

TITLE 10
WATER AND SEWER

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CHAPTER 1

WATER SYSTEM

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10-1-1: **DEFINITIONS:** Unless the context specifically indicates otherwise, the meaning of terms in this chapter shall be as follows:

WATER SERVICE LINE: The line running from the municipal water main to the structure or property to be served.

WATER UTILITY: All water and water rights, waterworks and appurtenances thereto, machinery, equipment and supplies used by the municipality to supply consumers with water; provided, that the water service line from the meter riser or curb stop to the structure or property served shall be regarded the property of the owner of such structure of property served.

10-1-2: **CONNECTION REQUIRED:**

(A) All houses, buildings, structures or properties used for human occupancy, employment, commerce, recreation or other purpose except long term storage without occupancy, situated within the town and abutting on any street, alley, or right of way in which there is now located or may in the future be located is hereby required, at the owner's expense, to install suitable water facilities therein and to lawfully connect such facilities directly with the public water system, in accordance with the provisions of this article, within ten (10) days after occupancy and continuing thereafter throughout the occupancy of such location.

(B) An exception to this requirement can be made, with approval from the Town's Planning and Zoning Commission, for occupied buildings or structures more than two hundred fifty (250) feet from the nearest accessible point to the Town's public Water System, so long as said property has safe drinking water provided by a well or other lawful means.

(C) A violation of this Ordinance is punishable by a fine of no more than seven Hundred fifty dollars (\$750.00), and each day of violation may constitute a separate offense.

(Amended: Ord. 1069 10/26/2017)

10-1-3 **RESERVATIONS OF RIGHTS BY MUNICIPALITY:** The use of water under the provisions of this chapter shall not constitute or be deemed to be a relinquishment of any water or water right by the municipality and the municipality reserves the full right to determine all matters in connection with the control and use of such water.

10-1-4: **PROMULGATION OF RULES AND REGULATIONS BY ADMINISTRATIVE OFFICIAL:** The council or their appointed administrative official may, from time to time, promulgate such rules and regulations as they consider necessary to carry out the intent of this chapter; provided, that such rules and regulations are not inconsistent with this chapter.

10-1-5: **AGREEMENT TO RULES AND REGULATIONS PREREQUISITE TO COMMENCEMENT OF SERVICE:** No person may be served with water from the water utility unless he agrees to all the rules and regulations of the municipality pertaining to the use of such water.

10-1-6: **FIRE HYDRANTS:**

- A. Repair; Testing: All fire hydrants shall be a part of the water utility and shall be kept in repair by the council or their authorized agents. Every hydrant shall be tested at least once annually.
- B. Opening or Operating: No person, other than a member of the fire department, shall open or operate any fire hydrant without permission from the administrative official.

10-1-7: **DAMAGING UTILITY'S PROPERTY, EQUIPMENT, ETC.; FINE:** No person shall in any way damage any property, equipment or appliance constituting or being a part of the water utility. Any person tampering or damaging the utility's property shall be subject to a seven hundred fifty dollar (\$750.00) fine, in addition to liability for the damages caused. (Incorporates 10-1-13)

10-1-8: **TRESPASS OR INTERFERENCE WITH UTILITY'S PROPERTY:** No person shall trespass upon the property of the water utility or tap any water mains or make any connections therewith or in any manner interfere with the water utility or the property, equipment, pipes, valves or any other appliances of the water utility or change or alter the position of any valve or appliance regulating the flow of water in any pipeline.

10-1-9: **DEPOSITING MATERIAL IN UTILITY, WHICH WILL OBSTRUCT, POLLUTE, ETC., WATER:** No person shall cast, place, dump or deposit in any part of the water utility, any substance or material which will in any manner, injure or obstruct the same or any material or substance that would tend to contaminate or pollute the water or obstruct the flow of water.

10-1-10: **RESTRICTIONS ON USE:**

- A. During Fire Or Other Emergency: In the event of a major fire or any other emergency that should require the immediate curtailment of the use of water from the water utility, the council or the duly appointed administrative official shall have the authority to make such restrictions as they deem necessary for the protection of the public.
- B. Use On Property Not Connected To Utility: No person having water service shall permit any other person to take or use water from his water service for use on property not connected to the municipal water utility. Each separate lot or separate dwelling shall have its own tap and meter unless specifically authorized in writing by the council or the duly appointed administrative official.

10-1-11: **MONTHLY RATES:**

Users shall be charged a monthly rate for water appropriated or taken from the water mains of the town as determined from time to time by resolution of the town council. Such charges shall be collected monthly by the town clerk-treasurer and, when collected, shall be turned in to the town treasury. The mayor and town council may suspend the rates and make no charge for water for any month or months, if, in their discretion, they deem it advisable. (2005 Code)

10-1-12: **DISCONTINUANCE OF SERVICE:**

- A. Failure To Comply With Regulations: If any water user fails to comply with the provisions of this chapter, other ordinances or rules and regulations of the municipality relating to the use of water, or the rules and regulations of the administrative official for uses of water, the municipality may discontinue water service until the water user is in compliance and has paid any costs incurred because of his noncompliance.
- B. Payment; Penalty; Shutoff: The above charges and rentals will be paid monthly at the end of each month. If the charges and rentals are not paid on or before the tenth day of each succeeding month, the town shall add a penalty of four dollars (\$4.00) to the outstanding balance per month for every month payment is not received. The town shall also add the actual costs incurred by the town for postage, office staff time and any other direct costs incurred by the town in the collection of delinquent accounts. Should any water user fail to pay the user charge, penalty, and costs incurred by the town by the tenth day of the succeeding month, the town may shut off all water service to the property. Water shall not be turned on again until all charges are paid, together with the charge for shutting

- off and turning on the water; provided, that the municipality shall not shut off the water until the owner shall have been given seven days notice in writing, by first class mail, mailed to his mailing address as shown on the records of the water utility. (amd. Res. 2010-12 07/08/2010)
- C. Civil Action: In the event the town elects to sue in a civil court of competent jurisdiction for recovery of the delinquent water charges, including the penalty, and other costs as stated above, i.e., court costs, sheriff's fees, a reasonable attorney fee and interest at the rate of eighteen percent (18%) per annum on the delinquent account, shall be assessed to the defendant and become part of the claim of the town.
 - D. Lien: Delinquent water charges shall constitute a lien against the property furnished with water. The town is empowered to record a lien in the public records of Sweetwater County and to use any legal means necessary to foreclose on such lien or otherwise collect the delinquent amount. Additional costs and expenses including reasonable attorney fees incurred by reason of such legal action and interest at the rate of eighteen percent (18%) per annum shall be added to the amount due by the consumer/defendant. The lien may also provide that the amount thereof shall automatically increase each month that services are provided.
 - D. Liability For Charges: The owner of every building, premises, lot or house (including the owner of a mobile home and/or mobile home parks/trailer courts) shall be liable for all charges for water delivered to the property, which liability may be enforced by the town as provided above or by any other action at law or equity to enforce payment. In case the tenant in possession of any premises or building shall pay the water charges, it shall relieve the landowner from such obligations, but the town shall not be required to look to any person whatsoever other than the owner for the payment of water charges. No change in ownership or occupation shall affect the application of this subsection. (Ord. 949, 4-8-1987; Res 10-12 7-8-2010)

10-1-13: **EXTENSION OUTSIDE CORPORATE LIMITS:**

- A. Authority Of Governing Body: The governing body may in its sole discretion and in compliance with Wyoming Statutes made and provided therefore (Currently W.S. 15-7-601 et seq.) enter into agreements with customers whose lands lie outside the corporate limits, to extend the municipality's water system and supply water for the use, needs and requirements of such customers.
- B. Required Findings Prerequisite: Before the governing body shall enter into any agreement to extend the municipality's water system and water supply outside the corporate limits, it shall find that:

1. The extension of water service is economically feasible; and
2. The extension of water service will not otherwise be detrimental to the municipality.

10-1-14: **EXTENSION INSIDE CORPORATE LIMITS:**

The town will extend any water main belonging to the town, upon application by property owner; provided, however, that such water main can be on either side of the street in front of the property and that the town will not extend main from one side of street to the other. (1960 Code § 7-201).

10-1-15: **ONLY MUNICIPAL EMPLOYEES ALLOWED TO TURN ON WATER TO PREMISES; EXCEPTION:** No person, other than a duly employed person of the municipality shall turn on water to any premises, lot, building or house when the water has been shut off under the provision of this chapter; provided, that this section shall not be construed to prevent any plumber from admitting water to test pipes or restoring service after repairs.

10-1-16: **UNAUTHORIZED TAPS; COMPLIANCE WITH PERMIT; COSTS:**

- A. It shall be the unlawful for any person not authorized by the administrative official to tap or connect to any part of the water utility specifically including but not limited to any addition service provided to additional properties or structures not authorized for service by a particular tap.
- B. All taps or connections shall be made in accordance with the terms and conditions of the permit issued therefore.
- C. All taps or connections to any part of the water utility shall be made at the expense of the person making such tap or connection.
- D. The municipality may take any steps necessary to remove or shut off any unauthorized taps or taps providing water to unauthorized structures or properties.

10-1-17: **PERMIT:**

- A. Required: Any person desiring to make a connection to the water utility or to use water therefrom, shall make written application to the administrative official for a permit to do so and shall not make such connection or use any water from the water utility without such permit.

- B. Types Issued: There shall be three types of permit to make connections with the water utility of the municipality:
1. A permit for the purpose of connecting a water service line from a main of the water utility to the property to be served, for the purpose of taking and using water for normal municipal purposes; that is, domestic, commercial or industrial;
 2. A permit to connect an enlarged tap to the water utility for the purpose of taking and using water for normal municipal purposes; that is, domestic, commercial or industries;
 3. A permit to take or use water from the water utility of the municipality to serve property situated outside the municipality. This permit shall be issued only with the express consent of the governing body and under such terms and conditions as the governing body shall provide by resolution;
- C. Application: The application for a permit to make connection to the water utility shall state the name of the person to whom the permit is to be issued, the size of the tap, corporation cock and water service line, the specific location thereof, the premises upon which water is to be used and the purpose for which the water is to be used.

10-1-18: TAPPING FEE:

The town clerk-treasurer, prior to granting such permission to tap such water main, shall collect therefore the sum of fifteen hundred dollars (\$1,500.00) for each place it is necessary to tap said main, which sum shall be paid into the town treasury. (1960 Code § 7-201; amd. 2005 Code). The amount of the charge shall be tendered to the municipality when the application for the connection permit is made. (Fee: Res. 2010-12 07/08/2010)

10-1-19: METER DEPOSIT:

A. Residential: A new water user, upon application for water service, shall pay, in advance, a seventy-seven dollar (\$77.00) deposit, which shall either be applied to the final bill upon termination and disconnection of service or refunded after payment in full for all amounts owed, at the election of the town. After one full year of continuous service with timely payment of all billings, said deposit will be refunded in full. (Ord. 1014, 5-25-2000; Res 2013-08)

B. Business: There will be a deposit of one hundred fifty dollars (\$150.00) for each new business water hookup. (Ord. 907, 7-2-1979)

10-1-20: CONNECTION, DISCONNECTION AND RECONNECTION CHARGES:

There shall be a fifty dollar (\$50.00) charge for turning the water service on for a new user, which shall include an existing user which has had the water turned off for any reason other than non-payment of a Town water bill. When water is once turned on to any premises, there shall be no charge for turning the water off during normal town working hours. If the water is turned off due to the failure to timely pay any water bill, there shall be a charge of one hundred twenty-five dollars (\$125.00) for turning the water service on again. If the water is shut off at the request of the owner or his agent due to an emergency occurring during other than normal town working hours, the disconnection fee shall be equal to the actual cost to the town, including labor and equipment charges, up to a maximum fee of fifty dollars (\$50.00). All these charges are subject to change by resolution of the town council. (Ord. 949, 4-8-1987; amd. 2005 Code; amd. Res. 2010-12 07/08/2010)

10-1-21: ALL PLUMBING TO BE INSPECTED AND APPROVED: All plumbing shall be subject to inspection by the administrative official or his authorized representatives in order to ascertain whether the requirements of this chapter have been or are being complied with.

It shall be unlawful for any person to cause any plumbing within or outside the municipal limits to be connected with the water utility of the municipality until such plumbing shall have been inspected and approved a certificate or tag of approval issued by the municipality.

10-1-22: INSTALLATION:

- A. To Be By Licensed Plumber; Written Permission Prerequisite:
 - 1. No person other than a licensed plumber or a person authorized by the administrative official, shall install a water service line, including a meter vault and a meter riser.
 - 2. No service lines shall be installed without having first obtained written permission from the municipality.
- B. Costs Generally: Any service line from a main to a structure to be served shall be installed by the water user at his expense.
- C. Refusal To Serve: The town shall refuse to service, maintain or assume responsibility for any reason for anyone system used to obtain water if those systems do not meet town requirements for water lines.

10-1-23: **MATERIAL SPECIFICATIONS:** All service lines shall be of copper, cast iron or other suitable material as determined by the council or duly appointed administrative official. Corporation cocks, water risers and service lines shall be of the size as specified by the municipality. Curb stops as specified by the municipality, buried five and one-half feet shall be used and minimum curb box top sections shall be one and one-half inch in diameter.

10-1-24: **MINIMUM SIZE:** The water service line from the street main to the water distribution system of the building to be served with water shall be of sufficient size to furnish an adequate flow of water to meet requirements of the building at peak demand and in no event shall it be less than three-fourths inch nominal diameter.

10-1-25: **REQUIRED DEPTH:** All service lines shall be laid five feet below the established grade of the street from the water main to the meter vault. When the main is of greater or less depth, the service line shall be brought to the depth as soon as possible after leaving the tap.

10-1-26: **EXTENSION TO MORE THAN ONE PROPERTY OR STRUCTURE PROHIBITED:** Each property or structure shall be served by its own service line, and no connection with the water utility shall be made by extending the service line from one property or structure to another property or structure. In cases where service lines were extended from one property or structure to a different property or structure prior to adoption of this section, the continued use of such extension shall be permitted (provided that the separate additional monthly charge for the additional property or structure is paid in a timely manner) until replacement or repair is necessary or until such time as any portion of the property is sold or the water extension service line is disconnected or shut off for any reason at which time separate connection shall be made to the water main at the expense of the owner of the property served by such extension and the extended service line shall be discontinued; provided, that this section shall not be construed as prohibiting a single service line to serve a single structure under one roof occupying more than one property.

10-1-27: **MAINTENANCE:** The owner of any property connecting to the water utility shall be responsible for the maintenance of the water service line from the curb stop or meter riser to the structure being served and shall keep this line in good condition at his expense. He shall, at his expense, at all time keep all pipes, fixtures and appliances on his property tight and in good working order so as to prevent waste of water.

10-1-28: **COSTS:** All water meters shall be furnished by the water utility at no cost to the user for those services up to three-quarter inch in diameter. For all water services over three-quarter inch in diameter, the meter shall be furnished by the water utility; provided, that the user shall pay the additional cost of the meter over and above the cost of the three-quarter inch meter.

10-1-29: **TAMPERING, INTERFERING, ETC.:** It shall be unlawful for any meter user under meter rates as set forth in this chapter or for any other person to tamper or interfere with any meter or meter seal or to so arrange his water service or piping so that the use of water will not actuate the meter.

10-1-30: **MINIMUM SIZE:** The size of the main required to serve any part of the municipality shall be determined by the municipality. No main less than six inches in diameter shall be placed in the water distribution system.

10-1-31: **APPORTIONMENT OF COSTS FOR EXTENSIONS TO NEW SUBDIVISION:** When water mains are extended, the property owners benefited thereby, as determined by the municipality, shall pay all costs of such extensions as may be approved in the discretion of the council together with necessary valves, hydrants and other appurtenances as may, in the sole discretion of the council, be deemed prudent for the new subdivision. Assurance of payment of all costs of the extension, sufficient to satisfy the council, shall be made prior to the approval of extension.

10-1-32: **FINANCING EXTENSIONS TO PROPERTY NOT PART OF NEW SUBDIVISION:**

- A. Extension of water lines to serve property within the municipality, but not a part of a new subdivision, shall be financed by special assessment against the benefited property or under such terms and conditions, as the governing body shall provide by resolution.
- B. Assessments against the benefited property shall not exceed the actual cost of the extension, plus engineering and administrative costs.

10-1-33: **DAMAGED LINES ON PRIVATE PROPERTY:**

The property owner shall be responsible for paying for and performing all work necessary to repair all damaged or leaking water lines lying within the boundaries of all privately owned land. (Ord. 957, 5-11-1988)

10-1-34: **THAWING FROZEN LINES:**

The property owner shall be responsible for paying for and performing the work necessary to thaw all frozen water lines lying between the curb stop and the structure or use serviced by such lines, except as otherwise provided herein. (Ord. 957, 5-11-1988)

10-1-35: RESPONSIBILITY OUTSIDE PRIVATE PROPERTY:

The property owner shall be responsible for paying the cost of repairing all damaged or leaking water lines lying between the curb stop and the individual property line, regardless of their location, except as otherwise provided herein. (Ord. 957, 5-11-1988)

10-1-36: LINES IN PUBLIC RIGHT OF WAY:

Upon notification of any damaged, leaking or frozen water service line located between the curb stop and property line and lying within the public right of way, the town will cause an inspection to be made to determine whether the leaking or frozen service line is located beneath that area of the street right of way which is plowed by the town and actually traveled on by local traffic. If upon inspection such use is found to exist, the town will maintain the service line to the property line. (Ord. 957, 5-11-1988)

10-1-37: PENALTY:

Unless otherwise specified, any person violating the provisions of this chapter shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be subject to penalty as provided in section 1-4-1 of this code. (1960 Code § 7-201; amd. 2005 Code).

10-1-37: BUILDING PERMIT FEES

Notwithstanding anything to the contrary in this Chapter the fees assessed in this Chapter may be amended from time to time by the town Council of the Town of Superior.

CHAPTER 2
SEWER SYSTEM

ARTICLE A. USE REGULATIONS

Section:

- 10-2A-1: Definitions
- 10-2A -2: Use Of Public Sewers Required
- 10-2A -3: Private Wastewater Disposal
- 10-2A -4: Sanitary Sewers, Building Sewers And Connections
- 10-2A -5: Sewer Use Regulations
- 10-2A -6: Tampering With Facilities
- 10-2A -7: Inspectors; Powers And Authority
- 10-2A -8: Penalty

10-2A-1: DEFINITIONS:

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

BIOCHEMICAL OXYGEN DEMAND (BOD): The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty degrees centigrade (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 feet (5') (1.5 meters) outside the inner face of the building wall.

BUILDING INSPECTOR: The building inspector of the town of Superior, or his authorized deputy, agent or representative.

BUILDING SEWER: The extension from the building drain to the public sewer or other place of disposal, also called house connection.

COMBINED SEWER: A sewer intended to receive both wastewater and storm or surface water.

EASEMENT: An acquired legal right for the specific use of land owned by others.

FLOATABLE OIL: Oil, fat, or grease in the physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable fat if it is properly pretreated and the wastewater does not interfere with the collection system.

GARBAGE: The animal and vegetable waste resulting from the handling, preparation, cooking, and serving of foods.

INDUSTRIAL WASTES: The wastewater from industrial processes, trade, or business as distinct from domestic or sanitary wastes.

NATURAL OUTLET: Any outlet, including storm sewers and combined sewer overflow, into a watercourse, pond, ditch, lake or other body of surface or ground water.

MAY: Permissive. See definition of Shall.

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

pH: The logarithm of the reciprocal of the hydrogen ion concentration. The concentration is the weight of hydrogen ions, in grams, per liter of solution. Neutral water, for example, has a pH value of 7 and a hydrogen ion concentration of 10^{-7} .

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 inch (1/2") (1.27 centimeters) in any dimension.

PUBLIC SEWER: A common sewer controlled by a governmental agency or public utility.

SANITARY SEWER: A sewer that carries liquid and water carried wastes from residences, commercial buildings, industrial plants, and institutions together with minor quantities of ground, storm, and surface waters that are not admitted intentionally.

SEWAGE: The spent water of a community. The preferred term is "wastewater".

SEWER: A pipe or conduit that carries wastewater or drainage water.

SHALL: Mandatory. See definition of May.

SLUG: Any discharge of water or wastewater 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 or flows during normal operation and shall adversely affect the collection system and/or performance of the wastewater treatment works.

STORM DRAIN OR STORM SEWER: A drain or sewer for conveying water, ground water, subsurface water, or unpolluted water from any source.

SUPERINTENDENT: The superintendent of wastewater treatment works of the town of Superior or his authorized deputy, agent, or representative.

SUSPENDED SOLIDS: Total suspended matter that either floats on the surface of, or is in suspension in water, wastewater, or other liquids, and that is removable by laboratory filtering as prescribed in "Standard Methods For The Examination Of Water And Wastewater" and referred to as nonfilterable residue.

UNPOLLUTED WATER: Water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.

WASTEWATER: The spent water of a community. From the standpoint of source, it may be a combination of the liquid and water carried wastes from residences, commercial building, industrial plants, and institutions, together with any ground water, surface water, and storm water that may be present.

WASTEWATER FACILITIES: The structures, equipment, and processes required to collect, carry away, and treat domestic and industrial wastes and dispose of the effluent.

WASTEWATER TREATMENT WORKS: An arrangement of devices and structures for treating wastewater, industrial wastes, and sludge. Sometimes used as synonymous with "waste treatment plant" or "wastewater treatment plant" or "water pollution control plant".

WATERCOURSE: A natural or artificial channel for the passage of water either continuously or intermittently. (Ord. 909, 10-12-1979; amd. 2005 Code)

10-2A-2: USE OF PUBLIC SEWERS REQUIRED:

- A. **Prohibited Deposits:** 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 town, or in any area under the jurisdiction of the town, any human or animal excrement, garbage, or other objectionable waste.
- B. **Discharge Prohibited:** It shall be unlawful to discharge to any natural outlet within the town, or in any area under the jurisdiction of the town, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this article.
- C. **Construction Of Privy, Septic Tank, 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 wastewater.

- D. Connection Required: The owners of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the town 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 town is hereby required at the owner's 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 such public sewer is within two hundred fifty feet (250') of the property line. (Ord. 909, 10-12-1979; amd. 2005 Code)

10-2A-3: PRIVATE WASTEWATER DISPOSAL:

- A. Public Sewer Unavailable: Where a public sanitary or combined sewer is not available under the provisions of subsection 10-2A-2D of this article, the building sewer shall be connected to a private wastewater disposal system complying with the provisions of this section.
- B. Permit Required: Before commencement of construction of a private wastewater disposal system, the owner shall first obtain a written permit signed by the building inspector.
1. Application: The application for such permit shall be made on a form furnished by the town.
 2. Supplemental Data: The permit shall be supplemented with the following data as a minimum: Plans and specifications prepared by a registered professional engineer licensed to practice in the state of Wyoming. The plans and specifications shall contain the name and address of the engineer and shall have his seal affixed thereto.
 - a. Written approval of the proposed system from the Wyoming department of environmental quality. (Ord. 909, 10-12-1979)
 3. Permit And Inspection Fee: A permit and an inspection fee in an amount determined from time to time by resolution of the town council shall be paid to the town at the time the application is filed. (Ord. 909, 10-12-1979; amd. 2005 Code)
- C. Inspection: A permit for a private wastewater disposal system shall not become effective until the installation is completed to the satisfaction of the building inspector. The building inspector shall be allowed to inspect the work at any stage of construction, and, in any event, the applicant for the permit shall notify the building inspector 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 building inspector.

- D. Prohibited Locations: No permit shall be issued for any private wastewater disposal system employing subsurface soil absorption facilities where the area of the lot is less than forty thousand (40,000) square feet. No septic tank or cesspool shall be permitted to discharge to any natural outlet.
- E. Public System Becomes Available: At such time as a public sewer becomes available to a property served by a private wastewater disposal system, as provided in subsection 10-2A-2D of this article, a direct connection shall be made to the public sewer within ninety (90) days in compliance with this article, and any septic tanks, cesspools, and similar private wastewater disposal facilities shall be cleaned of sludge and filled with suitable material.
- F. Maintenance: The owners shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times, at no expense to the town. (Ord. 909, 10-12-1979)

10-2A-4: SANITARY SEWERS, BUILDING SEWERS AND CONNECTIONS:

- A. Permit Required: No unauthorized persons 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 building inspector. (Ord. 909, 10-12-1979)
- B. Classes Of Permits: There shall be two (2) classes of building sewer permits 1) for residential and commercial service, and 2) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the town. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the building inspector. (Ord. 935, 6-13-1984)
- C. Permit And Inspection Fee: A permit and inspection fee in an amount to be determined from time to time by the town council for a residential or commercial building sewer permit or for an industrial building sewer permit shall be paid to the town at the time the application is filed. (Ord. 935, 6-13-1984; amd. 2005 Code)
- D. Installation Cost And Expense; Indemnification: All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the town from any loss or damage that might directly or indirectly be occasioned by the installation of the building sewer.
- E. Separate Sewer Required; Exception: 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, court, yard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer, but the town does not and will not assume any

- obligation or responsibility for damage caused by or resulting from any such single connection aforementioned.
- F. Old Building Sewers: Old building sewers may be used in connection with new buildings only when they are found, on examination and testing by the building inspector, to meet all requirements of this article.
 - G. Construction Specifications: The size, slope, alignment, materials or construction of all sanitary sewers including building sewers, 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 code or other applicable rules and regulations of the town. In the absence of suitable code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of ASTM and WPCF manual of practice no. 9 shall apply.
 - H. Elevation: 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, the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.
 - I. Surface Runoff, Ground Water Prohibited: No person shall make connections to roof downspouts, 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 unless such connection is approved by the building inspector for purposes of polluted surface drainage.
 - J. Connection: The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the town, or the procedures set forth in appropriate specifications of the ASTM and the WPCF manual of practice no. 9. All such connections shall be made gastight and watertight and verified by proper testing. Any deviation from the prescribed procedures and materials must be approved by the building inspector before installation.
 - K. Supervision; Inspection: The applicant for the building sewer permit shall notify the building inspector when the building sewer is ready for inspection and connection to the public sewer. The connection and testing shall be made under the supervision of the building inspector or his representative. Excavations ¹ :
 - 1. Barricades; Lights: All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard.
 - 2. Restoration Of Improvements: Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the town. (Ord. 909, 10-12-1979)

¹ See also provisions at 7-1-2E2 and H of this code.

10-2A-5: SEWER USE REGULATIONS:

- A. Protection Of System: No person shall discharge or cause to be discharged any unpolluted waters such as storm water, surface water, ground water, roof runoff, subsurface drainage, or cooling water to any sewer, except storm water runoff from limited areas, which storm water may be polluted at times, may be discharged to the sanitary sewer by permission of the building inspector.
- B. Unpolluted Drainage: Storm water other than that exempted under subsection A of this section, 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 building inspector and other regulatory agencies. Unpolluted industrial cooling water or process waters may be discharged, on approval of the building inspector, to a storm sewer, combined sewer, or natural outlet.
- C. Prohibited Discharges: No person shall discharge or cause to be discharged any of the following described water or wastes to any public sewers:
 - 1. Any grease, oil, gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.
 - 2. Any waters containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to contaminate the sludge of any municipal system, 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 wastewater treatment plant. Any waters or wastes having a pH lower than 5.5, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personal of the wastewater works.
 - 3. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the wastewater facilities 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.
- D. Harmful Materials/Substances: The following described substances, materials, waters, or waste shall be limited in discharges to municipal system to concentrations or quantities which will not harm either the sewers, wastewater treatment process or equipment, will not have an adverse effect of the receiving stream, or will not otherwise endanger lives, limb, public property, or constitute a nuisance. The building inspector may set limitations lower than the limitations established in the regulations below if in his opinion such more severe limitations are necessary to meet the above objectives. In forming his opinion as to acceptability, the

building inspector will give consideration to such factors as the quantity of subject waste in relation to flows and velocities in the sewers, materials of construction of the sewers, the wastewater treatment process employed, capacity of the wastewater treatment plant, degree of treatability of the waste in the wastewater treatment plant, and other pertinent factors. The limitations or restrictions on materials or characteristics of waste or wastewater discharged to the sanitary sewer which shall not be violated without approval of the building inspector are as follows:

1. Wastewater having a temperature higher than one hundred fifty degrees Fahrenheit (150 °F) (65 °C).
2. Wastewater containing more than twenty five milligrams per liter (25 mg/l) of petroleum oil, nonbiodegradable cutting oils, or product of mineral oil origin.
3. Wastewater from industrial plants containing floatable oils, fat, or grease.
4. Any garbage that has not been properly shredded (see definition in subsection 10-2A-1 of this article). Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments, or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers.
5. Any waters or wastes containing iron, chromium, copper, zinc and similar objectionable or toxic substances to such degree that any such material received in the composite wastewater at the wastewater treatment works exceeds the limits established by the building inspector for such materials.
6. Any waters or wastes containing odor producing substances exceeding limits which may be established by the building inspector.
7. Any radioactive wastes or isotopes of such half life or concentration as may exceed limits established by the building inspector in compliance with applicable state or federal regulations.
8. Quantities of flow, concentrations, or both which constitute a "slug" as defined herein.
9. Waters or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment process employed, or are amenable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
10. Any water or wastes which, by interaction with other water or wastes in the public sewer system, release obnoxious gases, form suspended solids which interfere with the collection system, or create a condition deleterious to structures and treatment processes.

- E. Authority To Reject; Require Pretreatment: 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 subsection D of this section, and which in the judgment of the building inspector, may have a deleterious effect upon the wastewater facilities, processes, equipment, or receiving waters or which otherwise create a hazard to life or constitute a public nuisance, the building inspector may:
1. Reject the wastes; Require pretreatment to an acceptable condition for discharge to the public sewers;
 2. Require control over the quantities and rates of discharge; and/or
 3. 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 subsection J of this section.
1. When considering the above alternative, the building inspector shall give consideration to the economic impact of each alternative on the discharger. If the building inspector 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 building inspector.
- F. Interceptors Required: Grease, oil, and sand interceptors shall be provided when, in the opinion of the building inspector, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts as specified in subsection D3 of this section, 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 building inspector, and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors, the owner shall be responsible for the proper removal and disposal by appropriate means of the captivated material and shall maintain records of the dates and means of disposal which are subject to review by the building inspector. Any removal and hauling of the collected materials not performed by owner's personnel must be performed by currently licensed waste disposal firms.
- G. Maintenance; Expense: Where pretreatment or flow equalizing facilities are provided or required for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.
- H. Control Manhole Required: When required by the building inspector, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable structure together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such structures, when required, shall be accessibly and safely located, and shall be

constructed in accordance with plans approved by the building inspector. The structure shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

- I. Additional Information To Be Provided: The building inspector may require a user of sewer services to provide information needed to determine compliance with this article. These requirements may include:
 1. Wastewaters discharge peak rate and volume over a specified time period.
 2. Chemical analyses of wastewaters.
 3. Information on raw material, processes, and products affecting wastewater volume and quality.
 4. Quantity and disposition of specific liquid, sludge, oil, solvent, or other material important to sewer use control.
 5. A plot plan of sewers of the user's property showing sewer and pretreatment facility location.
 6. Details of wastewater pretreatment facilities.
 7. Details of systems to prevent and control the losses of materials through spills to the municipal sewer.
- J. Measurements, Tests And Analyses: All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this article 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. Sampling methods, location, times, duration, and frequencies are to be determined on an individual basis subject to approval by the building inspector.
- K. Special Agreements And/Or Arrangements Authorized: No statement contained in this article shall be construed as preventing any special agreement or arrangement between the town and industrial concerns whereby an industrial waste of unusual strength or character may be accepted by the town for treatment. (Ord. 909, 10-12-1979)

10-2A-6: TAMPERING WITH FACILITIES:

No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the wastewater facilities. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct. (Ord. 909, 10-12-1979)

10-2A-7: INSPECTORS; POWERS AND AUTHORITY:

- A. Right Of Entry: The building inspector and other duly authorized employees of the town bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling and testing

pertinent to the discharge to the community system in accordance with the provisions of this article.

- B. Confidential Information: The building inspector or other duly authorized employees are authorized to obtain information concerning industrial processes which have a direct bearing on the kind and source of discharge to the wastewater collection system. The industry may withhold information considered confidential. The industry must establish that the revelation to the public of the information in question might result in an advantage to competitors.
- C. Safety Rules; Indemnification: While performing the necessary work on private properties referred to in subsection A of this section, the building inspector or duly authorized employees of the town 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 town employees, and the town shall indemnify the company against loss or damage to its property by town employees and against liability claims and demands for personal injury or property damage asserted against the company growing out of the gauging and sampling operation, except as such any be caused by negligence or failure of the company to maintain safe conditions as required in subsection 10-2A-5H of this article.
- D. Access To Easements: The building inspector and other duly authorized employees of the town bearing proper credentials and identification shall be permitted to enter all private properties through which the town 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 wastewater facilities 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. (Ord. 909, 10-12-1979)

10-2A-8: PENALTY:

- A. Notice Of Violation: Any person found violating any provision of this article except section 10-2A-6 of this article, shall be served by the town 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. (Ord. 909, 10-12-1979)
- B. Continued Violation; Misdemeanor: Any person who shall continue any violation beyond the time limit provided for in subsection A of this section, shall be guilty of a misdemeanor, and, on conviction thereof, shall be subject to penalty as provided in section 1-4-1 of this code for each violation. Each day in which any such violation shall continue shall be deemed a separate offense. (Ord. 909, 10-12-1979; amd. 2005 Code)

- C. Liability For Expense, Loss Or Damage: Any person violating any of the provisions of this article shall become liable to the town for any expense, loss, or damage occasioned the town by reason of such violation. (Ord. 909, 10-12-1979)

ARTICLE B. RATES, FEES AND CHARGES

Section:

- 10-2B-1: Purpose
- 10-2B -2: Total Annual Operation And Maintenance
- 10-2B -3: User Class Wastewater Contribution Percentage
- 10-2B -4: Surcharge System For User Classes
- 10-2B -5: Service Charge
- 10-2B -6: Payment
- 10-2B -7: Annual Review
- 10-2B -8: Notification
- 10-2B-9: Prohibited Wastes
- 10-2B-10: Clear Water Connections Prohibited
- 10-2B-11: New Sewers And Connections, Design And Construction
- 10-2B-12: Rate Schedule
- 10-2B-13: Surcharge Rate Structure For Above Normal Strength Wastes

10-2B-1: PURPOSE:

The purpose of this article shall be to generate sufficient revenue to pay all costs for the operation and maintenance of the complete wastewater system. The costs shall be distributed to all users of the wastewater system in proportion to each user's contribution to the total loading of the treatment works. Factors such as strength (BOD and TSS), volume, and delivery flow rate characteristics shall be considered and included as the basis for the user's contribution to ensure a proportional distribution of operation and maintenance costs to each user class. (Ord. 910, 10-12-1979)

10-2B-2: TOTAL ANNUAL OPERATION AND MAINTENANCE:

The town, or its authorized representative, shall determine the total annual costs of operation and maintenance of the wastewater system which are necessary to maintain the capacity and performance during the service life of the treatment works for which such works were designed and constructed. The total annual cost of operation and maintenance shall include, but need not be limited to, labor, repairs, equipment replacement, maintenance, necessary modification, power, sampling, laboratory tests, and a reasonable contingency fund. (Ord. 910, 10-12-1979; amd. 2005 Code)

10-2B-3: USER CLASS WASTEWATER CONTRIBUTION PERCENTAGE:

- A. Volume Contribution Percentage: The town, or its authorized representative, shall determine each user class average daily volume of wastewater, which has been discharged to the wastewater system, to

determine each user class volume contribution percentage. The amount used as the total average daily volume of wastewater shall exclude infiltration and inflow.

- B. BOD Contribution Percentage: The town, or its authorized representative, shall determine each user class average daily poundage of five (5) day twenty degree centigrade (20°C) biochemical oxygen demand (BOD) which has been discharged to the wastewater system to determine each user class BOD contribution percentage.
- C. Suspended Solids Contribution Percentage: The town, or its authorized representative, shall determine each user classes' average suspended solids (SS) poundage which has been discharged to the wastewater system which shall then be divided by the average daily poundage of all suspended solids discharged to the wastewater system, to determine the user class suspended solids contribution percentage, each user class volume contribution percentage, BOD contribution percentage and suspended solids contribution percentage shall be multiplied by the annual operation and maintenance costs for wastewater treatment of the total volume flow, of the total five (5) day twenty degree centigrade (20°C) BOD and of the total suspended solids, respectively. (Ord. 910, 10-12-1979; amd. 2005 Code)

10-2B-4: SURCHARGE SYSTEM FOR USER CLASSES:

The town, or its authorized representative, will determine the average suspended solids (SS) and biochemical oxygen demand (BOD) daily loadings for the average residential user. The town, or its authorized representative, will assess a surcharge rate for all nonresidential users discharging wastes with BOD and SS strengths greater than the average residential user. Such user classes will be assessed a surcharge sufficient to cover the costs of treating such user classes' above normal strength wastes. Normal strength wastes are considered to be two hundred forty parts per million (240 ppm) BOD and two hundred thirty parts per million (230 ppm) SS. The surcharge rate structure for such above normal strength waste dischargers is as determined from time to time by resolution of the town council. (Ord. 910, 10-12-1979; amd. 2005 Code)

10-2B-5: SERVICE CHARGE:

Each nonresidential user classes wastewater treatment cost contributions as determined in sections 10-2B-3 and 10-2B-4 of this article shall be added together to determine such users' annual wastewater service charge. Residential users may be considered to be one class of user and an equitable service charge may be determined for each user based upon an estimate of the total wastewater contribution of this class of user. The governing body may classify industrial, commercial, and other nonresidential establishments as a residential user; provided that the wastes from these establishments are equivalent to the wastes from the average residential user with respect to volume, suspended solids, and

BOD. Each user's wastewater treatment cost contribution will be assessed in accordance the rate schedule as determined from time to time by resolution of the town council. (Ord. 910, 10-12-1979; amd. 2005 Code)

10-2B-6: PAYMENT:

- A. Monthly Statement: The town shall submit a monthly statement to the user for the user's monthly wastewater service charge.
- B. Penalty: If payment is not received by the town by the end of the month, the town shall add a penalty of two dollars (\$2.00) to the outstanding balance per month for every month the payment is not received.
- C. Disconnection Of Water Service: Should any user fail to pay the user wastewater service charge and penalty within ten (10) days after the due date (end of the month) of the bill, the town may shut off the wastewater service to the property. In order to accomplish the disconnection of the wastewater service, the town shall shut off the water service to the property regardless of whether the water service charges are current.
- D. Civil Action: In the event the town elects to sue in a civil court of competent jurisdiction for recovery of the delinquent wastewater charges; court costs, sheriff's fees, a reasonable attorney fee and interest of eighteen percent (18%) per annum on the said delinquent account shall be assessed to the defendant and become part of the claim of the town.
- E. Lien: Delinquent wastewater charges shall constitute a lien against the real property furnished with wastewater services. The town is empowered to record a lien in the public records of Sweetwater County and to use any legal means necessary to foreclose on said lien or otherwise collect the delinquent amount. Additional costs and expenses including reasonable attorney fees incurred by reason of such legal action shall be added to the amount due by the consumer/defendant. The lien may also provide that the amount thereof shall automatically increase each month as services are provided.
- F. Liability For Charges: The owner of every building, premises, lot or house (including the owner of mobile home parks/trailer courts) shall be liable for all charges for wastewater delivered to or taken from the property, which liability may be enforced by the town as provided above or by any other action at law or equity to enforce payment. In case the tenant in possession of any premises or buildings shall pay the wastewater charges, it shall relieve the landowner from such obligation, but the town shall not be required to look to any person whatsoever other than the owner for the payment of wastewater charges. No change in ownership or occupancy shall affect the application of this section. (Ord., 4-10-1985; Resolution 10-08 5-27-2010)

10-2B-7: ANNUAL REVIEW:

The town shall review the total annual cost of operation and maintenance as well as each user's wastewater contribution percentage not less often than every two (2) years and will revise the system as necessary to assure equity of the service

charge system established herein and to assure that sufficient funds are obtained to adequately operate and maintain the wastewater treatment works. If a significant user, such as an industry, has completed in-plant modifications which would change that user's wastewater contribution percentage, the user can present, at a regular scheduled meeting of the governing body, such factual information and the town shall then determine if the user's wastewater contribution percentage is to be changed. The town shall notify the user of its findings as soon as possible. (Ord. 910, 10-12-1979) 10-2B-8: NOTIFICATION:

Each user will be notified, at least annually, in conjunction with a regular bill, of the rate and that portion of the user charges which are attributable to wastewater treatment services. (Ord. 910, 10-12-1979)

10-2B-9: PROHIBITED WASTES ² :

The discharge of any waters containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly, or by interaction with other wastes, to contaminate the sludge of any municipal systems, or 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 or have an adverse effect on the waters receiving any discharge from the treatment works is hereby prohibited. (Ord. 910, 10-12-1979)

10-2B-10: CLEAR WATER CONNECTIONS PROHIBITED:

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. (Ord. 910, 10-12-1979)

10-2B-11: NEW SEWERS AND CONNECTIONS, DESIGN AND CONSTRUCTION:

The size, slope, alignment, materials of construction of all sanitary sewers and sewer connections, 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 town of Superior and the state of Wyoming. In the absence of code provision or in amplification thereof, the materials and procedures set forth in appropriate specifications of the ASTM and WPCF manual of practice no. 9 shall apply. (Ord. 910, 10-12-1979)

10-2B-12: RATE SCHEDULE:

² See section 10-2A-5 of this title for additional requirements covering the use of the town's public sewers.

The rate schedule for all users shall be as determined from time to time by resolution of the town council and shall be on file in the office of the clerk-treasurer. (2005 Code)

10-2B-13: SURCHARGE RATE STRUCTURE FOR ABOVE NORMAL STRENGTH WASTES:

- A. Residential: The town, or its authorized representative, will determine the average total suspended solids (TSS) and five (5) day biochemical oxygen demand (BOD5) daily loadings for the average residential user or, in lieu of such a determination, will consider the average residential strength wastes to be two hundred forty milligrams per liter (240 mg/l) BOD5 and two hundred thirty milligrams per liter (230 mg/l) TSS.
- B. Nonresidential: The town, or its authorized representative, will assess a surcharge rate for all nonresidential users discharging wastes with BOD and TSS strengths greater than the average residential user. The surcharge will be sufficient to cover the costs of treating such users above normal strengths wastes. Such users will pay an additional service charge to be determined from time to time by resolution of the town council per one thousand (1,000) gallons for each twenty five milligrams per liter (25 mg/l) over two hundred forty milligrams per liter (240 mg/l) or BOD5 and an additional charge to be determined from time to time by resolution of the town council per one thousand (1,000) gallons for each twenty five milligrams per liter (25 mg/l) over two hundred thirty milligrams per liter (230 mg/l) TSS. (Ord. 910, 10-12-1979; amd. 2005 Code)