

Chapter 700

WATER REGULATIONS

ARTICLE I General Provisions

Section 700.010. Location of Deep Water Wells. [R.O. 2013 §700.010; CC 1991 §700.010; CC §69.010]

A. It shall be unlawful:

1. To locate a sewer within twenty-five (25) feet of any water well that furnishes water for the public water system.
2. To locate a sewer other than leaded or mechanical joint type within one hundred (100) feet of a water well that furnishes water for the public water system.
3. To locate or maintain an outhouse or similar possible source of contamination within one hundred (100) feet of a water well that furnishes water for the public water system.
4. To locate a cistern or other below ground level storage tank within twenty-five (25) feet of any sewer, within one hundred (100) feet of a sewer other than one with leaded or mechanical type joints, or within one hundred (100) feet of an outhouse or similar source of contamination.

Section 700.011. through Section 700.015. (Reserved)

ARTICLE II Lead Ban

Section 700.020. General Policy. [R.O. 2013 §700.020; Ord. No. 17-04 §I, 1-30-2004]

A. *Purpose.* The purpose of this Article is:

1. To ban the use of lead materials in the public drinking water system and private plumbing connected to the public drinking water system, and
2. To protect City residents from lead contamination in the City's public drinking water system and their own private plumbing systems.

B. *Application.* This Article shall apply to all premises served by the public drinking water system of the City of Tarkio.

C. *Policy.*

1. This Article will be reasonably interpreted by the water purveyor. It is the purveyor's intent to ban the use of lead-based material in the construction or modification of the City's drinking water system or private plumbing connected to the City system. The cooperation of all consumers is required to implement the lead ban.
2. If, in the judgment of the water purveyor or his/her authorized representative, lead-based materials have been used in new construction or modifications after January 1, 1989, due notice shall be given to the consumer. The consumer shall immediately comply by having the lead-based materials removed from the plumbing system and replaced with lead-free materials. If the lead-based materials are not removed from the plumbing system, the water purveyor shall have the right to discontinue water service to the premises.

Section 700.030. Definitions. [R.O. 2013 §700.030; Ord. No. 17-04 §II, 1-30-2004]

The following definitions shall apply in the interpretation and enforcement of this Article:

CONSUMER — The owner or person in control of any premises supplied by or in any manner connected to a public water system.

LEAD-BASED MATERIALS — Any material containing lead in excess of the quantities specified in the definition of "*lead-free*".

LEAD-FREE — Means:

1. When used with respect to solder and flux, refers to solders and flux containing not more than two-tenths percent (0.2%) lead; and
2. When used with respect to pipes and pipefitting, refers to pipe and pipefittings containing not more than eight percent (8%) lead.

PUBLIC DRINKING WATER SYSTEM — Any publicly or privately owned water system supplying water to the general public which is satisfactory for drinking, culinary and domestic purposes and meets the requirements of the Missouri Department of Natural Resources.

WATER PURVEYOR — The owner, operator, or individual in responsible charge of a public water system.

Section 700.040. Lead Banned From Drinking Water Plumbing. [R.O. 2013 §700.040; Ord. No. 17-04 §III, 1-30-2004]

- A. No water service connection shall be installed or maintained to any premises where lead-based materials were used in new construction or modifications of the drinking water plumbing after January 1, 1989.
- B. If a premises is found to be in violation of Subsection (A), water service shall be discontinued until such time that the drinking water plumbing is lead-free.

ARTICLE III
Cross-Connection Control

Section 700.050. Cross-Connection Control — General Policy. [R.O. 2013 §710.010; CC 1991]

§710.010; Ord. passed §1, 6-7-1988]

A. *Purpose.* The purpose of this Chapter is:

1. To protect the public potable water supply from contamination or pollution by containing within the consumer's internal distribution system or private water system contaminants or pollutants which could backflow through the service connection into the public potable water supply system.
2. To promote the elimination, containment, isolation, or control of existing cross-connections, actual or potential, between the public or consumer's potable water system and non-potable water systems, plumbing fixtures, and industrial-process systems.
3. To provide for the maintenance of a continuing program of cross-connection control which will systematically and effectively prevent the contamination or pollution of all potable water systems.

B. *Application.* This Chapter shall apply to all premises served by the public potable water system of the City of Tarkio.

C. *Policy.* This Chapter will be reasonably interpreted by the water purveyor. It is the water purveyor's intent to recognize the varying degrees of hazard and to apply the principle that the degree of protection shall be commensurate with the degree of hazard.

C. The water purveyor shall be primarily responsible for protection of the public potable water distribution system from contamination or pollution due to backflow or contaminants or pollutants through the water service connection. The cooperation of all consumers is required to implement and maintain the program to control cross-connections. The water purveyor and consumer are jointly responsible for preventing contamination of the water system.

C. If, in the judgment of the water purveyor or his/her authorized representative, cross-connection protection is required through either piping modification or installation of an approved backflow prevention device, due notice shall be given to the consumer. The consumer shall immediately comply by providing the required protection at his/her own expense; and failure, refusal or inability on the part of the consumer to provide such protection shall constitute grounds for discontinuing water service to the premises until such protection has been provided.

Section 700.060. Definitions. [R.O. 2013 §710.020; CC 1991 §710.020; Ord. passed §2, 6-7-1988]

The following definitions shall apply in the interpretation and enforcement of this Chapter:

AIR-GAP SEPARATION — The unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture or other device and the overflow level rim of the receptacle and shall be at least double the diameter of the supply pipe measured vertically above the flood level rim of the vessel but in no case less than one (1) inch.

AUXILIARY WATER SUPPLY — Any water source or system, other than the public water

supply, that may be available in the building or premises.

BACKFLOW — The flow, other than the intended direction of flow, of any foreign liquids, gases or substances into the distribution system of a public water supply.

BACKFLOW PREVENTION DEVICE — Any device, method or type of construction intended to prevent backflow into a potable water system.

CONSUMER — The owner or person in control of any premises supplied by or in any manner connected to a public water system.

CONTAINMENT — Protection of the public water supply by installing a cross-connection control device or air-gap separation on the main service line to a facility.

CONTAMINATION — An impairment of the quality of the water by sewage, process fluids or other wastes to a degree which could create an actual hazard to the public health through poisoning or through spread of disease by exposure.

CROSS-CONNECTION — Any physical link between a potable water supply and any other substance, fluid or source which makes possible contamination of the potable water supply due to the reversal of flow of the water in the piping or distribution system.

HAZARD, DEGREE OF — An evaluation of the potential risk of public health and the adverse effect of the hazard upon the potable water system.

1. *Hazard, health.* Any condition, device or practice in the water supply system and its operation which could create or may create a danger to the health and well-being of the water consumer.
2. *Hazard, plumbing.* A plumbing type cross-connection in a consumer's potable water system that has not been properly protected by a vacuum breaker, air-gap separation or backflow prevention device.
3. *Hazard, pollutional.* An actual or potential threat to the physical properties of the water system or to the potability of the public or the consumer's potable water system but which would constitute a nuisance or be aesthetically objectionable or could cause damage to the system or its appurtenances but would not be dangerous to health.
4. *Hazard, system.* An actual or potential threat of severe damage to the physical properties of the public potable water system or the consumer's potable water system, or of a pollution or contamination which would have a protracted effect on the quality of the potable water in the system.

INDUSTRIAL PROCESS SYSTEM — Any system containing a fluid or solution which may be chemically, biologically or otherwise contaminated or polluted in a form or concentration such as would constitute a health, system, pollutional or plumbing hazard if introduced into a potable water supply.

ISOLATION — Protection of a facility service line by installing a cross-connection control device or air-gap separation on an individual fixture, appurtenance or system.

POLLUTION — The presence of any foreign substance (organic, inorganic or biological) in

water which tends to degrade its quality so as to constitute a hazard or impair the usefulness of the water to a degree which does not create an actual hazard to the public health but which does adversely and unreasonably affect such waters for domestic use.

PUBLIC POTABLE WATER SYSTEM — Any publicly or privately owned water system supplying water to the general public which is satisfactory for drinking, culinary and domestic purposes and meets the requirements of the Missouri Department of Natural Resources.

SERVICE CONNECTION — The terminal end of a service line from the public water system. If a meter is installed at the end of the service, then the service connection means the downstream end of the meter.

WATER PURVEYOR — The owner, operator or individual in responsible charge of a public water system.

Section 700.070. Cross-Connections Prohibited. [R.O. 2013 §710.030; CC 1991 §710.030; Ord. passed §3, 6-7-1988]

- A. No water service connection shall be installed or maintained to any premises where actual or potential cross-connections to the public potable or consumer's water system may exist unless such actual or potential cross-connections are abated or controlled to the satisfaction of the water purveyor and as required by the laws and regulations of the Missouri Department of Natural Resources.
- B. No connection shall be installed or maintained whereby an auxiliary water supply may enter a public potable or consumer's water system unless such auxiliary water supply and the method of connection and use of such supply shall have been approved by the water purveyor and the Missouri Department of Natural Resources.
- C. No water service connection shall be installed or maintained to any premises in which the plumbing system, facilities and fixtures have not been constructed and installed using acceptable plumbing practices considered by the water purveyor as necessary for the protection of health and safety.

Section 700.080. Survey and Investigations. [R.O. 2013 §710.040; CC 1991 §710.040; Ord. passed §4, 6-7-1988]

- A. The consumer's premises shall be open at all reasonable times to the water purveyor or his/her authorized representative for the conduction of surveys and investigations of water use practices within the consumer's premises to determine whether there are actual or potential cross-connections to the consumer's water system through which contaminants or pollutants could backflow into the public potable water system.
- B. On request by the water purveyor or his/her authorized representative, the consumer shall furnish information on water use practices within his/her premises.
- C. It shall be the responsibility of the water consumer to conduct periodic surveys of water use practices on his/her premises to determine whether there are actual or potential cross-connections to his/her water system through which contaminants or pollutants could backflow into his/her or the public potable water system.

Section 700.090. Type of Protection Required. [R.O. 2013 §710.050; CC 1991 §710.050; Ord. passed §5, 6-7-1988]

- A. The type of protection required by this Chapter shall depend on the degree of hazard which exists, as follows:
1. An approved air-gap separation shall be installed where the public potable water system may be contaminated with substances that could cause a severe health hazard.
 2. An approved air-gap separation or an approved reduced pressure principle backflow prevention device shall be installed where the public potable water system may be contaminated with a substance that could cause a system or health hazard.
 3. An approved air-gap separation or an approved reduced pressure principle backflow prevention device or an approved double-check valve assembly shall be installed where the public potable water system may be polluted with substances that could cause a pollutional hazard not dangerous to health.

Section 700.100. Where Protection Is Required. [R.O. 2013 §710.060; CC 1991 §710.060; Ord. passed §6, 6-7-1988]

- A. An approved backflow prevention device shall be installed on each service line to a consumer's water system serving premises where, in the judgment of the water purveyor or the Missouri Department of Natural Resources, actual or potential hazards to the public potable water system exist. The type and degree of protection required shall be commensurate with the degree of hazard.
- B. An approved air-gap separation or reduced pressure principle backflow prevention device shall be installed at the service connection or within any premises where, in the judgment of the water purveyor or the Missouri Department of Natural Resources, the nature and extent of activities on the premises, or the materials used in connection with the activities, or materials stored on the premises would present an immediate and dangerous hazard to health should a cross-connection occur, even though such cross-connection may not exist at the time the backflow prevention device is required to be installed. This includes, but is not limited to, the following situations:
1. Premises having an auxiliary water supply, unless the quality of the auxiliary supply is acceptable to the water purveyor and the Missouri Department of Natural Resources.
 2. Premises having internal cross-connections that are not correctable or intricate plumbing arrangements which make it impractical to ascertain whether or not cross-connections exist.
 3. Premises where entry is restricted so that inspection for cross-connections cannot be made with sufficient frequency or at sufficiently short notice to assure the cross-connections do not exist.
 4. Premises having a repeated history of cross-connections being established or re-established.

5. Premises which, due to the nature of the enterprise therein, are subject to recurring modification or expansion.
 6. Premises on which any substance is handled under pressure so as to permit entry into the public water supply or where a cross-connection could reasonably be expected to occur. This shall include the handling of process waters and cooling waters.
 7. Premises where materials of a toxic or hazardous nature are handled such that if back siphonage or back pressure should occur, a serious health hazard may result.
- C. The following types of facilities fall into one (1) or more of the categories of premises where an approved air-gap separation or reduced pressure principle backflow prevention device is required by the water purveyor and the Missouri Department of Natural Resources to protect the public water supply and must be installed at these facilities unless all hazardous or potentially hazardous conditions have been eliminated or corrected by other methods to the satisfaction of the water purveyor and the Missouri Department of Natural Resources:
1. Aircraft and missile plants.
 2. Automotive plants.
 3. Auxiliary water systems.
 4. Beverage bottling plants.
 5. Canneries, packing houses and reduction plants.
 6. Car washing facilities.
 7. Chemical manufacturing, processing, compounding or treatment plants.
 8. Film laboratories.
 9. Fire protection systems.
 10. Hazardous waste storage and disposal sites.
 11. Hospitals, mortuaries, clinics.
 12. Irrigation and sprinkler systems.
 13. Laundries and dye works.
 14. Metal manufacturing, cleaning, processing and fabricating plants.
 15. Oil and gas production, storage or transmission properties.
 16. Paper and paper products plants.
 17. Plating plants.
 18. Power plants.
 19. Printing and publishing facilities.

20. Radioactive material processing plants or nuclear reactors.
21. Research and analytical laboratories.
22. Rubber plants, natural and synthetic.
23. Sewage and storm drainage facilities — pumping stations.
24. Waterfront facilities and industries.

Section 700.110. Backflow Prevention Devices. [R.O. 2013 §710.070; CC 1991 §710.070; Ord. passed §7, 6-7-1988]

- A. Any backflow prevention device required by this Chapter shall be of a model or construction approved by the water purveyor and the Missouri Department of Natural Resources.
 1. Air-gap separation to be approved shall be at least twice the diameter of the supply pipe, measured vertically above the top rim of the vessel, but in no case less than one (1) inch.
 2. A double-check valve assembly or a reduced pressure principle backflow prevention device shall be approved by the water purveyor and shall appear on the current "List of Approved Backflow Prevention Devices" established by the Missouri Department of Natural Resources.
- B. Existing backflow prevention devices approved by the water purveyor at the time of installation and properly maintained shall, except for inspection and maintenance requirements, be excluded from the requirements of this Chapter so long as the water purveyor is assured that they will satisfactorily protect the water system. Whenever the existing device is moved from its present location, or requires more than minimum maintenance, or when the water purveyor finds that the maintenance constitutes a hazard to health, the unit shall be replaced by a backflow prevention device meeting the requirements of this Chapter.

Section 700.120. Installation. [R.O. 2013 §710.080; CC 1991 §710.080; Ord. passed §8, 6-7-1988]

- A. Backflow prevention devices required by this Chapter shall be installed at a location and in a manner approved by the water purveyor and shall be installed at the expense of the water consumer.
- B. Backflow prevention devices installed on the service line to the consumer's water system shall be located on the consumer's side of the water meter, as close to the meter as is reasonably practical, and prior to any other connection.
- C. Backflow prevention devices shall be located so as to be readily accessible for maintenance and testing, protected from freezing, and where no part of the device will be submerged or subject to flooding by any fluid.

Section 700.130. Inspection and Maintenance. [R.O. 2013 §710.090; CC 1991 §710.090; Ord. passed §9, 6-7-1988]

- A. It shall be the duty of the consumer at any premises on which backflow prevention devices required by this Chapter are installed to have inspection, tests and overhauls made in accordance with the following schedule or more often where inspections indicate a need.
 - 1. Air-gap separations shall be inspected at the time of installation and at least every twelve (12) months thereafter.
 - 2. Double-check valve assemblies shall be inspected and tested for tightness at the time of installation and at least every twelve (12) months thereafter. They shall be dismantled, inspected internally, cleaned and repaired whenever needed and at least every thirty (30) months.
 - 3. Reduced pressure principle backflow prevention devices shall be inspected and tested for tightness at the time of installation and at least every twelve (12) months thereafter. They shall be dismantled, inspected internally, cleaned and repaired whenever needed and at least every five (5) years.
- B. Inspections, tests and overhauls of backflow prevention devices shall be made at the expense of the water consumer and shall be performed by a State of Missouri certified backflow prevention device tester.
- C. Whenever backflow prevention devices required by this Chapter are found to be defective, they shall be repaired or replaced at the expense of the consumer without delay.
- D. The water consumer must maintain a complete record of each backflow prevention device from purchase to retirement. This shall include a comprehensive listing that includes a record of all tests, inspections and repairs. Records of inspections, tests, repairs and overhauls shall be made available to the water purveyor upon request.
- E. Backflow prevention devices shall not be bypassed, made inoperative, removed, or otherwise made ineffective without specific authorization by the water purveyor.

Section 700.140. Violations. [R.O. 2013 §710.100; CC 1991 §710.100; Ord. passed §10, 6-7-1988]

- A. The water purveyor shall deny or discontinue, after reasonable notice to the occupants thereof, the water service to any premises wherein any backflow prevention device required by this Chapter is not installed, tested and maintained in a manner acceptable to the water purveyor, or if it is found that the backflow prevention device has been removed or bypassed, or if an unprotected cross-connection exists on the premises.
- B. Water service to such premises shall not be restored until the consumer has corrected or eliminated such conditions or defects in conformance with this Chapter to the satisfaction of the water purveyor.

Chapter 705

WASTEWATER TREATMENT WORKS — USER FEE SYSTEM

ARTICLE I

General Provisions

Section 705.010. Statement of Purpose. [R.O. 2013 §705.010; CC 1991 §705.010; Ord. No. 86 WRB-04 Art. I, 6-16-1987]

It is determined and declared to be necessary and conducive to the protection of the public health, safety, welfare and convenience of the City to collect charges from all users who contribute wastewater to the City's treatment works. The proceeds of such charges so derived will be used for the purpose of operating, maintaining and retiring the debt for such public wastewater treatment works.

Section 705.020. Definitions. [R.O. 2013 §705.020; CC 1991 §705.020; Ord. No. 86 WRB-04 Art. II §§1 — 10, 6-16-1987]

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

BOD — The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days of twenty degrees Celsius (20° C), expressed in milligrams per liter (mg/l).

NORMAL DOMESTIC WASTEWATER — Wastewater that has a BOD concentration of not more than two hundred (200) milligrams per liter and a suspended solids concentration of not more than two hundred forty (240) milligrams per liter.

OPERATION AND MAINTENANCE — All expenditures during the useful life of the treatment works for materials, labor, utilities, and other items which are necessary for managing and maintaining the sewage works to achieve the capacity and performance for which such works were designed and constructed.

REPLACEMENT — Expenditures for obtaining and installing equipment, accessories or appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designed and constructed. The term "*operation and maintenance*" includes replacement.

SHALL — Is mandatory; *MAY*: Is permissive.

SS — 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.

TREATMENT WORKS — Any devices and systems for the storage, treatment, recycling and

reclamation of municipal sewage, domestic sewage or liquid industrial wastes. These include intercepting sewers, outfall sewers, sewage collection systems, individual systems, pumping, power, and other equipment and their appurtenances; extensions, improvement, remodeling, additions and alterations thereof; elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; and any works including site acquisition of the land that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatments; any other method or system for preventing, abating, reducing, storing, treating, separating or disposing of municipal waste or industrial waste, including waste in combined storm water and sanitary sewer systems.

USEFUL LIFE — The estimated period during which a treatment works will be operated.

USER — Any contributor to the City's treatment works whose lot, parcel or real estate, building, living unit or trailer is used for domestic dwelling and/or business purposes.

USER FEE — That portion of the total wastewater service charge which is levied in a proportional and adequate manner for the cost of operation, maintenance and replacement of the wastewater treatment works.

ARTICLE II Billing Procedures

Section 705.030. Billing — Generally. [R.O. 2013 §705.030; CC 1991 §705.030; Ord. No. 86 WRB-04 Art. III §§1 — 7, 6-16-1987; Ord. No. 15-03, 12-29-2003]

- A. The user fee system shall generate adequate annual revenues to pay costs of annual operation and maintenance, including replacement, and costs associated with debt retirement of bonded capital associated with financing the treatment works which the City may by ordinance designate to be paid by the user fee system. That portion of the total user fee which is designated for operation and maintenance, including replacement, of the treatment works shall be established by this Chapter.
- B. All users shall be billed based upon the average monthly usage during the months of December, January and February.
- C. The average monthly usage so determined shall apply for a two (2) year period. Every two (2) years rates will be recomputed on basis of usage. Customers without historic data of usage will be billed for an amount equal to the average usage of that class of customer until the next usage determination period.
- D. Users who are not serviced by the water company and have no water usage information will be billed at a rate equal to the average usage of that class of customer.
- E. For businesses and commercial users, schools and colleges, who use in an excess of fifty thousand (50,000) gallons of water per month, shall be billed on the basis of the water usage during the current month. During the periods when water estimates are used for billing, the sewer usage fee shall be based on the latest actual monthly reading.
- F. *Delinquent Bills.*
 - 1. Whenever a bill for sewer service remains unpaid for sixty (60) days for monthly

service after it has been rendered, the City Clerk shall file with the County Recorder of Deeds a statement of lien claim. This statement shall contain the legal description of the premises served, the amount of the unpaid bill, and a notice that the City claims a lien for this amount as well as for all charges subsequent to the period covered by the bill.

2. If the user whose bill is unpaid is not the owner of the premises and the City Clerk has notice of this, notice shall be mailed to the owner of the premises if his/her address be known to the Clerk whenever such bill remains unpaid for the period of forty-five (45) days for a monthly bill after it has been rendered.
3. The failure of the City Clerk to record such lien or to mail such notice or the failure of the owner to receive such notice shall not affect the right to foreclose the lien.
4. Property subject to a lien for unpaid charges shall be sold for non-payment of the same, and the proceeds of the sale shall be applied to pay the charges, after deducting costs, as is the case in the foreclosure of statutory liens. Such foreclosure shall be by bill-in-equity in the name of the City. The City Attorney shall institute such proceedings in the name of the City in any court having jurisdiction over such matters against any property for which the bill has remained unpaid forty-five (45) days in the case of a monthly bill after it has been rendered.

G. The sewer service fee rate which shall be applied under this Article is as follows:

Winter Water Use Average (Gallons)	New Sewer Usage Fee (Monthly)
\$1,000	\$ 6.00

Each additional one thousand (1,000) gallons of water used will be an additional one dollar (\$1.00).

Section 705.040. Method of Billing. [R.O. 2013 §705.040; CC 1991 §705.040; Ord. No. 86 WRB-04 Art. III §8, 6-16-1987]

All sewer service fees and extra charges established by this Article shall be stated on a bill rendered monthly.

Section 705.050. Adjustments. [R.O. 2013 §705.050; CC 1991 §705.050; Ord. No. 86 WRB-04 Art. III §9, 6-16-1987]

When it appears that an inequity has occurred, the sewage superintendent or City Clerk may submit a report of the circumstances and make recommendations for adjustments of sewage service charges to the Board of Aldermen. Any recommendation for adjustments must be approved by said Board before such adjustments shall be effective.

Section 705.060. Inspection — Inspectors — Powers and Authority. [R.O. 2013 §705.060; CC 1991 §705.060; Ord. No. 86 WRB-04 Art. III §10, 6-16-1987]

The elected officials of the City of Tarkio and other duly authorized employees of said City bearing identification shall, at reasonable times, be permitted to enter upon all properties for the purposes of inspection, observation, measurements, sampling and testing in accordance with the provisions of this Article.

Section 705.070. Accounting System for Sewer Funds. [R.O. 2013 §705.070; CC 1991 §705.070; Ord. No. 86 WRB-04 Art. III §11, 6-16-1987]

All monies collected under the authority of this Article shall be accrued to one (1) of four (4) sewer funds which shall herewith be established. A Sewer Operation and Maintenance Fund shall be established to provide for routine expenses incurred in providing sewer service. A Sewer Depreciation Fund shall be established to provide for replacement of major items of equipment as their useful life expires. A Debt Service Account shall be established to provide for payments of the sewer system revenue bonds. A Wastewater System Surplus Account shall be established for the residual balance of any monies remaining after the necessary deposits have been made in the before-mentioned three (3) accounts.

Refer to Ordinance No. 86 WRB-03, passed and approved the twelfth (12th) day of May, 1987, Section 15, Page 18, for further explanation of the creation of wastewater fund accounts.

Section 705.080. Billing — Penalty for Delinquent Payment. [R.O. 2013 §705.080; CC 1991 §705.080; Ord. No. 86 WRB-04 Art. III §12, 6-16-1987]

A late payment penalty of ten percent (10%) of the user bill will be added to each delinquent bill after due date.

Chapter 715

SEWERS

ARTICLE I Sewer Connections

Section 715.010. Tap Fee. [R.O. 2013 §715.010; CC 1991 §715.010; CC §67.010]

There shall be charged against any person, persons, firm or corporation the sum of fifty dollars (\$50.00) for the privilege and right to make any connection with any sewer main in the City of Tarkio, whether same is made directly or indirectly, by attaching to a sewer pipe now connected with the sewer main of said City.

Section 715.020. Extending Sewer Line — City Pays Share When. [R.O. 2013 §715.020; CC 1991 §715.020; CC §67.020]

For the purpose of extending any sewer main of said City parallel to the property lines in said City to the place where same may connect the sewer line from private property at right angles, the City of Tarkio will issue sewer right for such extension to an amount equal to three-fourths ($\frac{3}{4}$) connecting charge therewith as above set out, and the property owner or other person desiring the connection shall pay the remainder of the cost of the extension.

Section 715.030. When City Will Not Pay to Extend Line. [R.O. 2013 §715.030; CC 1991 §715.030; CC §67.030]

There shall be nothing paid by the City of Tarkio for any extension of sewer pipe from any property line to the sewer main running parallel to said property line and running at right angles to said connecting sewer line nor for any sewer pipe on private property.

Section 715.040. Unauthorized Taps. [R.O. 2013 §715.040; CC 1991 §715.040; CC §67.040]

It shall be unlawful for anyone to make a new sewer connection with any sewer main or any extension thereof in the City of Tarkio, whether same is made directly or indirectly, by attaching to a sewer pipe now connected with the sewer main of said City without first having obtained a permit so to do from the City Collector and paying to the City Collector the sum of fifty dollars (\$50.00) at the time said permit is issued.

Section 715.050. Inspection of Tap. [R.O. 2013 §715.050; CC 1991 §715.050; CC §67.050; Ord. No. 715.050, 12-12-2000]

No ditch shall be backfilled and such sewer connection covered until same has been reported to the Street Commissioner of the City of Tarkio and inspected and approved by him/her.

Section 715.060. Plumber to Make Tap. [R.O. 2013 §715.060; CC 1991 §715.060; CC §67.060]

No one other than a plumber licensed by the City of Tarkio shall make such sewer connections as are described in this Article and the Sections hereof.

Section 715.065. Disconnection of Water Service — When — Procedure. [R.O. 2013 §715.065; CC 1991 §715.065; Ord. 2-93]

A. It is agreed as follows:

1. The City of Tarkio may notify the Tarkio Water Company to assist the City in collecting delinquent sewer assessment, and the Water Company agrees to disconnect the water supply and continue such disconnect until the Water Company has been notified by the City that the delinquent charges have been paid.
2. The City of Tarkio, in notifying the Water Company to terminate such service for non-payment of sewer bill, must first give thirty (30) days' notice to the customer.
3. No such termination of water service may occur until thirty (30) days after the City of Tarkio has sent a notice to the customer by certified mail informing the customer that his/her water service will be terminated for failing to pay the sewer charge. The water service shall be discontinued until such time as all costs related to sewer charges and all costs related to both disconnect and reconnect are paid by the customer. A responsible City Official or employee will accompany the Water Company employee to the property at the time of termination of service.
4. The Tarkio Water Company shall not be liable for any damage related to the disconnect.
5. All costs related to the termination and reconnect of the water service arising out of the services of the Water Company and the City of Tarkio shall reimburse the Water Company for its charges and/or expenses and loss of sales, as determined by the Water Company, associated with the termination of the supply of water.
6. It is further agreed that the City of Tarkio shall pay to Water Company the charges currently in effect for disconnect, for reconnect, and such other and further necessary expenses related to the disconnect and reconnect.
7. The City of Tarkio further agrees to save harmless the Water Company for any claims for damages made by the delinquent customer.

ARTICLE II
Sewer Use — Generally

Section 715.070. Definitions. [R.O. 2013 §715.070; CC 1991 §715.070; CC §67.300]

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

BOD (DENOTING BIOCHEMICAL OXYGEN DEMAND) — The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty degrees Celsius (20° C), expressed in milligrams per liter.

BUILDING DRAIN — 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 (5) feet (1.5 meters) outside the inner face of the building wall.

BUILDING SEWER — The extension from the building drain to the public sewer or other place of disposal.

COMBINED SEWER — A sewer receiving both surface runoff and sewage.

GARBAGE — Solid wastes from the domestic and commercial preparation, cooking and dispensing of food and from the handling, storage and sale of produce.

HEARING BOARD — That board appointed according to provision of Section 715.430.

INDUSTRIAL WASTES — The liquid wastes from industrial manufacturing processes, trade or business as distinct from sanitary sewage.

NATURAL OUTLET — Any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.

PERSON — Any individual, firm, company, association, society, corporation or group.

pH — The logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

PROPERLY SHREDDED GARBAGE — 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, with no particle greater than one-half (½) inch (1.27 centimeters) in any dimension.

PUBLIC SEWER — A sewer in which all owners of abutting properties have equal rights and is controlled by public authority.

SANITARY SEWER — A sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted.

SEWAGE — 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.

SEWAGE TREATMENT PLANT — Any arrangement of devices and structures used for treating sewage.

SEWAGE WORKS — All facilities for collecting, pumping, treating and disposing of sewage.

SEWER — A pipe or conduit for carrying sewage.

SHALL — Is mandatory; *MAY*: Is permissive.

SLUG — Any discharge of water, sewage or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration of flows during normal operation.

STORM DRAIN — (Sometimes termed "*storm sewer*") A sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

SUPERINTENDENT — The Superintendent of water and sewer of the City of Tarkio or his/her duly authorized deputy, agent or representative.

SUSPENDED SOLIDS — 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.

WATERCOURSE — A channel in which a flow of water occurs, either continuously or intermittently.

Section 715.080. Unlawful Practices — Generally. [R.O. 2013 §715.080; CC 1991 §715.080; CC §§67.310 — 67.340]

- A. *Unlawful Deposit Of Objectionable Waste.* It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the City of Tarkio or in any area under the jurisdiction of said City any human or animal excrement, garbage or other objectionable waste.
- B. *Discharge Of Sewage.* It shall be unlawful to discharge to any natural outlet within the City of Tarkio or in any area under the jurisdiction of said City any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Article.
- C. *Privy Or Cesspool.* 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.
- D. *Toilet And Sewer Required.* The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated within the City and abutting on any street, alley or right-of-way in which there is now located or may in the future be located a public sanitary or combined sewer of the City, is hereby required at his/her expense to install suitable toilet facilities therein and to connect such facilities directly with the proper public sewer in accordance with the provisions of this Article within ninety (90) days after date of official notice to do so, provided that said public sewer is within three hundred (300) feet of the property line.

Section 715.090. Private Sewer Allowed. [R.O. 2013 §715.090; CC 1991 §715.090; CC §67.350]

Where a public sanitary or combined sewer is not available under the provisions of Section 715.080(D), the building sewer shall be connected to a private sewage disposal system complying with the provisions of this Article.

Section 715.100. Permit Required. [R.O. 2013 §715.100; CC 1991 §715.100; CC §67.360]

Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the Superintendent. The application for such permit shall be made on a form furnished by the City, which the applicant shall supplement by any plans,

specifications and other information as are deemed necessary by the Superintendent. A permit and inspection fee of ten dollars (\$10.00) shall be paid to the City at the time the application is filed.

Section 715.110. Inspection. [R.O. 2013 §715.110; CC 1991 §715.110; CC §67.370]

A permit for the private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Superintendent. He/she shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the Superintendent when the work is ready for final inspection and before any underground portions are covered. The inspection shall be made within twenty-four (24) hours of the receipt of notice by the Superintendent.

Section 715.120. Construction of Private Sewer. [R.O. 2013 §715.120; CC 1991 §715.120; CC §67.380]

The type, capacities, location and layout of a private sewage disposal system shall comply with all recommendations of the Department of Public Health of the State of Missouri. No permit shall be issued for any private sewage disposal system employing subsurface soil absorption facilities where the area of the lot is less than seven thousand five hundred (7,500) square feet. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

Section 715.130. Available Public Sewer. [R.O. 2013 §715.130; CC 1991 §715.130; CC §67.390]

At such time as a public sewer becomes available to a property served by a private sewage disposal system as provided in Section 715.120, a direct connection shall be made to the public sewer in compliance with this Chapter, and any septic tanks, cesspools and similar private sewage disposal facilities shall be abandoned and filled with suitable material.

Section 715.140. Private Sewer to Be Sanitary. [R.O. 2013 §715.140; CC 1991 §715.140; CC §67.400]

The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times at no expense to the City.

Section 715.150. Additional Requirements. [R.O. 2013 §715.150; CC 1991 §715.150; CC §67.410]

No statement contained in this Article shall be construed to interfere with any additional requirements that may be imposed by the Health Officer.

Section 715.160. Closing of Private Sewer. [R.O. 2013 §715.160; CC 1991 §715.160; CC §67.420]

When a public sewer becomes available, the building sewer shall be connected to said sewer within sixty (60) days and the private sewage disposal system shall be cleaned of sludge and filled with clean bank-run gravel or dirt.

Section 715.170. Unauthorized Taps. [R.O. 2013 §715.170; CC 1991 §715.170; CC §67.430]

No unauthorized person shall uncover, make any connections with or opening into, use, alter or

disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Superintendent.

Section 715.180. Application for Permits. [R.O. 2013 §715.180; CC 1991 §715.180; CC §67.440]

- A. There shall be one (1) class of building sewer permit:
 - 1. For residential and commercial service and for service to establishments producing industrial waste.
- B. The owner or his/her agent shall make application on a special form furnished by the City. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Superintendent. A permit and inspection fee of fifty dollars (\$50.00) shall be paid to the City of Tarkio at the time the application is filed.

Section 715.190. Costs. [R.O. 2013 §715.190; CC 1991 §715.190; CC §67.450]

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

Section 715.200. Each Building to Have Sewer. [R.O. 2013 §715.200; CC 1991 §715.200; CC §67.460]

A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, courtyard or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one (1) building sewer.

Section 715.210. Old Sewers. [R.O. 2013 §715.210; CC 1991 §715.210; CC §67.470]

Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Superintendent, to meet all requirements of this Chapter.

Section 715.220. Standards. [R.O. 2013 §715.220; CC 1991 §715.220; CC §67.480]

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 the Building and Plumbing Codes or other applicable rules and regulations of the City. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. Manual of Practice No. 9 shall apply.

Section 715.230. Elevation. [R.O. 2013 §715.230; CC 1991 §715.230; CC §67.490]

Whenever possible, the building sewer shall 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 sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

Section 715.240. Surface Water Connections. [R.O. 2013 §715.240; CC 1991 §715.240; CC §67.500]

No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or ground water to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.

Section 715.250. Method of Tap. [R.O. 2013 §715.250; CC 1991 §715.250; CC §67.510]

The connection of the building sewer into the public sewer shall conform to the requirements of the Building and Plumbing Codes or other applicable rules and regulations of the City or the procedures set forth in appropriate specifications of the A.S.T.M. and the W.P.C.F. Manual of Practice No. 9. All such connections shall be made gas-tight and water-tight. Any deviation from the prescribed procedures and materials must be approved by the Superintendent before installation.

Section 715.260. Request Inspection. [R.O. 2013 §715.260; CC 1991 §715.260; CC §67.520]

The applicant for the building sewer permit shall notify the Superintendent when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Superintendent or his/her representative.

Section 715.270. Guard Excavations. [R.O. 2013 §715.270; CC 1991 §715.270; CC §67.530]

All excavations for building sewer installation shall 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 shall be restored in a manner satisfactory to the City.

Section 715.280. Surface Water Discharge. [R.O. 2013 §715.280; CC 1991 §715.280; CC §67.540]

No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, subsurface drainage, uncontaminated cooling water or unpolluted industrial process waters to any sanitary sewer.

Section 715.290. Storm Sewers. [R.O. 2013 §715.290; CC 1991 §715.290; CC §67.550]

Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers or to a natural outlet approved by the Superintendent. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Superintendent, to a storm sewer, combined sewer or natural outlet.

Section 715.300. Prohibited Substances. [R.O. 2013 §715.300; CC 1991 §715.300; CC §67.560]

- A. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:
1. Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid

or gas.

2. Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any 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 including, but not limited to, cyanides in excess of two (2) mg/l as CN in the wastes as discharged to the public sewer.
3. Any waters or wastes having a pH lower than five and one-half (5.5) or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works.
4. Solid or viscous substances in quantities or of such size capable of causing obstruction to 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, 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 715.310. Substances May Be Prohibited. [R.O. 2013 §715.310; CC 1991 §715.310; CC §67.570]

- A. No person shall discharge or cause to be discharged the following described substances, materials, waters or wastes if it appears likely in the opinion of the Superintendent that such wastes can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving stream or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming his/her opinion as to the acceptability of these wastes, the Superintendent will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The substances prohibited are:
1. Any liquid or vapor having a temperature higher than one hundred fifty degrees Fahrenheit (150° F) (65° C).
 2. Any water or waste containing fats, wax, grease or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two degrees Fahrenheit (32° F) and one hundred fifty degrees Fahrenheit (150° F) (65° C).
 3. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a meter of three-fourths ($\frac{3}{4}$) horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the Superintendent.
 4. Any waters or wastes containing strong acid from pickling wastes or concentrated plating solutions whether neutralized or not.
 5. Any waters or wastes containing iron, chromium, copper, zinc and similar

- objectionable or toxic substances, or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Superintendent for such materials.
6. Any waters or wastes containing phenols or other taste- or odor-producing substances in such concentrations exceeding limits which may be established by the Superintendent as necessary, after treatment of the composite sewage, to meet the requirements of the State, Federal or other public agencies of jurisdiction for such discharge to the receiving waters.
 7. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Superintendent in compliance with applicable State or Federal regulations.
 8. Any waters or wastes having a pH in excess of nine and one-half (9.5).
 9. Materials which exert or cause:
 - a. Unusual concentrations of inert suspended solids (such as, but not limited to, Fuller's earth, lime slurries and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).
 - b. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
 - c. Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
 - d. Unusual volume of flow or concentration of wastes constituting "*slugs*" as defined herein.
 10. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed or are amenable to treatment only to such a degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

Section 715.320. Requirements. [R.O. 2013 §715.320; CC 1991 §715.320; CC §67.580]

- A. 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 enumerated in Section 715.310 of this Chapter, and which in the judgment of the Superintendent may have a deleterious effect upon the sewage works, processes, equipment or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Superintendent may:
 1. Reject the wastes.
 2. Require pretreatment to an acceptable condition for discharge to the public sewers.
 3. Require control over the quantities and rates of discharge.

4. Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of Section 715.370 of this Chapter.
- B. If the Superintendent permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Superintendent and subject to the requirements of all applicable codes, ordinances and laws.

Section 715.330. Interceptors to Be Provided. [R.O. 2013 §715.330; CC 1991 §715.330; CC §67.590]

Grease, oil and sand interceptors shall be provided when, in the opinion of the Superintendent, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Superintendent and shall be located as to be readily and easily accessible for cleaning and inspection.

Section 715.340. Preliminary Treatment Facilities. [R.O. 2013 §715.340; CC 1991 §715.340; CC §67.600]

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

Section 715.350. Manhole May Be Required. [R.O. 2013 §715.350; CC 1991 §715.350; CC §67.610]

When required by the Superintendent, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located and shall be constructed in accordance with plans approved by the Superintendent. The manhole shall be installed by the owner at his/her expense and shall be maintained by him/her so as to be safe and accessible at all times.

Section 715.360. Tests. [R.O. 2013 §715.360; CC 1991 §715.360; CC §67.620]

All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this Chapter shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater" published by the American Public Health Association and shall be determined at the control manhole provided or upon suitable samples taken at said 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. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb and property. The particular analyses involved will determine whether a twenty-four (24) hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always,

BOD and suspended solid analyses are obtained from twenty-four (24) hour composites of all outfalls whereas pHs are determined from periodic grab samples.

Section 715.370. Industrial Concern. [R.O. 2013 §715.370; CC 1991 §715.370; CC §67.630]

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

Section 715.380. Tampering With Sewer. [R.O. 2013 §715.380; CC 1991 §715.380; CC §67.640]

No unauthorized 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. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

Section 715.390. Access to Private Property. [R.O. 2013 §715.390; CC 1991 §715.390; CC §67.650]

The Superintendent and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing in accordance with the provisions of this Chapter. The Superintendent or his/her representatives shall have no authority to inquire into any processes, including metallurgical, chemical, oil, refining, ceramic, paper or other industries, beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

Section 715.400. Liability. [R.O. 2013 §715.400; CC 1991 §715.400; CC §67.660]

While performing the necessary work on private properties referred to in Section 715.410, the Superintendent or duly authorized employees of the City shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the City employees and the City shall indemnify the company against loss or damage to its property by City employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Section 715.350.

Section 715.410. Easements to Be Respected. [R.O. 2013 §715.410; CC 1991 §715.410; CC §67.670]

The Superintendent and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all private properties through which the City holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

Section 715.420. Violations and Penalties. [R.O. 2013 §715.420; CC 1991 §715.420; CC §§67.680 — 67.700]

- A. *Violations.* Any person found to be violating any provision of this Chapter except Section 715.380 shall be served by the City with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.
- B. *Penalties.* Any person who shall continue any violation beyond the time limit provided for in Section 715.420 shall be guilty of a misdemeanor and on conviction thereof shall be fined in the amount of not less than one hundred dollars (\$100.00) or exceed more than five hundred dollars (\$500.00) for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.
- C. *To Pay Costs.* Any person violating any of the provisions of this Chapter shall become liable to the City for any expense, loss or damage occasioned the City by reason of such violation.

Section 715.430. Hearing Board Appointed. [R.O. 2013 §715.430; CC 1991 §715.430; CC §67.710]

A Hearing Board shall be appointed as needed for arbitration of differences between the Superintendent and sewer users on matters concerning interpretation and execution of the provisions of this Chapter by the Superintendent. The cost of the arbitration will be divided equally between the municipality and sewer user.

Section 715.440. Composition of Board. [R.O. 2013 §715.440; CC 1991 §715.440; CC §67.720]

One (1) member of the Board shall be a registered professional engineer; one (1) member shall be a practicing sanitary engineer; one (1) member shall be a representative of industry or manufacturing enterprise; one (1) member shall be a lawyer; and one (1) member shall be selected at large for his/her interest in accomplishing the objectives of this Chapter.

ARTICLE III Surface Water

Section 715.450. Wastewater Prohibited in Ditches. [R.O. 2013 §715.450; CC 1991 §715.450; CC §67.800]

It shall be unlawful for any person, firm or corporation to drain any wash water, bath water or wastewater from any sink, bathtub or other source within a dwelling or other building into any surface water drainage ditch or road ditch in the City of Tarkio. Every person, firm or corporation found violating this Section shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than five dollars (\$5.00) nor more than one hundred dollars (\$100.00). Each day that said violation continues shall be deemed a separate offense.

Section 715.460. Damage Ditches. [R.O. 2013 §715.460; CC 1991 §715.460; CC §67.810]

It shall be unlawful for any person, firm or corporation to fill in or damage any surface water drainage ditch or road ditch in the City of Tarkio by digging in such a ditch or dumping any material in such a ditch. Every person, firm or corporation found violating this Section shall be

deemed guilty of a misdemeanor and upon conviction shall be fined not less than five dollars (\$5.00) nor more than one hundred dollars (\$100.00).