

## CITY OF AVOCA

### **TITLE IV:               COMMUNITY SERVICES** **CHAPTER 2:           SANITARY SEWER SYSTEM**

2.01 PURPOSE. The purpose of this chapter is to establish rules and regulations governing the treatment and disposal of sanitary sewage within the City in order to protect the public health, safety and welfare and to provide a means to collect from all uses of the city sewer system the cost in whole or in part of constructing and maintaining the main sewers and sewage treatment plant in proportion to the service provided to each user.

2.02 SEWER DISTRICT ESTABLISHED. A sanitary sewer district is hereby created, which includes all of the corporate limits of the City of Avoca, Iowa.

2.03 DEFINITIONS. For use in this ordinance the following terms are defined:

1.     “Building drain” shall mean that part of the lowest piping of a drainage system that receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, which begins three (3) feet outside the building wall.
2.     “Building sewer” shall mean that part of the horizontal piping of a drainage system that extends from the end of the building drain, receiving the discharge of the building drain and conveying it to a public sanitary sewer, private sanitary sewer, individual sewage disposal system or other point of disposal.
3.     “Person” shall mean any individual person, partnership corporation or other association.
4.     “Private sewer” shall mean a sanitary building drain and sewer privately owned and not directly controlled by public authority.
5.     “Public sewer” shall mean a common sanitary sewer directly controlled by public authority.
6.     “Sanitary sewer” shall mean a pipe that carries sewage and excludes storm, surface, and ground water.
7.     “Sewage” shall mean any liquid waste containing animal or vegetable matter in suspension or solution, and may include liquids containing chemicals in solution.

8. “Sewer use charge” means that portion of the total sewer monthly charge associated with a structured rate charge per thousand gallons of wastewater contributed to the system.
9. “Sewer system” is composed of main sewers, sewage pumping stations, treatment and disposal plants, lateral sewers, drainage conduits or channels, and sewer connections in public streets for private property.
10. “Utility Staff” means any duly authorized assistant, agent or representative of the utility.

2.04 SEWER USE CHARGES. Every person, firm or corporation whose premises now or hereafter are directly or indirectly served by a connection to the city sewer system shall pay Sewer Use Charges to the City at a prescribed rate.

2.05 RATE AND MANNER OF PAYMENT. The rate shall be established in Title I, Chapter 6, also known as the “Omnibus Rate, Charges, and Fees Ordinance”. Sewer use charges shall be paid with the water service bill at the time payment of the water service bill.

2.06 RATE FOR PREMISES WITH PRIVATE WATER SYSTEMS. Users whose premises have private water systems shall pay rent in proportion to the water used as determined by the City Engineer either by an estimate agreed to by the user or by metering the water system.

2.07 FAILURE TO PAY. The City shall have a lien upon the property served by the sanitary sewer system for all delinquent rates and charges, and these delinquent rates and charges shall be collected in the same manner as other taxes.

2.08 ENFORCEMENT. Utility Staff shall supervise the installations of private sewers and their connections with public sewers in this city and enforce all regulations pertaining thereto replacements of existing sewers as well as to new sewers. Utility Staff may make such regulations as are necessary and that do not conflict with this ordinance.

2.09 ADOPTION OF STATE PLUMBING CODE. The installation of any private sewer and its connection with a public sewer shall comply with all applicable provisions, whether regulatory, procedural or enforcement provisions, of the State Plumbing Code, as adopted by Chapter 135 of the Code of Iowa and Chapter 661 of the Iowa Administrative Code.

2.10 MANDATORY CONNECTIONS. The owners of all residences and business establishments intended or used for human habitation, occupancy, or uses, must connect their sewage facilities to the public sewers, if reasonably available.

2.11 PERMIT. Before any person shall open, uncover, or in any manner make a connection with or modify any part of the public sewers, he must obtain a written permit from the city. The application shall include a legal description of the property, the name of the property owner, a general description of the materials to be used and the manner of construction, the line of the building sewer and the place of connection, if known, the intended use of the sewer and the name and address of the person who will do the work. Work under any permit must begun within six (6) months after it is issued.

2.12 REVOCATION OF PERMIT. Utility Staff may at any time revoke the permit for any violation of this ordinance and require that the work be stopped. The owner or plumber may appeal such action to the city council in the manner provided in section 5 of this ordinance.

2.13 FEE FOR PERMIT. Permit fees shall be established in Title I, Chapter 6, also known as the “Omnibus Rate, Charges, and Fees Ordinance”

2.14 CONNECTION CHARGES. Each property shall be charged for connecting to the sanitary sewer system. The charge shall be established in Title I, Chapter 6, also known as the “Omnibus Rate, Charges, and Fees Ordinance”.

2.15 TAPPING MAINS. All taps into sanitary sewer mains shall be made by or under the direct supervision of the Utility Staff in accordance with City specifications. No more than one house, building or premises shall be served from one tap unless special written permission is obtained from the City Council.

2.16 QUALITY OF PIPE AND FOUNDATION. Building sewer pipes shall be of the best quality, free from flaws, splits or breaks. Building sewer pipes shall be laid on a smooth bottom with bell holes cut in the bottom of the trench so that the length between the bells has a proper bearing on the ground. Joints between the bell and the spigot shall be watertight, gas tight and root proof. All sewer pipes must be laid in such a manner as to prevent rupture by settlement or freezing.

2.17 GRADE. All sewer pipes shall be laid with a uniform grade from the building to the public sewer and no offsetting will be allowed without written permission of the Utility Staff.

2.18 EXCAVATIONS. Excavations to do work under this ordinance shall be dug so as to occasion the least possible inconvenience to the public and to provide for the passage of water along the gutter. In refilling the excavation, the earth must be laid in layers and each layer tamped thoroughly to prevent settlement, and this work, and any street, sidewalk, pavement or other public property that is affected, must be restored to as good a condition as it was previous to the excavation. The plumber must maintain the affected area in good repair to the satisfaction of the Utility Staff for three months after refilling. No excavation shall be made within six (6) feet of any laid water pipe while the ground is frozen, and no water or sewer pipe shall be exposed to frost, except by special written permission of the Utility Staff.

2.19 MAKING THE CONNECTION. Any connection with a public sewer must be made under the direct supervision of the Utility Staff. The connection shall be made at the property line with that part of the sewer already extending to the property line. If there is no sewer connection extending from the public sewer to the property line, the Utility Staff shall supervise a measurement for the location of the "Y" branch in the public sewer. Excavations shall be made at the point designated by the Utility Staff and if no "Y" branch is found there, then the plumber shall connect directly with the public sewer at that point, but only with an approved saddle, and no broken or cut pipe material shall be permitted to remain in the sewer. The Utility Staff may give permission in writing to a property owner to make a connection at other points if the property owner has shown good reason for the change.

2.20 UNLAWFUL DISCHARGE. No owner or occupant of any building shall discharge or permit to be discharged into the sanitary sewers any substances which will clog the pipes, produce explosive mixtures, destroy or materially damage the pipes or joints, or interfere unduly with the sewage disposal process

2.21 INSPECTION AND APPROVAL. All private sewers and their connections with the public sewers must be inspected and approved by Utility Staff before they are covered. The plumber or owner is responsible to correct any deficiencies in the connection.

2.22 COMPLETION BY CITY. Should any excavation be left open or partly refilled for twenty-four (24) hours after the private sewer is installed and connected with the public sewer, or should the work be improperly done, Utility Staff shall have the right to finish or correct the work, and the Council shall assess the costs to the property owner or the plumber. If the plumber is assessed he must pay the costs before he can commence other work in the municipality. If the property owner is assessed, such assessment shall be collected with and in the same manner as general property taxes.

2.23 PROHIBITED CONNECTIONS. From the effective date of this Chapter, sanitary sewer service line connections and sanitary sewer mainline extensions are prohibited outside the city limits. All properties and subdivisions seeking to be served by the sanitary sewer system shall annex into the City limits prior to the extension of services. Properties receiving city water service shall connect to the city's sewer system. If a property does not connect to the city's sewer system, the property shall not be connected to the city's water system.

2.25 UTILITY STAFF'S DUTIES. The Utility Staff shall supervise the installation of sanitary sewer service pipes and their connection to the main and enforce all regulations pertaining to sanitary sewer services in the City in accordance with this chapter. The Utility Staff shall make such rules, not in conflict with the provisions of this chapter, as may be needed for the detailed operation of the water system, subject to the approval of the City Council. In the event of an emergency the Utility Staff may make temporary rules for the protection of the system until due consideration by the City Council may be had.

(Code of Iowa, 372.13[4])

2.26 IRRIGATION METER. An irrigation meter may also be installed, for residential or commercial use, to measure water that is not disposed of through the public sanitary sewer system. The water measured by an irrigation meter may include water for swimming pools, watering yards, watering gardens, production purposes or other similar uses. Sanitary sewer charges shall not be applied to water purchased through an irrigation meter. The City Manager shall approve or disapprove any application for an irrigation meter and set appropriate rules governing there installation.

2.27 VIOLATION AND PENALTIES. Any person, firm or corporation who shall violate or fail to comply with the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction shall be fined not more than one hundred dollars (\$100.00) or imprisoned for not more than thirty (30) days. Each day such violation continues shall constitute a separate offense.