.
- F. Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure 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.
- G. Any waters 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.
- H. Any noxious or malodorous gas or substance capable of creating a public nuisance.

**22.01.040. Same. Conditions and Charges for Discharge Into Public Sewers.**

The admission into the public sewers of any waters or wastes having

- A. a five-day biochemical oxygen demand (B.O.D.) greater than three hundred parts per million by weight, or
  - B. containing more than three hundred fifty parts per million by weight of suspended solids, or
  - C. containing any quantity of substances having the characteristics prescribed in section 22.01.030
- or

D. having an average daily flow greater than 2% of the average daily flow of the main outfall sewer line serving area, shall subject the owner or applicant for sewer service to the following conditions before receiving approval therefor of the City Council:

1. Where necessary in the opinion of the City Council, the owner shall provide, at his expense, such preliminary treatment as may be necessary to reduce the B.O.D. to three hundred parts per million and the suspended solids to three hundred fifty parts per million, by weight, or reduce objectionable characteristics of constituents to within the maximum limits provided for in section 22.01.030, or control, within acceptable limitations herein above prescribed, the quantities and rates of discharge of such waters or wastes. Plans, specifications and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the City Council and of the water pollution control commission of the state, and no construction of such facilities shall be commenced until such approvals are obtained in writing.

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

3. Where the strength of any waters or waste exceeds three hundred parts per million by weight of B.O.D. or three hundred fifty parts per million by weight of suspended solids or one hundred parts per million by weight of other extractable matter, a daily fee shall be charged for each one hundred pounds of such excess, or fractional part thereof, in the amount fixed by the City Council from time to time by resolution. Such fee shall be paid by the owner monthly until such time as the City Council is notified that preliminary treatment facilities have been provided by the owner, or that other proper steps to insure compliance with section 22.01.030 have been established. At that time the City Council or its authorized representative shall inspect facilities and cause to have new samples tested at owner's expense to determine the extent of effectiveness, at which time charges to comply with the condition of such wastes will then be made.

4. When required by the City Council, the owner of any property served by a building sewer lateral carrying industrial wastes shall install a suitable control manhole in the building sewer lateral to facilitate observation, sampling and measurement of wastes. Such manhole, when required, shall be accessible and safely located, and shall be constructed in accordance with plans approved by the City Council. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

5. All measurements, tests and analysis of the characteristics of waters and wastes to which reference is made in any of the foregoing sections shall be determined in accordance with "Standard Methods for the Examination of Water and Sewage" and shall be determined at the control manhole provided for in subsection 4 hereof, or upon suitable samples taken at such control manhole. In the event that no special

manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected.

6. The City Council or other duly authorized employees of this City bearing proper credentials and identification shall be permitted to enter upon all properties for the purposes of inspection, observation, measurement, sampling and testing, in accordance with the provisions of this section.

**22.01.050. Opening Manhole.**

It shall be unlawful for any person to open any sewer manhole without the permission of the waste treatment superintendent.

**22.01.060. Permit for Sewer Connection Required. To Be Kept on Premises. Exhibition.**

It shall be unlawful for any person to commence or carry on the work of laying, repairing, altering or connecting any sewer pipe with the public sewer without first having a permit to do so from the waste treatment superintendent. Such permit must be on the premises during the whole time the work is in progress and must be exhibited, upon a request, to the superintendent or his authorized agent.

It shall be unlawful for any person to connect or attach any private drain or house connection directly or indirectly with the public sewer without having first received the regular permit from the waste treatment superintendent.

**22.01.070. Application for Permit for Sewer Connection. Grant of Permit.**

The application for a permit for a sewer connection must be made in writing by the owner of the premises or his authorized agent and must be accompanied by plans showing the cause of the connection, its size and the size and location of all branches to be connected. The application and plans together with the connection fee as hereinafter provided for, shall be deposited with the City Treasurer and when approved by the waste treatment superintendent shall be granted, subject to the provisions of this chapter.

**22.01.080. Designation of Grade of Sewer Connection. Plat of Connection.**

All sewer connections shall be put into line on grades designated by the waste treatment superintendent, who shall prepare a plat of each connection and file such plat in the office of the superintendent.

**22.01.090. Inspection of Connections.**

All house connections to the sewer shall be inspected by the sewer inspector and work not approved by him shall be rectified without delay before the backfilling shall be done. No certificate of inspection shall be issued until the work is entirely satisfactory.

**22.01.100. Connection to Intercepting Sewer When Fixtures Lower Than Sewer Elevation.**

No permit shall be issued for nor shall any connection be made with what is known as the intercepting sewer where the fixtures in the house or the property so to be connected to such sewer are lower than the present elevation of the sewer in which the connection is to be made.

**22.01.110. To Whom Permit for Sewer Connection Issued.**

All permits for sewer connections shall be issued to the state-licensed contractor who is qualified under state license law to do the work.

**22.01.120. Revocation of Permit for Sewer Connection.**

The waste treatment superintendent may at any time revoke a permit for a sewer connection on account of defective work or material.

**22.01.130. Plumbing in House Or Building for Which Sewer Connection Permit Sought.**

Permits to connect with the public sewer shall not be issued unless the plumbing in the house or building to be connected is in accordance with the provisions of all ordinances of the City relating thereto.

**22.01.140. Discharging Rain Water, Etc., Into Sanitary Sewer. Overflow From Blow-Off Boilers.**

It shall be unlawful for any person to connect with a public sanitary sewer any drain or pipe which discharges rain water, ground water, cellar or surface water or the contents of any spring, flowing well, creek, ditch or other watercourse or any stream exhaust or blow-off. The overflow from blow-off boilers or heating

plants shall not be permitted to enter a sewer at a temperature above one hundred and twenty degrees Fahrenheit.

**22.01.150. Settling Tanks.**

The discharge of contents of waste pipes from water filters, gas engines, soda water fountains, air compressors, vacuum or dry cleaners, garages, stores or warehouses containing inflammable oils, car barns, carriage houses, laundries, buildings for the stabling and keeping of horses, cows or other animals, and all similar establishments shall not be made into or connected with a public sanitary sewer, unless such contents are discharged into a settling tank properly trapped and vented. Such tanks shall be of construction approved by the waste treatment superintendent and to be at all times subject to his inspection and condemnation.

**22.01.160. Distance of Other Pipes From Sewer.**

A. It shall be unlawful for any person to lay any utility line, water pipe or other conduit in violation of the State of Utah Rules for Public Drinking Water Systems as adopted by Brigham City from time to time.

B. Brigham City hereby adopts the State of Utah Rules for Public Drinking Water Systems Part I and Part II enacted January 1998. (A copy of the State of Utah Rules for Public Drinking Water Systems Part I and Part II are available at the office of the City Recorder during normal business hours)

C. The Brigham City Council may adopt by resolution amendments or updates to the State of Utah Rules for Public Drinking Water Systems from time to time as may be deemed necessary and prudent by said City.<sup>1</sup>

**22.01.170. Pipe Requirements. Joints.**

It shall be unlawful for any person to construct or attach any private drain with the public sewer of the City except upon full compliance with the provisions of this chapter.

All drain pipes shall not be less than four nor more than six inches internal diameter and from the house or building to a point five feet outside the wall or foundation thereof shall be of cast iron or PVC and from that point to the main sewer connection may be either cast iron, PVC, vitrified clay, transite or concrete pipe, at the option of the owner of the premises with which the sewer connection is to be made.

The cast-iron or PVC pipe shall be sound, free from holes or cracks and without traps, valves or other obstructions which might prevent or retard the free passage of air or sewage.

Four inch diameter standard cast-iron soil pipe will be acceptable. Larger or heavier pipe may be used or required when conditions warrant its use.

In the use of five or six iron pipe the corresponding standards may be used and all fittings used in connection with any of the above sizes shall correspond with it in weight and quality.

All joints shall be rubber gasket sealed unless otherwise approved by the waste treatment superintendent.

All pipe shall be laid in a firm bed, true to the line and grades by the City engineer, on a uniform grade not less than 1.68 feet per one hundred feet for four inch pipe and not less than 0.8 feet per one hundred feet of six inch pipe. Variation from these grades must be approved by the waste treatment superintendent.

**22.01.180. Changes in Direction.**

All changes in direction must be made by the use of appropriate fittings approved by the waste treatment superintendent.

**22.01.190. Manner of Making Excavations.**

In excavating the sewer trench, bell holes must be dug under all bell ends of the pipe so that all joints can be easily made and examined. All work that may be necessary shall be done to keep the trench and sewer free from surface or ground water during the process of the work. In wet trenches, a channel shall be kept open on one side to conduct the water to a pump, where it shall be pumped or drained off, and no water shall be allowed to enter the sewer any time during the construction. Whenever necessary, the trench shall be properly timbered to prevent the sides from caving in. No tunneling shall be allowed except where absolutely necessary and then only by permission of the waste treatment superintendent. All gas and water pipes and other conduits encountered shall be carefully supported and protected from injury until the backfilling is completed. If the sewer trenches pass through any cesspool or other pit, the pipe shall be

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<sup>1</sup> Ordinance No. 98-56, 12/10/98.

satisfactorily supported. No paved street or other improved surface shall be disturbed until a deposit shall have been made with the City Treasurer to cover the cost of repairing the same. All portions of the street excavated shall be put in as good condition as before. Sewer excavations must also meet the requirements of Title 24.03.

**22.01.200. Backfilling.**

All sewer connections shall be backfilled around and over the pipe for a depth of two feet with fine material carefully tamped. The remainder of the backfilling shall be completed with good material, well tamped or settled with water as may be directed.

**22.01.210. Variation From Provisions of Chapter.**

Any variation from the provisions of this chapter shall be made only upon the written order of the waste treatment superintendent.

**22.01.220. Joint Sewer Connections.**

Each separate building or premises shall have a separate connection to the main line sewer, except only in cases where it is impracticable, and then only on special permission granted by the Council upon the recommendation of the waste treatment superintendent. No special permission shall be granted by the Council unless and until the owner of each building or premises to be thus connected shall grant to and receive from every other owner perpetual easements and rights of way which shall be properly recorded across and upon each of the premises involved for the purpose of constructing and maintaining each separate connection, and shall covenant and agree as a part of such right of way or easement, so that the same shall be a covenant appurtenant to and running with the land, that each owner will bear and pay his proportionate share for the maintenance and repair of the connection whether the expenditure, maintenance or repair becomes necessary upon his own premises or the premises with which he is connected.

**22.01.230. Inspection.**

The inspection of sewer connections between the main sewer and five feet outside of the building line shall be under the direction of the waste treatment superintendent. He shall be notified at least four hours in advance by the plumber that the connection is complete and ready for inspection. The entire length of the sewer connection, including the wye at the main sewer, if there be one, shall be fully exposed.

No backfilling shall be done until the inspection is made and the work is accepted. If any portion of the work is not done in accordance with this chapter and the instructions of the waste treatment superintendent, or his inspector, it shall be rectified promptly.

**22.01.240. Construction of Drain Under Council Regulations.**

It shall be unlawful for any person to construct any private drain connection with the public sewer, of any length except under such regulations and restrictions, as may be prescribed by the Council in each instance.

**22.01.250. Work Done Without Inspection.**

Work done without notice to inspect or without inspection shall be treated as defective work and shall be condemned and uncovered and relaid, if necessary, to the grade given by the waste treatment superintendent and inspected by the proper officer upon the proper permits being taken out by a duly licensed plumber, the expense for the same to be borne by the property owner. The license of the plumber or drain layer of such defective work shall be revoked.

**22.01.260. Failure to Remedy Defective Work.**

No permit shall be issued to any licensed plumber or contractor during the time that he shall fail to remedy any defective work, after he has been notified that he has been held responsible therefore under this chapter.

**22.01.270. Junction of Pipes.**

Unless otherwise directed in the permit, all private sewer or house drains must be connected with junction pipes, slants or wyers, laid in the sewer during construction. The connection point with the sewer must first be located before opening the trench for the rest of the work. All trenches must be of sufficient width and opened in such a manner as to admit of easy inspection and all connections with the public sewer must

be made in the presence of the inspector. In all cases where there is one junction piece, slant or wye in the sewer at the point where connection is to be made, the opening of the sewer and the making of such connection must be in strict accordance with the permit and under the supervision of the waste treatment superintendent.

**22.01.280. Inside of Drain. Dead Ends.**

All drains connected with the public sewer must be left smooth and perfectly clean on the inside and all dead ends must be securely stopped by brick and cement or other watertight and imperishable materials.

**22.01.290. Use of Licensed Plumber's Name.**

No licensed plumber shall allow his name to be used by any person or party, directly or indirectly, either for the purpose of obtaining a permit or to do any work under his license.

**22.01.300. Required Connections With Sewer:**

~~It is hereby expressly provided that it shall be unlawful for the owner or other person having charge of or occupying any property upon which a building shall have been or is being constructed for residential, commercial or industrial use, any part of which building is within two hundred feet of any sewer then in existence and used in the City, to construct or permit to be constructed or to use or permit to be used any privy vault, septic tank or cesspool connected with such building. Each such owner or other person shall, within ninety days after having been given notice by the City that an accepted public sewer is ready to receive connections therewith, cause such building to be connected with such 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 or permit to exist any privy vault, septic tank or cesspool to which such building is connected or which is used by the occupant thereof. Whenever an accepted public sewer is available to receive connections therewith, the waste treatment superintendent shall cause appropriate notice to be served upon the owner, agent or other person having charge of or occupying all property coming within the scope of this section that such public sewer is ready to receive connections therewith and that all plumbing must be connected with such sewer.~~

**22.01.300. Requirements for Sanitary Sewer Connection.**

*In order to defray the cost of constructing, reconstructing, maintaining or operating a sanitary sewer collection system or waste water treatment plant, the City may require a property owner with a building used for human occupancy located on a parcel of property within City limits to connect to the sanitary sewer system if the sewer is available and within 300 feet of the property line or building. The property owner shall pay all current impact, connection and user rate fees. If a property owner fails to connect to the sanitary sewer system within a ninety (90) day period commencing from the date of written notification or fails to pay for the sewer service required by the City ordinances, the City may cause the culinary water service to the property or building to be shut off until the person has connected up to the sewer at the person's own expense and paid in full for all sewer service. However, a property owner may be allowed to continue the use of an existing septic tank or cesspool until the system fails to handle the waste or becomes a public health threat; in such case, the property owner shall connect to the sanitary sewer system and pay all required fees. Any user rate fees collected by the City prior to a sewer being connected shall be credited back against the connection(s) fees.*<sup>2</sup>

**22.01.310. Rates**

Following is the schedule of rates for the sanitary sewer system:

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<sup>2</sup> Ordinance No. 09-13, 10/29/09

SEWAGE RATES - MONTHLY SERVICE CHARGE

1. Sewage rates <sup>3</sup>
  - a) For single family residences and churches . . . . . ~~\$24.35~~ \$25.16
  - b) For condominiums, multiple dwelling units  
mobile home parks, transient apartments,  
and other multiple housing complexes not  
otherwise provided for . . . . . ~~26.35~~ \$27.16 per unit
  - c) For hotels, motels, hospitals and nursing  
homes (NOTE: For hospitals and nursing homes  
each bed shall be considered one unit):
    - i) First two units, each unit . . . . . ~~26.35~~ \$27.16
    - ii) Next three units, each unit . . . . . ~~45.67~~ \$16.19
    - iii) For each additional unit in excess of five units . . . ~~6.99~~ \$7.22
  - d) For jails, (NOTE: each bed shall be considered one unit):
    - i) First two units, each unit . . . . . ~~26.35~~ \$27.16
    - ii) Next three units, each unit . . . . . ~~45.67~~ \$16.19
    - iii) For each additional unit in excess of five units . . . ~~6.99~~ \$7.22

2. Service to commercial industrial and other uses:

The basic rates for sewage service to all other property and premises not covered by the provisions above shall be based on the amount of water delivered by the Brigham City Water Department to the premises served and shall be made in accordance with the following rate schedule:

Minimum monthly charge per unit of occupancy . . . . .	<del>26.35</del> \$27.16
Additional charge . . . . .	will be <del>\$0.46</del> \$0.48 per 1,000 gallons of water in excess of 10,000 gallons as measured by the water meter serving the premises based upon the six month winter average usage.

Except as herein altered, all other provisions of Brigham City Code, 22.01.330, shall remain in full force and effect.

The above listed schedule of rates shall remain in effect until revised from time to time as determined by the City Council of Brigham City. The City finds these rates and connection fees to be necessary and desirable, which rates are hereby found and determined to be just, reasonable and necessary charges for the use of the municipal sanitary sewage system for service rendered by or through such system.

Provided that the owner of any unit set out above may, on or before the 10th day of any month following the vacancy of an entire unit for such month, file an Affidavit of Vacancy with the City Treasurer and receive a credit on his water and sewage bill for such month of vacancy equal to the number of vacancies for that month applied to the unit so vacant.

By resolution the City Council may, from time to time, change the monthly service charges for any one or more of the above-named categories as it may see fit. The rates herein above provided for shall be added to the water rates now fixed and determined by Ordinance or Resolution and the total thereof shall be considered as one charge for the combined use of water, electricity and the services of the sewage system. All structures that can be served by the sewer when the same is completed and ready for use shall be charged the above rates per month whether or not such structures are connected to the sewer and water service shall be discontinued for nonpayment as hereinafter provided.

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<sup>3</sup> Resolution No. 09-20, 7/16/09

**22.01.320. Connection Fee. Discontinuance of Water Service to Nonconnected Property.**

A. The charges for the connection of any property to the municipal sewer system from the effective date of this chapter shall be:

All Units 4-Inch Service Lines . . . . .	<del>\$400.00</del> 320.00 <sup>4</sup>
All Units 6-Inch Service Lines . . . . .	<del>600.00</del> 320.00
All Units 8-Inch Service Lines . . . . .	<del>800.00</del> 381.00

and shall remain the same until changed by resolution of the Brigham City Council duly passed and adopted. The above said charges shall be paid to the City prior to the issuance of a permit for or the beginning of any excavation or other work to connect to City sewer lines. The above listed schedule of rates and connection fees shall remain in effect until revised from time to time as determined by the City Council of Brigham City. <sup>2</sup>

B. In addition to the service connection fee herein above set forth, the contractor or property owner shall pay all the actual expenses of installing the service line from the property to the main sewer line, connecting to the City sewer line subject to the City's inspection and approval, and all other costs including the repairing and restoring of the street in a manner satisfactory to the City.

C. Where property on existing City streets is not served by a sewer line in front of or adjacent to such property and the owner desires a sewer service connection, the abutting property owner, in addition to paying the service connection fee, will be required to run the line at his own expense to the main sewer line, to make the connection at his own expense, subject to the City's inspection and approval, and to restore and repair the street in a manner satisfactory to the City.

D. If any abutting improved property on which is located a residence or business, is not connected to the City sewer lines after the effective date of this chapter, provided the sewage facilities are available in sewage lines passing in front of or adjacent to such property, the City is to discontinue service of water to such property, and shall not serve such property with water until the connection is made and the connection charge paid, or arranged for, and further in the event any owner of improved property fails or refuses to make such connection prior to such date, such failure or refusal is hereby declared to be a misdemeanor and each day that such failure or refusal continues is hereby declared to be a separate offense and punishable as such.

All provisions contained in prior ordinances, in conflict with the provisions of this ordinance, are to the extent of such conflicts hereby repealed.

**22.01.330. Declaration of Policy.**

The Council has caused a survey to be made of sanitary conditions within the City, including the geological aspects in relation to industrial, business and residential establishments as the same affect the health and welfare of the inhabitants of the City, and has determined and does hereby determine and require that it is necessary for the protection of the public health that owners of improved property within the City be required to connect their industrial, business and residential establishments to the sewer system and to cease to use all other methods of sewage disposal, if such establishments are capable of being served by and through the municipal sewer system.

**22.01.340. Sewer and Water Bills.**

All bills for sewer service shall be rendered monthly at established rates on the same bill with the electrical and water bill. Each bill shall show separately the amount of the sewer service charges but the total thereof shall be considered one charge for the combined use of water, electricity and the services of the sewer system. The portion of the bill rendered for water service cannot be paid separately from the other portions. All charges for sewer service furnished by the City shall be billed to the user on any day of the month following a one month period of service to the user and payment shall be due and payable twenty days after such date of billing and if not paid within thirty days from date of billing, the sewer service may be disconnected without notice and without further action of the City Council. Any accounts which are not paid within twenty days after billing shall accrue interest at a rate to be determined by resolution of the City Council. Reestablishment of service may be withheld until all delinquent charges due from such party have been paid in full, together with a service charge for reconnection. The service charge for reconnection shall be determined by resolution of the City Council and may be amended from time to time by the council.

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<sup>4</sup> Resolution No. 97-08, 7/1/97



A. For purposes of determining the occupancy of residences and/or apartment, it shall be prima facie proof that a residence or apartment is occupied whenever electricity is furnished to the unit of occupancy.

B. The charges for sewer service shall be billed to the person or entity to whom the electrical bill for the unit of occupancy is chargeable.

**22.01.350. Property Outside City Limits.**

The proper officers of the City are hereby authorized to make and enter into such contracts as may be necessary, convenient or proper with respect to the carriage and treatment of sewage for improved property outside the territorial limits of the City and with respect to the payment of property charges for such service, including, without limiting the generality of the foregoing, connection charges justly related to but not less than the charges herein above fixed; provided, that no such contract shall impair the ability of the City to carry and treat properly the sanitary sewage furnished within the territorial limits of the City.