

ORDINANCE NO. 1023

AN ORDINANCE ESTABLISHING THE PROCEDURES, REQUIREMENTS, BILLING,
AND OPERATION OF THE MUNICIPAL SEWER SYSTEM.

Be it Ordained by the Governing Body of the City of Manchester, Kansas, that:

Section 1. New Ordinance. The following shall be incorporated as new Chapter 15, Article 3 of the Code of the City of Manchester, Kansas, and shall be worded as:

CHAPTER XV. UTILITIES

ARTICLE 3. SEWERS

15-301. Definitions.

Unless the context clearly indicates otherwise, the meaning of words and terms as used in this article shall be as follows:

- (a) Building Drain - shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet outside the interface of the building wall.
- (b) Building Sewer - shall mean the extension from the building drain to the public sewer or other place of disposal.
- (c) B.O.D. (denoting Biochemical Oxygen Demand) - shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20 degrees centigrade, expressed in parts per million by weight.
- (d) pH - shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.
- (e) Individual Domestic - means any single family residence, commercial business, office, institution, school, church or public entity having an individual direct or indirect connection to the wastewater facilities of the city and on individual city or private water service meter, or connection to any such water service.
- (f) Industrial - means any industrial business engaged in the manufacturing or processing of one or more products, and in which wastewaters are produced from such manufacturing or processing and said wastewaters are discharged directly or indirectly to the wastewater facilities of the city.

- (g) Multi-domestic - means any multi-family residence, apartment or mobile home and any commercial business, office, institution, school, church or public entity having a direct or indirect connection to the wastewater facilities of the city and not having an individual water service meter but is served with city or private metered water by the owner of the property on which it is located.
- (h) Superintendent - shall mean the mayor of the city or his or her authorized deputy, agent or representative.
- (i) Sewage - shall mean a combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such ground, surface, and storm waters as may be present.
- (j) Sewer - shall mean a pipe or conduit for carrying sewage.
- (k) Public Sewer - shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.
- (l) Combined Sewers - shall mean sewers receiving both surface runoff and sewage, are not permitted.
- (m) Sanitary Sewer - shall mean a sewer which carries sewage and to which storm, surface, and groundwaters are not intentionally admitted.
- (n) Storm Sewer or Storm Drain - shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and polluted industrial wastes.
- (o) Sewage Treatment Plant - shall mean any arrangement of devices and structures used for treating sewage.
- (p) Suspended Solids - shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.
- (q) User - means any person as defined in section 1-102, including an institution, governmental agency or political subdivision producing wastewater requiring processing and treatment to remove pollutants and having premises connected to the wastewater facilities.
- (r) Wastewater - means sewage, the combination of liquids and water carried wastes from residences, commercial and industrial buildings, institutions, governmental agencies, together with any ground, surface or storm water that may be present.
- (s) Normal wastewater. - The strength of normal wastewater shall be considered within the following ranges:
- (1) A five day biochemical oxygen demand of 300 milligrams per liter or less;

(2) A suspended solid concentration of 350 milligrams or less;

(3) Hydrogen ion concentration of 5.0 to 9.0.

15-302. Sewer connection required.

The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purpose, 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 sewer of the city, is hereby required at his or 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 90 days after date of official notice to do so, provided that said public sewer is within 250 feet of the property line.

15-303. Permit; connection fee.

(a) No 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 city.

(b) There shall be charged a fee of \$75.00 payable at the time of making application for the permit.

15-303 (A). Application.

Any person desiring to make a connection to the city sewer system shall apply in writing to the city clerk who shall forward the application to the mayor. The application shall contain:

(a) The legal description of the property to be connected;

(b) The name and address of the owner or owners of the property;

(c) The kind of property to be connected (residential, commercial or industrial);

(d) The point of proposed connection to the city sewer line.

15-304. Costs.

All costs and expense incident to the installation and connection of the building sewer shall be paid 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.

15-305. Sewer connection.

The connection of the building sewer into the public sewer shall be made at the "Y" branch if such branch is available at a suitable location. Where no properly located "Y" branch is available, the connection shall be made in the manner approved by the utility superintendent and at a location designated by the superintendent.

15-307. Sewer for each building.

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 can be feasibly constructed to the rear building. In such case, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

15-308(1). Same; specifications.

The building sewer shall be constructed an approved plastic pipe. Any plastic pipe to be installed on any building sewer shall not be approved by the city until the owner has furnished descriptive literature and typical sample section of the plastic pipe proposed for installation, to the city for inspection and review. All joints on all pipe installed shall be tight and waterproof. No building sewer shall be installed within three feet of existing gas lines. If installed in filled or unstable ground, the building sewer shall be constructed on a suitable concrete bed or cradle as approved by the city.

15-308(2). Same.

The size and slope of the building sewer to be installed shall be subject to the approval of the city inspector, but in no event shall the diameter of the pipe be less than four inches. The slope at which a six inch pipe is to be laid shall be not less than 1/8 inch per foot and for four inch pipe, not less than 1/4 inch per foot. Any grades for the pipe, which are proposed for installation at grades less than these specified, shall be approved by the city inspector prior to placement.

15-308(3). Same.

Whenever possible the building sewer shall be brought to the building at an elevation below the basement floor. No building sewer shall be laid parallel to or within three feet of any bearing wall, which might thereby be weakened. The depth shall be sufficient to afford protection from frost. The building sewer shall be laid at a uniform grade and in straight alignment insofar as possible. Changes in direction shall be made only with approved curved pipe and fittings, including cleanout fittings.

15-308(4). Same.

At buildings in which the building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such drain shall be lifted by approved artificial means and discharged to the building sewer. The use of any pumping equipment for which cross-connections with a public water supply system are needed, is prohibited. The total costs of pumping equipment and pumping equipment operational costs shall be those of the owner.

15-308(5). Same.

No building sewer shall be laid across a cesspool, septic tank or vault until the cesspool, septic tank or vault has been well cleaned and filled with an approved earth or sand fill, then thoroughly tamped and water settled.

15-308(6). Same.

All excavation required for the installation of the building sewer shall be open trench work unless otherwise approved by the city. Pipe laying and backfill shall be performed in accordance

with ASTM specifications, except that no backfill shall be placed until the work has been inspected and approved.

15-308(7). Same.

All joints in the building sewers shall be made watertight. If recommended by the city inspector, a water pressure test shall be made on the completed sewer to insure a compliance with this requirement, requiring that the building sewer withstand an internal water pressure of 5 psi., without leakage.

Joints for all plastic pipe used in building sewers shall be the slip type joints or solvent weld type, approved by the city.

Joints between any two different types of pipes shall be made with asphaltic jointing materials or concrete, as approved by the city. All joints shall be watertight and constructed to insure minimum root penetration and to the satisfaction of the city.

15-309. Sewer excavations: damages.

All excavations for buildings sewers shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, curb and gutters, sidewalks, parkways and other public property removed or damaged during the installation of the building sewer, shall be repaired or replaced in a manner acceptable to the city and at the total expense of the owner. It is further agreed that any parties involved in any excavating or installation work for sewer installations as above set out, will hold the city harmless from any and all damages to persons or property resulting from or growing out of any opening or excavation or any negligent act or from any operation made within the city.

15-310. Failure to connect.

(a) If any person as defined in section 1-102 shall fail to connect any dwelling or building with the sewer system after being noticed, the city may cause such buildings to be connected with the sewer system as authorized by K.S.A. 12-631.

(b) The cost and expense, including inspection fees, shall be assessed against the property. Until such assessments shall have been collected and paid to the city, the cost of making such connection may be paid from the general fund or through the issuance of no fund warrants.

15-311. Privy unlawful. Short-term Rental Privy Allowed, When.

It shall be unlawful to construct or maintain any privy, outhouse, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage except for commercially rented mobile privies as used for special events or temporary construction projects and which are regularly serviced by the rental company.

15-312. No trespassing or Interference with Lift Station

No person, without authority, may open, tamper with, or in any manner trespass upon any sewer manhole or sewer lift station.

15-313 No trespassing at Sewer Lagoons

No person, who is not authorized, may trespass at or upon any part of the sewer lagoons or any part of the lands, plumbing, or fixtures attached thereto.

15-314 Licensed plumber and inspection required. All work done shall be done by a licensed plumber and inspected by the Utility Superintendent prior to completion.

15-315 Direct Connection Required.

A direct connection shall be made to the public sewer in compliance with this article, and any septic tank, cesspool, and similar private sewage disposal facilities shall be abandoned and filled with suitable and acceptable materials.

15-316. Same; additional requirements.

No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the city or county health officer.

15-317. Disposal of sewage.

It shall be unlawful for any person to deposit or discharge from any source whatsoever any sewage or human excrement upon any public or private grounds within the city, or to permit the contents of any privy, vault or septic tank to be deposited or discharged upon the surface of any grounds. Any unauthorized or unapproved privy vault, outhouse, septic tank or other means or places for the disposal of sewage, excrement and polluted water may be abated as a public nuisance upon the order of the city or county in accordance with the laws of Kansas.

(K.S.A. 12-1617e; 12-1617g;)

15-318. Damage to sewers.

It shall be unlawful for any unauthorized person to maliciously, willfully, or negligently break, damage, destroy, uncover, deface or tamper with any sewer, structure, appurtenance, or equipment which is part of the municipal sewer system.

15-319. Natural outlet.

It shall be unlawful to discharge to any natural outlet within the city or in any area under the jurisdiction of the city any sanitary sewage, industrial wastes or other polluted waters except where suitable treatment has been provided in accordance with the provisions of this article and the Kansas Department of Health and Environment regulations.

15-320. Standards.

The size, slope, alignment, materials, excavation, placing of pipe, jointing, testing and backfilling shall all conform to the requirements of the building and plumbing codes or other applicable rules and regulations of the city.

15-321. Old building sewers.

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

15-322. Mud, grease traps.

All garages, filling stations, milk plants or other commercial or industrial plants connected to the public sewer shall construct and maintain proper and sufficient interceptors or traps to prevent the discharge of any sand, mud, sediment, litter, waste or any substance harmful to the effective operation and maintenance of the city sewer system, into the building sewer.

15-323. Roof, foundation drains.

(a) It shall be unlawful to connect downspouts from any roof area, drains from any building foundation, paved areas, yards or open courts, or to discharge liquid wastes from any air conditioning unit or cooling device into any city sanitary sewer.

(b) All discharges prohibited in subsection (a) may be discharged into the public gutter or storm drains or open drainage ditches provided such discharge does not create a nuisance. No such liquids may be discharged into any unpaved street or alley.

15-324. Same; exception.

Discharges from air conditioning units in excess of one ton per hour or one horsepower may be permitted into a building sewer upon approval of the utility superintendent where there is a finding that such cooling water cannot be recirculated and that such waste water does not overload the capacity of the sewer or interfere with the effective operation of the sewage disposal works of the city.

15-325. Prohibited discharges.

No person shall discharge any of the following waters or wastes to any public sewer:

- (a) Liquid or vapor having a temperature higher than 150 degrees Fahrenheit;
- (b) Water or waste which may contain more than 100 parts per million, by weight, of fat, oil or grease;
- (c) Gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas;
- (d) Garbage;
- (e) Ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works;
- (f) Waters or wastes having a pH lower than 5.5 or higher than 9.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works;

(g) Waters or wastes containing a toxic poisonous substance in sufficient quantity to injury or interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any hazard in the receiving waters of the sewage treatment plant;

(h) Water or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant;

(i) Noxious or malodorous gas or substance capable of creating a public nuisance.

15-326. Bills.

(a) Bills shall be rendered monthly as provided in this chapter and shall be collected as a combined utility bill.

(b) Any person at the time of beginning or terminating service who receives service for any period of time shall be billed for the entire month.

15-327. Delinquent accounts; lien against property.

In the event any person, except the United States and the state of Kansas or any political subdivision thereof, shall fail to pay the user charges when due, water service shall be terminated as provided in sections 15-103.

15-328. Sewer rates.

The monthly charge for each user of the municipal sanitary sewer system shall be the sum of \$22.00 per month.

15-329. No free service.

No municipal sewer utility service shall be furnished or rendered free of charge.

Section 2. Any prior ordinance found to be in conflict with this ordinance shall be void, insofar as it is in conflict.

Section 3. This ordinance shall become effective upon passage by the governing body and publication as provided by statute.

Passed and Approved this 8th day of January, 2024.

Maggie Slick, Mayor
Maggie Slick, Mayor

ATTEST:

Ashley Tatro
Ashley Tatro, City Clerk