

ORDINANCE NO. 5, 2010

AN ORDINANCE PROVIDING FOR SEWER SERVICES; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SUNDANCE, CROOK COUNTY, WYOMING.

SECTION 1: DEFINITIONS

For the purpose of this ordinance, certain words and terms used herein are defined as follows:

- (a) "Building drain" means 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 inner face of the building wall.
- (b) "Building sewer," sometimes termed "service sewer," "house connection," "lateral line," or "service line," means the extension from the building drain to the public sanitary sewer or other place of disposal.
- (c) "Easement" means an acquired legal right for the specific use of land owned by others.
- (d) "Garbage" means the animal and vegetable waste resulting from the handling, preparation, cooking and serving of foods.
- (e) "Industrial wastes" means the wastewater from industrial processes, trade or business as distinct from domestic or sanitary wastes.
- (f) "Natural outlet" means any outlet, including storm sewers, into a watercourse, pond, ditch, lake or other body of surface or groundwater.
- (g) "pH" means the measure of the acidity or alkalinity of a solution, numerically equal to 7 for neutral solutions, increasing with increasing alkalinity and decreasing with increasing acidity.
- (h) "Person" means any individual, firm, company, association, society, corporation, group or contractor.
- (i) "Private wastewater disposal system" means any system for disposing of wastes, including sewerage systems, treatment works, disposal wells, absorption fields or other facilities not controlled or owned by the City.
- (j) "Public sanitary sewer" sometimes referred to as "sewer main," means the common sewer controlled by the City that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions together

with minor quantities of ground, storm and surface water that are not admitted intentionally.

- (k) "Septic waste" refers to trucked or hauled non-hazardous sanitary domestic waste, as defined by the Environmental Protection Agency and the Wyoming Department of Environmental Quality.
- (l) "Sewage" sometimes termed "wastewater," means the spent water of a community.
- (m) "Sewer" means a pipe or conduit that carries wastewater or drainage water.
- (n) "Sludge" means any solid, semi-solid, or liquid waste, other than the treated effluent, generated from a wastewater treatment process.
- (o) "Storm drain," sometimes termed "storm sewer," means a drain or sewer for conveying water, groundwater, subsurface water, drainage water or unpolluted water from any source, excluding wastewater and industrial wastes.
- (p) "Tap" sometimes termed "connection," means an opening or connection between the building sewer and the public sanitary sewer through which sewage is discharged.
- (q) "Treatment works" means any plant or other works used for the purpose of treating, stabilizing or holding sewage or industrial waste or sludge.
- (r) "Wastewater" means the spent water of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions, together with any incidental groundwater, surface water, and stormwater that may be present.
- (s) "Wastewater facilities" sometimes termed "sewerage system" means the pipelines, conduits, storm sewers, pumping stations, force mains, and all other construction devices, appurtenances, facilities and processes used for collecting or conducting domestic and industrial wastes to an ultimate point for treatment or disposal of the effluent.

SECTION 2: USE OF SANITARY SEWERS REQUIRED

1. It is unlawful for any person to:

- a. place, deposit or permit to be deposited in any unsanitary manner on public or private property within the City or in any area under the jurisdiction of the City any human or animal excrement, garbage, or other objectionable waste;
- b. discharge to any natural outlet within the City or in any area under the jurisdiction of the City any wastewater except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance;

c. construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for disposal of wastewater when the site is within two hundred (200) feet of an existing public sanitary sewer with sufficient capacity.

2. The owner of all houses, buildings or properties used for human occupancy, employment, recreation, or other purposes, situated within the City and/or abutting on any City street, alley, right-of-way or easement in which there is now located or may in the future be located a public sanitary sewer, is required, at the owner's expense, to install suitable toilet facilities therein and to connect such facilities directly with the public sanitary sewer in accordance with the provisions of this ordinance, within sixty (60) days after date of official notice to do so; provided that the public sanitary sewer with existing capacity is within two hundred (200) feet of the property line.

SECTION 3: PROHIBITED DISCHARGES DESIGNATED

No person shall discharge or cause to be discharged any of the following described water or wastes to any public sanitary sewers:

1. Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas;
2. Any waters containing toxic or poisonous solids, liquids or gases in sufficient quantities, either singularly or by interaction with other wastes to contaminate the sludge of the public sanitary sewer, to injure or interfere with any sewage treatment process, to constitute a hazard to humans or animals, to create a public nuisance, or to create any hazard in the receiving waters of the wastewater treatment facility;
3. Any waters or wastes having a pH lower than 5.5, or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the wastewater works;
4. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the wastewater facilities such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

SECTION 4: PRIVATE WASTEWATER DISPOSAL

1. Where a public sanitary sewer is not available, the building sewer will be connected to a private wastewater disposal system approved by the Wyoming Department of Environmental Quality. State permits for on-site wastewater disposal will be issued by the Wyoming Department of Environmental Quality.

2. Before commencing construction of a private wastewater disposal system, the owner will obtain a permit from the State. A copy of the application for the permit must be submitted to the City and will include any plans, specifications and other information deemed necessary by the Public Works Department.
3. The private wastewater disposal system will not become effective until the installation is completed to the satisfaction of the City. The City will be allowed to inspect the work at any stage of construction, and in any event, the applicant for the permit will notify the City when the work is ready for final inspection, and before any underground portions are covered.
4. The type, capacities, location and layout of a private wastewater disposal system will comply with all recommendations of the Wyoming Department of Public Health. No permit will be issued for any private wastewater disposal system employing subsurface soil absorption facilities where the area of the lot is less than twenty-two thousand (22,000) square feet. No septic tank or cesspool will be permitted to discharge to any natural outlet.
5. At such times as a public sanitary sewer becomes available to a property served by a private wastewater disposal system, a direct connection will be made to the public sanitary sewer within sixty (60) days and any septic tanks, cesspools and similar private wastewater disposal facilities will be cleaned of sludge and filled with sand.
6. The owner will operate and maintain the private wastewater disposal facilities in a sanitary manner at all times, at no expense to the City.

SECTION 5: BUILDING SEWERS

1. Whenever possible, the building sewer will be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sanitary sewer, sanitary sewage carried by the building drain will be lifted by an approved means and discharged to the building sewer.
2. No person will make connection of roof downspouts, foundation drains, areaway drains or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer unless the connection is approved by the City for purposes of disposal of polluted surface drainage.

SECTION 6: SEWER TAPPING AND AVAILABILITY FEES

1. The City will make all connections or taps to a public sanitary sewer and only after all fees have been paid.

2. Every person desiring to tap or make any connection with a sewer main of the public sanitary sewer system of the City shall obtain approval by the Public Works Department and shall pay the appropriate fees, including but not limited to the availability investment fee as established by resolution of the City Council.
3. Any fees charged to tap or make any connection with any public sanitary sewer main belonging to the City will not be construed to be payment for any of the services from the sewer main to the point of use.

SECTION 7: RESPONSIBILITY FOR COSTS OF INSTALLATION; INDEMNIFICATION

All costs and expenses incidental to the installation or connection of the building sewer will be borne by the property owner, developer, or contractor. The owner will indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation or connection of the building sewer.

SECTION 8: RESPONSIBILITY FOR MAINTENANCE

All property owners connected to the City's public sewer system will keep and maintain the building sewer to the public sanitary sewer in good repair at their own expense. The City will not be responsible for payment of any claim resulting from the breakage of any line or for the damage resulting from backup of sewer if the breakage or backup occurs in the building sewer.

SECTION 9: SEPARATE SEWER LINES REQUIRED

A separate and independent sewer service shall be provided for every building, single family dwelling, multi-family dwelling, business structure or mobile home park. Condominiums, townhouses and/or duplex units shall be considered single-family units and shall have separate sewer lines if each unit is individually owned, or is capable of individual ownership.

SECTION 10: OLD BUILDING SEWERS IN NEW BUILDINGS; ABANDONMENT

Old building sewers may be used in connection with new buildings only when they are found, on examination of the Public Works Department, to meet all requirements of this ordinance and no new tap is made to a City sewer main. No person will abandon any building sewer without written notice to the City of intent to abandon the building sewer. Abandoned building sewers will be sealed with a stopper and filler material at the tap as specified by the Public Works Department.

SECTION 11: DESIGN AND CONSTRUCTION OF NEW SEWERS AND CONNECTIONS

1. The size, slope, alignment, and materials of construction of all building sewers, sanitary sewers and sewer connections, and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench, will

conform to the requirements of the building and plumbing code and other applicable rules and regulations of the City and State.

2. The tap to the building sewer into the public sanitary sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the City and State. All taps will be made gastight and watertight and verified by proper testing. Any deviation from the prescribed procedures and materials must be approved by the Public Works Department before installation.
3. The applicant shall notify the Public Works Department when the building sewer is ready for inspection and connection to the public sanitary sewer. The tap and testing will be made under the supervision of the Public Works Department.

SECTION 12: EXCAVATION PERMIT; SAFETY; RESORATION OF PREMISES

1. For excavation in a City right- of- way or other public land, a street excavation permit must be obtained from the City. The permit will cover such items as: excavation, materials, backfill, compaction, replacement of asphalt or concrete paving, replacement of curb, gutter and sidewalks and any other materials required for complete restoration of the trenched area.
2. All excavations for building sewer installation will be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work will be restored in a manner satisfactory to the City.

SECTION 13: PENALTIES

1. Any person who violates any provision of this ordinance shall be a guilty of a misdemeanor and shall be punished according to the provisions of Ordinance No. 1, 1983. Each day for which a violation continues constitutes a separate offense.
2. In addition to the penalties specified in subsection 1, any person who violates the regulations of this ordinance shall be liable to the City for any expense, loss or damage occasioned by the City as a result of the violation.

SECTION 14: REPEALING AND GREATER RESTRICTION CLAUSE

Ordinance No. 36 and any ordinance or portion thereof in conflict with this ordinance are hereby repealed by this ordinance. Furthermore, where this ordinance and another ordinance of the City of Sundance overlap, whichever imposes the more stringent restriction shall prevail.

SECTION 15: SEVERABILITY CLAUSE

If any provision of this ordinance is found to be invalid for any reason by a court of competent jurisdiction, the validity of the remaining provisions shall not be affected.

SECTION 16: EFFECTIVE DATE

This ordinance shall be in full force and effect from and after its passage, approval and publication.

PASSED, ADOPTED AND APPROVED this 2nd day of November, 2010.

CITY OF SUNDANCE

BY: *Fred D. Tschetter*

FRED D. TSCHETTER, MAYOR

ATTEST:

Stephanie Marty

CITY CLERK

(SEAL)

1st reading: September 07, 2010

2nd reading: October 05, 2010

3rd reading: November 2, 2010

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