

TITLE V: PUBLIC UTILITIES

Chapter

- 50. GARBAGE AND REFUSE**
- 51. WATER**
- 52. SEWERS**
- 53. WATER AND SEWER RATES**

CHAPTER 50: GARBAGE AND REFUSE

Section

General Provisions

- 50.01 Eligibility for refuse collection
- 50.02 Definitions
- 50.03 Placement of objectionable wastes
- 50.04 Garbage containers
- 50.05 Covering garbage
- 50.06 Substances not to be wrapped with garbage
- 50.07 Placement of refuse in same container as garbage prohibited
- 50.08 Limitation on size and weight of refuse to be collected
- 50.09 Disposal of garbage
- 50.10 Dumping of dirt, sand and gravel
- 50.11 Manufacturing or commercial processing
- 50.12 Supervision of garbage and refuse collection
- 50.13 Making of rules governing use of disposal facilities
- 50.14 Refuse Collection
- 50.15 Hauling of refuse by building contractor
- 50.16 Private haulers of refuse; license required
- 50.17 Rates and charges
- 50.18 Distribution and charges for additional trash bags
- 50.19 Sale of recycling bags

Alexandria Sanitation Services

- 50.30 Eligibility
- 50.31 Collection fees; late charges
- 50.32 Notification to discontinue service
- 50.33 Other refuse disposal
- 50.34 Other provisions

- 50.99 Penalty

GENERAL PROVISIONS

§ 50.01 ELIGIBILITY FOR REFUSE COLLECTION.

Only owners, tenants, or occupants of residential property situated within the corporate limits of the city are eligible for refuse collection by the city.
(Ord. 1289, passed 6-15-92; Am. Ord. 1458, passed 3-3-03)

§ 50.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

GARBAGE. All animal or vegetable waste and material from kitchens, dining room and similar places.

REFUSE. Rubbish, litter, glass, tin cans, earthenware, remnants of clothing and all substances which may become nuisances or which are unsightly or unclean.
(‘76 Code, § 6-16) (Ord. 869, passed 11-14-66)

§ 50.03 PLACEMENT OF OBJECTIONABLE WASTES.

It shall be unlawful for any person to place, deposit or permit to be deposited in an unsanitary manner upon public or private property any human or animal excrement, garbage or other objectionable waste.

(‘76 Code, § 6-1) (Ord. 869, passed 11-14-66) Penalty, see § 50.99

§ 50.04 GARBAGE CONTAINERS.

(A) *Containers required.* Any person operating or keeping any place where any garbage or refuse might collect shall provide and maintain sanitary, fly-proof receptacles for the depositing of such materials. (‘76 Code, § 6-17)

(B) *Use of plastic bags.* Nothing in this chapter shall be construed to prohibit any person from placing any garbage or refuse in a plastic bag which is approved by the Superintendent of Streets. (‘76 Code, § 6-18)

(C) *Use of containers required.* It shall be unlawful for any person to fail to place any garbage or refuse in a container or in a plastic bag approved by the Superintendent of Streets. (‘76 Code, § 6-19)

(D) *Containers; specifications generally.* A garbage or refuse container shall be made of galvanized iron, plastic or other suitable substitute and shall be of such a size and shape that it can be easily handled. All containers shall be not less than three nor more than 30 gallons in capacity. (‘76 Code, § 6-20)

(E) *Containers; covers required.* All garbage or refuse cans shall have tight-fitting covers which shall be kept on them at all times, except when they are being filled or emptied. (‘76 Code, § 6-21)

(F) *Containers; handles required.* All containers required by this chapter, except plastic bags approved by the Superintendent of Streets, shall have convenient handles upon them. (‘76 Code, § 6-22)

(G) *Garbage containers; bail required.* All garbage or refuse containers shall have a bail for the handling and drainage of garbage. (‘76 Code, § 6-23)

(H) *Responsibility of owner to keep containers clean.* All garbage or refuse containers required by this chapter shall be kept clean by their owners. Strewn trash is the responsibility of the residents. ('76 Code, § 6-24) (Am. Ord. 1289, passed 6-15-92)

(I) *Container housings.* A garbage or refuse receptacle may be kept in a housing constructed of concrete or other suitable material built at a convenient point for collection, but such a housing shall not be placed upon any city property or in a street or alley or where it can be easily struck or damaged by motor vehicles. ('76 Code, § 6-28)
(Ord. 869, passed 11-14-66) Penalty, see § 50.99

§ 50.05 COVERING GARBAGE.

(A) *Draining and wrapping garbage.* All garbage before being placed in any required garbage can container shall be drained of all liquids and wrapped in paper or other similar material. ('76 Code, § 6-25)

(B) *Bundling refuse.* Any refuse which is set out for collection shall be bundled. ('76 Code, § 6-29) (Ord. 869, passed 11-14-66)

§ 50.06 SUBSTANCES NOT TO BE WRAPPED WITH GARBAGE.

No slop, rubbish, poisonous substance or night soil shall be wrapped in the same package as garbage.

('76 Code, § 6-26) (Ord. 869, passed 11-14-66)

§ 50.07 PLACEMENT OF REFUSE IN SAME CONTAINER AS GARBAGE PROHIBITED.

No refuse may be placed in the same container as any garbage.

('76 Code, § 6-27) (Ord. 869, passed 11-14-66)

§ 50.08 LIMITATION ON SIZE AND WEIGHT OF REFUSE TO BE COLLECTED.

No refuse shall be collected if it is greater than four feet, in length, or six inches in diameter, or weighs more than 75 pounds.

('76 Code, § 6-30) (Ord. 869, passed 11-14-66; Am. Ord. 1289, passed 6-15-92)

§ 50.09 DISPOSAL OF GARBAGE.

(A) *Placement of containers for collection.* All containers set out for collection purposes shall be put in a place convenient to the city collector; provided, however, that no such container shall be placed in the front yard or street earlier than the day of regular collection, and that in no case shall any such container be placed in the traveled portion of the street. ('76 Code, § 6-31)

(B) *Removal of garbage cans from street.* All garbage or refuse cans that are set out for collection purposes shall be removed from the street or front yard on the same day that the garbage collection is made. ('76 Code, § 6-32)

(C) *Hauling or transporting.* It shall be unlawful for any unauthorized person to receive, collect, convey, haul or transport, or cause to be conveyed, hauled or transported, any accumulated garbage or refuse upon any public place. ('76 Code, § 6-33)

(D) *Burying.* It shall be unlawful for any unauthorized person to bury any garbage or refuse. ('76 Code, § 6-34)

(E) *Open burning.* It shall be unlawful for any person to burn any garbage or refuse in the open.
('76 Code, § 6-35)
(Ord. 869, passed 11-14-66; Am. Ord. 1289, passed 6-15-92)

§ 50.10 DUMPING OF DIRT, SAND AND GRAVEL.

Nothing in this chapter shall be construed to prohibit the dumping of dirt, sand and gravel which is free from all trash, rubbish, refuse materials of all kinds, upon any lot with the permission of the owner for the purpose of elevating the grade of the lot or the improvement thereof.
('76 Code, § 6-36) (Ord. 869, passed 11-14-66)

§ 50.11 MANUFACTURING OR COMMERCIAL PROCESSING.

Nothing in this chapter shall be construed or interpreted to authorize or require the collection and disposal of any waste material arising as a result of any manufacturing or commercial processing or to prohibit manufacturers from collecting and disposing of waste materials as a result of their manufacturing or commercial processing if the same is not inimical to the public health or cleanliness.
('76 Code, § 6-37) (Ord. 869, passed 11-14-66)

§ 50.12 SUPERVISION OF GARBAGE AND REFUSE COLLECTION.

The Board of Public Works and Safety, subject to the approval of the Mayor, shall supervise the collection of garbage and refuse and provide a place for its dumping and disposal.
('76 Code, § 6-38) (Ord. 869, passed 11-14-66)

§ 50.13 MAKING OF RULES GOVERNING USE OF DISPOSAL FACILITIES.

The Board of Public Works and Safety may promulgate all necessary rules for the use of all refuse and garbage disposal facilities, having due regard for the public health, and the sightliness and cleanliness of the city and the surrounding territory.
('76 Code, § 6-39) (Ord. 869, passed 11-14-66)

§ 50.14 REFUSE COLLECTION.

Customers shall deposit refuse for collection on the date and location which the Common Council may from time to time establish by resolution. The Common Council may also establish the number, size, kind and weight of trash containers to be collected. Each customer shall be responsible to keep his refuse collection site in a neat and clean manner. The city shall provide weekly pick-up with collection of oversize refuse once a year.
(Ord. 1289, passed 6-15-92)

§ 50.15 HAULING OF REFUSE BY BUILDING CONTRACTOR.

This chapter shall not pertain to the hauling of refuse by a building contractor incident to the construction or demolition of any structure.
(Ord. 1289, passed 6-15-92)

§ 50.16 PRIVATE HAULERS OF REFUSE; LICENSE REQUIRED.

(A) Private haulers may provide services to commercial establishments within the city at the election of the commercial establishment.

(B) Any private hauler of refuse must obtain a license from the city in order to provide such services within the city. The fee shall be set by the Council and may include a charge for costs incurred by the city.
(Ord. 1289, passed 6-15-92)

§ 50.17 RATES AND CHARGES.

(A) *Collection fees.* Refuse collection may be provided by the city to residents whose homes are currently served by city utilities. Fees for refuse collection shall be as follows:

- (1) For each single family dwelling or housing unit, not to exceed \$5 per month.
- (2) For a two or more family dwelling, not to exceed \$5 per dwelling unit per month.

(B) *Late charges.* Service charges for flat rates, as specified above, shall be added to the user's water, sewage and sanitation charges and shall be payable as are bills for water, sewage and sanitation service. Payments not made within 15 days of the billing date will have a late charge of 10% for each month in which the payment remains delinquent. If any payment remains delinquent for more than three months, service will be discontinued. To reinstate service, all past due charges must be paid in full plus a reinstatement charge equal to one month's flat fee.

(C) *Notification to discontinue service.* If any service charge remains unpaid for a period of three months, the charges may be certified to the Auditor of Madison County for placement upon the tax duplicate by the Auditor and collected as taxes are collected as provided in IC 18-5-10-77 (now repealed).

(D) *Rate change procedure.* Any request for rate change by the city shall be advertised not less than two times one week apart in no less than two county newspapers and shall state the date, time and location of a public meeting to advise the reasons for the rate change. In no event shall the fee schedule so established serve to collect monies in excess of those required for payment of costs incident to the services provided.

(E) *Additional collection costs.* All collection costs not covered herein will be reviewed on an individual bases.
(Ord. 1289, passed 6-15-92)

§ 50.18 DISTRIBUTION AND CHARGES FOR ADDITIONAL TRASH BAGS.

(A) A charge to the city utility customers is established in the amount of \$1 per trash bag for trash bag pickup beyond the three bag limit heretofore established.

(B) All trash bags hereunder shall be purchased at the city utility office and will be distributed to utility customers in packages containing not less than five bags per package.
(Ord. 1403, passed 12-14-98)

§ 50.19 SALE OF RECYCLING BAGS.

(A) This section fixes a charge for recycling bags at the rate of \$1 per 10 bags for city utility customers.

(B) All non-utility customers may purchase recycling bags at the rate of \$.25 per bag in minimum quantities of four.

(C) This section allows utility customers to credit recycling bag purchases to their utility account with applicable penalties for non-payment.
(Ord. 1315, passed 8-23-93)

ALEXANDRIA SANITATION SERVICES**§ 50.30 ELIGIBILITY.**

Any and all owners, tenants, or occupants of residential property are eligible for refuse collection by the city.
(Ord. 1423, passed 2-7-00; Am. Ord. 1465, passed 2-2-04)

§ 50.31 COLLECTION FEES; LATE CHARGES.

(A) Fees for refuse collection shall be as follows:

(1) For each single-family dwelling or housing unit, not to exceed \$8.05 per month.

(2) For a two- or more family dwelling, not to exceed \$8.05 per dwelling unit per month.

(B) Service charges for flat rates, as specified in division (A) of this section, shall be added to the user's water, sewage, and sanitation charges and shall be payable as are bills for water, sewage, and sanitation service. Payments not made within 15 days of the billing date will have a late charge of 10% for each month in which the payment remains delinquent. If any payment remains delinquent for more than three months, service will be discontinued. To reinstate service, all past due charges must be paid in full plus a reinstatement charge equal to one month's flat fee.
(Ord. 1423, passed 2-7-00; Am. Ord. 1465, passed 2-2-04)

§ 50.32 NOTIFICATION TO DISCONTINUE SERVICE.

If any service charge remains unpaid for a period of three months, the charges may be certified to the auditor of the county for placement upon the tax duplicate by the auditor and collected as taxes are collected as provided in IC 18-5-10-77 (now repealed).
(Ord. 1423, passed 2-7-00; Am. Ord. 1465, passed 2-2-04)

§ 50.33 OTHER REFUSE DISPOSAL.

No person shall burn garbage or deposit refuse on any property located within the city except as provided in this subchapter. No person shall accept refuse for disposal from any residence or commercial establishment other than his or her own.
(Ord. 1423, passed 2-7-00; Am. Ord. 1465, passed 2-2-04) Penalty see § 50.99

§ 50.34 OTHER PROVISIONS.

(A) Customers shall deposit refuse for collection on the date and location which the Common Council may from time to time establish by resolution. The Common Council may also establish the number, size, kind, and weight of trash containers to be collected. Each customer shall be responsible to keep his or her refuse collection site in a neat and clean manner. The city shall provide weekly pick-up with collection of oversize refuse once a year.

(B) This subchapter shall not pertain to the hauling of refuse by a building contractor incident to the construction or demolition of any structure.

(C) Strewn trash is the responsibility of the residents.

(D) Private haulers may provide services to commercial establishments within the city at the election of the commercial establishment.

(E) Any private hauler of refuse must obtain a license from the city in order to provide such services within the city. The fee shall be set by the Council and may include a charge for costs incurred by the city.

(F) Refuse collection may be provided by the city to residents whose homes are outside the corporate limits but are currently served by city utilities at a monthly cost not to exceed \$8.05 per month per residential unit.

(G) All collection costs not covered herein will be reviewed on an individual basis.
(Ord. 1423, passed 2-7-00; Am. Ord. 1465, passed 2-2-04) Penalty see § 50.99

§ 50.99 PENALTY.

(A) Any person violating any provision of this chapter to which no other specific penalty applies shall be subject to the penalty set forth in § 10.99.

(B) Violation of any portion of §§ 50.30 through 50.34 shall be punishable by a fine not to exceed the sum of \$500.

(Ord. 1423, passed 2-7-00; Am. 1465, passed 2-2-04)

CHAPTER 51: WATER

Section

- 51.01 Unpolluted and stormwater discharge
- 51.02 Cross-connection prohibited
- 51.03 Inspections
- 51.04 Right of entry
- 51.05 Discontinuance of service
- 51.06 Immediate action
- 51.07 Toxic and hazardous liquids
- 51.08 Plumbing Code

Cross-reference:

Water and sewer rates and charges, see Ch. 53

§ 51.01 UNPOLLUTED AND STORMWATER DISCHARGE.

All stormwater and other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet as approved by the Superintendent of the Sewage Works. Industrial cooling water or unpolluted process waters may be discharged, upon approval of the Superintendent of the Sewage works, to a storm sewer, combined sewer or natural outlet.

('76 Code, § 15-1) (Ord. 1227, passed 7-18-88)

§ 51.02 CROSS-CONNECTION PROHIBITED.

(A) *Definition.* A **CROSS-CONNECTION** shall be defined as any physical connection or arrangement between two otherwise separate systems, one of which contains potable water from the City Water System, and the other, water from private sources, water of unknown questionable safety, or steam, gases or chemicals, whereby there may be a flow from one system to the other, the direction of the flow depending on the pressure differential between the two systems. ('76 Code, § 15-27)

(B) No person, firm or corporation shall establish or permit to be established or maintain or permit to be maintained any cross-connection. No interconnection shall be established whereby potable water from a private, auxiliary or emergency water supply other than the regularly public water supply of the city may enter the supply or distribution system of the city, unless the private, auxiliary, or emergency water supply in the method of connection in the use of the supply shall have been approved by the Water Department of the city. ('76 Code, § 15-28)

(Ord. 1227, passed 7-18-88)

§ 51.03 INSPECTIONS.

It shall be the duty of the Alexandria Water Department to cause inspection to be made of all properties served by the public water system where a cross-connection with a public water system is deemed possible. The frequency of inspection and reinspection based upon potential health hazards involved shall be established by the Water Department of the city.

('76 Code, § 15-29) (Ord. 1227, passed 7-18-88)

§ 51.04 RIGHT OF ENTRY.

On presentation of credentials, the representative of the Alexandria Water Department shall have the right to request entry at any reasonable time to examine any property served by connection to the public water system of the city for cross-connections. On request, the owner, lessee, or occupant of any property so served, shall furnish to the inspection agency any pertinent information regarding the piping system or systems on such property. The refusal of access or refusal of requested information shall be deemed evidence of the presence of cross-connections.

('76 Code, § 15-30) (Ord. 1227, passed 7-18-88)

§ 51.05 DISCONTINUANCE OF SERVICE.

The Water Department of the city is hereby authorized and directed to discontinue water service to any property wherein any connection and violation of § 51.02 exists, and to take any other precautionary measures deemed necessary to eliminate any danger of contamination of the public water system. Water service shall be discontinued only after reasonable notice is served to the owner, lessee, or occupants of the property or premises where a violation is found or suspected to be to exist. Water service to such property shall not be restored until any cross-connection has been eliminated in compliance with § 51.02.

('76 Code, § 15-30) (Ord. 1227, passed 7-18-88)

§ 51.06 IMMEDIATE ACTION.

If it is deemed by the Alexandria Water Department that a cross-connection or an emergency endangers public health, safety, or welfare and requires immediate action, and a written finding to that effect is filed with the Clerk-Treasurer and delivered to the consumer's premises, service may be immediately discontinued. The consumer shall have an opportunity for a hearing within ten days of such emergency discontinuance.

('76 Code, § 15-32) (Ord. 1227, passed 7-18-88)

§ 51.07 TOXIC AND HAZARDOUS LIQUIDS.

All consumers using toxic or hazardous liquids, all hospitals, mortuaries, waste water treatment plants, laboratories, and all hazardous users, shall install and maintain a reduced pressure-principal backflow preventer in the main water line serving each building on the premises. The back flow preventer must be installed in an easily accessible location not subject to flooding nor freezing.

('76 Code, § 15-33) (Ord. 1227, passed 7-18-88)

§ 81.08 PLUMBING CODE.

The provisions of this chapter do not supersede the Uniform Plumbing Code or any applicable provision of this code or other ordinance of the city dealing with plumbing, but is supplementary to them. ('76 Code, § 15-34) (Ord. 1227, passed 7-18-88)

CHAPTER 52: SEWERS

Section

General Provisions

- 52.01 Definitions
- 52.02 Regulation of discharges
- 52.03 Privies, cesspools, and septic tanks
- 52.04 Installation of facilities required
- 52.05 When private sewage disposal is allowed
- 52.06 Construction permit for private sewage disposal system
- 52.07 Installation standards generally
- 52.08 Inspection of private sewage systems
- 52.09 Notice of inspection
- 52.10 Discharges from septic tanks
- 52.11 Maintenance of system by owner
- 52.12 Damaging or tampering with system
- 52.13 Inspections generally
- 52.14 Board of Public Works rules
- 52.15 Health Officer requirements
- 52.16 Retention of septic tanks

Building Sewers and Connections

- 52.30 Permit required for connections
- 52.31 Classes of permits
- 52.32 Permit application
- 52.33 Permit and inspection fee
- 52.34 Connection charge
- 52.35 Costs, expenses, and liabilities
- 52.36 Separate sewer required
- 52.37 Use of old sewers
- 52.38 Pipes; composition
- 52.39 Size, slope, and alignment
- 52.40 Depth
- 52.41 Alignment generally
- 52.42 Grade
- 52.43 Changes in direction
- 52.44 Open trench work required
- 52.45 Manner of pipe laying
- 52.46 Backfilling; inspection
- 52.47 Joints and connections; specifications
- 52.48 Notice to Inspector
- 52.49 Supervision of connection
- 52.50 Location and manner of connection

- 52.51 Excavations
- 52.52 Control manhole
- 52.53 Artificial lifts; gravity flow

Prohibited Discharges

- 52.65 Power to require pretreatment
- 52.66 Discharges of stormwater prohibited
- 52.67 Prohibited discharges
- 52.68 Action when improper discharges
- 52.69 Maintenance of facilities
- 52.70 Standards
- 52.71 Pretreatment of industrial cooling water
- 52.72 User information required
- 52.73 Strength of wastewater analyzed
- 52.74 Interceptors
- 52.75 Notification of city
- 52.76 Compliance with other law
- 52.77 Special agreements

- 52.98 Violations

Cross-reference:

Water and sewer rates and charges, see Ch. 53

GENERAL PROVISIONS

§ 52.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BOARD. The Board of Public Works of the city, or any duly authorized officials acting in its behalf.

BIOCHEMICAL OXYGEN DEMAND (BOD). The quantity of oxygen expressed in mg/l, utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20° centigrade.

BUILDING DRAIN. That part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the wall of a building and conveys it to the building sewer, beginning three feet outside the inner face of the building wall.

BUILDING DRAIN, SANTTARY. A building drain which conveys sanitary or industrial sewage only.

BUILDING DRAIN, STORM. A building drain which conveys stormwater or other clearwater drainage, but no wastewater.

BUILDING SEWER. The extension from the building drain to the public sewer or other place of disposal (also called a "house connection").

BUILDING SEWER, SANITARY. A building sewer which conveys sanitary or industrial sewage only.

BUILDING SEWER, STORM. A building sewer which conveys stormwater or other clearwater drainage, but no sanitary or industrial sewage.

CITY. The city acting by and through the Board.

COMBINED SEWER. A sewer intended to receive both surface runoff and sewage.

COMMERCIAL USER. Any establishment involved in a commercial enterprise, business or service which, based on a determination by the city, discharges primarily segregated domestic wastes or wastes from sanitary conveniences.

COMPATIBLE POLLUTANT. Biochemical oxygen demand, suspended solids, pH, and fecal coliform bacteria, plus additional pollutants identified in the NPDES permit if the treatment works was designed to treat such pollutants, and in fact does remove such pollutants to a substantial degree. The term "substantial degree" is not subject to precise definition, but generally contemplates removals in the order of 80% or greater. Minor accidental removals in the order of 10% to 30% are not considered substantial. Examples of additional pollutants which may be considered compatible include:

- (1) Chemical oxygen demand;
- (2) Total organic compound;
- (3) Phosphorus and phosphorus compounds;
- (4) Nitrogen and nitrogen compounds; and

(5) Fats, oils, and greases of animal or vegetable origin (except as prohibited where these materials would interfere with the operation of the treatment works).

DEBT SERVICE COSTS. The average annual principal and interest payments on all outstanding revenue bonds or other long-term capital debt.

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

EXCESSIVE STRENGTH SURCHARGE. An additional charge which is billed to users for treating sewage wastes with an average strength in excess of "normal domestic sewage."

FECAL COLIFORM. Any number of organisms common to the intestinal tract of man and animals, whose presence in sanitary sewage is an indicator of pollution.

FLOATABLE OIL. Oil, fat, or grease in a physical state, that will separate by gravity from wastewater by treatment in a pretreatment facility approved by the city.

GARBAGE. Solid wastes resulting from the preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.

INCOMPATIBLE POLLUTANT. Any pollutant that is not defined as a compatible pollutant, including non-biodegradable dissolved solids.

INDUSTRIAL USER. Any manufacturing or processing facility that discharges industrial waste to a publicly owned treatment works.

INDUSTRIAL WASTES. The wastewater discharges from industrial, trade or business processes as distinct from employee wastes or wastes from sanitary conveniences.

INFILTRATION. The water entering a sewer system, including building drains and sewers, from the grounds through such means as, but not limited to, defective pipes, pipe joints, connections, or manhole walls. "Infiltration" does not include and is distinguished from "inflow."

INFILTRATION/INFLOW. The total quantity of water from both infiltration and inflow without distinguishing the source.

INFLOW. The water discharge into a sewer system, including building drains and sewers, from such sources as, but not limited to, roof leaders, cellar, yard and area drains, foundation drains, unpolluted cooling water discharges, drains from springs and swampy areas, manhole covers, cross connections from storm sewers, and combined sewers, catch basins, stormwaters, surface run-off, street waste waters or drainage. "Inflow" does not include, and is distinguished from, "infiltration."

INSPECTOR. The person or persons duly authorized by the city, through its Board, to inspect and approve the installation of building sewers and their connection to the public sewer system.

INSTITUTIONAL USER. Any establishment involved in a social, charitable, religious, and/or educational function, which based on a determination by the city, discharges primarily segregated domestic wastes or wastes from sanitary conveniences.

MAJOR CONTRIBUTING INDUSTRY. An industry that has:

- (1) A flow of 50,000 gallons or more per average work day;
- (2) A flow greater than 5% of the flow carried by the municipal system receiving the waste;
- (3) In its waste a toxic pollutant in toxic amounts as defined in standards issued under Section 307(a) of Public Law 92-500; or
- (4) A significant impact, either singly or in combination with other contributing industries, on treatment works or on the quality of effluent from that treatment works.

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

NORMAL DOMESTIC SEWAGE. For the purpose of determining surcharges, wastewater or sewage having an average daily concentration as follows: BOD not more than 200 mg/l, SS not more than 240 mg/l. As defined by origin, wastewaters from segregated domestic and/or sanitary conveniences as distinct from wastes from industrial processes.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT. A permit issued under the National Pollutant Discharge Elimination System for discharge of wastewaters to the navigable waters of the United States pursuant to Section 402 of P.L. 92-500.

OPERATION AND MAINTENANCE (O&M) COSTS. Includes all costs, direct and indirect, necessary to provide adequate wastewater collection, transport and treatment on a continuing basis and produce discharges to receiving waters that conform with all related Federal, State and local requirements. These costs include replacement.

OTHER SERVICE CHARGES. Any and all persons, natural or artificial, including any individual, firm, company, municipal or private corporation, association, society, institution, enterprise, governmental agency or other entity.

pH. The reciprocal of the logarithm of the hydrogen ion concentration. The concentration is the weight of hydrogen ions, in grams per liter of solution.

PRETREATMENT. The treatment of industrial sewage from privately owned industrial sources prior to introduction into a public treatment works.

PRIVATE SEWER. A sewer which is not owned by a public authority.

PROPERLY SHREDDED GARBAGE. The wastes from the preparation, cooking, and dispensing of food that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch in any dimension.

PUBLIC SEWER. A sewer which is owned and controlled by the public authority and will consist of the following increments.

(1) **COLLECTOR SEWER.** A sewer whose primary purpose is to collect wastewaters from individual point source discharges.

(2) **INTERCEPTOR SEWER.** A sewer whose primary purpose is to transport waste water from collector sewers to a treatment facility.

(3) **FORCE MAIN.** A pipe in which wastewater is carried under pressure.

(4) **PUMPING STATION.** A station positioned in the public sewer system at which wastewater is pumped to a higher level.

REPLACEMENT COSTS. The expenditures for obtaining and installing equipment, accessories or appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which the works were designed and constructed.

RESIDENTIAL USER. A user of the treatment works whose premises or building is used primarily as a residence for one or more persons, including all dwelling units and the like.

SANITARY SEWER. A sewer which carries sanitary and industrial wastes, and to which storm, surface, and ground water are not intentionally admitted.

SEWAGE. The combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions (including polluted cooling water). The three most common types of sewage are:

(1) **COMBINED SEWAGE.** wastes including sanitary sewage, industrial sewage, stormwater, infiltration and inflow carried to the wastewater treatment facilities by a combined sewer.

(2) **INDUSTRIAL SEWAGE.** A combination of liquid and water carried wastes discharged from any industrial establishment, and resulting from any trade or process carried on in that establishment (this shall include the wastes from pretreatment facilities and polluted cooling water).

(3) **SANITARY SEWAGE.** The combination of liquid and water carried wastes discharged from toilets and other sanitary plumbing facilities.

SEWAGE TREATMENT PLANT. Any arrangement of devices and structures used for treating sewage.

SEWAGE WORKS. The structures, equipment, and processes to collect, transport, and treat domestic and industrial wastes and dispose of the effluent and accumulated residual solids.

SEWER. A pipe or conduit for carrying sewage.

SLUG. Any discharge of water or wastewater which, in concentration of any given constituent or in quantity of flow, exceeds from any period of duration longer than 10 minutes more than three times the average 24 hours concentration of flows during normal operation and shall adversely affect the collection system.

STANDARD METHODS. The laboratory procedures set forth in the latest edition, at the time of analysis, of "Standard Methods for the Examination of Water and Wastewater" prepared and published jointly by the American Public Health Association, the American Water Works Association, and the Water Pollution Control Federation.

STORM SEWER. A sewer for conveying water, ground water, or unpolluted water from any source and to which sanitary and/or industrial wastes are not intentionally admitted.

SUPERINTENDENT. The Superintendent of the municipal sewage works of the city, or his authorized deputy, agent, or representative.

SUSPENDED SOLIDS (SS). Solids that either float on the surface of, or are in suspension in, water, sewage, or other liquids and which are removable by laboratory filtering under standard laboratory procedure.

TOTAL SOLIDS. The sum of suspended solids and dissolved solids.

TOXIC AMOUNT. Concentrations of any pollutant or combination of pollutants, which upon exposure to or assimilation into any organism will cause adverse effects, such as cancer, genetic mutations, and physiological manifestations, as defined in standards issued pursuant to Section 307(a) of Public Law 92-500.

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

USER CHARGE. A charge levied on the users of the wastewater treatment works for the cost of operation and maintenance of such works pursuant to Section 204(b) of Public Law 92-500.

VOLATILE ORGANIC MATTER. The material in the sewage solids transformed to gases or vapors when heated at 55° C for 15. to 20 minutes.

WATERCOURSE. A natural or artificial channel for the passage of water either continuously or intermittently.

('76 Code, § 15-36) (Ord. 1166, passed 1-2-84; Am. Ord. 1167, passed 1-2-84)

§ 52.02 REGULATION OF DISCHARGES.

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

(B) No person shall discharge or cause to be discharged to any sanitary sewer, either directly or indirectly, stormwaters, surface water, ground water, roof run-off, subsurface drainage, cooling water, unpolluted water, or unpolluted industrial process water. The city shall require the removal of unpolluted waters from any wastewater collection or treatment facility if such removal is cost-effective and is in the best interest of all users of those facilities.

(C) Stormwater, surface water, ground water, roof run-off, subsurface drainage, cooling water, unpolluted water or unpolluted industrial process water may be admitted to storm sewers which have adequate capacity for their accommodation. No person shall use such, however, without the specific permission of the city. No connection shall be made to any sanitary combined or storm sewer after January 2, 1984 unless there is capacity available in all downstream sewers, lift stations, force mains, and the sewage treatment plant, including capacity for BOD and suspended solids.

(D) No person shall place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the jurisdiction of the city, any wastewater or other polluted waters except where suitable treatment has been provided in accordance with this chapter and the NPDES permit.

(E) No person shall discharge or cause to be discharged into any natural outlet any wastewater or other polluted waters except where suitable treatment has been provided in accordance with this chapter and the NPDES permit.

('76 Code, § 15-37) (Ord. 1167, passed 1-2-84) Penalty, see § 10.99

§ 52.03 PRIVIES, CESSPOOLS, AND SEPTIC TANKS.

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

('76 Code, § 15-38) (Ord. 1167, passed 1-2-84) Penalty, see § 10.99

§ 52.04 INSTALLATION OF FACILITIES REQUIRED.

The owner of all houses, buildings, or properties used for human occupancy, employment, recreation or other purposes, situated within the city and abutting on any street, alley, or right-of-way in which there is now located a public sanitary or combined sewer of the city is required at his own expense to install suitable toilet facilities thereon, and to connect such facilities directly with the proper public sewer in accordance with this chapter, within 60 days after date of official notice to do so, provided that the public sewer is within 300 feet of the property lines.

('76 Code, § 15-39) (Ord. 1167, passed 1-2-84)

§ 52.05 WHEN PRIVATE SEWAGE DISPOSAL IS ALLOWED.

(A) Where a public sanitary or combined sewer is not available under § 52.04, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this chapter.

(B) The type, capacities, location, and layout of a private sewage disposal system shall comply with all recommendations of the State Board of Health. No permit shall be issued for any private sewage disposal system employing subsurface soil absorption facilities where the area of the lot is less than 20,000 square feet.

(C) At such time as a public sewer has become available to a property served by a private sewage disposal system as provided in § 52.04, a direct connection shall be made to the public sewer in compliance with this chapter within 60 days and any septic tanks, cesspools and similar private sewage disposal facilities shall be abandoned, cleaned of sludge, and filled with clean bank-run gravel or dirt.

('76 Code, § 15-40) (Ord. 1167, passed 1-2-84)

§ 52.06 CONSTRUCTION PERMIT FOR PRIVATE SEWAGE DISPOSAL SYSTEM

Before commencement of a private sewage disposal system, the owner shall first obtain a written permit signed by the Superintendent. A permit and inspection fee of \$15 shall be paid to the city at the time the application is filed.

('76 Code, § 15-41) (Ord. 1167, passed 1-2-84)

§ 52.07 INSTALLATION STANDARDS GENERALLY.

A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Superintendent.

('76 Code, § 15-42) (Ord. 1167, passed 1-2-84)

§ 52.08 INSPECTION OF PRIVATE SEWAGE SYSTEMS.

The Superintendent shall be allowed to inspect the work at any stage of construction.

('76 Code, § 15-43) (Ord. 1167, passed 1-2-84)

§ 52.09 NOTICE OF INSPECTION.

In any event, the applicant for the permit shall notify the Superintendent when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within 24 hours of the receipt of notice by the Superintendent.

('76 Code, § 15-44) (Ord. 1167, passed 1-2-84)

§ 52.10 DISCHARGES FROM SEPTIC TANKS.

No septic tank or cesspool shall be permitted to discharge to any natural outlet.

('76 Code, § 15-45) (Ord. 1167, passed 1-2-84)

§ 52.11 MAINTENANCE OF SYSTEM BY OWNER.

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

('76 Code, § 15-46) (Ord. 1167, passed 1-2-84)

§ 52.12 DAMAGING OR TAMPERING WITH SYSTEM.

No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

('76 Code, § 15-47) (Ord. 1167, passed 1-2-84) Penalty, see § 10.99

§ 52.13 INSPECTIONS GENERALLY.

(A) The Superintendent, the Inspector and other duly authorized employees of the city bearing proper credentials and identification shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling and testing, in accordance with this chapter.

(B) The Superintendent or his representative shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

(C) While performing the necessary work on private properties referred to in division (A), the Superintendent or duly authorized employees of the city shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the city employees and the city shall indemnify the company against loss or damage to its property by city employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in § 52.52.

(D) The Superintendent and other duly authorized employees of the city bearing proper credentials and identification shall be permitted to enter all private properties through which the city holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the sewage works lying within the easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.
('76 Code, § 15-48) (Ord. 1167, passed 1-2-84)

§ 52.14 BOARD OF PUBLIC WORKS RULES.

The Board of Public Works and Safety shall make and enforce such bylaws and regulations as may be deemed necessary for the safe, economical and efficient management of the city's sewerage system, regulator chambers, pumping stations and sewage treatment plant, for the construction and use of house sewers and connections to the sewerage system, and for the regulation, collection, rebating and refunding of all sewage rates and charges.
('76 Code, § 15-51) (Ord. 804, passed 1-3-58)

§ 52.15 HEALTH OFFICER REQUIREMENTS.

No statement contained in this chapter shall be construed to interfere with any additional requirements that may be imposed by the Health Officer.
('76 Code, § 15-52) (Ord. 1167, passed 1-2-84)

§ 52.16 RETENTION OF SEPTIC TANKS.

In cases where approval has been granted by the State Board of Health, certain septic tanks may be retained as a form of pretreatment and shall be permitted to connect to the city sewers. In that case, such pretreatment facility shall be maintained by the city. Use of septic tanks for this purpose shall be restricted to the following conditions:

- (A) Only to septic tanks discharging to small diameter sewers specifically designed for that purpose.
- (B) Only when that discharge will not adversely interfere with the operation of the treatment facility.
- (C) Only to residential users.
- (D) Only with prior permission.

('76 Code, § 15-53) (Ord. 1167, passed 1-2-84)

BUILDING SEWERS AND CONNECTIONS**§ 52.30 PERMIT REQUIRED FOR CONNECTIONS.**

No unauthorized person shall uncover, make any connections with or opening into, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Clerk-Treasurer.

('76 Code, § 15-58) (Ord. 1167, passed 1-2-84) Penalty, see § 10.99

Cross-reference:

Cross-connections prohibited, see § 51.04

§ 52.31 CLASSES OF PERMITS.

There shall be two classes of building sewer permits:

(A) For residential and commercial service; and

(B) For service to establishments producing industrial wastes.

('76 Code, § 15-59) (Ord. 1167, passed 1-2-84)

§ 52.32 PERMIT APPLICATION.

The owner or his agent shall make application for a building sewer permit on a special form furnished by the city. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Inspector.

('76 Code, § 15-60) (Ord. 1167, passed 1-2-84)

§ 52.33 PERMIT AND INSPECTION FEE.

A permit and inspection fee of \$150 for a residential or commercial building sewer permit and \$250 for an industrial building sewer permit shall be paid to the Clerk-Treasurer at the time the application is filed.

('76 Code, § 15-61) (Ord. 1167, passed 1-2-84)

§ 52.34 CONNECTION CHARGE.

In the event that a sewer connection is made from any lot, parcel of real estate or building, directly to one of the interceptors or other sewers, the construction of which is financed by the sewage works revenue bonds, thus precluding any assessment or charge against such lot, parcel of real estate or building for a local or lateral sewer, a connection charge in an amount to be computed at the rate of \$1.50 per front foot of property abutting the sewer shall be levied against said lot, parcel of real estate or building; provided, however, that the maximum charge per connection shall not exceed \$150.

('76 Code, § 15-62) (Ord. 804, passed 1-3-58)

§ 52.35 COSTS, EXPENSES, AND LIABILITIES.

All costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the city from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

('76 Code, § 15-63) (Ord. 1167, passed 1-2-84)

§ 52.36 SEPARATE SEWER REQUIRED.

A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court yard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

('76 Code, § 15-64) (Ord. 1167, passed 1-2-84)

§ 52.37 USE OF OLD SEWERS.

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

('76 Code, § 15-65) (Ord. 1167, 1-2-84)

§ 52.38 PIPES; COMPOSITION.

All building sewer pipes shall be of materials in conformity with the state plumbing code; provided, however, that cast iron pipes with leaded joints may be required by the Inspector where the building sewer is exposed to damage by tree roots. If installed in filled or unstable ground, the building sewer shall be of cast iron soil pipe, except that vitrified clay sewer pipe may be accepted if laid on a suitable concrete bed or cradle as approved by the Inspector.

('76 Code, § 15-66)

§ 52.39 SIZE, SLOPE, AND ALIGNMENT.

The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the city. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in the appropriate specifications of the A.S.T.M. and W.P.C.F. Manual of Practice No. 9 shall apply.

('76 Code, § 15-67) (Ord. 1167, passed 1-2-84)

§ 52.40 DEPTH.

Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor.

('76 Code, § 15-68) (Ord. 1167, passed 1-2-84)

§ 82.41 ALIGNMENT GENERALLY.

A building sewer shall be as straight in alignment as possible.
('76 Code, § 15-69)

§ 82.42 GRADE.

A building sewer shall be laid at an uniform grade in so far as possible.
('76 Code, § 15-70)

§ 82.43 CHANGES IN DIRECTION.

All changes in the direction of a building sewer shall be made with properly curved pipes and fittings.
('76 Code, § 15-71)

§ 82.44 OPEN TRENCH WORK REQUIRED.

All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the inspector.
('76 Code, § 15-72)

§ 82.45 MANNER OF PIPE LAYING.

All pipe laying shall be performed in accordance with the state plumbing code.
('76 Code, § 15-73)

§ 82.46 BACKFILLING; INSPECTION.

All backfilling shall be performed in accordance with the state plumbing code, except that no backfill shall be placed until the work has been inspected by the Inspector.
('76 Code, § 15-74)

§ 82.47 JOINTS AND CONNECTIONS; SPECIFICATIONS.

(A) No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface run-off or ground water to a building drain which in turn is connected directly or indirectly to a public sanitary sewer.

(B) The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the city or the procedures set forth in the appropriate specifications of the A.S.T.M. and the W.P.C.F. Manual of Practice No. 9. All

such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Superintendent before installations.
('76 Code, § 15-75) (Ord. 1167, passed 1-2-84)

§ 52.48 NOTICE TO INSPECTOR.

The applicant for the building sewer permit shall notify the Inspector when the building sewer is ready for inspection and connection to the public sewer.
('76 Code, § 15-76) (Ord. 1167, passed 1-2-84)

§ 52.49 SUPERVISION OF CONNECTION.

The connection shall be made under the supervision of the Inspector or his or her representative.
('76 Code, § 15-77) (Ord. 1167, passed 1-2-84)

§ 52.50 LOCATION AND MANNER OF CONNECTION.

The connection of the building sewer into the public sewer shall be made at the "Y" branch, if such branch is available at a suitable location. If no properly located "Y" branch is available, the owner shall, at his expense, furnish and install in the public sewer a vitrified clay "Y" saddle at the location specified by the Inspector, into which the building sewer shall be connected. The invert of the building sewer at the point of connection shall be at the same or at a higher elevation than the invert of the public sewer. A smooth neat joint shall be made, and the connection made secure and watertight by encasement in concrete.
('76 Code, § 15-78)

§ 52.51 EXCAVATIONS.

(A) All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the city.

(B) All excavations which are made in connection with connecting a building sewer to the city's sewer system shall be made in conformity with §§ 95.15 et seq.
('76 Code, § 15-79) (Ord. 1167, passed 1-2-84)

§ 52.52 CONTROL MANHOLE.

(A) When required by the Superintendent, the owner of any property served by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes.

(B) Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Superintendent. The manhole shall be installed by the property owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

(C) Agents of the city, the State Water Pollution Control Board and the U.S. Environmental Protection Agency shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling, and testing.

('76 Code, § 15-80) (Ord. 1167, passed 1-2-84)

§ 52.53 ARTIFICIAL LIFTS; GRAVITY FLOW.

In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

('76 Code, § 15-81) (Ord. 1167, passed 1-2-84)

PROHIBITED DISCHARGES

§ 52.65 POWER TO REQUIRE PRETREATMENT.

The city is hereby authorized to prohibit dumping of wastes into the city's sewerage system which, in its discretion, are deemed harmful to the operation of the sewage treatment works of the city, or to require methods affecting pretreatment of said wastes to comply with the pretreatment standards included in the National Pollution Discharge Elimination System (NPDES) permit issued to the sewage works.

('76 Code, § 15-126) (Ord. 804, passed 1-2-58; Am. Ord. 1116, passed 6-15-81; Am. Ord. 1166, passed 1-2-84)

§ 52.66 DISCHARGES OF STORMWATER PROHIBITED.

It shall be unlawful for any person to charge or cause to be discharged any stormwater, surface water, ground water, roof runoff, subsurface drainage, cooling water or unpolluted industrial process waters into any sanitary sewer.

('76 Code, § 15-127) Penalty, see § 10.99

§ 52.67 PROHIBITED DISCHARGES.

No person shall discharge or cause to be discharged any of the following described wastes or waters to any public sewers:

(A) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.

(B) Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant.

(C) Any waters or wastes having a pH lower than 5.5, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works or interfere with any treatment process.

(D) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails, paper, dishes, cups, milk containers and the like, either whole or ground by garbage grinders.

(E) Any waters or wastes containing phenols or other taste or odor producing substances, in such concentrations exceeding limits which may be established by the Superintendent as necessary, after treatment of the composite sewage, to meet the requirements of the State, Federal, or other public agencies of jurisdiction of such discharge to the receiving waters.

(F) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Superintendent in compliance with applicable state or federal regulations.

(G) Any waters or wastes having pH in excess of 9.5.

(H) Materials which exert or cause:

(1) Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).

(2) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).

(3) Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.

(4) Unusual volume of flow or concentration of wastes constituting "slugs."

(I) Waters or wastes constituting substances which are not amendable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plan effluent can not meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

('76 Code, § 15-128) (Ord. 1167, passed 1-2-84) Penalty, see § 10.99

§ 52.68 ACTION WHEN IMPROPER DISCHARGES.

(A) If waters or wastes are discharged, or are proposed to be discharged, to the public sewers, which waters contain the substances or possess the characteristics enumerated in § 52.67, and which in the judgement of the Superintendent may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Superintendent may:

(1) Require new industries or industries with significant increase in discharges to submit information on wastewater characteristics and obtain prior approval for discharge.

(2) Reject the wastes in whole or in part for any reason deemed appropriate by the city.

(3) Require pretreatment of such wastes to within the limits of normal sewage.

(4) Require control or flow equalization of such wastes so as to avoid any "slug" loads or excessive loads that may be harmful to the treatment works; or

(5) Require payment of a surcharge on any excessive flows or loadings discharges to the treatment work to cover the additional costs of having capacity for and treating such wastes.

(B) If the Superintendent permits the pretreatment or equalization of waste flows, the design and installation of the plant and equipment shall be subject to the review and approval of the Superintendent and subject to the requirements of all applicable codes, ordinances, and laws.

('76 Code, § 15-129) (Ord. 1167, passed 1-2-84)

§ 52.69 MAINTENANCE OF FACILITIES.

Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

('76 Code, § 15-130) (Ord. 1167, passed 1-2-84)

§ 52.70 STANDARDS.

All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this chapter shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater" published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manholes except for applications for NPDES permits and report thereof which shall be conducted in accordance with rules and regulations.

('76 Code, § 15-131) (Ord. 1167, passed 1-2-84)

§ 52.71 PRETREATMENT OF INDUSTRIAL COOLING WATER.

Industrial cooling water, which may be polluted with insoluble oils, grease, or suspended solids, shall be pretreated for removal of pollutants and the resulting clear water shall be discharged in accordance with this chapter.

('76 Code, § 15-132) (Ord. 1167, passed 1-2-84)

§ 52.72 USER INFORMATION REQUIRED.

The city may require users of the treatment works, other than residential users, to supply pertinent information on wastewater flow characteristics. Such measurements, tests, and analysis shall be made at the users' expense. If made by the city an appropriate charge may be assessed to the user at the option of the city.

('76 Code, § 15-133) (Ord. 1167, passed 1-2-84)

§ 52.73 STRENGTH OF WASTEWATER ANALYZED.

The strength of wastewaters shall be determined, for periodic establishment of charges provided for in Chapter 53, from samples taken at the aforementioned structure at any period of time and of such duration and in such manner as the city may elect, or at any place mutually agreed upon between the user and the city. Appropriate charges for sampling and analysis may be assessed to the user at the option of the city. The results of routine sampling and analysis by the user may also be used, for determination of charges after verification by the city.

('76 Code, § 15,134) (Ord. 1167, passed 1-2-84)

§ 52.74 INTERCEPTORS.

Grease, oil, and sand interceptors or traps shall be provided when, in the opinion of the city, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, and other harmful ingredients, except that such interceptors or traps will not be required for private living quarters or dwelling units. All interceptors or traps shall be readily and easily accessible for cleaning and inspection. They shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperatures and shall be of substantial construction, be gastight, watertight, and equipped with easily removable covers. Where installed, all grease, oil and sand interceptors or traps shall be maintained by the owner, at his expense, in continuously efficient operation at all times.

('76 Code, § 15-135) (Ord. 1167, passed 1-2-84)

§ 52.75 NOTIFICATION OF CITY.

Users of the treatment works shall immediately notify the city of any unusual flows or wastes that are discharged accidentally or otherwise to the sewer system.

('76 Code, § 15-136) (Ord. 1167, passed 1-2-84)

§ 52.76 COMPLIANCE WITH OTHER LAW.

All provisions of this chapter and limits set herein shall comply with any applicable state and federal requirements now or projected to be in effect.
(’76 Code, § 15-137) (Ord. 1167, passed 1-2-84)

§ 52.77 SPECIAL AGREEMENTS.

The Board is hereby further authorized to enter into special rate contracts with customers of the sewage works where clearly definable costs to the sewage works can be determined, and such special rates shall be based on such costs.
(’76 Code, § 15-138) (Ord. 1166, passed 1-2-84)

§ 52.98 VIOLATIONS.

(A) *Notice.* Any person found to be violating any provision of this chapter except § 52.12 shall be served by the city with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all such violations. (’76 Code, § 15-49)

(B) *Liability for damages.* Any person violating any of the provisions of this chapter shall be liable to the city for any expense, loss or damage occasioned by it by reason of such violation. (’76 Code, § 15-50)
(Ord. 1167, passed 1-2-84) Penalty, see § 10.99

CHAPTER 53: WATER AND SEWER RATES

Section

General Provisions

- 53.01 Sprinkler credit
- 53.02 Adjustments for fire protection

Water

- 53.15 Rates and charges
- 53.16 Collection; deferred payment charges
- 53.17 Turn-ons and turn-offs
- 53.18 Temporary users
- 53.19 Railroads
- 53.20 Service connection charge
- 53.21 Unmetered connections
- 53.22 When payable
- 53.23 Deposit
- 53.24 Testing of meters

Sewers

- 53.30 Basis
- 53.31 Sewer rates
- 53.32 Unmetered rates
- 53.33 Late payment penalty
- 53.34 Rate charged to city
- 53.35 Determination of use
- 53.36 Multiple users of single meters
- 53.37 Patron not a user of city water
- 53.38 Where city water and other water used
- 53.39 Option where over 10,000 gallons used each month
- 53.40 Strength and character of discharges
- 53.41 Measurement to determine charge
- 53.42 Testing standards
- 53.43 Billing generally
- 53.44 Billing of tenants
- 53.45 By-laws and regulations
- 53.46 Studies
- 53.47 Appeal procedure

Cross-reference:

Sewer connection charge, see § 52.34

Sewer construction permit and inspection fee, see § 52.33

GENERAL PROVISIONS**§ 53.01 SPRINKLER CREDIT.**

(A) There is provided a sprinkler credit for each patron of the Sewage System of the city, upon request.

(B) The sprinkler credit will be determined by taking the average number of water units used in the months of March and April of each year for establishing the rate for the sewer bills for the months of July, August, and September of each year.

(C) In order to receive the sprinkler credit each year, the patron must make application on a form provided by the Clerk-Treasurer each year.
('76 Code, § 15-100) (Ord. 1224, passed 6-20-88)

§ 53.02 ADJUSTMENTS FOR FIRE PROTECTION.

Where a metered water supply is used for fire protection as well as for other uses, the city may, in its discretion, make adjustments to the user charge as may be suitable.

('76 Code, § 15-112) (Ord. 804, passed 1-3-58; Ord. 1116, passed 6-15-81; Ord. 1166, passed 1-2-84)

WATER**§ 53.15 RATES AND CHARGES.**

There is hereby established for the use of and the service rendered by the Alexandria Water Utility the following rates and charges:

(A) *Metered User Block Schedule.* For use of and service rendered by the Waterworks System of the city, based on the use of water supplied by said waterworks system:

<i>Consumption Per Month</i>	<i>Rate Per 1,000 Gallons</i>
First 20,000 Gallons	\$ 1.94
Next 20,000 Gallons	1.62
Next 20,000 Gallons	1.29
Over 60,000 Gallons	.99

(B) *Metered Use Minimum Schedule.* Each user shall pay a minimum charge in accordance with the following applicable size of meter installed, for which the user will be entitled to the quantity of water set out in the above schedule of rates.

<i>Meter Size</i>	<i>Gallons Allowed</i>	<i>Monthly Minimum Charge</i>
5/8 inch	3,027	\$ 5.87
3/4 inch	5,108	9.91
1 inch	8,409	16.31
1¼ inch	9,200	17.85
1½ inch	10,045	19.49
2 inch	10,891	21.13
3 inch	15,200	29.49
4 inch	20,174	39.08
6 inch	36,163	64.98
8 inch	47,836	81.31

(C) *Temporary Users.* Water furnished to temporary users such as contractors, circuses, and the like, shall be charged on the basis of the metered rates set forth in this section as estimated and established by the Waterworks Superintendent.

(D) *Railroads.* Water supplied for railroad use may be charged for on such terms as shall be fixed by contract, approved by the Board of Public Works and Safety and the State Public Service Commission.

(E) *Fire Service Per Annum.*

Municipal hydrants, per hydrant \$309.42

Private hydrants, per hydrant 309.42

(F) *Automatic Sprinkler Connections Per Annum.*

<i>Connection Size</i>	<i>Annual Charge</i>
1 inch	\$8.54
1¼ inch	13.47
1½ inch	19.37
2 inch	34.34
3 inch	77.31

<i>Connection Size</i>	<i>Annual Charge</i>
4 inch	\$137.45
6 inch	309.42
8 inch	549.98
10 inch	859.40
12 inch	1237.59

('76 Code, § 15-16) (Ord. 1145, passed 4-4-83; Ord. 1161, passed 9-19-83; Am. Ord. 1295, passed 8-3-92; Am. Ord. 1309, passed 3-15-93)

Cross-reference:

Sprinkler credit, see § 53.01

§ 53.16 COLLECTION; DEFERRED PAYMENT CHARGES.

All bills for water service which are not paid within 15 days from the due date thereof, as stated in such bills, shall be subject to a collection or deferred payment charge of 10% on the first \$3 of unpaid billing and 3% on the excess over \$3.

('76 Code, § 15-18) (Ord. 882, passed 5-4-67)

§ 53.17 TURN-ONS AND TURN-OFFS.

There shall be a charge for interruption of water service, and reconnection of that service following its connection for reason of nonpayment for each interruption or renewal in the amount of \$10. If a meter is turned off for nonpayment of a water bill, then the water service shall not be restored until the bill and any delinquency penalty are paid in full.

('76 Code, § 15-19) (Ord. 882, passed 5-4-67; Ord. 1115, passed 6-15-81)

§ 53.18 TEMPORARY USERS.

The charges for water furnished to temporary users, such as contractors, shall be charged on the basis of the gallonage rates in § 53.15 as estimated by the Water Superintendent.

('76 Code, § 15-20) (Ord. 882, passed 5-4-67)

§ 53.19 RAILROADS.

The charges for water supplied for railroad use may be charged for on such terms as shall be fixed by specific contract approved by the Common Council and the Indiana Utility Regulatory Commission.

('76 Code, § 15-21) (Ord. 882, passed 5-4-67)

§ 53.20 SERVICE CONNECTION CHARGE.

Each applicant for new water service shall pay a water meter service connection charge of \$100 if it is necessary to cross a street with the water pipes in order to make a connection, and a fee of \$75 if it is not necessary to cross a street with the water pipes in order to make a connection.
('76 Code, § 15-22)

§ 53.21 UNMETERED CONNECTIONS.

An unmetered water tap connection shall be made only for fire protection purposes and to buildings owned by the city.
('76 Code, § 15-23)

§ 53.22 WHEN PAYABLE.

All billings and collections for water services shall be made monthly.
('76 Code, § 15-24)

§ 53.23 DEPOSIT.

Each applicant for new water meter service shall tender a deposit of \$25 to the water works.
('76 Code, § 15-25) (Ord. 1115, passed 6-15-81)

§ 53.24 TESTING OF METERS.

A customer may request the testing of a water meter to determine if it is defective. The customer shall tender a deposit of \$10, which shall be refunded only if the test reveals that the meter is defective.
('76 Code, § 15-26) (Ord. 1115, passed 6-15-81)

SEWERS**§ 53.30 BASIS.**

(A) Every person whose premises are served by said sewage works shall be charged for the services provided. These charges are established for each user class in order that the sewage works shall recover, from each user and user class, revenue which is proportional to its use of the treatment works in terms of volume and load. User charges are levied to defray the cost of operation and maintenance (including replacement) of the treatment works. User charges shall be uniform in magnitude within a user class.

(B) User charges are subject to the rules and regulations adopted by the United States Environmental Protection Agency, published in the Federal Register September 27, 1978 (re CFR 44022). Replacement costs, which are recovered through the system of user charges, shall be based upon the expected useful life of the sewage works equipment.

(C) The various classes of users of the treatment works for the purposes of this chapter, shall be as follows:

- (1) Residential.
- (2) Commercial.
- (3) Governmental.
- (4) Institutional.
- (5) Industrial.

('76 Code, § 15-98) (Ord. 804, passed 1-3-58; Am. Ord. 1166, passed 1-2-84)

§ 53.31 SEWER RATES.

(A) For the use and services rendered by the sewage works, rates and charges shall be collected from the owners of each and every lot, parcel of real estate or building that is connected with the city sanitary system or otherwise discharges sanitary sewage, industrial wastes, water or other liquids, either directly or indirectly, into the sanitary sewerage system of the city. Such rates and charges include User Charges, debt service costs, excessive strength surcharges and other service charges, which rates and charges shall be payable as hereinafter provided and shall be in an amount determinable as follows.

(B) The sewage rates and charges shall be based on the quantity of water used on or in the property or premises subject to such rates and charges, as the same is measured by the water meter there in use, plus a base charge based on the size of the water meter installed, except as herein otherwise provided. The foregoing rates shall be subject of a minimum charge based upon 3,000 gallons usage per month. For the purpose of billing and collecting the charges for sewage service, the water meters shall be read monthly and the users shall be billed monthly (or period equalling a month). The water usage schedule on which the amount of rates and charges shall be determined is as follows:

- (1) Treatment Rate per 1,000 gallons of usage per month:

User Charge:	\$2.30
<u>Debt Service:</u>	<u>.71</u>
TOTAL:	\$3.01

- (2) Monthly Base Rate is listed in the table on the following page:

<i>Size of Meter</i>	<i>User Charge</i>	<i>Debt Service</i>	<i>Total</i>
5/8 or 3/4 inch	\$ 2.53	\$ 1.97	\$ 4.50
1 inch	5.16	4.94	10.10
1 1/4 inch	7.78	7.92	15.70
1 1/2 inch	10.93	11.47	22.40
2 inch	18.28	19.72	38.00
3 inch	41.03	45.97	87.00
4 inch	70.78	79.22	150.00
6 inch	160.03	179.97	340.00

(3) Minimum Charge. 3,000 gallons of usage per month applied to the treatment rate plus the appropriate base rate depending on meter size.

(B) No free service shall be provided to any user of the water treatment facility.

(C) In order to recover the cost of monitoring industrial wastes, the city shall charge the user the actual cost of monitoring. The charge will be reviewed on the same basis as all other rates and charges in the ordinance.

('76 Code, § 15-99) (Ord. 804, passed 1-3-58; Ord. 1116, passed 6-15-81; Ord. 1166, passed 1-2-84; Am. Ord. 1382, passed 4-6-98)

§ 53.32 UNMETERED RATES.

(A) For users of the sewage works that are unmetered water users or if accurate meter readings are not available, the monthly charge shall be determined as an average of single family dwelling units, except as herein provided. Sewage service bills shall be rendered once each month (or period equalling a month). The schedule on which said rates and charges shall be determined is as follows:

Residential single family residence/unit:

User Charge:	\$11.55
<u>Debt Service</u>	<u>5.45</u>
TOTAL:	\$17.00

(B) Unmetered nonresidential single family dwelling units shall be charged a rate to be determined by the city on an individual basis by applying the above metered rates to estimated usage and meter size.

('76 Code, § 15-101) (Ord. 804, passed 1-3-58; Ord. 1116, passed 6-16-81; Ord. 1166, passed 1-2-84)

§ 53.33 LATE PAYMENT PENALTY.

As provided by statute, all rates and charges not paid when due are hereby declared to be delinquent and a penalty of 10% of the amount of the rates or charges shall thereupon attach thereto. The time at which such rates or charges shall be paid is now fixed at 15 days after the date of mailing of the bill.

('76 Code, § 15-102) (Ord. 891, passed 9-11-67; Ord. 1166, passed 1-2-84)

§ 53.34 RATE CHARGED TO CITY.

For the service rendered to the city, the city shall be subject to the same rates and charges hereinabove provided, or to charges and rates established in harmony therewith.

('76 Code, § 15-103) (Ord. 804, passed 1-3-68; Ord. 1116, passed 6-15-81; Ord. 1166, passed 1-2-84)

§ 53.35 DETERMINATION OF USE.

The quantity of water discharged into the sanitary sewerage system and obtained from sources other than the utility that serves the city shall be determined by the city in such manner as the city shall reasonably elect, and the sewage service shall be billed at the above appropriate rates; except, as is hereinafter provided in this section, the city may make proper allowances in determining the sewage bill for quantities of water shown on the records to be consumed, but which are also shown to the satisfaction of the city that such quantities do not enter the sanitary sewerage system.

('76 Code, § 15-104) (Ord. 1166, passed 1-2-84)

§ 53.36 MULTIPLE USERS OF SINGLE METERS.

In the event two or more residential lots, parcels of real estate, or buildings discharging sanitary sewage, water, or other liquids into the city's sanitary sewerage system, either directly or indirectly, are users of water and the quantity of water is measured by a single water meter, then in either case, for billing purposes, the quantity of water shall be averaged from each user and the base charge, the flow rates and charges and minimum charge shall apply to each of the number of residential lots, parcels of real estate or buildings served through the single water meter.

('76 Code, § 15-105) (Ord. 804, passed 1-3-58; Ord. 1116, passed 6-15-81; Ord. 1166, passed 1-2-84)

§ 53.37 PATRON NOT A USER OF CITY WATER.

In the event a lot, parcel of real estate or building discharging sanitary sewage, industrial wastes, water, or other liquids into the city's sanitary sewerage system, either directly or indirectly, is not a user of water supplied by the water utility serving the city and the water used thereon or therein is not measured by a water meter, or is measured by a water meter not acceptable to the city, then the amount of water used shall be otherwise measured or determined by the city. In order to ascertain the rate or charge provided in this subchapter, the owner or other interested party shall, at his expense, install and maintain meters, wires, volumetric measuring devices or any adequate and approved method of measurement acceptable to the city for the determining of sewage discharge.

('76 Code, § 15-106) (Ord. 804, passed 1-3-58; Ord. 1116, passed 6-15-81; Ord. 1166, passed 1-2-84)

§ 53.38 WHERE CITY WATER AND OTHER WATER USED.

In the event a lot, parcel of real estate or building discharging sanitary sewage, industrial wastes, water or other liquids into the city's sanitary sewerage system, either directly or indirectly, is a user of water supplied by the water utility serving the city, and in addition, is a user of water from another source which is not measured by a water meter or is measured by a meter not acceptable to the city, then the amount of water used shall be otherwise measured or determined by the city. In order to ascertain the rates or charges, the owner or other interested parties shall, at his expense, install and maintain meters, wires, volumetric measuring devices, or any adequate and approved method of measurement acceptable to the city for the determination of sewage discharge.

('76 Code, § 15-107) (Ord. 804, passed 1-3-58; Ord. 1116, passed 6-15-81; Ord. 1166, passed 1-2-84)

§ 53.39 OPTION WHERE OVER 10,000 GALLONS USED EACH MONTH.

In the event a lot, parcel of real estate or building discharges sanitary sewage, industrial waste, water, or other liquids into the city's sanitary sewerage system, either directly or indirectly, and uses water in excess of 10,000 gallons per month, and it can be shown to the satisfaction of the city that a portion of water as measured by the water meter or meters does not and can not enter the sanitary sewerage system, then the owner or other interested party shall, at his expense, install and maintain meters, wires, volumetric measuring devices, or any adequate and approved methods of measurement acceptable to the city for the determination of sewage discharge.

('76 Code, § 15-108) (Ord. 804, passed 1-3-58; Ord. 1116, passed 6-15-81; Ord. 1166, passed 1-2-84)

§ 53.40 STRENGTH AND CHARACTER OF DISCHARGES.

In order that the rates and charges may be justly and equitably adjusted to the service rendered to users, the city shall base its charges not only on the volume, but also on the strength and character of the stronger-than-normal domestic sewage.

('76 Code, § 15-109) (Ord. 804, passed 1-3-58; Ord. 1116, passed 6-15-81; Ord. 1166, passed 1-2-84)

§ 53.41 MEASUREMENT TO DETERMINE CHARGE.

The city shall require the user to determine the strength and content of all sewage and wastes discharged, either directly or indirectly, into the sanitary sewerage system, in such manner and by such method as the city shall deem practicable in the light of the conditions and attending circumstances of the case, in order to determine the proper charge. The user shall furnish a central sampling point available to the city at all times.

('76 Code, § 15-110) (Ord. 804, passed 1-3-58; Ord. 1116, passed 6-15-81; Ord. 1166, passed 1-2-84)

§ 53.42 TESTING STANDARDS.

(A) Normal sewage domestic waste strength should not exceed a biochemical oxygen demand of 200 milligrams per liter of fluid or suspended solids per meter of fluid or suspended solids in excess of 240 milligrams per liter of fluid. Additional charges for treatment of stronger than normal domestic waste shall be made on the following basis:

(1) Rate surcharge based on suspended solids. There shall be an additional charge of \$.11 per pound of suspended solids for suspended solids received in excess of 240 milligrams per liter of fluid.

(2) Rate surcharge Based on BOD. There shall be an additional charge of \$.13 per pound of biochemical oxygen demand for BOD received in excess of 200 milligrams per liter of fluid.

(B) The determination of suspended solids and five-day Biochemical Oxygen Demand contained in the waste shall be in accordance with the latest copy of "Standard Method for the Examination of Water, Sewage and Industrial Wastes," as written by the American Public Health Association, the American Water Works Association, and the Water Pollution Control Federation, and in conformance with "Guidelines Establishing Test Procedures for Analysis of Pollutants," Regulation CFR Part 136, published in the Federal Register on October 16, 1973.

('76 Code, § 15-111) (Ord. 804, passed 1-3-58; Ord. 1116, passed 6-15-81; Ord. 1166, passed 1-2-84)

§ 53.43 BILLING GENERALLY.

(A) Such rates and charges shall be prepared, billed, and collected by the city in the manner provided by law and ordinance.

(B) The rates and charges for all users shall be prepared and billed monthly.

(C) At the end of each year, each user shall be given a notice of the rates charged for operation, maintenance and replacement for that user for the next year.

('76 Code, § 15-113) (Ord. 804, passed 1-3-58; Ord. 1116, passed 6-15-81; Ord. 1166, passed 1-2-84)

§ 53.44 BILLING OF TENANTS.

The rates and charges may be billed to the tenant or tenants occupying the properties served, unless otherwise requested in writing by the owner, but such billing shall in no way relieve the owner from the liability in the event payment is not made as herein required. The owners of properties served, which are occupied by a tenant or tenants, shall have the right to examine the collection records of the city for the purpose of determining whether bills have been paid by such tenant or tenants, provided that such examination shall be made at the office at which said records are kept and during the hours that such office is opened for business.

('76 Code, § 15-114) (Ord. 804, 1-3-58; Ord. 1116, passed 6-15-81; Ord. 1166, passed 1-2-84)

§ 53.45 BYLAWS AND REGULATIONS.

The city shall make and enforce such bylaws and regulations as may be deemed necessary for the safe, economical and efficient management of the city's sewerage system, pumping stations and sewage treatment works, for the construction and use of house sewers and connections to the sewerage treatment works, for the construction and use of house sewers and connection to the sewerage system, and for the regulation, collection, rebating and refunding of such rates and charges.

('76 Code, § 15-115) (Ord. 1116, passed 6-15-81; Ord. 1166, 1-2-84)

§ 53.46 STUDIES.

(A) In order that the rates and charges for sewage services may remain fair and equitable and be in proportion to the cost of providing services to the various uses of user classes, the city shall cause a study to be made within a reasonable period of time following the first two years of operation, following the date on which this section goes into effect (January 2, 1984). Such study shall include, but not be limited to, an analysis of the costs associated with the treatment of excessive strength effluents from industrial users, volume and delivery flow rate characteristics attributed to the various users or user classes, the financial position of the sewage works and the adequacy of its revenue to provide reasonable funds for the operation and maintenance, replacements, debt service requirements and capital improvements to the waste treatment systems.

(B) Thereafter, on a biennial basis, within a reasonable period of time following the normal accounting period, the city shall cause a study to be made for the purpose of reviewing the sufficiency of the revenue to properly operate the wastewater treatment facility; and maintaining proportionality among the user classes of the rates and charges for sewerage services.

(C) Said studies shall be conducted by officers or employees of the city, or by a firm of certified public accountants, or a firm of consulting engineers, which firms shall have experience in such studies, or by such combination of officers, employees, certified public accountants or engineers as the city shall determine to be best under the circumstances.

('76 Code, § 15-116) (Ord. 1166, passed 1-2-84)

§ 53.47 APPEAL PROCEDURE.

The rules and regulations promulgated by the city, after approved by the Board shall, among other things, provide for an appeal procedure whereby a user shall have the right to appeal a decision of the administrator of the user charge to the Board and that any decision concerning user charges of the Board may be appealed to the circuit court of the county under appeal procedures provided for in the Indiana Administrative Adjudication Act, IC 4-21.5.

('76 Code, § 15-117) (Ord. 1166, passed 1-2-84)

