

# TITLE 22. WASTE TREATMENT DEPARTMENT

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## Chapter 22.01. Waste Treatment.

### 22.01.010. Manager.

The entire waste treatment system shall be under the immediate care, supervision and control of the Waste Water Treatment Manager.

The Waste Water Treatment Manager, 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. Opening Manhole.

It shall be unlawful for any person to open any sewer manhole without the permission of the Waste Water Treatment Manager. Violation of this Section shall be a Class C Misdemeanor.

### 22.01.040. 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 Water Treatment Manager. 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 manager 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 Water Treatment Manager,

**22.01.050. 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 Water Treatment Manager shall be granted, subject to the provisions of this chapter.

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

All sewer connections shall be put into line on grades designated by the Waste Water Treatment Manager, who shall prepare a plat of each connection and file such plat in the office of the manager.

**22.01.070. Inspection of Connections.**

Refer to current Brigham City Public Works Standards.

**22.01.080. Adoption of Section 2 of the Industrial Pretreatment Standards and Permitting.<sup>1</sup>**

There is hereby adopted by the City Council that certain manual entitled "Section 2 of the Industrial Pretreatment Standards and Permitting Manual" to prevent the introduction of pollutants into the Publicly Owned Treatment Works (POTW) which will interfere with the operation of the system or contaminate the resulting bio solids, prevent the introduction of pollutants into the POTW which will pass through the POTW, inadequately treated into receiving waters or the atmosphere or otherwise be incompatible with the POTW, protect both municipal personnel who may come into contact with sewage, sludge, and effluent in the course of their employment as well as protecting the general public, promote reuse and recycling of wastewater and sludge from the POTW and provide for the equitable distribution of the costs of operation, maintenance and improvement of the POTW, not less than three (3) copies of which have been and are now filed in the office of the City Recorder. Any amendments, modifications, supplements or later editions of said manual shall constitute the manual then in effect under this ordinance. Provided however; that before any later editions shall take effect, the City Council by resolution shall certify that the later editions are available and three copies of all amendments, modifications, supplements or later editions shall be filed for examination and use by the public in the office of the City Recorder of Brigham City.

**22.01.090. 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.

**22.01.100. 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.

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

The Waste Water Treatment Manager may at any time revoke a permit for a sewer connection on account of defective work or material.

**22.01.120. 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.

**22.01.130. 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 steam 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.

**22.01.140. 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

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<sup>1</sup> Ordinance No. 11-31, dated 12/02/11

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 Water Treatment Manager and to be at all times subject to his inspection and condemnation.

**22.01.150. Variation From Provisions of Chapter.**

Any variation from the provisions of this chapter shall be made only upon the written order of the Waste Water Treatment Manager

**22.01.160. 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 Water Treatment Manager. 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.

**22.01.170. 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.

**22.01.080. 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 re-laid, if necessary, to the grade given by the Waste Water Treatment Manager 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.

**22.01.190. 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.

**22.01.200. 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.

**22.01.210. 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>

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

**22.01.220. Rates**

Rates for sewer shall be fixed by the City Council by resolution as the Council shall from time to time deem appropriate. All structures that can be served by the sewer when the same is completed and ready for use shall be charged per month whether or not such structures are connected to the sewer and water service shall be discontinued for nonpayment as hereinafter provided.

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

A. The charges for the connection of any property to the municipal sewer system shall be set by resolution as approved by the City Council.

B. In addition to the service connection fee, 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.

**22.01.240. Sewer 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.

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.

**22.01.250. 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.