

ORDINANCE #694

AN ORDINANCE RELATING TO THE ESTABLISHMENT OF A SEWER SYSTEM AND THE FORMULA FOR THE FEES CHARGED AND ESTABLISHING PENALTIES. FUTURE FEES AND CHARGES OF THE CITY MAY BE SET, CHANGED AND ADJUSTED BY RESOLUTION OF THE COUNCIL. BE IT ORDAINED BY THE CITY OF SPRAGUE, STATE OF WASHINGTON AS FOLLOWS:

SEWER SYSTEM*

Sections:

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* For statutory provisions regarding the authority of third class cities to establish, construct, and maintain drains and sewers and to compel all property owners on streets and alleys or within two hundred ^{feet} thereof to make proper connections therewith and to use the same for proper purposes, see RCW 35.24.290 (4); for statutory provisions regarding the municipal management of a sewage system, see RCW Chapters 35.67, 35.91 and 35.92.

13.08.010 Definitions. Unless the context specifically indicates otherwise, the meaning of terms used in this chapter shall be as follows:

(1) "Applicant" means the owner or authorized agent of the property to be served, and the applicant is the responsible person for payment of charges stated herein;

(2) "BOD" (denoting biochemical oxygen demand) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at twenty degrees Centigrade, expressed in milligrams per liter.

(3) "Building drain" means 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 (1.5 meters) outside the inner face of the building wall.

(4) "Building inspector" means the appointed building inspector for the city or his authorized deputy, agent or representative;

(5) "Building sewer" means the extension from the building drain to the public sewer or other place of disposal.

(6) "Combined sewer" means a sewer receiving both surface runoff and sewage.

(7) "Garbage" means solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.

(8) "Industrial wastes" means the liquid wastes from industrial manufacturing processes, trade, or business, or distinct from sanitary sewage.

(9) "Natural outlet" means any outlet into a watercourse, pond, ditch, lake, or other body of surface or ground water.

(10) "Person" means any individual, firm, company, association, society, corporation or group.

(11) "pH" means the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

(12) "Private sewer" means the sewer line and disposal system constructed, installed or maintained where connection with the public sewer system is not required herein;

(13) "Properly shredded garbage" means the wastes from the preparation, cooking, and dispensing of foods 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 (1.27 centimeters) in any dimension.

(14) "Public sewer" Means a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

(15) "Sanitary sewer" means a sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.

(16) "Sewage" means a combination of water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and storm waters as may be present.

(17) "Sewage treatment plant" means any arrangement of devices and structures used for treating sewage.

(18) "Sewage works" means all facilities for collecting, pumping, treating, and disposing of sewage.

(19) "Sewer" means a pipe or conduit for carrying sewage.

(20) "Shall" is mandatory; "may" is permissive.

(21) "Slug" means any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in a quantity of flow exceeds for any period of duration longer than fifteen minutes more than five times the average twenty four hour concentration or flows during normal operation.

(22) "Storm drain" (sometimes termed "storm sewer") means a sewer which carried storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

(23) "Superintendent" means the superintendent of sewage works and/or of water pollution control of the city, or his authorized deputy, agent or representative.

(24) "Suspended solids" means 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.

(25) "Watercourse" means a channel in which a flow of water occurs, either continuously or intermittently.

13.08.020 Sewer department - Established. A sewer department of the city is established. The officers and other employees shall consist of a superintendent and such other personnel as the city council may from time to time deem necessary for the efficient administration of the department.

13.080.030 Sewer department - Personnel appointment. The superintendent of the sewer department and such other personnel as the city council may from time to time authorize shall be appointed by the mayor and shall hold such appointment during the pleasure of the mayor. The superintendent and such other personnel as may be authorized shall receive such salary as the city council may determine.

13.08.040 Sewer department-Superintendent duties. The duties of the superintendent shall be to oversee and superintend the operation and maintenance of the sewer system, the making of repairs of all kinds, the construction of all extensions and additions, and all construction work of whatever nature whatsoever in connection with the present sewer systems and any new systems that may be established. The superintendent shall at all times be subject to the direction and the authority of the mayor.

13.08.050 Use of public sewers required.

(a) It is unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the city, or in any area under the jurisdiction of the city, any human or animal excrement, garbage, or other objectionable waste.

(b) It is unlawful to discharge to any natural outlet within the city, or in any area under the jurisdiction of the city, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this chapter.

(c) Except as provided in this chapter, it is unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.

(d) The owners of all houses, buildings or properties used for human occupancy, employment, recreation, or other purposes, situated with 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 to the city, is required at his 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 chapter, within sixty days after date of official notice to do so, provided that the public sewer is within two hundred feet of the property line. *fifty*

13.08.060 Private sewage disposal.

(a) Where a public sanitary sewer is not available under the provisions of Section 13.08.050 (d), the building sewer shall be connected to a private sewage disposal system complying with the provisions of this section.

(b) 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 is deemed necessary by the superintendent. A permit and inspection fee shall be paid to Lincoln County at the time the application is filed.

(c) A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the superintendent. He 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 seventy-two hours of the receipt of notice by the superintendent.

(d) 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 County. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

(e) At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Section 13.08.050(d), 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.

(f) The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the city.

(g) No statement contained in this section shall be construed to interfere with any additional requirements that may be imposed by the health officer.

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

13.08.070 Building sewers and connections.

(a) 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.

(b) There shall be two classes of building sewer permits: (a) for residential and commercial service, and (b) 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 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 shall be established by council resolution.

(c) 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.

(d) 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.

(e) 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.

(f) 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 back-filling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the city. The materials and procedures set forth in appropriate specifications of the State of Washington DOT and APWA standard specifications and State of Washington DOE criteria for sewage works design shall apply.

(g) 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.

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

(i) The connection of the building sewer into the public sewer shall conform to the requirements of the uniform building and plumbing codes or other applicable rules and regulations of the city, or the procedures set forth in appropriate specifications of the State of Washington DOT and APWA standard specifications and State of Washington DOE criteria for sewage works design. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the superintendent before installation.

(j) 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 representative.

(k) 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.

13.08.080 Connection-Drain and pump requirements.

(a) Every person as described in Section 13.08.050 shall make sufficient drain from the premises to be connected with the sewer or, in the alternative, provide a proper sewer pump or lift station therefor and shall be connected with the public sewer as provided in this chapter. The sewer superintendent shall have the power to cause such connection to be made and shall cause the city clerk to give such person refusing to connect a notice in writing and by publication in the official newspaper of the city that construction of such sewer and connection to the public sewer is required, such construction to be commenced within sixty days.

(b) If such person fails, neglects or refuses to connect with the public sewer, the sewer superintendent shall report such failure to the appropriate committee of the city council which shall immediately cause the sewer or drain to be constructed and assess such cost of the construction and connection against the sewer connection fund of the city, to the extent herein provided, and against the premises so drained, and shall report same to the city council and upon confirmation of the same by the city council, the amount thereof shall be assessed against the premises drained and if not paid the same may be collected and lien therefor enforced.

13.08.090 Construction cost liability. The cost of any new construction of lateral or trunk sewer in the public street or alley shall be paid for by any developer or private individual requesting said construction or extension. Costs for construction shall be assessed as covered in Sub Division Ordinance #692.

13.08.100 Connection-Premises over two hundred feet from sewer.

Any person residing within the city, and being more than two hundred feet from a public sewer, may connect with the public sewer; provided that the added cost of same is borne by the property owner, that such extension is approved by the city council and all permit procedures herein provided are followed. Any failure to make payment for cost shall be collected in the manner provided herein.

13.08.120 Connection - Fee - Designated. The fee for connecting to the public sewer, which shall be paid to the city clerk shall be determined by council resolution. Resolution shall be in effect after initial hookup.

13.08.130 Connection -Fee - Disposition. The city clerk shall deposit all sewer connection charges into the sewer fund.

13.08.160 Prohibited discharges.

(a) No person shall discharge or cause to be discharged any stormwater, surfacewater, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.

(b) Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as 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, or natural outlet.

(c) 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 to the receiving waters of the sewage treatment plant, including, but not limited to, cyanides in excess of two mg/l as CN in wastes as discharged to the public sewer;

(3) 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 personnel of the sewage works;

(4) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, 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.

13.08.170 Prohibited discharges - Wastes prohibited by superintendent. 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 opinion as to the acceptability of these wastes, the superintendent will give consideration to such factors as to quantities of subject wastes in relation to flows and velocities in the sewers, materials 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 (65 C);

(2) Any water or waste containing fats, grease or oils, whether emulsified or not, in excess of one hundred mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two and one hundred fifty degrees Fahrenheit (0 to 65 C);

(3) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths horsepower (.76 hp metric) or greater shall be subject to the review and approval of the superintendent;

(4) Any waters or wastes containing strong acid iron 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 a 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 waste 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 or 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 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 or flow or concentration of wastes constituting slugs, as defined in this chapter;

(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 degree that the sewage treatment plan effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

13.08.180 Superintendent - Discretionary powers.

(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 13.08.170, and which in the judgement 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; and/or

(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 13.08.230.

(b) If the superintendent permits and pretreatment of 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.

13.08.190 Grease, oil and sand interceptors. 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.

13.08.200 Maintenance of preliminary treatment or flow-equalizing facilities. 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 expense.

13.08.210 Installation of manholes. 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 expense, and shall be maintained by him so as to be safe and accessible at all times.

13.08.220 Measurements, tests and analyses. All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this chapter shall be determined by an accredited laboratory, and shall be determined at the control manhole provided, or upon suitable samples taken at the 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 hour composite of all outfalls of a premises is appropriate or

whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from twenty-four hour composites of all outfalls, whereas pH's are determined from periodic grab samples.

13.08.230 Special agreements or arrangements. No statement contained in Sections 13.08.160 through 13.08.230 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.

13.08.240 Equipment damaging prohibited. No unauthorized person shall maliciously, wilfully, 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 and shall be liable for expense of repair and must make restitution.

13.08.250 Powers and authority of inspection. 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 and inspection, observation, measurement, sampling and testing, in accordance with the provisions of this chapter. The superintendent or his 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.

13.08.260 Liability for personal injury or property damage. While performing the necessary work on private properties referred to in Section 13.08.250, 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 13.08.210.

13.08.270 Right of entry. 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 such easement. All entry and subsequent work, if any, on such easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

13.08.280 Violation - Penalty.

(a) Any person found to be violating any provision of this chapter except Section 13.08.240 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) 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 fined in the amount not exceeding five hundred dollars for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

(c) 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.

Chapter 13.12

SEWAGE RATES

Sections:

- 13.12.010 Definitions.
- 13.12.020 Sewer user charges - Generally.
- 13.12.030 User classes.
- 13.12.040 User classes - Equivalent residential unit charge.
- 13.12.050 User classes - Assignment of ERU's
- 13.12.060 User classes - Appeal from assignment.
- 13.12.070 User classes - Reassignment.
- 13.12.080 User classes - Recording of assigned rates.
- 13.12.090 Equivalent residential unit schedule

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- 13.12.100 Constant cost factor.
- 13.12.110 Special users.
- 13.12.120 Users contributing more than thirty-seven thousand five hundred gallons per month - Monitoring.
- 13.12.130 Users contributing less than thirty-seven thousand five hundred gallons per month.
- 13.12.140 Multiple classifications.
- 13.12.160 Review and revision of rates.
- 13.12.170 Payment - Responsibility.
- 13.12.180 Payment - When due - Delinquency.
- 13.12.190 Delinquency - Discontinuance of service.
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- 13.12.210 Delinquency - Change of ownership.
- 13.12.220 Billing to be on monthly basis.
- 13.12.230 Bills - Where mailed.
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- 13.12.250 Deposit of revenue in sewer fund.
- 13.12.260 Appeals.

13.12.010 Definitions.

(1) "BOD" (biochemical oxygen demand) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at twenty degrees Celsius, expressed in milligrams per liter.

(2) "Collection system" means the system of public sewers to be operated by the city designed for the collection of sanitary sewage.

(3) "Commercial user" means any premises used for commercial or business purposes which is not an industry as defined in this chapter.

(4) "Domestic waste" means any wastewater emanating from dwellings or from domestic activities which are performed outside the home in lieu of a home activity directly by or for private citizens.

(5) "Industrial users" means any nongovernmental user of the public treatment works identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budgets, as amended and supplemented under the following divisions:

Division A - Agriculture, forestry and fishing

Division B - Mining

Division D - Manufacturing

Division E - Transportation, communications, electric, gas and sanitary services

Division I - Services

A user in these divisions may be excluded from the industrial category if it is determined that it will introduce primarily domestic wastes and wastes from sanitary conveniences.

(6) "Industrial waste" means that portion of the wastewater emanating from an industrial user which is not domestic waste, from sanitary conveniences.

(7) "Operation and maintenance" means all activities, goods, and services which are necessary to maintain the proper capacity and performance of the treatment works for which such works were designed and constructed. The term "operating and maintenance" shall include replacement, as defined in this section.

(8) "Person" means an individual, firm, company, association, society, corporation or group.

(9) "Public treatment works" means a treatment works owned and operated by a public authority.

(10) "Replacement" means acquisition and installation of equipment, accessories or appurtenances which are necessary during the service life of the treatment works to maintain the capacity and performance for which such works were designed and constructed.

(11) "Service area" means all the area served by the treatment works and for which there is one uniform user charge system.

(12) "Sewage" means a combination of water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and storm waters as may be present.

(13) "Sewage treatment plant" means an arrangement of devices and structures used for treating sewage.

(14) "Shall" is mandatory; "may" is permissible.

(15) "Suspended solids" means solids that either float on the surface or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.

(16) "Treatment works" means all facilities for collecting, pumping, treating, and disposing of sewage. "Treatment system" and "sewerage system" shall be equivalent terms for "treatment works".

(17) "User" means every person using any part of the public treatment works of the city.

(18) "User charge" means the periodic charges levied on all users of the public treatment works, and shall, at a minimum, cover each user's proportionate share of the cost of operation and maintenance.

(19) "Equivalent residential unit" or "ERU" means a unit of wastewater which incurs the same costs for operation and maintenance as the average volume of domestic wastes discharged from a single-family residence in the treatment works service area. In the city, one ERU shall be equivalent to two hundred fifty gallons per day of wastewater with domestic strength. Users with wastes which

differ significantly in strength from the average domestic waste strength of two hundred fifty mg BOD 5/1 and 250 mg SS/1 shall be charged a special rate according to the rate schedule in Section 13.12.090.

13.12.020 Sewer user charges - Generally. User charges shall be levied on all users of the public treatment works which shall cover the cost of operation and maintenance, capital recovery, debt service, taxes, and other administrative costs of such treatment works. The user charge system shall distribute these costs in proportion to each user's contribution to wastewater loading of the treatment works.

13.12.030 User classes. There shall be established classes of users such that all members of a class discharge approximately the same volume and strength of wastewater per residence, facility, seat, or other appropriate unit.

13.12.040 User classes - Equivalent residential unit charge. The equivalent residential unit charge per appropriate unit shall be established in proportion to the volume and strength of wastes discharged from that unit such that each user pays his proportionate share of the treatment costs.

13.12.050 User classes - Assignment of ERU's. There shall be assigned to each user class a number of equivalent residential units (ERU's) (See Section 13.12.010) for each appropriate unit, and this number of ERU's shall represent the ratio of the costs incurred by the wastes from the unit to the costs incurred by the wastes from the average single-family residence.

13.12.060 User classes - Appeal from assignment. Should any user believe that he has been incorrectly assigned to a particular user class or incorrectly assigned a wastewater volume or strength or incorrectly assigned a number of ERU's, that user may apply for review of his user charge as provided in Section 13.12.260.

13.12.070 User classes - Reassignment. Should the city determine that a user is incorrectly assigned to a user class, or incorrectly assigned a wastewater volume or strength, or incorrectly assigned a number of ERU's, they shall reassign a more appropriate user class wastewater volume or strength or number of ERU's to that user and shall notify that user of such reassignment.

monthly sewer charge applicable during the winter months with the balance of the sewer charges to be carried over to the summer months for payment.

13.12.100 Constant cost factor. The user charge shall be calculated by multiplying the total number of ERU's for each user by a constant cost factor. This cost factor shall be set at 33.00 (to be set & approved at completion of project) until such time as it is revised as provided in Section 13.12.150. ~~missing~~

13.12.110 Special users.

(a) Any user which cannot be classified by virtue of the volume and/or strength of his wastewater in any of the user classes, as set out in Section 13.12.090, shall be considered a special user. If the strength of such wastes is not significantly different from that of normal household wastes, such user shall be placed in the open class and shall be assigned the appropriate wastewater volume. If the wastewater strength is significantly different from that of normal household waste, a special charge based on both volume and strength shall be assigned to that user by the city.

(b) Each special user shall be evaluated separately based on the average flow, BOD 5, and suspended solids characteristic of their wastewater contribution. The flow, BOD 5, and suspended solids of the special user's wastewater shall be determined from estimates or measurements and tests conducted by the user as required by the city.

(c) The city will verify the submitted data. The city shall have the right to gain access to the waste stream for taking samples. The user shall provide for the city an adequate sampling access to the waste stream.

(d) The user shall pay the city for all expenses incurred in verifying and submitted data.

(e) The special user charge shall be based on a calculated equivalent residential unit for flow, plus a surcharge for excessive strength, if any. The special user's monthly charge shall be computed by use of the following equation:

$$\text{SUMC} = f/350 \quad I(1+b/B - 1) + (s/S - 1) \quad I \quad C; \text{ where}$$

"SUMC" represents the special user's monthly charge;

"f" represents the special user's average flow in gallons

"250" represents the average flow of one equivalent residential unit in gallons per day;

"C" represents the constant cost factor per ERU as specified in Section 13.12.100;

"b" represents the average 5 day BOD of the user's wastewater, expressed in mg/g. "b" must be greater than 250 mg/l;

"B" represents the designated limit of 5 day BOD of user's wastewater above which the user shall be assessed a surcharge cost. The designated limit for 5 day BOD shall be 250 mg/l;

"s" represents the average suspended solids of the user's wastewater, expressed in mg/l. "s" must be greater than 250 mg/l;

"S" represents the designated limit of suspended solids of a user's wastewater above which the user shall be assessed a surcharge cost. The designated limit for suspended solids shall be 250 mg/l.

13.12.120 Users contributing more than thirty-seven thousand five hundred gallons per month - Monitoring. All users contribution more than thirty-seven thousand five hundred gallons per month and whose waste strength is greater than 600 mg BOD 5/1 or 600 mg SS/1 shall prepare and file with the city a report that shall include pertinent data relating to the wastewater characteristics, including the methods of sampling and measurement to obtain this data, and this data shall be used to calculate the user charge for that user. The city will verify the submitted data. The city shall have the right to gain access to the waste stream for taking samples. The user shall provide the city with an adequate sampling access to data. In verifying the data, should the results be substantially different as determined by the city from the data submitted by the user, the user charge for that user shall be revised accordingly and shall be effective retroactively up to six months.

13.12.130 Users contributing less than thirty-seven thousand five hundred gallons per month. All users contributing less than thirty-seven thousand five hundred gallons per month or less than 600 mg/BOD 5/1 and 600 mg SS/1 shall be assigned average waste strength by the city. Any user may challenge the assigned waste strengths as provided in Section 13.12.250.

13.12.140 Multiple classifications. A single user having more than one classification of use shall be charged the sum of the charges for those classification.

13.12.160 Review and revision of rates. The sewer user charges established in Sections 13.12.020 - 13.12.140 shall, as a minimum, be reviewed annually and revised periodically to reflect actual cost of operation, maintenance, replacement, and financing of the treatment

works, and to maintain the equability of the user charges with respect to proportional distribution of the cost of operation and maintenance in proportion to each user's contribution to the total wastewater loading of the treatment works.

13.12.170 Payment - Responsibility. The person who owns the premises served by the sewage system shall be responsible for payment of the sewer user charge for that property notwithstanding the fact that the property may be occupied by a tenant or other occupant who may be required by the owner to pay such charges.

13.12.180 Payment - When due - Delinquency. All of the charges set out in Sections 13.12.020 - 13.12.140 and any and all charges which may be fixed after the effective day of the ordinance codified in this section for sewage disposal service shall be due and payable on the tenth day of the month and will be considered delinquent if not paid by the twenty-fifth day of the month following the month in which sewage service was rendered, and if not paid, shall be delinquent on that date, and shall be subject to a service charge of \$3.00 per month from the date of the delinquency until paid.

(\$5.00 - Ordinance 706, Passed September 17, 1996)

13.12.190 Delinquency - Discontinuance of service. In the event of failure to pay sewer charges at the end of sixty days after the date of first delinquency of any of such charges in the case of sewerage charges, the city shall have the right to turn off the water service and enter upon the property for accomplishing such purposes. The expense of such discontinuance, removal, or closing, as well as the expense of restoring service shall be a debt due to the city and a lien upon the property and may be recovered by civil action in the name of the city against the property owner.

13.12.200 Restoration of water service. Water service shall not be restored until all charges, including service charges and the expense of removal, closing, and restoration shall have been paid.

13.12.210 Delinquency - Change of ownership. Change of ownership or occupancy of premises found delinquent shall not be cause for reducing or eliminating these penalties.

13.12.220 Billing to be on monthly basis. The users of the sewage system shall be billed on a monthly basis for services rendered in accordance with the rate schedule as set forth in Section 13.12.090.

13.12.230 Bills - Where mailed. Bills for sewer user charges shall be mailed to the address specified in the application for permit to make connection unless a different owner or user property is reported to the city.

13.12.240 User charges - How computed. All collections of sewer user charges shall be made by the city. Sewer user charges shall be computed as provided in Sections 13.13.020-13.12.140 and shall be payable as provided in Sections 13.12.170 - 13.12.220.

13.12.250 Deposit of revenue in sewer fund.

(a) The city will deposit in the sewer fund all of the gross revenues received from charges, rates and penalties collected for the use of the sewage system as herein provided.

(b) The revenues thus deposited in the sewer fund shall be used exclusively for the operation, maintenance, and repair of the sewerage system; reasonable administration costs; expenses of collection of charges imposed by this chapter.

13.12.260 Appeals.

(a) Any sewer user who feels his user charge is unjust or inequitable as applied to his premises within the intent of foregoing provisions may make written application to the city council requesting a review of his user charge. Such written request shall, where necessary, show the actual estimated average flow and/or strength of his wastewater in comparison with the values upon which the charge is based, including how the measurements or estimates were made.

(b) Review of the request shall be made by the city sewer committee and mayor and shall determine if it is substantiated or not, including recommending further study of the matter by the city's engineer or other registered professional engineer.

(c) If the user's request is determined not to be substantiated, the user shall pay the city for all expenses incurred in investigating the request.

(d) If the request is determined to be substantiated, the user charges for that user shall be recomputed based on the approved revised flow and/or strength data and the new charges thus recomputed shall be applicable retroactively up to six month as applicable.

Chapter 13.16GREASE TRAPSSections:

- 13.16.010 Installation.
- 13.16.020 Rate of flow.
- 13.16.030 Installation requirements.
- 13.16.040 Obstructing sewer.

13.16.010 Installation. An approved type grease interceptor complying with the provisions of Sections 13.16.010 through 13.16.030 shall be installed in the waste line leading from sinks, drains and other fixtures or equipment in the following establishments: Restaurants, cafes, lunch counters, cafeterias, bars and clubs; hotels, hospitals, sanitariums, factories or school kitchens, or other establishments where grease can be introduced into the drainage or sewerage system in quantities that can affect line stoppage or hinder sewage treatment or private sewage disposal. A grease interceptor is not required for individual dwelling units or for any private living quarters.

13.16.020 Rate of flow. No grease interceptor shall be installed which has an approved rate of flow of more than fifty-five gallons per minute. No grease interceptor shall be installed which has an approved rate of flow of less than nine gallons per minute with not less than one and one-half inch inlet and outlet.

13.16.030 Installation requirements. The trap shall be set as closely as practicable to the fixture it serves, and in no case more than sixteen inches from the outlet of the fixture. No fixture shall be set unless supplied with sufficient water to flush it. Grease traps inside the building shall be made of lead, copper, cast iron or brass, having an airtight screw cover of at least four inches in diameter, and the discharge from any fixture must not pass through more than one trap before reaching the house drain. All traps shall have cleanouts or be so connected as to be easily removed for cleaning and not placed on an inaccessible position. Washracks or steam cleaning plants shall be provided with a sump; the waste from the sump to be trapped by means of a "T" within the sump. No vent line need be provided. No rack used exclusively for draining oil from crankcases is to be connected to the sewer system.

13.16.040 Obstructing sewer. It is unlawful for any person to deposit in any manhole, lamphole, flush tank, sewer opening, drain or ditch, any waste, grease, oil, garbage, rubbish, dead animals, or any substance which will obstruct, or have a tendency to obstruct, the flow of any sewer, drain or ditch, or hinder sewage treatment or private sewage disposal.

Chapter 1.07

VALIDITY

If any section, subsection or other portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such section, subsection or portion shall be deemed a separate portion of this ordinance and such holding shall not affect the validity of the remaining sections of this ordinance.

Chapter 1.08

CONFLICT

All rules, regulations, ordinances or resolutions of the City of Sprague in conflict with this ordinance are hereby repealed to the extent necessary to give this ordinance full force and effect.

Chapter 1.10

EFFECTIVE DATE

This ordinance shall be in full force and effective upon passage.

Passed by the City Council this 17th day of May, 1994.

ATTEST;

APPROVED;

Anna Harding
City Clerk

Ray Meyer
Mayor