

Chapter 16

PORTABLE TOILET WASTE DISCHARGE

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Sec. 16-1. Purpose.

The purpose of this Chapter is to regulate portable toilet waste discharge by permitting such discharge into the City Wastewater Treatment System only under certain conditions provided.
(Ord. 2004-06; 01/05/04)

Sec. 16.2. Definitions.

For purposes of this Chapter, the following terms have the following meaning:

- A. City Sanitary Collection System: Municipal network used to convey wastewater from its source to the City Wastewater Treatment Plant.
- B. City Wastewater Treatment Plant: The City facility located at 2221 West Pullman Road, Moscow, Idaho, where chemical, biological and mechanical processes are applied to contaminated water to remove, reduce or neutralize contaminants prior to release to a receiving water.
- C. Discharge: An addition to City Wastewater Treatment System of portable toilet waste from any discernable, confined, discrete conveyance.
- D. Portable Toilet Waste: Typical domestic waste from portable toilets

such as human feces, paper products, and preservation chemicals and perfumes. Portable toilet waste shall not include sanitary waste from a commercial or industrial facility or waste from other sources such as oil/water separators, grease traps or grease interceptors.

- E. Portable Toilet Waste Hauler: Any person engaged in transporting or discharging portable toilet waste.
- F. Wastewater Treatment System: City Sanitary Collection System and City Wastewater Treatment Plant which is designed to be used to dispose of wastewater.
(Ord. 2004-06; 01/05/04)

Sec. 16-3. Discharge from portable toilet waste haulers.

- A. Permitted Discharge. A portable toilet waste hauler shall be permitted to discharge portable toilet waste at the City Wastewater Treatment Plant only with a valid permit authorized by this Chapter.
- B. Prohibited Discharge. Every portable toilet waste hauler is prohibited from discharging the following within City limits:
 1. Portable toilet waste(s) at any location in the City’s sanitary collection system; and
 2. Domestic waste (waste from household sources) from a source other than a portable toilet holding tank, marine holding tank, or other such tank or container; and
 3. Non-domestic waste including, waste from an industrial or commercial facility, oil/water separator, or a grease trap.
 (Ord. 2004-06; 01/05/04)

Sec. 16-4. Portable toilet waste hauling permit required; application.

There is hereby required a permit for every person who intends to discharge portable toilet waste at the City Wastewater Treatment Plant. Every portable toilet

waste hauler shall complete a portable toilet waste hauler permit application on a form provided by City. The permit shall be issued by City Wastewater Treatment Plant Supervisor.

(Ord. 2004-06; 01/05/04)

Sec. 16-5. Conditions of permit.

Every portable toilet waste hauler shall provide documentation concerning the type and origin of the waste being discharged. The portable toilet waste hauler shall provide the name and address of the customer, the volume of waste to be discharged into City Wastewater Treatment Plant and any other information required by the portable toilet waste hauler permit.

(Ord. 2004-06; 01/05/04)

Sec. 16-6. Manifest required.

A. Every portable toilet waste hauler shall complete a manifest in a form supplied by City, prior to discharge at City Wastewater Treatment Plant. Such manifest shall require documentation of the final destination or disposal site of any included waste which are rejected for disposal at City’s Wastewater Treatment Plant. Waste may be rejected for failure to meet established sampling or discharge requirements, limitations or other conditions established by the City.

B. The City may perform random sampling without prior notice to a portable toilet waste hauler to determine the contents of the portable toilet waste discharge. The City may also develop and implement sampling criteria and procedures as necessary to meet trucked or hauled waste monitoring requirements.

(Ord. 2004-06; 01/05/04)

Sec. 16-7. Times and location of discharge.

Every permitted portable toilet waste hauler shall discharge waste only at the portable toilet waste hauler receiving

facility located at City Wastewater Treatment Plant. Portable toilet waste shall not be discharged to City’s Wastewater Treatment System or City Collection System at any other location. Regular hours for receiving portable toilet waste shall be established by City and conspicuously posted at the City Wastewater Treatment Plant.

(Ord. 2004-06; 01/05/04)

Sec. 16-8. Fees.

Fees for the discharge of portable toilet waste(s) at City Wastewater Treatment Plant shall be established by Resolution of the Council from time to time.

(Ord. 2004-06; 01/05/04)

Sec. 16-9. Penalties.

A. Any person who violates any provision of this Section is guilty of a misdemeanor.

B. Failure to comply with every portable toilet waste hauler permit condition shall result in the immediate suspension of the portable toilet waste hauler permit.

C. A portable toilet waste hauler whose permit is suspended shall not have the permit reinstated until City is satisfied that the portable toilet waste hauler shall comply with the provisions of this Chapter. A decision of City Wastewater Treatment Plant supervisor to deny, to suspend or to revoke a permit may be appealed to the Council.

(Ord. 2004-06; 01/05/04)

Sec. 16-10. Appeals.

A. Appeal from a decision of City Wastewater Treatment Plant Supervisor shall be taken by filing with the Clerk written notice thereof within five (5) days following the denial or entry of the order of suspension or revocation of the permit. The notice of appeal shall specify an address at which the person appealing

may be given notice of hearing on the appeal.

- B. At the appeal hearing before the Council, the applicant or person appealing shall be entitled to appear in person and offer evidence pertinent to the denial, suspension or revocation or may appear through legal counsel. The Clerk, Public Works Director or designee, and/or legal counsel for the City shall likewise be entitled to appear at the hearing and offer evidence in support of the denial, order of suspension or revocation.
- C. The Council shall determine whether the denial, suspension or revocation shall be sustained and shall make a final reasoned statement in writing within fifteen (15) business days following the close of the hearing.
(Ord. 2004-06; 01/05/04; Ord. 2009-04, 02/02/2009)