

## **Chapter 13.04 - SEWER CONNECTIONS**

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**13.04.010 Definition of Terms.**

- (a) “Approving Authority” shall mean the City Council of the City of Arco or its duly authorized sewer superintendent, agent, or representative.
- (b) “Biochemical Oxygen Demand” (abbreviated as BOD) shall mean the quantity of oxygen, expressed on parts per million by weight, utilized in the biochemical oxidation of organic matter under standard laboratory determinations made in accordance with procedures set forth in “Standard Methods.”
- (c) “Building Drain” shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the buildings and convey to the side sewer which begins two feet (2’) outside the outer face of the building wall.
- (d) “City” shall mean the City of Arco.
- (e) “Commercial User” shall mean all persons not specifically classified as domestic or as an industrial waste contributor.
- (f) “Dwellings:”

Single Family Dwelling: A building designed for or occupied by one family for living or sleeping purposes, and having kitchen or cooking facilities.

Duplex: A building designed, built, rented, or leased for occupancy by two (2) families living independently of each other.

Multi-Family Dwelling or Apartment House: Any building or portion thereof which is occupied as the home or residence of three (3) or more families or persons living independently of each other and doing their own cooking within the premises, which shall include townhouses or condominiums.

Trailer House or Mobil Home: Any vehicle used or so constructed as to permit its being used as a conveyance upon the public streets or highways and constructed in such a manner as will permit occupancy thereof as a dwelling or sleeping place for one or more persons.

Auto Court, Motor Court, Travel Trailer Court, Motel, Hotel, etc.: The combination or group of two (2) or more dwelling units occupying a building site or area under one ownership, used for the purpose of furnishing transient living accommodations.

- (g) “Commercial Building:” Any structure built for the support, shelter or enclosure of persons, animals, chattels, or property of any kind or for any type of business or enterprise or for any other purpose not otherwise described or covered above under “Dwellings”
- (h) “Garbage” shall mean the residue from the preparation and dispensing of food, and from the handling, storage, and sale of food products and produce. Tin cans, bottles, paper, pasteboard, cardboard, or wooden boxes that have food particles or juices stuck to or impregnated into them shall be considered as garbage. The term “garbage” does not include recognized industrial by products, sewage and body waste.
- (i) “Ground Garbage” shall mean the residue from the preparation, cooking, and dispensing of food that has been shredded to such degree that all particles will be carried freely in suspension under

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the flow conditions normally prevailing in public sewers with no particle greater than one-half inch (1/2”) in any dimension.

- (j) “MG” shall mean million gallons.
- (k) “MGD” shall mean million gallons per day.
- (l) “Natural Outlet” shall mean outlet into a watercourse, pond, ditch, lake, or other body of surface or groundwater developed by naturally occurring process of nature.
- (m) “Person” shall mean any individual, firm, company, association, society, corporation, group, or other entity.
- (n) “Private Sewer” shall mean a sewer serving a building, residence, or property, constructed by private contract outside of the public right-of-way and remaining under private ownership and jurisdiction and which shall be maintained by said private owner. Private sewers shall be designed, constructed, and maintained by said private owners to the same design, construction, maintenance standards as are public sewers.
- (o) “Public Sewer” shall mean a sewer provided by or subject to the jurisdiction of the City. It shall also include sewers within or outside the City boundaries that serve one or more persons and ultimately discharge into the City sanitary or combined sewer system, even though those sewers may not have been constructed with City funds. All public sewers shall be located in dedicated public rights-of-way or easements. Public sewers shall be at least eight inches (8”) in diameter.
- (p) “Replacement” shall mean any expenditure for obtaining and installing 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. The term “operation and maintenance” includes replacement.
- (q) “Sanitary Sewage” shall mean wastes that are derived principally from dwellings, business buildings, institutions, and the like, exclusive of storm and surface waters and industrial waste.
- (r) “Sanitary Sewer” shall mean a sewer that conveys sanitary sewage or industrial wastes, or a combination of the two (2), and into which storm, surface, and groundwaters or unpolluted industrial wastes are not intentionally admitted.
- (s) “Service Charge” shall mean the charge levied on all users of the sewage system for the purpose of repayment
- (t) “Service Connection” shall mean a sewer service line connected to the sewer main.
- (u) “Sewage” shall mean wastewater.
- (v) “Sewage Treatment Plant” shall mean wastewater treatment plant or other like facilities.
- (w) “Sewer” shall mean any pipe or conduit used for conveying wastewater or any other waste liquids, including storm, surface, and groundwater drainage.
- (x) “Sewer Main” shall mean the pipe laid in a street, road, alley, or easement and running approximately parallel to the street, road, alley, or easement for the collection of wastewater from the customer, and which is owned, operated, controlled, and maintained by the City.
- (y) “Shall” is mandatory; “May” is permissive.

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- (z) “Side Sewer” shall mean the extension from the building drain to the public sewer and is sometimes referred to as the sewer service connection or sewer service line.
- (aa) “Standard Sewage” shall mean sewage and acceptable wastes that are within specifications regarding PH, BOD, dissolved oxygen, suspended solids, and grease.
- (bb) “Storm Drain” shall mean any pipe or conduit conveying storm, surface, and groundwater drainage, but excluding sewage and industrial wastes.
- (cc) “Storm Water Runoff” shall mean that portion of the rainfall that is drained.
- (dd) “Suspended Solids” (SS) shall mean solids that either float on the surface of, or are suspended in water, sewage or industrial waste and which are removable by a laboratory filtration device. Quantitative determination of suspended solids shall be made in accordance with procedures set forth in “Standard Methods.”
- (ee) “Unpolluted Water” shall mean any water or liquid containing none of the following:
  - a. Emulsified grease or oil,
  - b. Acids or alkalis,
  - c. Substances that may impart taste and odor or color characteristics,
  - d. Toxic or poisonous substances in suspension,
  - e. Colloidal state or solution,
  - f. Odorous or otherwise obnoxious gases.

It shall contain not more than thirty (30) parts per million each of suspended solids or biochemical oxygen demand. Analytical determinations shall be made in accordance with procedures set forth in “Standard Methods.”

- (ff) “Wastewater” shall mean the water-carried human, animal or house-hold wastes in a public or private sewer, and may include ground-water infiltration, surface drainage and industrial wastes.
- (gg) “Wastewater Collection And Treatment System:” (also termed Sewage Collection and Treatment System) shall mean all facilities for collecting, pumping, treating, and disposing of domestic, commercial and industrial waste, and includes sewers as well as the wastewater treatment plant.
- (hh) “Wastewater Treatment Plant” shall mean an assemblage of devices, structures, equipment, and holding ponds or lagoons for treating domestic, commercial, and industrial waste.
- (ii) “Watercourse” shall mean a channel in which a flow of water occurs, either continuously or intermittently.

(Ord. 2004-D §1, 2004).

### **13.04.020 Connection To Sanitary Sewer Required.**

Every residence, business or premises within the boundaries of the City of Arco, approved for occupancy and occupied or used by any person or persons, or as a commercial business, shall be connected to the public sanitary sewer system. The owner, or anyone acting as bona fide agent of the owner, of such land shall make or cause to be made, such connection within one hundred twenty (120) days after receiving official notice, in writing, from the City, or an agent or representative of the City, to so connect. The official notice must cite the pertinent language of this chapter and inform the owner that the owner must connect to

the public sanitary sewer system within one hundred twenty (120) days. The City Council has the authority to carry out the provisions of this section pursuant to the power given to it as specified in Section 13.04.130 of this chapter.

All charges associated with the laying of pipe from the home or facilities to be served to the City's mains and all other costs incurred in connecting to said mains shall be borne by the property owner. All such connections to the City's mains shall be properly designed and constructed in conformity with requirements specified by the City. If a parcel of land is not within 300 feet of a sewer main, connection is optional. (Ord. 2004-D §2, 2004).

#### **13.04.030 Certain Unpolluted Water Not Permitted in Sanitary Sewer.**

It shall be unlawful for any person to discharge or cause to be discharged any storm water, ground water, roof runoff, subsurface drainage, surface water, cooling water, or other unpolluted water to any sanitary sewer. (Ord. 2004-D §3, 2004)

#### **13.04.040 Unpolluted Water Discharged to Storm Drain.**

Storm water shall be discharged to storm drains, or to a natural outlet approved by the City. Industrial cooling water or unpolluted process water may, upon approval of the City Council, be discharged to a storm drain or natural outlet. (Ord. 2004-D §4, 2004)

#### **13.04.050 Prohibited Discharges.**

Except as hereinafter provided, no person shall discharge or cause to be discharged, any of the following described wastewater to the wastewater collection and treatment system:

- (a) Any solids, liquids, or gasses which may, by themselves or by interaction with other substances, cause fire or explosive hazards or in any other way be injurious to person, property or the operation of the wastewater collection and treatment system.
- (b) Any noxious, deleterious, or malodorous solids, liquids, or gases which either singly or by interaction with other substances are capable of creating a public nuisance or hazard to life or preventing entry into sewers for their maintenance or repair.
- (c) Any solids, greases, waxes, slurries, or viscous material of such character or in such quantity that it, in the opinion of the City Council or Sewer Superintendent, may cause an obstruction to the flow in the sewer, or otherwise interfere with the proper functioning of the waste water collection and treatment system.
- (d) Any toxic substance chemical elements, or compounds in quantities sufficient to impair the operation or efficiency of the waste water treatment facilities and cause the effluent thereof to exceed Idaho Department of Environmental Quality, Division of Water Quality water quality requirements for the receiving stream.
- (e) Any liquids having a PH lower than 5.5 or higher than 9.0, or having any corrosive property capable of causing damage or hazards to structures, equipment, or personnel of the wastewater collection and treatment system.
- (f) Any radioactive isotopes.

- (g) Any liquid or vapor having a temperature greater than one hundred forty (140) degrees Fahrenheit.
- (h) Any petroleum oil, non-biodegradable oils, or product of mineral origin.
- (i) Any garbage that has not been properly ground to such degree that all particles will be carried freely in suspension under the flow conditions normally prevailing in public sewers with no particle greater than one-half inch (1/2") any dimensions.
- (j) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, hair or other material capable of causing obstruction to the flow in sewers or other interferences with proper operation of the wastewater collection and treatment system.

(Ord. 2004-D §5, 2004)

#### **13.04.060 Approval Required for Wastewater.**

Review and acceptance of the City Council shall be obtained prior to the discharge into the public sewers of any water or wastes having:

- (a) A total or more than thirty (30) pounds of suspended solids in any one day.
- (b) A total or more than thirty (30) pounds of BOD in any one day.
- (c) An average flow of 0.003 mgd or more per day.

(Ord. 2004-D §6, 2004)

#### **13.04.070 Refusal of Use of System.**

The City may prohibit the discharge into the public sewer of sewage that does not comply with the limitations set forth in this chapter. (Ord. 2004-D §7, 2004)

#### **13.04.080 Independent Sewer Service Line Required.**

The Sewer Main Line and Sewer Service Line(s) shall be so arranged that there is a separate and independent sewer service line to each individual building, place of business, or tract or land.

After the effective date of this Chapter, a separate and independent side sewer (building service line) shall be provided for every new building connecting to the sanitary sewer system of Arco Idaho. Separate side sewer are not required for each trailer space in overnight trailer courts, nor for each cabin in cabin courts. However, separate side sewer (sewer service lines) are required for trailer houses on individual lots or for longterm trailer rental units in mobile home courts. (Ord. 2004-D §8, 2004)

#### **13.04.090 Sewer Service Line Maintenance.**

All sewer users shall keep their individual sewer service lines in good repair and shall keep them in such good condition that they shall not allow excessive amounts of groundwater to enter into the sewer

system. Sewer users shall also be responsible for all costs associated with maintaining the service line for all portions of the line located outside the City easements or right-of-way. (Ord. 2004-D §9, 2004)

**13.04.100 Injury To or Tampering With Sanitary Sewer System Unlawful.**

It shall be unlawful to disturb, destroy, damage, adjust, molest, meddle, or otherwise interfere with any portion of the City Wastewater Collection or treatment systems or its appurtenances, located on either public or private property. Should any damage result, either intentionally or unintentionally, from handling or otherwise tampering with or plugging said sewer system, the violator shall pay for all cost incurred in connection with the repairs of said system and/or for any damages that may result from the tampering with or plugging of said sewer system.

It shall be unlawful for any person to deposit in any sewer openings any substance which may tend to obstruct the flow of the sewer or which will violate the provisions of Section 13.04.050 of this chapter. (Ord. 2004-D §10, 2004)

**13.04.110 Grease Traps Required.**

In all cases where a building is used, in whole or in part, as a hotel, boarding house, restaurant, service station, garage, etc., the owner or occupant shall provide a properly constructed grease trap through which all wastes of a greasy nature shall be drained. The City Council shall have authority and is hereby authorized and directed to compel any person to provide and use a grease trap as aforesaid whenever, in its judgment, the same is necessary. (Ord. 2004-D §11, 2004)

**13.04.120 Interceptor or Removal Facilities Required To Remove Harmful Ingredients.**

Grease, oil, and sand interceptors or other necessary removal facilities shall be installed on the premises when in the opinion of the City, they are necessary for the proper handling of liquid wastes containing grease in excessive amount, high concentration of blood, fruit, vegetable, or grain liquors, milk wastes, or any flammable wastes, sand, and other harmful ingredients. All interceptors or removal facilities shall be of a type and capacity approved by the City and shall be so located as to be readily and easily accessible for cleaning and inspection. Where installed, all grease, oil and sand interceptors shall be maintained by the owner or occupant, at his expense, in continuously efficient operation at all times. (Ord. 2004-D §12, 2004)

**13.04.130 Duties of the City Council Regarding Side Sewers.**

The City Council is hereby empowered, and it is hereby made its duty, in all cases where there is a public sanitary sewer within three hundred feet (300) to notify every owner of land or premises, or anyone acting as bona fide agent of the owner, requiring a sanitary sewer building connection as specified in Section 13.04.020 of this chapter to comply with the provisions of that Section of this Chapter within one hundred twenty (120) days or cease to use or occupy the land. (Ord. 2004-D §13, 2004)

**13.04.140 Permit and Fee Required.**

An application for connection to the City Sewer System shall be made at the office of the City Hall. No connection shall be made to any sewer main without a valid permit, having been issued by the City, or

an authorized Agent thereof, after having paid the appropriate connection fee as determined by resolution by the City Council.

It shall be unlawful for any person to uncover, make any connection with or opening into, use, alter, or disturb any public sewer or appurtenance thereof, without first obtaining permission, in writing , to perform said work from the City. (Ord. 2004-D §14, 2004)

#### **13.04.150 Side Sewer Extension Or Repair Permit Required.**

When any sewer service line (side sewer) or private sewer connected with any public sewer becomes obstructed, broken or out of order, on private property (outside of any public right-of-way or easement) the owner agent, or tenant of such premises shall repair the same at his own expense. No person shall construct, re-lay, repair, or extend any side sewer or private sewer until the person doing said work has obtained permission, in writing, for the same from the City.

It shall be unlawful for any person to extend any private sewer or side sewer beyond the limits of the building or property for which a permit has been given without obtaining permission, in writing, for the desired extension. (Ord. 2004-D §15, 2004)

#### **13.04.160 Installation and Maintenance of Sewer Service Line.**

When a permit for a sewer service line (side sewer) has been granted, the sewer tap at the sewer main and the sewer service line from the sewer main to the premises which will be serviced by the sewer system shall be installed by the owner of the property at the expense of the person or firm desiring sewer service. The installation of any sewer service line (side sewer) must be inspected by the City, or an Agent thereof, and meet the standards set by the City. Thereafter the sewer service line within the public right-of-way or easement shall be maintained by owner of the property at his/her own expense but will remain within and under the exclusive control and jurisdiction of the City.

All sewer service lines (side sewers) within any public rights-of-way or easement shall be constructed by the City; except that sewer service lines in any new subdivisions may be installed as part of the construction of the new sewer collection system. Within said subdivision and provided, further, that such service lines are constructed, inspected, tested, and certified as being in conformance with the Idaho Standards for Public Works Construction governing the construction of sewer service lines. Sewer service lines may also be installed by contract in conjunction with City-sponsored projects or when, in the opinion of the City, it is in the best interests to have or allow said sewer service lines to be installed by other than City personnel. (Ord. 2004-D §16, 2004)

#### **13.04.170 Right to Revoke Permissions.**

Permission given to connect servers and drains shall be upon the express condition that the City may for good cause revoke the same and the person making such connection, or his successor in interest, shall have no right to claim any damage in consequence of such permission being revoked. (Ord. 2004-D §17, 2004)



**13.04.180 Sewer Construction, Plans, Specifications, and Inspection.**

All construction or reconstruction of any public, private and side sewer shall be in accordance with the Idaho Standards for Public Works Construction and subject to inspection by the City.

Plan and profile drawings shall be prepared for all new sewer mains (whether public or private) and for sanitary sewer extensions, reconstructions, or renovations; and all such plan and profile drawings must be reviewed and approved by the City Engineer and the state Department of Environmental Quality before any construction work on such sewer lines is started. (Ord. 2004-D §18, 2004)

**13.04.190 Right to Enter Premises for Inspection.**

A City Representative shall have the right to enter upon any premises connected with any public sewer at all reasonable hours to determine that there is compliance with the provisions of this Chapter. If conflict is noted, the owner of said premises or his agent shall be directed to alter, repair, or reconstruct such sewer facilities to conform to the requirements of this Chapter within fifteen (15) days. (Ord. 2004-D §19, 2004)

**13.04.200 Industrial Wastes.**

Each person or firm desiring to make a connection to the public sewer for the purpose of discharging industrial wastes thereto shall prepare and file with the City Engineer a report that shall include actual and/or predicted data relating to the quantity and characteristics of the waste to be discharged. Private treatment facilities may be authorized by the City, provided that all federal, state, and local laws and regulations are fully complied with.

Industrial waste charges may be based upon the amount of flow, biochemical oxygen demand (BOD), and suspended solids, or any combination thereof as may be recommended by the City Engineer or this Chapter.

Pretreatment of industrial wastes shall be a prerequisite to discharge into the City sewer system. Pretreatment of all industrial waste shall comply with all applicable federal, state, and local laws and regulations.

The sewage collection and treatment charges for industrial waste shall completely pay for all collection and treatment costs associated with said wastes. (Ord. 2004-D §20, 2004)

**13.04.210 Special Agreements.**

No statement contained in this chapter shall be construed as prohibiting any special agreement or arrangement between the City and any persons or organization whereby an industrial waste of unusual strength or character may be admitted to the wastewater collection and treatment system either before or after pretreatment, provided that there is no impairment of the functioning of the wastewater treatment system by reason of the admission of such waste, and no extra costs are incurred by the City without recompense by said person or organization. (Ord. 2004-D §21, 2004)

#### **13.04.220 Extension of Sewer Mains Within City.**

The City shall be authorized to construct, or cause to be constructed, extensions to the sewer system if one of the following conditions exists:

- the annual anticipated revenue made available to the City from the customers to be immediately served by such extension is not less than one-tenth (1/10) of the actual cost to the City for the construction of said extension.
- the City declares that the sewer main extension is needed for the overall benefit and
- improvement of the entire sewage collection system.
- the City Council approves a contract for the construction of extension with a party or parties desiring sewer service. Provided, however, that subdividers or developers within our adjacent to the City shall construct at their own expense all sewer mains within their subdivisions or developments except that the City will be responsible for those sewer line costs set forth in 13.04.370

(Ord. 2004-D §22, 2004)

#### **13.04.230 Extension of Sewer Mains and Areas Contiguous to City.**

In areas contiguous to the City that may be annexed to the City, or lands that are located within the Area of Impact for the City of Arco, the City may require such areas to be annexed before sewer service is provided. Prior to annexation, the City may require the execution and approval of an annexation agreement which shall detail the conditions for sewer service. (Ord. 2004-D §23, 2004)

#### **13.04.240 Extension of Sewer Lines Outside City.**

Sewer lines shall not, without the City Council's approval, be extended outside the corporate limits of the City; however, when in the opinion of the City there will be special benefit and improvement to the City by reason of extension outside the City, special arrangements may be made with the Council to allow said extension. Provided, however, that the areas to be serviced outside of the City shall not benefit to a greater extent than like areas provided with sewer service within the City, and provided, further, that no such arrangement shall be made unless adequate sewer line capacity and sewage treatment capacity is available for such outside the City sewer service and approval of the proposal has been given by the Idaho Department of Environmental Quality. (Ord. 2004-D §24, 2004)

#### **13.04.250 System of Charges.**

All systems of charges and fees to users, within and without the City, shall assure that each recipient of wastewater collection and treatment services will pay its proportionate share of the costs of operation and maintenance (including equipment replacement) of any waste collection and treatment services provided by the City. (Ord. 2004-D §25, 2004)

**13.04.260 Sewer Connection Fee.**

Before any sewer connection permit is issued for the installation of any sewer service connection (side sewer), the person making application therefor shall pay to the City a sewer connection fee according to the following schedule:

<b>Size of Sewer Connection</b>	<b>Connection Fee</b>
2”	as determined by City Council
4”	as determined by City Council
8” (shall include manhole)	as determined by City Council
pressure line (shall include check valve)	as determined by City Council
special connection	as determined by City Council

The sewer connection fee set forth above must be paid whenever sewer service is requested and subsequently provided to any dwelling, trailer house, business, commercial building, or any other such building or establishment that is not immediately connected to the City sewer system after completion of construction of the same and after the date to be established by resolution of the City Council allowing a reasonable time for connection of all existing properties after completion of the wastewater collection and treatment works.

The above referenced sewer connection fee will not apply to or be charged against the reconstruction of any existing sewer service line serving any existing dwelling, building, etc. It is intended that the sewer connection fee be charged only where a new building is being constructed upon previously undeveloped or unsewered property. These fees may be changed from time to time by resolution of the City Council as such changes are deemed necessary. (Ord. 2004-D §26, 2004)

**13.04.270 Service Call Charged.**

The City Council may require a service charge for service calls which are only for the convenience and benefit of the customer. (Ord. 2004-D §27, 2004)

**13.04.280.1 Monthly Water/Sewer Rates.**

General: a sewer user charge system shall be levied on all users of the sewage collection and treatment facilities to cover the actual or estimated cost of operation, maintenance, replacement, and financing of the wastewater facilities. The user charge system shall distribute these costs to each user or user class in approximate proportion to such user's contribution to the total wastewater load of such facilities.

By reference, the Sewer User Charge System (on file in the office of the City Clerk), which defines the basis and distribution of the cost of owning, operating, and maintaining the wastewater collection and treatment systems, is hereby made a part of this Chapter.

Basis for rates: the sewer user rates for each user (or user class) shall be based upon the user's contribution to the total wastewater loading of the treatment facilities in comparison to a standard equivalent user as defined below. Each user (or user class) shall be assigned a number of equivalent users to be multiplied by a constant monthly cost factor to determine the basic user monthly fee. Special users contributing sewage of excessive flow and/or strength, for which the tabulated equivalent users below not

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apply, shall be individually calculated as provided below. The constant monthly cost factor shall be set by resolution of the City Council.

Equivalent user: one equivalent user shall be defined as contributing 200 gallons per day of wastewater containing not more than 0.6 lbs. of five-day BOD and 0.4 lbs. of suspended solids. The equivalent user flow has been developed from population and water usage records which indicate an average dwelling unit has 2.6 people contributing 80 gal. per person per day wastewater flow to the system. Standard engineering data indicates 0.20 lbs. of five-day BOD and 0.14 lbs. of suspended solids, respectively, per person per day. The basic equivalent user shall be subject to revision by the City Council if population, water usage, sewer volume, and/or other information indicate flow and/or strength significantly different from that defined herein. Revisions of the basic equivalent user criteria shall normally only be made upon the recommendation of a registered professional engineer.

Equivalent user schedule: the number of equivalent users to be assigned to each user and/or user class shall be in accordance with the following Equivalent User Schedule. Assignment of equivalent users shall apply for one year until the next annual user charge review. Users so indicated or not included in the Schedule shall be considered special users and shall be evaluated separately as provided below. If information indicates that the strength of sewage contributed by any of the following users is in excess in comparison with the allowable limits listed above, then a surcharge shall be levied against such users as provided below.

Any of the users in the following Schedule may be classified as special users if information on their contributing flow and/or strength indicates a need to do so. A single user having more than one classification of use shall be the sum of the equivalent users. The minimum monthly sewer/water user charge shall be one (1.0) equivalent user. No quantity discounts will be allowed.

Classification	
Apartments, duplexes and trailers in trailer courts (per each unit)	See Amendment
Assembly hall or lodge (no cafe)	1.00
Bar or Tavern (for each seat)	0.06
Barber & beauty shops (per chair)	0.20
Bowling Alley (per lane)	0.20
Cafe, up to 50 seats	2.00
for each additional 25 seats	1.00
Cafe, drive-in, less than 20 inside seats	2.00
for each additional 20 inside seats	1.00
Car washes (per stall)	2.00
Churches (single congregation)	2.00
multiple congregations (each additional)	1.00
meets Sunday only	1.00
Garage or maintenance shop	1.00
Hospitals or medical clinics (with no beds)	3.00
for each additional bed	0.50
Hotels, motels, or Rooming House (per unit)	See Amendment
additional per unit with Kitchens	0.20
Institutions with permanent or temporary residents	1.00
rest homes, etc. (plus per resident)	0.30
Laundromat, up to 10 washers	2.00
each additional washer	0.10

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Office, up to 20 employees	1.00
Small office/business 2-4 employees	See Amendment
Schools, no criteria (per student)	0.02
with cafeteria (per Student)	0.03
Service Station	2.0
Single dwelling unit (residence) (home, trailer, or condominium)	1.00
Store or business, up to 20 employees	1.00
each additional Employee	0.03
Supermarkets or grocery stores	2.00
with butcher shop (additional)	1.00
with bakery (Additional)	1.00
Warehouses, etc. (per 6,100 gal. per month)	1.00
Open Class (per 6,100 gal/month)	1.00

Surcharge for excessive strength: when any user contributes wastewater having an average BOD and/or suspended solids in excess of the designated allowable limits hereinafter designated, a surcharge shall be levied against such user. Such surcharge shall be based on the average degree of excess loading and applied as a percentage of the basic user charge as provided in the above schedule, or otherwise for special users. The BOD and suspended solids loading shall be determined from estimates or tests made by City officials or the City Engineer. The user's monthly user surcharge shall be computed use of an equation as determined by resolution of the City Council.

A copy of the list of users surcharged, the characteristics of their sewage, and the surcharge for each, shall be kept on file at all times in the office of the City Clerk.

Special users: If, in addition to excessive strength, the user is determined to add flow to the wastewater treatment facilities in excess of 6,100 gal. per month, the above formula shall be increased by a factor of total flow divided by 6,100 gal. per month multiplied by one equivalent user. In order to determine the flow of the special user, the City may monitor sewage and water flow in order to determine total flow. The value of UMC used in the formula above will be the same value as assigned to single dwelling units.

A copy of the list of special users, characteristics of their sewage, and the special user's monthly charge shall be kept on file at all times in the office of the City Clerk. There shall be no discounts permitted for quantity flows.

Review and revision of rates: the sewer user charges shall, as a minimum, be reviewed annually and updated by resolution of the City Council to reflect the costs of operation, maintenance, replacement, and financing of the sewage collection and treatment facilities. Any revisions of the user charges shall be based on actual operation, maintenance, replacement, and financing expenses, and/or on significant changes in the total number of equivalent users, the total daily flow, the total daily BOD, and/or the total daily suspended solids.

The City may install flow measuring devices and/or collect wastewater samples at any time in any user's service line to determine actual usage as a basis for revisions of the user charge system. Revisions due only to changes in expenses and user class shall be made by the City. Revisions involving user's flow, BOD, and/or suspended solids shall normally only be made upon the recommendation of a registered professional engineer. All changes in user charges applicable to this Chapter shall be computed by the methods outlined herein and shall be published in the User Charge System to be kept on file in the office

of the City Clerk, and notification of which is to be distributed annually with the first billing of the fiscal year.

User request for rate change: any sewer user who feels his user charge is unjust and inequitable as applied to his premises within the spirit and intent of the foregoing provisions, may make written application to the City requesting a review of his user charge. Said written request shall, where necessary, show the actual or estimated average flow and strength of his wastewater in comparison with the values upon which the charge is based, including how the measurements or estimates were made. Any flow measurements and/or testing of wastewater shall be approved in detail by the City and/or its Engineer. Review of the request by the City shall determine if it is substantiated or not, including recommended further study of the matter by the City and/or user by a registered professional engineer. (Ord. 2004-D §28, 2004)

#### **13.04.290 Metered Service.**

Whenever the City Council shall deem it appropriate and in the best interests of the City and its citizens to require a user to have the sewer and/or water service to his facilities metered to more appropriately determine the amount of service provided such user by the system, the City Council may by resolution require the said user to install a meter and/or meters which will accurately measure the service provided; and the Council may further establish by resolution the rates to be charged for such service as will properly pay the fair share of the services provided to such user. The cost of the meter and its installation shall be borne by the user. (Ord. 2004-D §29, 2004)

#### **13.04.300 Outside the City Sewer Rates.**

The sewer connection fee, the sewer service line installation fee, and the monthly sewer user fee shall be multiplied by a factor of 1.5 for any outside the City users. (Ord. 2004-D §30, 2004)

#### **13.04.310 Billing Procedure and Periods.**

Accounts shall be charged a rate in accordance with the rate schedule found in 13.04.280 or as such may hereinafter be amended and revised by the City Council. (Ord. 2004-D §31, 2004)

#### **13.04.320 Due Date.**

Bills rendered for sewer service are payable upon the date mailed and shall be deemed delinquent if not paid before the 10th calendar day of each month or on any such date as hereafter designated by the City. When the past due date falls on a legal holiday or on a day when City offices are not open for business, the next regular business day is considered the past due date. When remittances are made by mail, bills shall be deemed paid on the date of the mailing as shown by the postmark. (Ord. 2004-D §32, 2004)

#### **13.04.330 Delinquent Accounts.**

When bills are not paid within thirty (30) days from the past due date, the City shall issue an order to shut off and disconnect water and/or sewer service to such delinquent customers and may enter upon the property for the accomplishment of such purposes. In case service is discontinued for delinquency, it shall not be restored until the delinquency is paid, or until arrangements for payment satisfactory to the City Clerk have been made, together with a fee of thirty dollars (\$30) for discontinuing and restoring service.

The fee of thirty dollars (\$30) shall be payable whenever a service trip is made for the purpose of discontinuing service because of nonpayment, even though a shut off may not actually have occurred. The expense of digging up and plugging the sewer service line, as well as the expense of restoring said sewer service line back to an operable condition, is a debt due to the City and may be recovered in addition to the thirty dollar (\$30) fee.

Notwithstanding the fact that the actual user of the system might be a tenant and receive the water, sewer or garbage bill, the owner of any premises using the water, sewer or garbage system shall be ultimately liable for all fees and charges addressed by the City. Any owner of real property renting the same to others, who shall desire to have notification of the monthly charges, shall make written application to the City Clerk for such duplicate billing, and shall be charged, in addition to the water, sewer, and garbage services, the actual cost of such duplicate billing. (Ord. 2004-D §33, 2004)

#### **13.04.340 Wastewater Collection and Treatment System Improvement Fund.**

There is hereby established a wastewater collection and treatment system improvement fund to be maintained by the City Clerk. The fees, charges, rates, etc., and such as are set forth herein shall be deposited in said fund and shall be dispersed only for the purposes of paying existing or future indebtedness coinciding with or relating to maintaining, repairing, studying, controlling, enlarging, extending, enhancing, or improving the wastewater collection and treatment system of the City. (Ord. 2004-D §34, 2004)

#### **13.04.350 Sewer System Materials and Installation.**

All sanitary sewer mainline and manholes and their installation shall be in accordance with the Idaho Standards for Public Works Construction.

All sewer service line materials and their installation shall be in accordance with the Idaho Standards for Public Works Construction.

All sewer system materials shall be of the class, strength, thickness, etc. necessary to accommodate or provide for the depth of soil cover over the pipe; the type of material and bedding around the pipe; and the type, magnitude, and extent of the external loads being applied to the pipe. (Ord. 2004-D §35, 2004)

#### **13.04.360 Sewer System Design.**

The plans for all sewer lines, sewage lift stations, sewage treatment facilities, etc. shall be designed, signed, and sealed by a registered professional engineer licensed in the State of Idaho.

All sewer lines, lift stations, sewage treatment facilities, etc. shall be designed in accordance with the Idaho Department of Environmental Quality requirements.

Minimum sanitary sewer main size shall be eight (8) inch diameter. Larger sizes shall be as required by the City's overall sewer system master plan or as are needed to provide adequate sewage carrying capacity for the area (and surrounding developable area) being developed and/or annexed to the City. Minimum building service line size shall be four (4) inch diameter. (Ord. 2004-D §36, 2004)

**13.04.370 Subdivision Developers or Property Owners Responsibility for Service Lines for Sewer Lines.**

The owner or developer of any piece of property or tract of land is responsible for the construction of the sewer line (or for the sewer line costs) along any of the property sides or frontages of the property where a sewer is needed for the overall completeness and continuity of the City's sewer main system. If it is a large tract of land, the owner or developer shall also be responsible for the necessary and required system of sewer lines within the interior of the tract of land .

The owner or developer of any piece of property shall construct all the new sewer lines (of the approved size) within and along all sides or frontages of any piece of property prior to the time any building constructed thereon is occupied or utilized, unless "phased" construction of the sewer main system is specifically allowed or provided for in the annexation or development agreement. In lieu of actually constructing said required sewer line or sewer lines, the property owner or developer may deposit adequate monies with the City to fully cover the cost(s) of said required sewer line construction.

The owner or developer of any property or subdivision will normally be responsible only for the cost of an 8 in. diameter sanitary sewer line. The additional cost of providing a sanitary sewer line of greater than 8 in. will normally be a City responsibility. The City will reimburse the developer for the extra cost of the additional sanitary sewer line size (over the 8 in. diameter size referenced above) as set forth in the annexation or development agreement between the developer and the City.

Provided further, however, that if any proposed subdivision or development is of such size or magnitude that it requires or necessitates a sewer line larger than 8 in. diameter line, or if the type of development is such as to produce wastewater flow in excess of the capacity of an 8 in. diameter sewer line, then the owner or developer of such subdivision or development shall be responsible for the entire cost of whatever size of sewer line is needed to accommodate the development. (Ord. 2004-D §37, 2004)

**13.04.380 Subdivision Developer's or Property Owner's Responsibility for Sewage Lift Stations.**

Sewer mains shall be kept as deep as practicable to keep sewage lift stations to the smallest number possible. When a sewage lift station and its related facilities is required, it and the sewer main system directing sewage to it shall generally be designed for an entire definable area and not just to serve a single property owner or developer. The cost of the sewage lift station shall be equitably divided between the developer and the City as set forth in the annexation or development agreement. (Ord. 2004-D §38, 2004)

**13.04.390 Citation; Appearance.**

Whenever it is determined by any police officer or other duly authorized officer that any person or persons have violated any provisions of this Chapter, the said officer, or the officer's designated representative, shall provide and serve upon such person or persons a written citation containing a notice to appear in a designated court of competent jurisdiction. The issuance of a citation shall not be the exclusive method of summoning offenders hereunder. (Ord. 2004-D §39, 2004)



**13.04.400 Penalties.**

Any person violating any provision of this chapter shall be guilty of a misdemeanor, and upon conviction thereof, may be punished by a fine of not more than \$300, or by imprisonment for not more than thirty (30) days, or by both such fine and imprisonment. Each day said violation occurs shall be a separate offense. (Ord. 2004-D §40, 2004)