

Chapter 715

SEWERS

ARTICLE I

Sewer Connections

Cross Reference: As to tracer wire and access points required on all newly constructed or reconstructed sewer lateral pipes, §700.150.

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).