

TITLE 8
WATER AND SEWER

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CHAPTER 1
WATER USE REGULATIONS

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8-1-1: **DEFINITION OF TERMS:** Terms used in this Chapter shall have the meanings herein given to them:

- APPROVING AUTHORITY: The Public Works Superintendent of the City of Salmon or his or her duly authorized deputy(s), agent(s), or representatives.
- BACKFLOW: The flow other than the intended direction of flow, of any foreign liquids, gases or substances into the distribution system of the City water supply.
- BACKFLOW PREVENTION DEVICE: A device to counteract back pressure or prevent back siphonage.
- CITY: The City of Salmon, Idaho.
- COMMERCIAL BUILDINGS: 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 purposes not otherwise described or covered above under "dwellings."
- COMMERCIAL USER: All persons not specifically classified as a domestic or as an industrial user.
- CONTAMINATION: The entry into or presence in a City water supply of any substance which may be deleterious to health and/or quality of the water.
- CROSS-CONNECTION: Any physical arrangement whereby the City water supply is connected, directly or indirectly, with any other water supply system, sewer, drain, conduit, pool, storage reservoir, plumbing

fixture or other device which contains or may contain contaminated water, sewage or other wastes or liquids of unknown or unsafe quality which may be capable of imparting contamination to the City water supply as a result of backflow.

DOMESTIC WATER USAGE:

Water that is used principally for dwellings, business buildings, institutions and the like.

DWELLINGS:

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.

Duplex:

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

Multiple-Family Dwelling or Apartment House:

Any building or portion thereof which is designed, built, rented, leased, let or hired out to be occupied or 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.

Recreational Vehicle Park

A place of business specifically operating for the use of recreational vehicles that can stay overnight or a maximum of 30 days in allotted spaces and is open seasonally where water and sewer services are not available year-round.

Single-Family Dwelling:

A building designed for or occupied by one family for living or sleeping purposes, and having one kitchen or set of cooking facilities.

Trailer House or Mobile 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.

MG:	Million gallons.
MGD:	Million gallons per day.
PARTS PER MILLION:	A weight-to-weight ratio: the parts per million multiplied by the factor 8.345 shall be equivalent to pounds per million gallons of water.
PERSON:	Any individual, firm, company, association, society, corporation, group or other entity.
PRIVATE WATER SYSTEM:	A water system serving two (2) or more buildings, residences or properties, 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 owners. Private water systems shall be designed, constructed and maintained by said private owners to the same design, construction and maintenance standards as are public water systems.
PUBLIC WATER SYSTEM:	A water system provided by or subject to the jurisdiction of the City. It shall also include approved water systems within the City boundaries that serve one or more persons and obtain their water supply from the City water system, even though the water system may not have been constructed with City funds. All public water mains shall be located in dedicated public rights of way or easements. Public water mains shall be at least six inches (6") in diameter.
REPLACEMENT:	Any expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the service life of the water system to maintain the capacity and performance for which such works were designed and constructed. The term "operation and maintenance" includes replacement.
SERVICE CHARGE:	The charge levied on all users of the water system for the purpose of repayment of City indebtedness for the construction and

installation of the system and for its efficient maintenance and operation. In establishing such rates and charges, the City has taken into account the cost and value of the system, operation and maintenance expenses, possible delinquencies, proper allowance for depreciation, contingencies and any amounts necessary to retire all bonds payable from net revenues and the reserve required for these.

SERVICE CONNECTION:

A water line connected to the water main.

SERVICE LINE:

The water line from the City Water meter to the structure using the water. This line is on private property and is the responsibility of the owner.

WATER:

Potable water meeting the requirements of the State of Idaho for public water systems.

WATER DISTRIBUTION AND SUPPLY SYSTEM:

All facilities for transporting, pumping, storing and pressurizing of water, and includes water main as well as the supply system.

WATER MAIN:

The pipe laid in a street, road, alley or easement and running approximately parallel to the street, road, alley or easement for the distribution of water to the customers and which is owned, operated, controlled and maintained by the City.

WATER METER:

A device which is calibrated and constructed to measure the exact amount of water that flows through the device in total gallons. The water meter, when used, shall include the actual meter plus yoke, remote read-out device and meter box, if required.

WATER SERVICE LINE:

The extension from the city water main hot tap to the city water meter or shutoff valve by the water meter. It is usually within the public right-of-way.

WATER SUPERINTENDENT:

The Public Works Superintendent of the City of Salmon.

WATER SUPPLY SYSTEM: An assemblage of creeks, rivers, wells, pumps, devices, structures, equipment and tanks for providing water for domestic, commercial or industrial uses.

WATER SYSTEM: A water main line that conveys potable water to a residence, commercial user, industry or other establishment for consumptive use, irrigation, process or similar uses. (Ord. 92-549, 3-18-92, eff. 11-1-92)

8-1-2: CONNECTION TO WATER SYSTEM REQUIRED: Every existing premises within the boundaries of the City that is occupied or occupiable by any person or as a commercial business, shall be connected to the public water system if they are within 300 feet of an existing city water main. The owner or person in charge of such land shall make or cause to be made such connection through the application process before such land is occupied for a dwelling or commercial building. The property owner shall have the meter installed at his or her expense. The City shall make the hot tap connection to its main line and install the water service line to the city water meter for new construction. The property owner shall pay for all required excavation, backfill, street repair and all other service line and connection costs per the fee schedule as set by resolution. (Ord. 92-549, 3-18-92, eff. 11-1-92, amd. Ord. 15-811, 11-19-15)

8-1-3: REFUSAL OF USE OF SYSTEM: The City may prohibit the connection to the public water system for any user that does not comply with the limitations set forth in this Chapter. (Ord. 92-549, 3-18-92, eff. 11-1-92, amd. Ord. 15-811, 11-19-15)

8-1-4: INDEPENDENT WATER SERVICE LINE AND METER REQUIRED:

- A. The water main line and water service line(s) shall be so arranged that there is a separate and independent water service line and meter to each individual building, place of business or tract of land.
- B. After the effective date of the ordinance codified in this Chapter, a separate and independent water service line and meter shall be provided for every new building connecting to the water system of the City. Separate service lines and meters are not required for each trailer space in overnight trailer courts, nor for each cabin in

cabin courts; however, separate water service lines and meters are required for trailer houses on individual lots or for long-term trailer rental units in mobile home courts. (Ord. 92-549, 3-18-92, eff. 11-1-92)

8-1-5: **EXISTING BRANCH SERVICE LINES:** Where water service is now provided through one water service line to several customers (branch service lines), the City by resolution, may decline to continue to provide water for said premises until separate water service lines are provided at the owner's expense. Where more than one dwelling is served from one such service line, the established rate shall be charged for each customer in the same manner as if each did, in fact, have an individual water service line. (Ord. 92-549, 3-18-92, eff. 11-1-92)

8-1-6: **WATER SERVICE LINE AND METER MAINTENANCE:** All water users shall keep their individual water service lines in good repair and shall keep them in such good condition that they shall not allow any leakage from the City's water system. The City shall be responsible for the maintenance of the water meters. (Ord. 92-549, 3-18-92, eff. 11-1-92)

8-1-7: **INJURY TO OR TAMPERING WITH WATER SYSTEM UNLAWFUL:** It shall be unlawful to disturb, destroy, damage, adjust, molest, meddle or otherwise interfere with any portion of the City water distribution or supply system or its appurtenances, located on either public or private property. Should any damage result, either intentionally or unintentionally, from handling or otherwise tampering with said water system, the violator shall pay for all costs incurred in connection with the repairs of said system and/or for any damages that may result from the tampering with said system and may be subject to other civil and criminal fines and penalties. (Ord. 92-549, 3-18-92, eff. 11-1-92)

8-1-8: **DUTIES OF PUBLIC WORKS SUPERINTENDENT REGARDING SERVICE LINES:** The Public Works Superintendent is hereby empowered, and it is hereby made his or her duty, in all cases where there is a public water supply system within three hundred feet (300') to notify every owner or person in charge of land, or premises, requiring a service connection as specified in Section 8-1-2 of

this Chapter, to comply with the provisions of that Section of this Chapter A lessee of land shall be deemed to be in charge. (Ord. 92-549, 3-18-92, eff. 11-1-92, amd. Ord. 15-811, 11-19-15)

8-1-9: UTILITY APPLICATION REQUIRED:

- A. Installation or Alteration of Water System or Service Line: It shall be unlawful to install or alter any water system or service line within the City, or to tap onto or connect to any water line whether lateral or main, without having first obtained from said City an approved utility application. (amd. Ord. 15-811, 11-19-15)
- B. Application for Connection: An application for a connection to the City water system shall be made to the City and no connection shall be made to any water main without an application having been approved by the Public Works Superintendent or his or her representative. (amd. Ord. 15-811, 11-19-15)
- C. Connection to Public Water Main Line: It shall be unlawful for any person to excavate, uncover, make any connection with or opening into, use, alter or disturb any public water main line or appurtenance thereof, without first obtaining an approved utility application to perform said work from the City. (amd. Ord. 15-811, 11-19-15)
- D. Excavation Permit: No permit shall be granted to do water line work in any street, alley or public easement until the applicant has first obtained an excavation permit as required by the City. (Ord. 92-549, 3-18-92, eff. 11-1-92)

8-1-10: SERVICE LINE EXTENSION OR REPAIR PERMIT REQUIRED:

- A. Repair of Service Line: When any water service line or private water system connected with any public water main is leaking, broken or out of order, on private property (outside of any public right of way or easements) the owner, agent or tenant of such premises shall repair the same at his or her own expense. No person shall construct, re-lay, repair or extend any water service connection or private water system until the person doing said work has obtained the appropriate water permit for same. (amd. Ord. 15-811, 11-19-15)

- B. Extension of Service: It shall be unlawful for any person to extend any private service line beyond the limits of the building or property for which approval has been given without submitting a new utility application for the desired extension. The existence of a water permit shall in no way be construed as making permissible any work for which an excavation permit may be required by the City. (Ord. 92-549, 3-18-92, eff. 11-1-92, amd. Ord. 15-811, 11-19-15)

8-1-11: INSTALLATION AND MAINTENANCE OF WATER SERVICE LINES:

- A. Installation and Maintenance by City: When an application is submitted for a water service line and has been approved, the water tap at the main line shall be installed by the City from the main water line to the meter. The service line from the main water line to the meter and all associated excavation, backfill, street repair and piping shall be completed by the city at the property owner's expense. Thereafter, or after the water service line has been installed, each water service line within the public right of way or easement shall be maintained by the City at its expense and kept within and under its exclusive control and jurisdiction. (amd. Ord 15-811, 11-19-15)
- B. Installation by Contract: Water service lines may also be installed by contract in conjunction with City-sponsored projects or when, in the opinion of the Public Works Superintendent, it is in the City's best interest to have or allow said water service lines to be installed by other than City personnel. (Ord. 92-549, 3-18-92, eff. 11-1-92)

8-1-12: INSTALLATION AND MAINTENANCE OF WATER METERS:

- A. Cost: The City shall provide for a fee set by resolution to all property owners connecting to the water system an appropriately sized water meter, yoke, remote readout, and meter box. The total fee being calculated from the work described on the utility application. (amd. Ord. 15-811, 11-19-15)
- B. Readouts: Whenever possible, the water meter readout shall be installed at the curb or in the sidewalk adjacent to the City's right of way. In all other circumstances, the water meter remote readout shall be placed on an exterior wall of the building at least five feet

(5') above ground and in a location next to a commonly used or maintained entrance way such that the remote readout will be accessible to the City's meter reader at all times during both summer and winter conditions.

- C. **Malfunctioning Meters:** If the meter is determined to be malfunctioning by the City after proper inspection by the Public Works Superintendent, it shall be the City's responsibility to provide the property owner with a new water meter and/or remote readout facilities as replacements for the malfunctioning units. It shall thereafter be the City's responsibility to replace or repair the malfunctioning meter and/or remote readout facilities on the owner's private property. (Ord. 92-549, 3-18-92, eff. 11-1-92)

8-1-13: **RIGHT TO REVOKE PERMISSION TO CONNECT:**
Permission given to connect to the water main shall be upon the express condition that the Public Works Superintendent may for good cause revoke the same and person making such connection or his or her successor in interest shall have no right to claim any damage in consequence of such permission being revoked. (Ord. 92-549, 3-18-92, eff. 11-1-92)

8-1-14: **WATER SYSTEM CONSTRUCTION, PLANS, SPECIFICATIONS AND INSPECTION:**

- A. **Inspection:** All construction or reconstruction of public, private and water service lines shall be in accordance with the City standards and subject to inspection by the City. (amd. Ord. 15-811, 11-19-15)
- B. **Plans and Drawings Required:** Plan and profile drawings stamped by a professional engineer licensed in Idaho shall be prepared for all new water mains (whether public or private) and for all water main extensions, reconstructions or renovations; and all such plan and profile drawings must be reviewed and approved by the Public Works Superintendent and the State of Idaho Division of Environmental Quality before any construction work on said water lines is started. (Ord. 92-549, 3-18-92, eff. 11-1-92, amd. Ord. 15-811, 11-19-15)

8-1-15: **RIGHT TO ENTER PREMISES FOR INSPECTION:** The Public Works Superintendent and the City Representative assigned to read the water meters shall have the right to enter upon any premises connected with the public water system 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 or her

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agent shall be directed to alter, repair or reconstruct said water facilities to conform to the requirements of this Chapter within fifteen (15) days. (Ord. 92-549, 3-18-92, eff. 11-1-92)

8-1-16: **EXTENSION OF WATER MAINS WITHIN CITY:** The Public Works Superintendent shall be authorized to construct or cause to be constructed extensions to the water system if one of the following conditions exists:

- A. 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 of said extension.
- B. The Public Works Superintendent declares that the water main extension is needed for the overall benefit and improvement of the entire water distribution system.
- C. The City approves a contract for the construction of the extension with a party or parties desiring water service. Provided, however, that subdividers or developers within the City shall construct at their own expense all water mains within their subdivisions or developments. (Ord. 92-549, 3-18-92, eff. 11-1-92, amd. Ord. 15-811, 11-19-15)

8-1-17: **SERVICE CALL CHARGE:** The City may require a service charge in an amount not to exceed the actual cost to the City, for service calls which are only for the convenience and benefit of the customer. (Ord. 92-549, 3-18-92, eff. 11-1-92)

- A. Turning Water Services On and Off:
 - 1. In an emergency, the City shall turn off the water, for the initial response, at no charge to the property owner. For the original emergency, the water will be turned back on, during normal business hours, once only, at no cost.
 - 2. Additional trips during normal business hours, to turn the water on or off, shall be charged a fee per visit as set by resolution. Additional emergency trips to turn the water off or on after normal business hours will be charged a fee as set by resolution. (amd. Ord. 15-811, 11-19-15)

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3. For normal repair and maintenance of water service, there will be no charge for the first turn off and return to service trip. Each succeeding trip will be charged at the rate per visit to be set by resolution. (amd. Ord. 15-811, 11-19-15)

4. Outside normal business hours, there will be no service provided to turn the water on or off, except in an emergency. (Ord. 01-617, 2-21-2001)

8-1-18: **MONTHLY WATER USER FEES:**

A. **General:**

1. User Fee: Each water user shall be levied a monthly water user fee for the privilege of utilizing water from the City water system. The water user fee shall be levied on all users of the water to cover the actual or estimated cost of operation, maintenance, replacement and financing of the City's water system facilities. All water users and property owners who have water service shall be levied a water user fee beginning March 1, 1992, with their first payment being due April 1, 1992, for the first month of service. Billings will be levied regularly after March 1, 1992 at intervals set by the City Council, but no more often than monthly. In the event an owner fails to connect to the system, he or she will be assessed a monthly user base fee. (amd. Ord. 15-811, 11-19-15)

2. Rate: The actual monthly water user rate fee to be billed to each property owner or customer shall be determined by the addition of the calculated monthly base rate fee and the calculated monthly water usage fee. A description of the base rate fee and water usage fees to be assessed by this Chapter shall be described in the subsequent subsections of this Section. (Ord. 92-549, 3-18-92, eff. 11-1-92)

B. Base Rate Fees: The water base rate fee for each user (or user class) shall be based on the user's potential water consumption in comparison to a standard equivalent connection defined below. Each user (or user class) shall be assigned a number of equivalent connections to be multiplied by a constant monthly water base rate factor to determine the base monthly fee. Special equivalent connections below do not apply, shall be individually calculated as provided below. The constant monthly water base rate factor per equivalent connection shall hereafter be set by a separate ordinance defining water user connection and usage fees. The monthly user base fee is, therefore, calculated by multiplying the number of equivalent connections assessed to each

property times the constant monthly water base rate factor. The monthly base fee (residential equivalent unit) for the City may be amended by resolution. (Ord. 92-549, 3-18-1992, eff. 11-1-1992; amd. Ord. 92-553, 9-16-1992, eff. 10-1-1992; Ord. 97-598, 10-15-1997, eff. Retroactive to 10-1-1997; amd. Ord. 02-624, 2-20-2002. eff. 5-1-2002 ; amd. Ord. 04- 662, 2-4-2004; amd. Ord. 07-714, 8-15-2007, eff. 10-01-2007; amd. Ord. 09-733 eff. 4-15-2009, amd. Ord. 15-811, 11-19-15)

1. Equivalent Connection Definition: One equivalent connection shall be defined as a single-family dwelling unit or a user who will experience equivalent benefits and monthly water usage. It is estimated that an equivalent user or connection in the City will use approximately fifteen thousand (15,000) gallons of water per month. The basic equivalent (a single-family dwelling unit) shall be subject to revision if population, water usage, and/or other information indicates flow rates significantly different from that defined herein. Revisions to the basic equivalent connection criteria shall normally only be made upon the recommendation of a registered professional engineer.

2. Equivalent Connection Determination: The number of equivalent connections to be assigned each user and/or user class shall be in accordance with the following equivalent connection schedule. Assignment of equivalent connections shall apply for one year until the next annual user charge review. Users so indicated or not included in this schedule shall be considered special users and shall be evaluated separately as provided below. Any of the users in the following schedule may be classified as special users if information on their water usage indicates a need to do so. The number of equivalent connections for a single user having more than one classification of equivalent use shall be calculated by adding the sum of all user classifications to a total number of equivalent connections. The minimum monthly water user charge shall be based on one equivalent connection.

3. Special User Definition: For any user whose classification is not detailed on the Equivalent Connection Schedule, the City shall determine his or her equivalent connection on the basis of his or her average monthly water usage. The number of equivalent connections shall be determined by dividing the total average monthly flow by a factor of fifteen thousand (15,000) gallons per month. This calculated equivalent number of connections may be adjusted by the City after the City has recorded the actual water usage over the first year.

- C. Special User Rate: A copy of the list of special users monthly base rate charge shall be kept on file at all times in the office of the City Clerk. (Ord. 92-549, 3-18-1992, eff. 11-1-1992)

The rate for each user shall be determined by the actual size of meter installed, or the size meter required for this type of service in the Uniform Plumbing Code, as adopted by the City of Salmon, whichever is larger. (Ord. 98-603, 8-19-1998; amd. Ord. 08-726. 2-06-2008)

- D. Water Usage Fees: In addition to the monthly base rate fee as defined in subsection B of this Section, each water user shall be charged a monthly water usage rate that will be calculated by multiplying the number of gallons of water used each month from the meter reading times a gallonage charge. The gallonage charge shall be that rate per one thousand (1,000) gallons of water that was set by ordinance, hereafter, amended by resolution. The water usage fee for usage shall be calculated per thousand gallons of usage. Water meters shall be read monthly. In the event a meter cannot be read each month, because of weather related conditions, or meter failure, or if the City requires residents to run water to prevent freeze-ups of main lines, the meter reading will be estimated and charged according to the average usage of the preceding three months, or in the event of no available history of the preceding months, the billing shall be set according to the Special User Rate defined in Section 8-1-18(C) of the Salmon City Code. (Ord. 92-549, 3-18-1992, eff. 11-1-1992; amd. 1995 Code; Ord. 97-590, 4-2-1997; Ord. 98-603, 8-19-1998; amd. Ord. 02-624, 2-20-2002, eff. 5-1-2002, amd. Ord. 15-811, 11-19-15)
- E. Review And Revision Of Rates: The water connection and usage fees shall, as a minimum, be reviewed annually and when required, updated by resolution of the City to reflect actual costs of operation, maintenance, replacement and financing of the water system. (amd. Ord. 15-811, 11-19-15)
- F. User Request For Rate Change: Any water user who feels his or her water charge is unjust and inequitable as applied to his or her premises within the spirit and intent of the foregoing provisions, may make written application to the City requesting a review of his or her user charge. Said written request shall, where necessary, show the actual or estimated average flow water in comparison with the values upon which the charge is based, including how the measurements or estimates were made. Any flow measurements shall be approved in detail by the City and/or its Public Works

Superintendent. Review of the request by the City shall determine if it is substantiated or not, including recommended further study of the matter for the City and/or user by a registered professional engineer.

- G. Maximum Cap Limitation: There shall be a maximum cap which was set by ordinance and may be amended by resolution per household unit (hookup) for the period of one monthly billing cycle to allow for repairs of unknown water leaks and unknown water usage per calendar year. (Ord. 92-549, 3-18-1992. eff. 11-1-1992; amd. 1995 Code, amd. Ord 15-811, 11-19-15)
- H. When any person determines his or her home, business, etc. is destroyed and/or uninhabitable for an extended time due to circumstances beyond his control such as fire, flood, wind, or some other act of God, he or she may apply in writing to the City Utility Clerk for a waiver of payment of his/her City monthly water service fee and City monthly sewer fee. Said waiver must be approved by the City Council. Said approval is at the City Council's discretion and is not automatic based upon the fact that a building is destroyed and/or uninhabitable. Said waiver shall not exceed six months' time period. Said time period may be extended upon further application.
- Criteria to be considered by the City Council shall include:
- a. The cause of said damage
 - b. The extent of said damage
 - c. The property owner's intent as to whether or not he/she plans to rebuild
 - d. Estimated time period to rebuild or repair damage
 - e. City services are not available

8-1-19: BILLING PROCEDURE AND PERIODS:

- A. Rate: Accounts shall be charged for water service in accordance with the rate determination found in Section 8-1-18 of this Chapter or as such may hereinafter be amended and revised by the City.
- B. Monthly Statement: The City shall furnish to each property owner, landlord, tenant or agent, a monthly statement of the amount due for water service for that month. The failure of any water user to receive notice or statement will in no way affect the obligation of the user to remit monthly payment as required.

- C. Initial Billing: The initial billing for premises occupied less than one month shall be charged only for that portion of the month during which the premises were occupied. (Ord. 92-549, 3-18-1992, eff. 11-1-1992)
- D. Deposit Required:
1. Each owner, tenant or lessee of property, before utility services are furnished, must pay a refundable deposit. The amount collected may be amended by Resolution of the Salmon City Council.
 2. All such deposits shall be placed in a reserve account managed by the City Treasurer/Finance Director.
 3. Refundable deposits may be transferred to another physical address on the City of Salmon Utility system if current bill is paid in full and upon written request from the owner, tenant or lessee of notice of transfer of the account to a different address.
 4. If your City of Salmon utility bills have been paid in full and on time for the last 12 consecutive months, you will receive a credit to your account in the amount of your deposit.
 5. In the event that an account becomes in arrears for a period longer than sixty (60) days, the deposit will be applied to the amount in arrears. Before the service to the owner, tenant or lessee resumes, the amount in arrears must be paid in full and a new deposit shall be submitted to the City. If the deposit has previously been credited to the account in arrears, a new deposit and the amount in arrears shall be submitted before services are restored.
 6. Upon vacating the premises, the City will be notified immediately. The owner, tenant, or lessee will, at that time, submit a written request, which shall be furnished by the City, for a refund and furnish a forwarding address. The refundable deposit will then be transferred to the appropriate Utility Fund of the City and credited to the account. The balance of the account, if any, shall be refunded to the person making the deposit, their heir, or a personal representative within thirty (30) days of the written request. No interest will be paid on funds to be returned. If such refund cannot be made within three (3) months because of the unknown whereabouts of the person making the deposit, the balance of the

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deposit shall be placed in the appropriate Utility Fund. (Ord. 05-700, 10-5-2005)

8-1-20: **DUE DATE:** Bills rendered for water service are payable upon receipt and become past due the 25th day of the month. 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 upon receipt. (Ord. 92-549, 3-18-92, eff. 11-1-92 amd. Ord. 13-787, 2-20-13, eff. 2-28-13)

8-1 -21: **DELINQUENT ACCOUNTS:**

- A. Notice: When the delinquent portion of utility bills are not paid by the 18th of the following month, the City shall discontinue water service to such delinquent customers without any further notice. In case service is discontinued for delinquency, it shall not be restored until the delinquency is paid in addition to a fee which shall be set by resolution for discontinuing and restoring service. After payment in full has been received by the city, the service shall be restored within 24 hours excluding weekends and holidays. A service charge of one and one-half percent (1.5) will be added to the unpaid balance at the end of each month.

- B. Failure to Pay: In the event that a delinquent customer fails to pay his or her bill within the time set forth above, the City may discontinue City water service and enter upon the property for accomplishing such purposes. In cases where the property is occupied by a tenant, and the tenant moves out, the account must be paid in full before the City will restore and/or transfer water service for the property. This holds the tenant and homeowner equally responsible for the outstanding account. (Ord. 92-549, 3-18-92, eff. 11-1-92, amd. Ord. 13-787, eff. 2-28-13, amd. Ord. 15-797, eff. 2-26-15)

8-1-22: **WATER SERVICE DISCONTINUANCE:** When any person determines that his or her home, business, etc., is going to be vacant, not used, shut down, etc., for an extended period of time, he or she shall notify the Utility Clerk. Under these circumstances, the Public Works Superintendent shall shut off the water service to the facilities. When the home, business, etc., is reoccupied, the Public Works Superintendent shall be notified by the Utility Clerk, and he or she shall

restore water service once again to the facilities with a charge as set by resolution being levied for resumption of the service. Since there is a significant potential for freezing and thus damage to the service line in the event of a lengthy shut down period, the property owner shall be responsible at his or her expense for any water service line repairs that may be needed to repair the water service line that is located on City right of way properties and also any associated repairs that are needed on his or her private property including the cost of replacing the water meter, meter readout, etc., if it becomes necessary to do so. Every residential and commercial connection to the City water distribution and supply system shall pay the minimum monthly base charge, set by the City Council in accordance with Section 8-1-18, for each month, or part thereof, for every month that water treatment services are available to the property by connection. The monthly minimum base charge shall only be waived upon complete disconnection from the City water distribution and supply system. All requests for disconnection must be approved by the City Council. The fee for reconnection, shall be the same as the new connection fee as set forth in Section 8-4-21. (Ord.92-554, 10-21-92, eff. 10-21-92, amd. Ord. 04-680, 12-1-2004, amd. 2007 Code, amd. Ord 15-811, 11-19-15)

8-1-23: **WATER SYSTEM IMPROVEMENT FUND:** There is hereby established a Water System Improvement Fund to be maintained by the Finance Director/Treasurer in managing the fiscal affairs of the City. All revenues derived from the charging of any fees, charges, rates, etc., as such are set forth herein shall be deposited in said Fund and shall be disbursed only for the purposes of paying existing or future indebtedness connected with or relating to maintaining, repairing, studying, controlling, enlarging, extending, enhancing or improving the water system of the City. (Ord. 92-549, 3-18-92, eff. 11-1-92)

8-1-24: **WATER SYSTEM MATERIALS AND INSTALLATIONS:**

- A. Main Lines: All water main lines, valves, fire hydrants and fitting materials and their installation shall be in accordance with City standard specifications for the construction of water system improvements and the applicable standard drawings depicting various water line installation details.
- B. Service Lines: All water service line materials and their installation shall be in accordance with the City standard specifications for the construction of water system improvements and the applicable

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standard drawings depicting the various water service line installation details.

- C. Quality of Materials: All water system materials shall be of the class, strength, thickness, etc., necessary to accommodate or provide for the depth of cover over the pipe, the anticipated working pressure in 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.
- D. City Approval: All materials must be approved by the Public Works Superintendent prior to their installation. (Ord. 92-549, 3-18-92, eff. 11-1-92)

8-1-25: **WATER SYSTEM DESIGN:**

- A. Professional Engineer Required: The plans for all water lines, booster stations, etc., shall be designed, signed and sealed by a registered professional engineer licensed in the State of Idaho.
- B. Compliance with the Idaho Department of Environmental Quality Requirements: All water lines, booster stations, etc., shall be designed in accordance with the State of Idaho Department of Environmental Quality requirements. (amd. Ord. 15-811, 11-19-15)
- C. Minimum Size: Minimum water main size shall be six inch (6") diameter. Larger sizes shall be as required by the City's overall water system master plan or as are needed to provide adequate water-carrying capacity for the area (and surrounding developable area) being developed and/or annexed to the City. Minimum building service line size shall be three-fourths inch (3/4") diameter.
- D. Materials:
 - 1. Pipe, fittings, valves and fire hydrants shall conform to the latest standards issued by the AWWA, if such standards exist, and be acceptable to the City. In the absence of such standards, materials meeting applicable product standards and acceptable to the City may be selected. Special attention shall be given to selecting pipe materials which will protect against both internal and external pipe corrosion.
 - 2. Packing and jointing materials used in the joints of pipes shall meet the standards of the AWWA and the City. Pipe having mechanical joints or slip-on joints with rubber gaskets is preferred.

E. Water Main Design:

1. Pressure: All water mains, including those not designed to provide fire protection, shall be sized after a hydraulic analysis based on flow demands and pressure requirements. The system shall be designed to maintain a minimum pressure of twenty (20) psi at ground level at all points in the distribution system under all conditions of flow. The normal working pressure in the distribution system should be approximately sixty (60) psi and not less than thirty five (35) psi.

2. Diameter: The minimum size of water main for providing fire protection and serving fire hydrants shall be six inch (6") diameter. Larger size mains will be required if necessary to allow the withdrawal of the required fire flow while maintaining the minimum residual pressure specified in subsection E1 above.

3. Fire Protection: When fire protection is to be provided, system design should be such that fire flows and facilities are in accordance with the requirements of the State Insurance Services office.

4. Small Mains: Any departure from minimum requirements shall be justified by hydraulic analysis and future water use, and can be considered only in special circumstances.

5. Hydrants: Water mains not designed to carry fireflows shall not have fire hydrants connected to them.

6. Dead Ends: Dead ends shall be minimized by looping of all mains whenever practical.

7. Flushing: Where dead-end mains occur, they shall be provided with a fire hydrant if flow and pressure are sufficient, or with an approved flushing hydrant or blow-off for flushing purposes. Flushing devices should be sized to provide flows which will give a velocity of at least two and five-tenths feet (2.5') per second in the water main being flushed. No flushing device shall be directly connected to any sewer.

F. Valves: Sufficient valves shall be provided on water mains so that inconvenience and sanitary hazards will be minimized during repairs. Valves should be located at not more than five hundred foot (500') intervals in commercial districts and at not more than one block or eight hundred foot (800') intervals in other districts.

G. Hydrants:

1. Location and Spacing: Hydrants should be provided at each street intersection and at intermediate points between intersections as recommended by the State Insurance Service office. Generally, hydrant space may range from three hundred fifty feet (350') to six hundred feet (600') depending on the area being served.

2. Valves and Nozzles: Fire hydrants should have a bottom valve size of at least five inches (5"), one four and one-half inch (4½") pumper nozzle and two (2) two and one-half inch (2 ½") nozzles.

3. Hydrant Leads: The hydrant shall be a minimum of six inches (6") in diameter. Auxiliary valves shall be installed in all hydrant leads.

4. Drainage: Hydrant drains should be open. A gravel pocket or dry well shall be provided unless the natural soils will provide adequate drainage. Hydrant drains shall not be connected to or located within ten feet (10') of sanitary sewers or storm drains.

H. Air Relief Valves; Valve, Meter and Blow-Off Chamber:

1. Air Relief Valves: At high points in water mains where air can accumulate, provisions should be made to remove the air by means of hydrants or air relief valves. Automatic air relief valves shall not be used in situations where flooding of the manhole or chamber may occur.

2. Air Relief Valve Piping: The open end of an air relief pipe from automatic valves should be extended to at least one foot (1') above grade and provided with a screened, downward-facing elbow. The pipe from a manually-operated valve should be extended to the top of the pit.

3. Chamber Drainage: Chambers, pits or manholes containing valves, blow-offs, meters or other such appurtenances to a distribution system, shall not be connected directly to any storm drain or sanitary sewer, nor shall blow-offs or air relief valves be connected directly to any sewer. Such chambers or pits shall be drained to the surface of the ground where they are not subject to flooding by surface water or to absorption pits underground.

I. Installation of Mains:

1. Standards: Specifications shall incorporate the provision of the AWWA standards and/or manufacturer's recommended installation procedures.

2. Bedding: A continuous and uniform bedding shall be provided in the trench for all buried pipe. Backfill material shall be tamped in layers around the pipe and to a sufficient height above the pipe to adequately support and protect the pipe. Stones found in the trench shall be removed to a depth of at least six inches (6") below the bottom of the pipe.

3. Cover: In general, water lines shall be sufficiently deep so as to provide frost protection. Water lines shall have at least six feet (6') of cover (from the top of water line pipe to the ground or street surface) unless a special design is approved by the Public Works Superintendent.

4. Blocking: All tees, bends, plugs and hydrants shall be provided with reaction blocking, tie rods or joints designed to prevent movement.

5. Pressure and Leakage Testing: All types of installed pipe shall be pressure tested and leakage tested in accordance with the latest edition of AWWA Standard C600.

6. Disinfection: All new, cleaned or repaired water mains shall be disinfected in accordance with AWWA Standard C601. The specifications shall include detailed procedures for the adequate flushing, disinfection and microbiological testing of all water mains.

J. Separation of Water Mains, Sanitary Sewers and Storm Sewers:

1. General: The following factors should be considered in providing adequate separation:

- a. Materials and type of joints for water and sewer pipes;
- b. Soil conditions;
- c. Service and branch connections into the water main and sewer line;
- d. Compensating variations in the horizontal and vertical separations;
- e. Space for repair and alterations of water and sewer pipes;
- f. Off-setting of pipes around manholes.

2. Parallel Installation: Water mains shall be laid at least ten feet (10') horizontally from any existing or proposed sewer. The distance shall be measured edge to edge. In cases where it is not practical to maintain a ten foot (10') separation, the reviewing authority may allow deviation on a case-by-case basis, if supported by data from

the design engineer. Such deviation may allow installation of the water main closer to a sewer; provided, that the water main is laid in a separate trench or on an undisturbed earth shelf located on one side of the sewer at such an elevation that the bottom of the water main is at least eighteen inches (18") above the top of the sewer.

3. Crossings: Water mains crossing sewers shall be laid to provide a minimum vertical distance of eighteen inches (18") between the outside of the water main and the outside of the sewer. This shall be the case where the water main is either above or below the sewer. At crossings, one full length of water pipe shall be located so both joints will be as far from the sewer as possible. Special structural support for the water and sewer pipes may be required.

4. Exception: The City must specifically approve any variance from the requirements of subsections J2 and J3 of this Section when it is impossible to obtain the specified separation distances.

5. Force Mains: There shall be at least ten foot (10') horizontal separation between water mains and sanitary sewer force mains. There shall be an eighteen inch (18") vertical separation at crossings as required in subsection J3 of this Section.

6. Sewer Manholes: No water pipe shall pass through or come in contact with any part of a sewer manhole.

K. Surface Water Crossings: Surface water crossings, whether over or under water, present special problems. The reviewing authority should be consulted before final plans are prepared.

1. Above-Water Crossing: The pipe shall be adequately supported and anchored, protected from damage and freezing and accessible for repair or replacement.

2. Under-Water Crossings: A minimum cover of five feet (5') shall be provided over the pipe. When crossing watercourses which are greater than fifteen feet (15') in width the following shall be provided:

a. The pipe shall be of special construction, having flexible watertight joints.

b. Valves shall be provided at both ends of water crossings so that the section can be isolated for testing or repair; the valves shall be easily accessible, and not subject to flooding, and the valve closest to the supply source shall be in a manhole.

c. Permanent taps shall be made on each side of the valve within the manhole to allow insertion of a small meter to determine leakage and for sampling purposes.

L. Cross-Connections and Interconnections:

1. Cross-connections: There shall be no connection between the, distribution system and any pipes, pumps, hydrants or tanks whereby unsafe water or other contaminating materials may be discharged or drawn into the system.

2. Cooling Water: Neither steam condensate nor cooling water from engine jackets or other heat exchange devices shall be returned to the potable water supply.

M. Water Services and Plumbing:

1. Plumbing: Water services and plumbing shall conform to relevant local and/or State Plumbing Codes.

2. Booster Pumps: Individual booster pumps shall not be allowed for any individual service from the public water supply mains.

N. Location of Water Lines and Storm Drains: Sanitary water lines and water lines shall, wherever possible, be located on opposite sides of the street. Preferably, water lines shall be located thirteen feet (13') west or north of the street center line and the sanitary water at thirteen feet (13') east or south of the street center line. When storm drains are needed, these shall preferably be located along the street center line. The above-referenced locations and dimensions may be varied to accommodate unusual circumstances.

O. Requirements for Drawings: All drawings shall be on linen or mylar in ink and of such quality that they clearly show the dimensions, locations, sizes, etc., of all facilities represented thereon. All main lines, valves, fire hydrants, building service lines, etc., shall be clearly shown and identified by name and by station or other means of horizontal location. Water lines shall be shown in both plan and profile unless the length of said water line or water line extension is so short that the Public Works Superintendent waives this requirement. If a profile of the water line is not provided, it shall be located in the vertical plane by elevations on the flow line of the pipe at intervals as the Public Works Superintendent may require. Drawings shall be drawn on a scale of one inch equals fifty feet (1" = 50') unless the amount of detail, topography, etc., necessitates their being drawn on a larger scale (i.e., 1" = 30') to provide the clarity and completeness needed on the drawings.

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- P. Approval of Design: The design of all water lines and water line plans must be approved by the Public Works Superintendent. (Ord. 92-549, 3-18-92. eff. 11-1-92; 1995 Code)

8-1-26: **AS-BUILT DRAWINGS AND ENGINEER'S CERTIFICATION:**

- A. Drawings: As-built or record drawings of water line plans shall be prepared by a professional engineer and the corrected original drawings or a duplicate mylar copy of the corrected original drawing(s) shall be provided to the City.
- B. Certification by Engineer: As-built plans shall include a certification thereon signed by the registered professional engineer in charge of the work that the as-built drawings of the water lines are true and correct and that the engineer has inspected the construction of the water line installation and that the materials and installation of the same were done in conformance with the City standard specifications for the construction of water line improvements. (Ord. 92-549, 3-18-92. eff. 11-1-92)

8-1-27: **SUBDIVISION DEVELOPER'S OR PROPERTY OWNER'S RESPONSIBILITY FOR WATER LINES:**

- A. Construction: The owner or developer of any piece of property or tract of land is responsible for the construction of the water line (or for the water line costs) along any of the property sides or frontages of the property along which a water line is needed for the overall completeness and continuity of the City's water 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 water lines within the interior of the tract of land. The owner or developer of any piece of property shall construct all needed water lines (of the approved size) within and along all sides of frontages of any piece of property prior to the time any building constructed thereon is occupied or utilized unless phased construction of the water main system is specifically allowed or provided for in the annexation or development agreement. In lieu of actually constructing said required water line or water lines, the property owner or developer may deposit adequate monies with the City to fully cover the cost(s) of said required water line construction.
- B. Line Over Six-Inch Diameter: The owner or developer of any property or subdivision will normally be responsible only for the cost of up to six inch (6") diameter water line. The additional cost of providing a water line of a size greater than six inches (6") will

normally be a City responsibility. The City will reimburse the developer for the extra cost of the additional water line size (over the 6 inch 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 water main larger than a six inch (6") diameter line or if the type of development is such as to produce a water flow in excess of the capacity of a six inch (6") diameter water line, then the owner or developer of said subdivision or development shall be responsible for the entire cost of whatever size of water line is needed to accommodate said development.

- C. **Development on One Side of Street:** If the property owner or developer owns or is developing the property on only one side (as compared to both sides) of any street, alley or easement where a water line is located or required, the owner/developer (or they) shall be responsible for only one-half (1/2) of the cost of said water line while the property owner on the other side of said street, alley or easement shall be responsible for the other half of the cost of said water line construction. However, in the absence of any mutual agreement between the property owners, the City may participate with the first owner or developer to the extent of paying for one-half (1/2) the cost of a six inch (6") diameter water line across said referenced property frontage. The second property owner will thereafter be responsible for reimbursing the City for his or her half of the costs of this water line construction at the time he or she (the second property owner or developer) begins to develop or build upon his or her property that is adjacent to the water line installed by the first property owner. (Ord. 92-549, 3-18-92, eff. 11-1-92)

8-1-28: **FLOOD PLAIN LIMITATIONS:** The following limitations are imposed on all water line replacements and connections within the flood plain areas of the City as set forth on the maps prepared by the Federal Emergency Management Agency.

- A. **New Structures:** The City shall not allow new structures built within the 100-year flood plain to be connected to the City water system unless or until the new structure shall meet the construction/building requirements of the Idaho Flood Plain Management and National Flood Insurance Program.

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B. Replacements: The City shall make pipeline replacements within the 100-year flood plain designed so as not to encourage growth within the 100-year flood plain. (Ord. 92-549, 3-18-92, eff. 11-1-92)

8-1-29: **CITATION; APPEARANCE:** Whenever it is determined by any police officer or other duly authorized officer that any person(s) have violated any provisions of this Chapter or Chapter 2 of this Title, the said officer shall provide in quadruplicate and serve upon such person(s) a written citation containing a notice to appear in a designated court of competent jurisdiction within the City. This citation shall contain the name and address of the person charged, the offense charged, the time and place when and where the offense charged occurred, and the time when the person charged shall appear in said court, and such other pertinent information as may be necessary; and such person(s) shall appear in said court within five (5) days after such citation is issued and served. The issuance of a citation shall not be the exclusive method of summoning offenders hereunder. (Ord. 92-549, 3-18-92, eff. 11-1-92)

8-1-30: **FAILURE TO APPEAR UNLAWFUL:** It shall be unlawful for any person(s) to fail to or neglect to appear in response to and as required by the citation regardless of the disposition of the charge upon which such citation was originally issued. Appearance in court shall be deemed complied with upon appearance by the person(s) cited or their attorneys. (Ord. 92-549, 3-18-92, eff. 11-1-92)

8-1-31: **LIABILITY:** This Chapter and Chapter 2 of this Title shall not be construed to hold the City responsible for any damage to any water user by reason of a stoppage or interruption of the water supply caused by scarcity of water, accidents to works or mains, alterations, additions, repairs or from other unavoidable causes to persons or property. The City shall also not be held liable for damage to persons or property by reason of the inspection or testing herein, or the failure to inspect or test or by reason of approval of any cross-connections. (Ord. 92-549, 3-18-92, eff. 11-1-92)

8-1-32: **PENALTY:** Any person violating any provision of this Chapter or Chapter 2 of this Title shall be guilty of an infraction, and upon conviction thereunder may be subject to penalty as provided in Section 1-4-1 of this Code. Each day said violation occurs shall be a separate offense. (Ord. 92-549, 3-18-92, eff. 11-1-92; 1995 Code, amd. Ord. 15-811, 11-19-15)

CHAPTER 2

CROSS-CONNECTION CONTROL

SECTION:

- 8-2-1: Water Supply Protection
- 8-2-2: Use of Backflow Devices
- 8-2-3: Cross-Connection Inspection
- 8-2-4: Installation Permits for Cross-connection Control Devices
- 8-2-5: Additional Remedies

8-2-1: **WATER SUPPLY PROTECTION:** No water service connection to any premises shall be installed or continued in the City unless the water supply is protected by backflow prevention devices as may be required by this Chapter, Idaho Code and all standards, rules and regulations of the State of Idaho, the Idaho Division of Environment and any other Federal, State, County or City authority or agency thereof. The installation or maintenance of a cross-connection which will endanger the water quality of the potable water supply of the City shall be unlawful and is prohibited. Any such cross-connection now existing or hereafter installed is hereby declared to be a public nuisance and the same shall be abated. The control or elimination of cross-connection shall be in accordance with this Chapter, Idaho Code and all standards, rules and regulations of the State of Idaho, the Idaho Division of Environment and any other Federal, State, County or City authority or agency thereof, together with the latest edition of appropriate manuals of standard practice pertaining to cross-connection control enacted by the City and any applicable County, State and Federal authorities and agencies. The City shall have the authority to establish requirements more stringent than State regulations if it deems that the conditions so dictate. (Ord. 92-549, 3-18-92, eff. 11-1-92)

8-2-2: **USE OF BACKFLOW DEVICES:**

- A. Backflow Prevention Device Required: Backflow prevention devices shall be installed in connection with water service connections or

within any premises where, in the judgment of the City, the nature and extent of the activities, or the materials stored on the premises, would present an immediate and dangerous hazard to health and/or be deleterious to the quality of the water should a cross-connection occur, even though such cross-connection does not exist at the time. The backflow prevention devices shall be installed under circumstances including but not limited to the following:

1. Auxiliary Water Supply: Premises having an auxiliary water supply that are connected to lawn irrigation system, swimming pool or is otherwise not in compliance with Idaho drinking water standards, rules and regulations of the Idaho Division of Environment and any other Federal, State, County or City authority or agency thereof and is acceptable to the City.
2. Internal Cross-Connections: Premises having internal cross-connections that are not correctable or intricate plumbing arrangements which make it impracticable to ascertain whether or not cross-connections exist.
3. Restricted Entry: Premises where entry is restricted so that inspections for cross-connections cannot be made with sufficient frequency or at sufficiently short notice to ensure that cross-connections do not exist.
4. History of Cross-Connection: Premises having a repeated history of cross-connections being established or reestablished.
5. Substances Under Pressure: Premises on which any substance is handled under pressure so as to permit entry into the City water supply or where a cross-connection could reasonably be expected to occur. This shall include the handling of process waters and cooling waters.
6. Toxic Materials: Premises where materials of a toxic nature are handled in such a way that if back siphonage should occur, a serious health hazard might result.
7. Types of Facilities: The following types of facilities will fall into one of the above categories where a backflow prevention device is required to protect the City water supply. A backflow prevention device shall be installed at these facilities unless the City and applicable State, County and Federal authorities and agencies determine that no hazard exists:

- a. Hospitals, mortuaries, clinics;
- b. Laboratories, including school laboratories;
- c. Metal plating industries;
- d. Sewage treatment plants;
- e. Food or beverage processing plants;
- f. Chemical plants using a water process;
- g. Petroleum processing or storage plants;
- h. Car washes;
- i. Dry cleaners.

Other premises as specified by the City where backflow prevention devices are required to protect the City water supply.

- B. Type of Protective Device: The type of protective device required shall depend on the degree of hazard which exists:
- 1. An air-gap separation or a reduced pressure principle backflow prevention device shall be installed where the City water supply may be contaminated with sewage, industrial waste of a toxic nature or other contaminant which could cause a health or system hazard.
 - 2. In the case of a substance which may be objectionable but not hazardous to health, a double check valve assembly, air prevention device shall be installed.
- C. Location: Backflow prevention devices required by this Chapter shall be installed at the property line of the premises, or at a location designated by the City. The device shall be located so as to be readily accessible for maintenance and testing, and furthermore, where no part of the device will be submerged.
- D. Approval and Supervision by City: Backflow prevention devices required by this Chapter shall be installed under the supervision of, and with the approval of, the City.

- E. Additional Approval: Any protective device required by this Chapter shall be approved by the City, applicable State, County and Federal authorities and agencies. These devices shall be furnished and installed by and at the expense of the customer.
- F. Inspection and Testing: Backflow prevention devices installed pursuant to this Chapter shall be inspected and tested annually, or more often if necessary. Inspections, tests and maintenance shall be at the customer's expense, and, if requested by the City, by a certified tester retained and paid by the customer. Whenever the devices are found to be defective, they shall be repaired, overhauled or replaced at the customer's expense. Inspections, tests, repairs and records thereof shall be accomplished in accordance with all standards, rules and regulations of this Chapter, Idaho Code and all standards, rules and regulations of the State of Idaho, the Idaho Department of Health and Welfare, and any other Federal, State, County or City authority or agency thereof by certified testers retained and paid by the customer.
- G. Underground Sprinkling Device: No underground sprinkling device will be installed without adequate backflow prevention devices at the point from which water for irrigation is taken from the City water supply.
- H. Noncompliance: Failure of the customer to cooperate in the installation, maintenance, testing or inspection of backflow prevention devices required by this Chapter, Idaho Code and all standards, rules and regulations of the State of Idaho, the Idaho Department of Health and Welfare, and any other Federal, State, County or City authority or agency thereof shall be grounds for termination of water service to the premises, or, in the alternative, the installation of an air-gap separation at the customer's expense. (Ord. 92-549, 3-18-92, eff. 11-1-92)

8-2-3: CROSS-CONNECTION INSPECTION:

- A. No water shall be delivered to any structure hereafter built within the City until the same shall have been inspected by the City for possible cross-connections and been approved as being free of the same.
- B. Any construction for industrial or other purposes which is classified as hazardous facilities pursuant to subsection 8-2-2A7 of this

Chapter, where it is reasonable to anticipate cross-connections, or as determined by the City, shall be protected by the installation of one or more backflow prevention devices at the point of service from the City water supply or any other location designated by the City and applicable County, State and Federal authorities and agencies.

- C. Inspections may be made periodically of all buildings, structures or improvements of any nature now receiving water through the City's system, for the purpose of ascertaining whether cross-connections exist. Such inspections shall be made by the City or applicable County, State and Federal authorities and agencies. (Ord. 92-549, 3-18-92, eff. 11-1-92)

8-2-4: **INSTALLATION PERMITS FOR CROSS-CONNECTION CONTROL DEVICES:** If cross-connection control device(s) are found to be necessary, the owner of the property served must apply to the City for a specific installation permit. (Ord. 92-549, 3-18-92, eff. 11-1-92)

8-2-5: **ADDITIONAL REMEDIES¹:** In the event an improper cross-connection is not corrected within the time limits set by the City or in the event the City is refused access to any property for the purpose of determining whether or not cross-connections exist, the City may cease delivery of water to the property until the deficiency is corrected to the City's satisfaction. In addition, the City without waiving any terms of this Chapter may, but shall not be required to, effect the necessary repairs or installations at the expense of the property owner and refuse delivery of water to the property until the cost thereof shall have been paid. Violations of this Chapter are hereby declared to be a nuisance, and the City, after notice to the customer or property owner to remove or correct the violation, may prevent, remove and abate the same at the expense of the party creating or maintaining the same, in which event the City may levy a special assessment as provided in Idaho Code on the land or premises whereon the nuisance is situated to defray the cost or to reimburse the City for the cost of abating the same. (Ord. 92-549, 3-18-92, eff. 11-1-92)

¹ See also Sections 8-1-29 through 8-1-32 of this Title for citation, liability and penalty provisions.

CHAPTER 3
IRRIGATION WATER

SECTION:

- 8-3-1: Days of Use
8-3-2: Sprinkler Systems; Restrictive Devices
8-3-3: Penalty

8-3-1: **DAYS OF USE:** It shall be unlawful for any inhabitant, resident or water user of the City to cause or permit the use of Municipal domestic water, for which said individual resident or water user is charged by the City for the use of said water, for irrigation and/or sprinkling except on the days set forth herein.

- A. Even-Numbered Days: All such water users so using said water on premises or property identified on the Official Map of the City with an address ending in an even number shall be permitted to so use said water on even-numbered calendar days; and
- B. Odd-Numbered Days: All such water users so using said water on premises or property identified on the Official Map of the City with an address ending in an odd number shall be permitted to so use said water on odd-numbered calendar days.
- C. Thirty First Day of Month: It shall be unlawful for any inhabitant, resident or water user to irrigate and/or sprinkle on the thirty first day of any month. (Ord. 85-485, 6-3-85)

8-3-2: **SPRINKLER SYSTEMS; RESTRICTIVE DEVICES:** It shall be unlawful for any inhabitant, resident, or water user of the City to cause or permit the use of Municipal domestic water for which said individual resident or water user is charged by the City for the use of said water, for irrigation and/or sprinkling as set forth in Section 8-3-1 above, except in the manner as set forth below:

- A. Hoses: Only one hose is permitted to be used at any single time and said hose used for said irrigation and/or sprinkling shall have attached to it a restrictive device. (Ord. 85-485, 6-3-85)
- B. Sprinkler Systems:
1. Hours of Use: Notwithstanding the above, it shall be lawful for an inhabitant, resident or water user of the City to cause, or permit the use of Municipal domestic water for which said individual resident or water user is charged by the City for the use of said water, for irrigation and/or sprinkling by use of a sprinkler system between the hours of twelve o'clock (12:00) midnight and six o'clock (6:00) A.M. on the date permitted for such use under Section 8-3-1 above. For purposes of this Section, a "sprinkler system" is defined as an irrigation system utilizing two (2) or more solid set sprinkler devices per service line and being serviced primarily from an underground piping system.
 2. Discharge: During the hours of operation the sprinkler system should not discharge more than four thousand three hundred (4,300) gallons of water. This is equivalent of one sprinkler used for twenty four (24) hours using the equation of 3 gpm x 60 minutes x 24 hours.
 3. Anti-Siphon Valves: It shall be required that anti-siphon valves for sprinkler systems connected to potable water systems be installed. (Ord. 85-485, 6-3-85)

8-3-3: **PENALTY:** It shall be unlawful for any person to commit any act or fail to perform any requirement which is prohibited or required by this Chapter, and said violation is hereby declared to be an infraction and is subject to penalty as provided in Section 1-4-1 of this Code. (Ord. 85-485, 6-3-85; 1995 Code, amd. Ord 15-811, 11-19-15)

CHAPTER 4
SEWER USE REGULATIONS

SECTION:

- 8-4- 1: Definition of Terms
- 8-4- 2: Connection to Sanitary Sewer Required
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- 8-4- 5: Approval Required for Wastewater
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8-4-1: **DEFINITION OF TERMS:** Terms used in this Chapter shall have the meaning herein given to them.

APPROVING AUTHORITY: The Wastewater Operator, as appointed by the City or his or her duly authorized deputy, agent or representative.

BIOCHEMICAL OXYGEN DEMAND (BOD): The quantity of oxygen, expressed in 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".

BUILDING DRAIN: The part of the lowest horizontal piping of a drainage system which receives the drainage from soil, waste and other drainage pipes inside the walls of the building and conveys it to the side sewer which begins two feet (2') outside the outer face of the building wall.

CHLORINE REQUIREMENT: The amount of chlorine, in parts per million by weight, which must be added to the sewage to produce a specified residual chlorine content, or to meet the requirements of some other objective, in accordance with procedures set forth in "Standard Methods".

CITY: The City of Salmon.

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COMBINED SEWER: A sewer receiving both surface runoff (storm drainage) and wastewater (sanitary sewage).

COMMERCIAL BUILDING: Any structure built for the support, shelter, enclosure of persons, animals, or chattels, or property of any kind or for any type of business or enterprises or for any other purposes not otherwise described or covered above under "dwellings".

COMMERCIAL USER: All persons not specifically classified as domestic or as an industrial waste contributor.

DWELLINGS:
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.

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

Multiple-Family Dwelling or Apartment House: Any building or portion thereof which is designed, built, rented, leased, let, or hired to be occupied or which be occupied or 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.

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

Trailer House or Mobile Home: Any vehicle used or so constructed as to permit its being used as a conveyance upon the public streets or highways and

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.

GARBAGE: The residue from the preparation and dispensing of food, and from the handling, storage and sale of food products and produce.

GROUND GARBAGE: 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 the flow conditions normally prevailing in public sewers with no particle greater than one-half inch (1/2") in any dimensions.

INDUSTRIAL WASTE: Any flow discharged to the wastewater treatment system identified in the Standard Industrial Classification Manual, 1972, office of the Management Budget, as amended and supplemented under the following divisions:

A. Division A: Agriculture, Forestry and Fishing

B. Division B: Mining

C. Division D: Manufacturing

D. Division E: Transportation, Communications, Electric, Gas and Sanitation Service

E. Division 1: Services

MG: Million gallons.

MGD: Million gallons per day.

NATURAL OUTLET:	Any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water developed by naturally occurring process of nature.
pH:	The logarithm (base 10) of the reciprocal of the hydrogen ion concentration expressed in moles per liter and is a measure of the acidity or alkalinity of a solution. It shall be determined by one of the procedures outlined in "Standard Methods".
PARTS PER MILLION:	A weight-to-weight ratio; the parts per million value multiplied by the factor 8.345 shall be equivalent to pounds per million gallons of water.
PERSON:	Any individual, firm, company, association, society, corporation, group or other entity.
PRIVATE SEWER:	A sewer serving two (2) or more buildings, residences or properties, constructed by private contract outside of the public right of way and remaining under private ownership and jurisdiction and which shall be designed, constructed and maintained by said private owners to the same design, construction and maintenance standards as are public sewers.
PUBLIC SEWER:	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's 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.
REPLACEMENT:	Any expenditures 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.

- SANITARY SEWAGE:** Wastes that are derived principally from dwellings, business buildings, institutions and like, exclusive of storm and surface waters and industrial wastes.
- SANITARY SEWER:** A sewer that conveys sanitary sewage or industrial wastes, or a combination of the two (2), and into which storm, surface and ground water or unpolluted industrial wastes are not intentionally admitted.
- SERVICE CHARGE:** The charge levied on all users of the sewage system for the purpose of repayment of City indebtedness for the construction and installation of the system and for its efficient maintenance and operation, and in establishing such rates and charges the City has taken into account the cost and value of the system, operation and maintenance expenses, possible delinquencies, proper allowance for depreciation, contingencies and any amounts necessary to retire all bonds payable from net revenues and the reserve required for these.
- SERVICE CONNECTION:** A sewer line connected to the sewer main.
- SEWAGE:** Wastewater.
- SEWAGE TREATMENT PLANT:** Wastewater treatment plant or other like facilities.
- SEWER:** Any pipe or conduit used for conveying wastewater or any other waste liquids, including storm, surface and ground water drainage.

SEWER MAIN:	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 customers, and which is owned, operated, controlled and maintained by the City.
SIDE SEWER:	The extension from the building drain to the public sewer and is sometimes referred to as the sewer service connection or sewer service line.
STANDARD SEWAGE:	Sewage and acceptable wastes that are within specifications regarding pH, BOD, dissolved oxygen, suspended solids and grease.
STORM DRAIN:	Any pipe or conduit conveying storm, surface and ground water drainage, but excluding sewage and industrial wastes.
STORM WATER RUNOFF:	That portion of the rainfall that is drained into the sewers.
SUSPENDED SOLIDS (SS):	Solids that either float on the surface of, or in suspension 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".
UNPOLLUTED WATER:	Any water or liquid containing none of the following: free or emulsified grease or oil; acids or alkalis, substances that may impart taste and odor or color characteristics; toxic or poisonous substances in suspensions, colloidal state or solution; 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 determination shall be

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made in accordance with procedures set forth in "Standard Methods".

WASTEWATER:

The water-carried human, animal or household wastes in a public or private sewer, and may include ground water infiltration, surface drainage and industrial wastes.

WASTEWATER
COLLECTION AND
TREATMENT SYSTEM
(also termed Sewage
Collection and
Treatment System):

All facilities for collecting, pumping, treating and disposing of domestic, commercial and industrial waste, and includes sewers as well as the wastewater treatment plant.

WASTEWATER
OPERATOR:

The Wastewater Operator of the City of Salmon.

WASTEWATER
TREATMENT PLANT:

An assemblage of devices, structures, equipment and holding ponds or lagoons for treating domestic, commercial and industrial waste.

WATERCOURSE:

A channel in which a flow of water occurs, either continuously or intermittently. (Ord. 92-554, 10-21-92, eff. 10-21-92)

8-4-2: **CONNECTION TO SANITARY SEWER REQUIRED:** Every parcel of land or premises within the boundaries of the City, improved for occupancy and occupied or used by any person, or as a commercial business, shall be connected to the public sanitary sewer system unless exempted by the City Council in writing. The owner or person in charge of such land shall make or cause to be made, such connection within ninety (90) days after receiving official notice from the City to so connect. 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 three hundred feet (300') of a sewer, connection is optional. (Ord. 92-554, 10-21-92, eff. 10-21-92)

8-4-3: **UNPOLLUTED WATER:**

- A. Prohibited from 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, cooling water or other unpolluted water to any sanitary sewer without having received written permission from the Wastewater Operator to take such action.
- B. Discharged to Storm Drain: Storm water shall be discharged to such sewers as are specifically designated as combined sewers or storm drains, or to a natural outlet approved by the Wastewater Operator. Industrial cooling water or unpolluted process water may be discharged upon approval of the Wastewater Operator to a storm drain, combined sewers or natural outlet. (Ord. 92-554, 10-21-92, eff. 10-21-92)

8-4-4: **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 gases 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 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 Wastewater Operator, may cause an obstruction to the flow in the sewer, or otherwise interfere with the proper functioning of the wastewater collection treatment plant.
- D. Any toxic substance, chemical elements or compounds in quantities sufficient to impair the operation or efficiency of the wastewater treatment facilities and cause the effluent thereof to exceed Idaho State Board of Health water requirements.

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- E. Any liquids having a Ph lower than five and five-tenths (5.5) or higher than nine (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 without obtaining a special permit from the Wastewater Operator.
- G. Any liquid or vapor having a temperature greater than one hundred forty degrees (140°) Fahrenheit.
- H. Any garbage that has not been properly ground.
- I. 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 interference with proper operation of the wastewater collection treatment system. (Ord. 92-554, 10-21-92, eff. 10-21-92)

8-4-5: **APPROVAL REQUIRED FOR WASTEWATER:** Review and acceptance of the Wastewater Operator shall be obtained prior to discharge into the public sewers of any water or wastes having:

- A. A total of more than thirty (30) pounds of suspended solids in any one day.
- B. A total of more than thirty (30) pounds of BOD in any one day.
- C. An average flow of one one-hundredth (0.01) mgd or more. (Ord. 92-554, 10-21-92, eff. 10-21-92)

8-4-6: **REFUSAL OF USE OF SYSTEM:** The Wastewater Operator may prohibit the discharge into the public sewer of sewage that does not comply with the limitations set forth in this Chapter. (Ord. 92-554. 10-21-92, eff. 10-21-92)

8-4-7: **SEWER SERVICE LINE REQUIREMENT AND MAINTENANCE:**

- A. Independent Sewer Service Line Required:

1. 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 of land.

2. After the effective date of the ordinance codified in 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 the City. Separate side sewers are not required for each trailer space in overnight trailer courts, nor for each cabin in cabin courts; however, separate side sewers (sewer service lines) are required for trailer houses or individual lots or for long-term trailer rental units in mobile home courts.

- B. Existing Branch Service Lines: Where sewer service is now provided through one sewer service line to several customers (branch service lines), the City, by resolution of its Council, may decline to continue to accept sewage from said premises until separate sewer service lines are provided at the owner's expense. Where more than one dwelling is served from one such service line, the established rate shall be charged for each customer in the same manner as if each did, in fact, have an individual sewer service line.
- C. Sewer Service Line Maintenance: All sewer users shall keep their individual service lines in good repair and shall keep them in such good condition that they shall not allow excessive amounts of ground water to enter into the sewer system. (Ord. 92-554, 10-21-92, eff 10-21-92)

8-4-8: **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 sewage collection treatment system 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 costs 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 and may be subject to other civil and criminal fines and penalties. It shall be unlawful for any person to deposit any substance which may tend to obstruct the flow of the sewer, in any sewer opening. (Ord. 92-554, 10-21-92, eff. 10-21-92)

8-4-9: **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 Wastewater Operator, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, 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 Wastewater Operator and shall also be located as to be readily and easily accessible for cleaning and inspection. When installed, all grease, oil and sand interceptors shall be maintained by the owner or occupant, at his or her expense, in continuously efficient operation at all times. (Ord. 92-554, 10-21-92, eff. 10-21-92)

8-4-10: **DUTIES OF WASTEWATER OPERATOR REGARDING SIDE SEWERS:**

The Wastewater Operator is hereby empowered, and it is hereby made his or her duty, in all cases where there is a public sanitary sewer within three hundred feet (300') to notify every owner or person in charge of land, or premises, requiring a sanitary sewer building connection as specified in Section 8-4-2 to comply with the provisions of that Section of this Chapter within ninety (90) days or cease to use or occupy the land. A lessee of land shall be deemed to be in charge. (Ord. 92-554, 10-21-92, eff. 10-21-92)

8-4-11: **PERMITS REQUIRED:**

- A. Installation or Alteration of Sanitary Sewer Line: It shall be unlawful to install or alter or to tap onto or connect to any sanitary sewer line whether lateral, main or interceptor, without having first obtained from the City a permit therefor.
- B. Application for Connection: An application for connection to the City sewer system shall be made at City Hall and no connection shall be made to any sewer main without a valid permit therefor having been issued by the City. The existence of a sewer permit shall in no way be construed as making permissible any work for which an excavation permit may be required by the City. (amd. Ord. 15-811, 11-19-15)
- C. Excavation Permit: No permit shall be granted to do sewer work in any street, alley or public easement until the applicant shall have first obtained an excavation permit as required by the City. (Ord. 92-554, 10-21-92. eff. 10-21-92)

8-4-12: SIDE SEWER EXTENSION OR REPAIR AND INSPECTION:

- A. Repair: 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 or her own expense. No person shall finish the construction, re-laying, repair or extension of any side sewer or private sewer until the work has been inspected by the Wastewater Operator.
- B. Extension: It shall be unlawful for any person to extend any private sewer or side sewer beyond the limits of the building or property without the approval and inspection of the Wastewater Operator. (Ord. 92-554, 10-21-92, eff. 10-21-92)

8-4-13: INSTALLATION AND MAINTENANCE OF SEWER SERVICE LINE:

- A. Installation by City: When approval and inspection of 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 property line shall be installed by the City at the expense of the person or business desiring sewer service, but thereafter the sewer service line within the public right of way or easement shall be maintained by the Sewer Department at its expense and kept within and under its exclusive control and jurisdiction.
- B. Installation by Other Than City Personnel: All sewer service lines (side sewers) within any public right of way or easements 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 said service lines are constructed, inspected, tested and certified as being in conformance with the City standard drawings and standard specifications 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 Wastewater Operator, it is in the City's best interest to have or allow said sewer service lines to be installed by other than City personnel. (Ord. 92-554, 10-21-92, eff. 10-21-92)

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8-4-14: **RIGHT TO REVOKE PERMISSION:** Permission given to connect sewers and drains shall be upon the express condition that the Wastewater Operator may for good cause revoke the same and the person making such connection, or his or her successor in interest, shall have no right to claim any damage in consequence of such permission being revoked. (Ord. 92-554, 10-21-92, eff. 10-21-92)

8-4-15: **SEWER CONSTRUCTION PLANS, SPECIFICATIONS AND INSPECTION:** All construction or reconstruction of public, private and side sewers shall be in accordance with the City standard drawings and standard specifications 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 all sanitary sewer extensions, reconstructions or renovations; and all such plan and profile drawings must be reviewed and approved by the Public Works Superintendent and the Idaho Department of Health and Welfare before any construction work on said sewer lines is started. (Ord. 92-554, 10-21-92. eff. 10-21-92)

8-4-16: **RIGHT TO ENTER PREMISES FOR INSPECTION:**

- A. Inspection: The Wastewater Operator 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.
- B. Conflict: If conflict is noted, the owner of said premises or his or her agent shall be directed to alter, repair or reconstruct said sewer facilities to conform to the requirements of this Chapter within fifteen (15) days. (Ord. 92-554, 10-21-92, eff. 10-21-92)

8-4-17: **INDUSTRIAL WASTES:**

- A. 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 Public Works Superintendent a report that shall include actual 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.

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- B. Industrial waste charges may be based upon the amount of flow, biochemical oxygen demand (BOD), and suspended solids or any combination thereof recommended by the Public Works Superintendent or this Chapter.
- C. The sewage collection and treatment charges for industrial waste shall completely pay for all collection and treatment costs associated with said wastes. (Ord. 92-554, 10-21-92. eff. 10-21-92; 1995 Code)

8-4-18: **SPECIAL AGREEMENTS:** No statement contained in this Chapter shall be construed as prohibiting any special agreement or arrangement between the City and any person or organization whereby an industrial waste of unusual strength or character may be admitted to the wastewater collection 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 wastes, and no extra costs are incurred by the City without recompense by said person or organization. (Ord. 92-554, 10-21-92, eff. 10-21-92)

8-4-19: **EXTENSIONS:**

- A. Within the City: The Wastewater Operator shall be authorized to construct, or cause to be constructed extensions to the sewer system if one of the following conditions exists:
 - 1. 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.
 - 2. The City approves a Development Agreement for the construction of the extension with a party or parties desiring sewer service. Provided, however, that subdividers or developers within or 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 Section 8-4-35.

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- B. Contiguous to City: In areas contiguous to the City that may be annexed to the City, the City may require such area to be annexed before sewer service is provided. Prior to annexation the City shall require the execution and approval of an annexation agreement which shall detail the conditions for sewer service. (Ord. 92-554, 10-21-92. eff. 10-21-92, amd. Ord. 04-679, 12-01-2004)

8-4-20: **SYSTEM OF CHARGES:** All systems of charges and fees to users, within 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. 92-554, 10-21-92, eff. 10-21-92)

8-4-21: **SEWER CONNECTION FEE:**

- A. Rates: Before any sewer connection permit is issued for the installation of any sewer service connection (side sewer), the person making the application therefor shall pay to the City, a sewer connection fee as set by resolution for each sewer connection per dwelling unit (single-family, duplexes and multiple living units if served by separate service lines), per mobile home lot if located in mobile home courts or mobile home subdivisions, per motel, cabin courts or travel trailer courts and per commercial building. The rate is applicable to a standard four inch (4") connection. Any request for a different size connection will have a rate charged as determined by the Public Works Committee with approval by the City Council. Industrial facilities connection rates will also be established individually. (amd. Ord. 15-811, 11-19-15)
- B. Exception: 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., unless the developer or owner is constructing a different sized line. It is intended that this sewer connection fee be charged only where a new building is being constructed upon previously undeveloped property or in instances when larger sized connections are needed due to business expansion. These fees may be changed from time to time, by resolution of the City as such changes are deemed necessary. (Ord. 92-554, 10-21-92, eff. 10-21-92)

8-4-22

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8-4-22: **SEWER MAIN CONSTRUCTION CHARGE:**

- A. Rate: Hereafter, any person, before obtaining a permit to connect to any public sanitary sewer, whether lateral, main or interceptor, shall pay a sewer main charge therefor, at a rate per front foot of property to be served by the permit. Said sewer main construction charge shall be in addition to any other connection fees or permits required. Provided, however, that no sewer main construction charge shall be required if said sewer service connection is within a subdivision having been platted since 1975 and within which the sanitary sewer system has been constructed at the expense of the developer of said subdivision. This charge may be changed from time to time by resolution of the City as such change is deemed necessary. (amd. Ord. 15-811, 11-19-15)

- B. Property Being Annexed: The above-referenced sewer main construction charge applies only to property within the City limits. The sewer main construction charge for property being annexed to the City shall be set forth in the annexation agreement. (Ord. 92-554, 10-21-92. eff. 10-21-92)

8-4-23: **SERVICE LINE INSTALLATION FEE:**

- A. Rate: At the time an applicant applies for City sewer service, a service line installation fee shall be charged. The service line installation fee is to cover the costs incurred by the City in installing the sewer service line from, and including the sewer tap at the main to the property line. The service line installation fee for the various sizes of service lines shall include a sewer saddle and repair of asphalt street surfacing per square foot. (amd. Ord. 15-811, 11-19-15)

- B. Review of Fees and Costs: Said fees and costs shall be reviewed annually and revised by resolution of the City so that said fees and costs adequately cover the costs actually incurred by the City in installing these service lines. (Ord. 92-554, 10-21-92, eff. 10-21-92)

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8-4-24: **SERVICE CALL CHARGES:** The City may require a service charge in an amount not to exceed the actual costs to the City, for service calls which are only for the convenience and benefit of the customer. (Ord. 92-554, 10-21-92, eff. 10-21-92, amd. Ord. 15-811, 11-19-15)

8-4-25: **MONTHLY SEWER RATES:**

A. General:

1. This treatment work is primarily dependent and will use the equivalent user concept. The equivalent user system has been set up based on flow.

2. A sewer user charge 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 this facility. The user charge system shall distribute these costs to each user or user class in approximate portion to such user's contribution to the total wastewater load of such facilities.

B. Basis for Rates: The sewer user rates for each user (or user class) shall be based on 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 an equivalent user number to be multiplied by a constant monthly factor to determine the basic user monthly rate. Special users contributing sewage of excessive flow and/or strength, for which the tabulated equivalent users below do not apply, shall be individually calculated as provided below. The constant monthly cost factor shall be set by resolution of the City.

C. Equivalent User: One equivalent user shall be defined as contributing two hundred ten (210) gallons per day of wastewater containing not more than seven-tenths (0.7) pounds of five (5) day BOD and five-tenths (0.5) pounds of suspended solids. The equivalent user flow has been developed from population and sewage usage records which indicate an average single dwelling unit has three and five-tenths (3.5) people contributing seventy (70) gallons per day per person. Standard engineering data indicates two-tenths (0.2) pounds of five (5) day BOD and fourteen one-hundredths (0.14) pounds of suspended solids respectively per person per day. The basic equivalent user shall be subject to revision if population, water usage, sewage volume and / or other

information indicates 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.

- D. Equivalent User Schedule: The number of equivalent users to be assigned 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 this schedule shall be considered special users and shall be evaluated separately as sewage contributed by any of the following users is in excess in provided below. If the information indicates that the strength of 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 contribution 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 fees. The minimum monthly sewer user charge shall be one equivalent user.

EQUIVALENT USER SCHEDULE (1.0 Minimum)

CLASSIFICATION	EQUIVALENT	USERS
Single-family	1.	per house
Multi-family with washer facilities	1.	per unit
Multi-family without washer facilities	.67	per unit
Duplex	1.	per unit
Permanent mobile home	1.	per unit
Professional offices	1.	1-13 employees
	1.5	14-20 employees
	2.0	21-26 employees
Laundromats	.5	per machine
Motel/hotel	.23	per room
Recreational Vehicle Park	.13	per RV space
Restaurants		
3 meal/day	.17	per seat
2 meal/day	.11	per seat
1 meal/day	.06	per seat
Lounges	.056	per seat
Retail-commercial	1.0	1-15 employees
	1.5	16-22 employees
	2.0	23-30 employees

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Grade school	.034	per student
Secondary school	.053	per student
Churches	1.0	church & parish
plus	1.0	gym
Theater	.02	per seat
Bowling alley	.5	per alley
Daycare/kindergarten	.0278	per student
Beauty shop/barber shop	1.0	per business
Car washes	1.0	per bay
Lodges and halls	1.0	per 300 seats

Residential Users: Single-family homes, duplexes, multi-family units, apartments, mobile home parks.

Business and Professional Offices: Retail commercial, professional retail service

Commercial: Laundromats, service stations, restaurants, daycare, mortuary, hotels, motels, etc.

Institutional: Churches, lodges, schools.

Industrial: Those producing a finished product which involves the disposing of a waste material to the sewage system.

- E. Surcharge for Excessive Strength: When any user contributes wastewater having an average BOD and/or suspended loading in excess of the designated allowable limits hereinafter designated, a surcharge shall be levied against such user. Said surcharge shall be based on the average degree of excessive 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 its Public Works Superintendent. The user's monthly surcharge shall be computed by use of the following equation:

$$US = \frac{[(b/B)-1 + (s/S)-1] \times (UMC)}{2} \quad \text{where}$$

"US" represents the user's monthly surcharge to be added to the basic user's monthly charge;

"UMC"	represents the basic user's monthly charge (for treatment only) and shall not be less than one (1.0);
"b"	represents the average BOD loading above which is a user's wastewater contribution, expressed in parts per million;
"B"	represents the allowable limit of BOD loading above which a user's surcharge shall be levied, hereby designated as being two hundred (200) parts per million;
"s"	represents the average suspended solids loading of the user's wastewater contribution, expressed in parts per million; and
"S"	represents the allowable limit of suspended solids loading above which a user's surcharge shall be levied, hereby designated as being one hundred forty (140) parts per million.

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.

- F. Special Users: If, in addition to excessive strength, a user is determined to add flow to the wastewater treatment facilities in excess of six thousand five hundred (6,500) gallons per month, the above formula shall be increased by a factor of total flow divided by six thousand five hundred (6,500) gallons per month multiplied by one equivalent user. In order to determine the flow of this 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 single dwelling units. A copy of the list of special users, the 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.
- G. Review and Revisions of Rates: The sewer user charges shall, at a minimum, be reviewed annually and updated by resolution of the

City to reflect actual 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 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's charge. 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.

- H. User Request for Rate Change: Any sewer user, who feels his or her user charge is unjust and inequitable as applied to his or her premises within the spirit and intent of the foregoing provisions, may make written application to the City requesting a review of said user charge. Said written request shall, where necessary, show the actual or estimated average flow and strength of his or her wastewater in comparison with the values upon which the change 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 Public Works Superintendent. Review of the request by the City shall determine if it is substantiated or not, including recommended further study of the matter for the City and/or user by a registered professional engineer. (Ord. 92-554, 10-21-92, eff. 10-21-92; 1995 Code)

8-4-26: **METERED SERVICE:** Whenever the City 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 or her facilities metered to more appropriately determine the amount of service provided such user by the system, the City may by resolution require the said user to install a meter and/or meters which will accurately measure the service provided; and the City may further establish by resolution the rates to be charged for such service as will properly pay the fair share of the services provided such user. The cost of the meter and its installation shall be borne by the user. (Ord. 92-554, 10-21-92, eff. 10-21-92)

8-4-27: BILLING PROCEDURE AND PERIOD:

- A. Rate: Accounts shall be charged a rate in accordance with the rate schedule found in Section 8-4-25 of this Chapter or as such may hereinafter be amended and revised by the City and may be included separately or in conjunction with the monthly water bill.
- B. Monthly Statement: The City Clerk shall furnish to each property owner, landlord, tenant or agent, a monthly statement of the amount due for sewer service for that month. The failure of any service user to receive notice or statement will in no way affect the obligation of the user to remit monthly as required.
- C. Initial Billing: The initial billing for premises occupied less than one month shall be charged only for that portion of the month during which the premises were occupied. (Ord. 92-554, 10-21-92, eff. 10-21-92)
- D. Deposit Required:
1. Each owner, tenant or lessee of property, before utility services are furnished, shall pay a refundable deposit. The amount collected may be amended by Resolution of the Salmon City Council. (amd. Ord. 15-811, 11-19-15)
 2. All such deposits shall be placed in a reserve account managed by the City Treasurer/Finance Director.
 3. Refundable deposits may be transferred to another physical address on the City of Salmon Utility system if current bill is paid in full and upon written request from the owner, tenant or lessee of notice of transfer of the account to a different address.
 4. If your City of Salmon utility bills have been paid in full and on time for the last 12 consecutive months, you will receive a credit to your account in the amount of your deposit. (Ord. 15-811, 11-19-15)
 5. In the event that an account becomes into arrears for a period of longer than sixty (60) days, the deposit will be applied to the amount in arrears. Before the service to the owner, tenant or lessee resumes, the amount in arrears must be paid in full and a new deposit shall be submitted to the City. (amd. Ord. 15-811, 11-19-15)

6. Upon vacating the premises, the City will be notified immediately. The owner, tenant, or lessee will, at that time, submit a written request, which shall be furnished by the City, for a refund and furnish a forwarding address. The refundable deposit will then be transferred to the appropriate Utility Fund of the City and credited to the account. The balance of the account, if any, shall be refunded to the person making the deposit, their heir, or a personal representative within thirty (30) days of the written.

7. No interest will be paid on funds to be returned. If such refund cannot be made within three (3) months because of the unknown whereabouts of the person making the deposit, the balance of the deposit shall be placed in the appropriate Utility Fund. (Ord. 05-700, 10-5-2005)

- E. When any person determines his or her home, business, etc. is destroyed and/or uninhabitable for an extended time due to circumstances beyond his control such as fire, flood, wind, or some other act of God, he or she may apply in writing to the City Utility Clerk for a waiver of payment of his/her City monthly water service fee and City monthly sewer fee. Said waiver must be approved by the City Council. Said approval is at the City Council's discretion and is not automatic based upon the fact that a building is destroyed and/or uninhabitable. Said waiver shall not exceed six months' time period. Said time period may be extended upon further application.

Criteria to be considered by the City Council shall include:

- a. The cause of said damage
- b. The extent of said damage
- c. The property owner's intent as to whether or not he/she plans to rebuild
- d. Estimated time period to rebuild or repair damage
- e. City services are not available

(Ord. 15-811, 11-19-15)

8-4-28: **DUE DATE:** Bills rendered for sewer service are payable upon receipt and become past due twenty five (25) days from the date on which rendered. When the past due date falls on a legal holiday or on a date 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 upon receipt. (Ord. 92-554, 10-21-92, eff. 10-21-92, amd. Ord. 15-811, 11-19-15)

8-4-29: **DELINQUENT ACCOUNTS:**

- A. When the delinquent portion of utility bills are not paid by the 18th of the following month, the City shall discontinue water service to such delinquent customers without any further notice. In case service is discontinued for delinquency, it shall not be restored until the delinquency is paid in addition to a fee which shall be set by resolution for discontinuing and restoring service. After payment in full has been received by the city, the service shall be restored within 24 hours excluding weekends and holidays. A service charge of one and one-half percent (1.5) will be added to the unpaid balance at the end of each month. (Ord. 15-811, 11-19-15)
- B. Failure to Pay: In the event that a delinquent customer fails to pay his or her bill within the time set forth above, the City may discontinue water service or remove or close sewer connections, and enter upon property for accomplishing such purposes. In cases where the property is occupied by a tenant, and the tenant moves out, the account must be paid in full before the City will restore and/or transfer water service for the property. This holds the tenant and homeowner equally responsible for the outstanding account. (amd. Ord. 15-811, 11-19-15)
- C. Restoration Costs: The expense of digging up and plugging the sewer service line as well as the expense of restoring said sewer line back to an operable condition is the responsibility of the property owner. (Ord. 92-554, 10-21-92, eff. 10-21-92, amd Ord. 15-811, 11-19-15)

8-4-30: **SEWER SERVICE DISCONTINUANCE FEE:** When any person determines that his or her home, business, etc., is going to be vacant, not used, shut down, etc., for an extended period of time, he or she may notify the City. Every residential and commercial connection to the City wastewater collection and treatment system shall pay the minimum monthly base charge, set by the City Council in accordance with Section 8-4-25, for each month, or part thereof, for every month that wastewater disposal and treatment services are available to the property by connection. The monthly minimum base charge shall only be waived upon complete disconnection from the City wastewater collection and treatment system. All requests for disconnection must be approved by the City Council. The fee for reconnection, shall be the same as the new connection fee as set forth in Section 8-4-21. (Ord. 92-554, 10-21-92, eff. 10-21-92, amd. Ord. 04-679, 12-01-2004)

8-4-31: **WASTEWATER COLLECTION AND TREATMENT SYSTEM IMPROVEMENT FUND:** There is hereby established a wastewater collection and treatment improvement fund to be maintained by the Finance Director/Treasurer in managing the fiscal affairs of the City. All revenues derived from the charging of any fees, charges, rates, etc., as such are set forth herein shall be deposited in said Fund and shall be disbursed only for the purposes of paying existing or future indebtedness connected with or relating to maintaining, repairing, studying, controlling, enlarging, extending, enhancing or improving the wastewater collection and treatment system of the City. (Ord. 92-554, 10-21-92, eff. 10-21-92)

8-4-32: **SEWER SYSTEM MATERIALS AND INSTALLATION:**

- A. Main Lines: All sanitary sewer main lines and storm drain main line materials, manholes, inlet boxes, trench drains, etc., and their installation shall be in accordance with the City standard specifications of the construction of sanitary sewer and storm sewers and the applicable standard drawings depicting various sewer service line installation details.
- B. Service Lines: All sewer service line materials and their installation shall be in accordance with the City standard specifications for the construction of sanitary sewers and storm sewers and the applicable standard drawings depicting the various sewer service line installation details.
- C. Quality: All sewer system materials shall be of the class, strength, thickness etc., necessary to accommodate or provide for the depth of 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.
- D. City Approval: All materials must be approved by the Public Works Superintendent. (Ord. 92-554, 10-21-92, eff. 10-21-92)

8-4-33: **SEWER SYSTEM DESIGN:**

- A. Plans Signed by Registered Professional Engineer: 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.

- B. Compliance with State Health Department Requirements: All sewer lines, lift stations, sewage treatment facilities, etc., shall be designed in accordance with State Health Department requirements.
- C. Size and Capacity: Minimum sanitary sewer main size shall be eight inch (8") diameter. Minimum storm drain size shall be eight inch (8") diameter. Larger sizes shall be as required by the City's overall sewer system master plan or as needed to provide adequate sewage carrying capacity for the area (and surrounding developable area) being developed and/or annexed to the City. Minimum service line size shall be four inch (4") diameter.
- D. Depth: In general, sewers shall be sufficiently deep so as to receive sewage from basements and to prevent freezing. Sewer lines shall have at least three feet (3') of cover (from the top of sewer line pipe to the ground or street surface), unless a special design is approved by the Public Works Superintendent whereby the sewer line is protected from freezing by special means or methods and the sewer is protected from "heaving" by the installation of crushed gravel backfill material under, around and over the pipe.
- E. Slope:
1. All sewer mains shall be designed and constructed to provide mean velocities, when flowing full, of not less than two feet (2') per second. All sewer service lines (side sewers) shall be designed and constructed to provide mean velocities, when flowing full of not less than three feet (3') per second. The following are minimum slopes which should be provided, however, slopes greater than these are desirable:

<u>Sewer Size</u>	<u>Minimum Slope In Feet Per 100 Feet</u>
4 inch	2.00
6 inch	1.00
8 inch	0.40
10 inch	0.33
12 inch	0.31
15 inch	0.15
18 inch	0.12
21 inch	0.10
24 inch	0.08
27 inch	0.067
30 inch	0.058
33 inch	0.046

2. Under special conditions, if detailed justifiable reasons are given, slopes slightly less than those required above (i.e., to provide 2 or 3 fps velocity when flowing full) may be permitted. Such decreased slopes will only be considered where the depth of flow will be three-tenths (0.3) of the diameter or greater for the design average flow. Whenever such decreased slopes are proposed, the design engineer must furnish with his or her report the computations of the depths of flow in such pipes at the minimum and average rates of flow for a typical day.

3. Sewers shall be laid with uniform slopes between manholes, i.e., a manhole shall be constructed at each point where the sewer line slope or grade changes.

F. Location of Manholes: Manholes shall be located no more than four hundred feet (400') apart on lines fifteen inches (15") in diameter or smaller. Manholes may be located up to six hundred feet (600') apart on lines larger than fifteen inches (15") in diameter. Manholes shall be installed at locations where sewer line eight inches (8") in diameter or larger intersect, join together, or make a bend. All dead-end sewer lines shall have a manhole installed on the end thereof.

G. Sewer Mainline Drop Through Manholes: The following of the main sewer line as it enters and leaves any manhole shall be dropped as follows:

<u>Mainline Bend of</u>	<u>Drop of</u>
0 to 10 degrees	(Regular pipe slope)
11 to 45 degrees	0.05 feet
46 to 90 degrees	0.10 feet

H. Lateral Sewer Line Connections at Manholes: Lateral sanitary sewer lines shall not enter a manhole at an elevation appreciably higher than the sewer main line. The flowline(s) of any lateral shall be positioned within the manhole as follows:

1. The flowline of the main sewer line shall be at least five one-hundredths foot (0.05') below the flowline of any of the lateral sewer lines entering the manhole. Where the diameter of the main line and the lateral line shall differ by less than five-tenths foot (0.5'), the

top of the lateral line shall be positioned even with the top of the main line on its high (inlet) side.

2. Where the diameters of the main and lateral differ by five-tenths of a foot (0.5') or more, the eight-tenths (0.8) depth points of the two (2) sewer line inverts shall be positioned at the same elevation.

3. Where a lateral sewer line would enter a manhole at an elevation of three feet (3') or more above the main sewer line, drop manhole construction shall be utilized to locate or position the flowline of the lateral line (in relation to that of the main line) as indicated above.

4. Where a lateral line would enter a manhole at an elevation of less than three feet (3') above the main sewer line, the grade or slope of the lateral shall be adjusted so that its flowline is located (in relation to that of the main line) as indicated above.

5. Individual building service lines may not enter manholes, except that no more than two (2) individual building service lines may enter a dead-end manhole (a manhole on the upstream and permanent end of a sewer line); and provided further, that the individual building service lines must enter the manhole at such elevation that the top of the service line is level with the top to the sewer main line and that the poured-in-place concrete floor of the manhole brings the flowlines of the service lines into the flowline of the main line in a smooth continuous manner.

- I. Location of Water and Sewer Lines and Storm Drains: Sanitary sewer lines and water lines shall, whenever possible, be located thirteen feet (13') west or north of the street center line and the sanitary sewer at thirteen feet (13') east or south of the street center line. Where storm drains are needed, these shall preferably be located along the street center line. The above- referenced locations and dimensions may be varied to accommodate unusual circumstances; however, a ten foot (10') (out-to-out) horizontal separation between water line facilities and sewer facilities (either sanitary or storm) and an eighteen inch (18") (out-to-out) vertical separation between said facilities shall always be maintained unless a specific variance to this requirement is obtained from the Public Works Superintendent. The applicable separation requirements of the State Health Department shall also be complied with.
- J. Drawings: All drawing shall be on linen or mylar in pencil or ink and of such quality that they clearly show the dimensions, locations,

sizes, etc., of all facilities represented thereon. All sewer line manholes, inlet boxes, building service lines, etc., shall be clearly shown and identified by name and by station or other means of horizontal location. Sewer lines shall be shown in both plan and profile unless the length of said sewer line or sewer extension is so short that the Public Works Superintendent waives this requirement. If a profile of the sewer line is not provided, it shall be located in the vertical plane by elevations on the flowline of the pipe at all manholes, inlet boxes, etc., and at other such locations and intervals as the Public Works Superintendent may require. Drawings shall be drawn on a scale of one inch equals one hundred feet (1" = 100') unless the amount of detail, topography, etc., necessitates their being drawn on a larger scale (i.e., 1" = 50' or 1" = 40') to provide the clarity and completeness needed on their drawings.

- K. Design: The design of all sewer lines and all sewer line plans must be approved by the Public Works Superintendent. (Ord. 92-554, 10-21-92, eff. 10-21-92; 1995 Code)

8-4-34: **AS-BUILT DRAWINGS AND ENGINEER'S CERTIFICATION:**

- A. Drawings: As-built or record drawings of sewer line plans shall be prepared by a professional engineer and the corrected original drawings or a duplicate mylar copy of the corrected original drawing(s) shall be provided to the City.
- B. Certification by Engineer: As-built plans shall include a certification thereon signed by the registered professional engineer in charge of the work that the as-built drawings of the sewer lines are true and correct and that he or she (the registered professional engineer) has inspected the construction of the sewer line installation and that the materials and installation of same were all done in conformance with the City standard specifications for the construction of sanitary sewers and storm sewers. (Ord. 92-554, 10-21-92, eff. 10-21-92)

8-4-35: **SUBDIVISION DEVELOPER'S OR PROPERTY OWNER'S RESPONSIBILITY:**

- A. Sewer Lines:
1. Owner or Developer, Construction Responsibility:

a. 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 along which a sewer line 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.

b. The owner or developer of any piece of property shall construct all needed 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 costs(s) of said required sewer line construction.

2. City Responsibility:

a. The owner or developer of any property or subdivision will normally be responsible only for the cost of up to an eight inch (8") diameter sanitary sewer line. The additional cost of providing a sanitary sewer line of a size greater than eight inches (8") 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 inch diameter size reference 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 size larger than an eight inch (8") diameter line or if the type of development is such as to produce a wastewater flow in excess of the capacity of an eight inch (8") diameter sewer line, then the owner or developer of said subdivision or development shall be responsible for the entire cost of whatever size of sewer line is needed to accommodate such development.

b. The additional cost of providing any extra sewer line depth required by the City (over and above the sewer line depth required to adequately serve the owner's or developer's property when assuming at least a 12 foot sewer line depth at the uppermost end of the sewer line extended through or along said property) will be a

City responsibility and the City will reimburse the owner or developer for the cost of said extra depth of sewer line as agreed upon and as set forth in the annexation or development agreement between the developer and the City.

3. Sharing of Costs:

a. If the property owner or developer owns or is developing the property on only one side (as compared to both sides) of any street, alley or easement where a sewer line is located or required, he or she (or they) shall be responsible for only one-half (1/2) of the cost of said sewer line, while the property owner on the other side of said street, alley or easement shall be responsible for the other half of the cost of said sewer line construction. However, in the absence of any mutual agreement between the property owners, the City may participate with the first owner or developer to the extent of paying for one-half (1/2) the cost of any eight inch (8") diameter sewer line access to said reference property frontage. The second property owner will thereafter be responsible for reimbursing the City for his or her half of the costs of this sewer line construction at the time he or she (the second property owner or developer) begins to develop or build upon said property that is adjacent to the sewer line installed by the first property owner.

b. Provided further, however, that if the length of the sewer line construction in which the City would be participating (as referred to above) exceeds one thousand (1,000) lineal feet, the City may decline to participate in the cost of said sewer line construction except to pay for the extra cost differential between the size and depth of sewer line required to serve the development and the actual size and depth of line that the City designates shall be installed to meet the requirements of its sewer system master plan. When this situation or set of circumstances exists, the property owner or developer who first initiates or actually begins the development of his or her property, shall be responsible for "front ending" the entire cost of the sewer line construction and for actually constructing said sewer line. The second (or other) property owner(s) will thereafter be responsible for reimbursing the property owner for his or her (or their) share of the costs of the sewer along with his or her (or their) frontage at the time he or she (or they), the other adjacent property owners or developers, begin(s) to develop or build upon his or her (or their) property adjacent to the sewer line installed by the first property owner. In the absence of any agreement between the first property owner or developers covering the cost of said sewer line(s), the referenced

other adjacent owners or developers shall pay to the City per lineal foot (or such other amount as the City may hereinafter establish and adopt by resolution) for the length of sewer line across his or her (or their) frontage. The City, in turn, will reimburse this same amount to the first party, which reimbursement shall be deemed adequate and appropriate compensation for his or her (or their) share of the cost of said sewer line. (amd. Ord. 15-811, 11-19-15)

- B. Sewage Lift Station: 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 and maintenance of the sewage lift station shall be the responsibility of the developer or owner. Upon acceptance and approval by the City, the City will be responsible for maintenance. (Ord. 92-554, 10-21-92 eff. 10-21-92)

8-4-36: **CITATION; APPEARANCE:** Whenever it is, determined by any police officer or other duly authorized officer that any person has violated any provision of this Chapter, the said officer shall provide, in quadruplicate, and serve upon such person a written citation containing a notice to appear in a designated court of competent jurisdiction within the City. This citation shall contain the name and address of the person charged, the offense charged, the time and place when and where the offense charged occurred, and the time when the person charged shall appear in said court, and such other pertinent information as may be necessary; and such person shall appear in said court within five (5) days after such citation is issued and served. The issuance of a citation shall be the exclusive method of summoning offenders hereunder. (Ord. 92-554 10-21-92, eff. 10-21-92)

8-4-37: **FAILURE TO APPEAR UNLAWFUL:** It shall be unlawful for any person to fail or neglect to appear in response to and as required by the citation regardless of the disposition of the charge upon which such citation was originally issued. Appearance in court shall be deemed complied with upon appearance by the person cited or his or her attorney. (Ord. 92-554, 10-21-92, eff. 10-21-92)

8-4-38: **LIABILITY:** This Chapter shall not be construed to hold the City responsible for any damage to any sewer user by

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reason of an interruption in the sewer collection system by reason of accidents to works or mains, alterations, additions, repairs or from other unavoidable causes to persons or property. The City shall also not be held liable for damage to persons or property by reason of the inspection or testing herein, or the failure to inspect or test or by reason of approval of any cross-connections. (Ord. 92-554, 10-21-92. eff. 10-21-92)

8-4-39: **PENALTIES:** Any person violating any provision of this Chapter shall be guilty of an infraction, and upon conviction thereof, may be subject to penalty as provided in Section 1-4-1of this Code. Each day said violation occurs shall be a separate offense. (Ord. 92-554, 10-21-92, eff. 10-21-92; 1995 Code)