

ORDINANCE NO. 19

AN ORDINANCE REGULATING THE USE OF THE
WASTE WATER SEWAGE TREATMENT SYSTEMS IN DAVIS COUNTY, IOWA.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF DAVIS COUNTY, IOWA:

Article I

Definitions

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

Section 1. "*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 a Building Sewer.

Section 2. "*Building Sewer*" shall mean that part of the lowest horizontal pipe which begins five (5) feet outside of the wall of a building and connects the Building Drain with the main sewer line.

Section 3. "*Combined Sewer*" shall mean a sewer receiving both surface runoff and sewage.

Section 4. "*Garbage*" shall mean solid wastes from the domestic and commercial preparation, cooking and dispensing of food and from the handling, storage and sale of produce.

Section 5. "*Industrial Wastes*" shall mean the liquid wastes from industrial manufacturing processes, trade or business as distinct from sanitary sewage.

Section 6. "*Natural Outlet*" shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface or groundwater.

Section 7. "*Person*" shall mean any individual, firm, company, association, society, corporation or group.

Section 8. "*pH*" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

Section 9. "*Properly Shredded Garbage*" shall mean the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers.

Section 10. "*Public Sewer*" shall mean a sewer which serves properties within the City.

Section 11. "*ADLM FMS*" shall mean *ADLM Facilities Management Systems*, its designated representatives, successors or assigns.

Section 12. “*Sanitary Sewer*” shall mean a sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted.

Section 13. “*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.

Section 14. “*Sewage Treatment Plan*” shall mean any arrangement of devices and structures used from treating sewage.

Section 15. “*Sewage Works*” and “*Sewer Services*” shall mean all facilities and systems for collecting, pumping, treating and disposing of sewage.

Section 16. “*Sewer*” shall mean a pipe or conduit for carrying sewage.

Section 17. “*Shall*” is mandatory; “*May*” is permissive.

Section 18. “*Storm Drain*” (sometimes termed “storm sewer”) shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes other than unpolluted cooling water.

Section 19. “*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.

Section 20. “*Watercourse*” shall mean a channel in which a flow of water occurs, either continuously or intermittently.

Section 21. “*Town*” shall mean the unsewered unincorporated towns in Davis County, Iowa, or its designated representatives.

Section 22. “*County*” shall mean Davis County, Iowa or its designated representatives.

Article II

Use of Public Sewers Required

Section 1. It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property and human or animal excrement, garbage or other objectionable waste.

Section 2. It shall be unlawful to discharge any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.

Section 3. Except as hereinafter provided, 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.

Section 4. The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes abutting on any street, alley or right-of-way in which

there is now located or may in the future be located a sanitary or combined sewer, is hereby required at the owner's expense to install suitable toilet facilities therein, and to connect such facilities directly with said sewer in accordance with the provisions of this ordinance, within sixty (60) days after the date of notice to do so is given by ADLM FMS, provided that said public sewer is within three hundred (300) feet of the property line. Charges for sanitary sewer service will begin the date of said notice to connect to the public sewer.

Article III

Private Sewage Disposal

Section 1. Only in instances where a public sanitary or combined sewer is not available under the provisions of Article II, Section 4, the building sewer shall be connected to a private sewage works complying with the provisions of this Article.

Section 2. Before commencement of construction of a private sewage works the owner shall first obtain a written permit from the County. The applicant shall furnish any plans, specifications and other information as are deemed necessary by the County.

Section 3. A permit for the private sewage works shall not become effective until the installation is completed to the satisfaction of the County. The County shall be allowed to inspect the work at any stage of construction. In addition, the applicant shall notify the County when the work is ready for final inspection and before any underground portions are covered.

Section 4. The type, capacities, location and layout of a private sewage works shall comply with all recommendations of the Department of Natural Resources of the State of Iowa. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

Section 5. At such time as a public sewer or Managed Decentralized sewer becomes available to a property served by a private sewage works, a direct connection shall be made to the public sewer in compliance with Article II, Section 4 of this ordinance and any septic tanks, cesspools and similar private sewage works shall be abandoned.

Section 6. The owner shall be solely responsible for the operation and maintenance of any private sewage works that is not under a managed system.

Article IV

Building Sewers and Connections

Section 1. No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof.

Section 2. Before any connection is made to the public sewer, a permit for such connection must be obtained from ADLM FMS or its designated representative. Each connection to the main sewer shall be made to the fitting designated for that property and under the direct supervision of ADLM FMS.

Section 3. All costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify ADLM FMS from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

Section 4. A separate and independent building sewer shall be provided for every building; except where one building stands in the rear of another on an exterior lot, the building sewer from the front building may be extended to the rear building and the whole considered as one sewer when so approved by ADLM FMS.

Section 5. Old building sewers may be used in connection with new buildings only when they are found, upon examination and testing by ADLM FMS, to meet all requirements of this ordinance.

Section 6. The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of applicable rules and regulations adopted by ADLM FMS.

Section 7. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by a means approved by ADLM FMS and discharged to the building sewer.

Section 8. No person shall make connection of roof down spouts, exterior 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.

Section 9. Installation of building drains and building sewers shall be completed to the satisfaction of ADLM FMS. ADLM FMS shall be allowed to inspect the work at any stage of construction. In addition, the applicant shall notify ADLM FMS when the work is ready for final inspection and before any underground portions are covered. The connection shall be made under the supervision of ADLM FMS.

Section 10. All excavations for building sewer installation shall be adequately guarded with barricades and light so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the County.

Article V

Use of the Public Sewer

Section 1. No person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof runoff, subsurface drainage, including interior and exterior foundation drains, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.

Section 2. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:

- a. Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solids or gas;
- b. Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, which inure or interfere with the sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant;
- c. Any waters or wastes having a pH lower than the level established by ADLM FMS, or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works;
- d. 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 sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, tar, feathers, plastics, wood, unground garbage, whole blood, paunch manure, hair, and fleshing, entrails and paper dishes, cups, milk containers, etc. either whole or ground by garbage grinders; and
- e. Any other limitations which may be established by ADLM FMS.

Section 3. If any waters or wastes are discharged, or are proposed to be discharged to the public sewers which waters contain the substances or possess the characteristics which are restricted or limited, ADLM FMS may:

- a. Disconnect the connection to the public sewer;
- b. Reject the wastes;
- c. Require pretreatment to an acceptable condition for discharge to the public sewers;
- d. Require control over the quantities and rates of discharge, and/or;
- e. Require payment to cover the added cost of handling and treating the wastes not covered by existing sewer charges.

Section 4. If ADLM FMS permits the pretreatment or equalization of waste flows, the plans, specifications and any other pertinent information relating to proposed treatment facilities shall be submitted for the approval of ADLM FMS and no construction of such facilities shall be commenced until said approvals are obtained in writing.

Section 5. Grease, oil and sand interceptors shall be provided when in the opinion of ADLM

FMS they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand or other harmful ingredients. All interceptors shall be of a type and capacity approved by ADLM FMS, and shall be located as to be readily and easily accessible for cleaning and inspection.

Section 6. Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in a satisfactory and effective operation by the owner at the owner's expense.

Section 7. When required by ADLM FMS, the owner of any property serviced by building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilities observation, sampling and measurement of the wastes. Such manhole, when required, shall be accessible and safely located, and shall be constructed in accordance with plans approved by ADLM FMS. The manhole shall be installed and maintained by the owner's expense, and shall be maintained so as to be safe and accessible at all times.

Section 8. No statement contained in this article shall be construed as preventing any special agreement or arrangement between ADLM FMS and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by ADLM FMS for treatment, subject to payment therefore, by the industrial concern.

Article VI

Protection from Damage

Section 1. No person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the sewage works.

Article VII

Powers of Authority of Inspectors

Sections 1. Representatives of ADLM FMS shall be permitted to enter all public and private properties for the purpose of inspection, observation, measurement, sampling and testing in accordance with the provisions of this ordinance.

Section 2. Duly authorized employees of ADLM FMS shall be permitted to enter all private properties through which the County or ADLM FMS holds a duly negotiated easement for the purposes of repair and maintenance of any portion of the sewage works lying within said easement.

Article VIII

Sewer and Connection Charges

Section 1. All sewer charges levied by ADLM FMS shall constitute a lien upon the premises served and if not paid within sixty (60) days after due date, the charges shall be certified by the

County Treasurer upon request by ADLM FMS and shall be collectible in the same manner as taxes.

Section 2. During the initial construction of the sewage collection system and provided the owner had filed a written request for the construction of a building sewer line on forms provided by ADLM FMS, ALDM FMS, or its designee shall install the initial building sewer line and connection from the public sewer to within five (5) feet of the building. The owner shall be responsible for the final connection and any seeding, sodding plantings, sidewalks and driveway repairs. Once construction is completed, the owner shall accept the ownership, including the use, operation, repair, maintenance and replacement of the building sewer line from the building to the public sewer main.

Section 3. Except for connections made during the initial construction of the sewage collection system as provided by Section 2. any person desiring to connect or reconnect to the public sewer shall pay such charges as may be required by ADLM FMS to cover the cost of issuing the permit and supervising, regulating and inspecting the work.

Article IX

Penalties

Section 1. Any person found to be violating any provision of this ordinance shall be guilty of a misdemeanor, and on conviction thereof shall be fined in the amount not exceeding one hundred dollars (\$100), or be subject to imprisonment for a period not exceeding thirty (30) days for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

Section 2. Any person violating any of the provisions of this ordinance shall become liable to ADLM FMS for any expense, loss or damage occasioned ADLM FMS by reason of such violation. In addition, any person violating any of this ordinance shall also become liable to the County for any expense, loss or damage occasioned by the County by reason of such violation.

Section 3. As to any person violating any of the provisions of this ordinance or failing to pay the charges for the use of the sewer services, ADLM FMS shall have the right to terminate service to the premises until such time as the violation is cured or until all late charges assessed for the use of the sewer services are paid in full.

Article X

General

Section 1. All ordinances or parts of ordinances in conflict herewith are hereby repealed.