

Chapter 3

SEWERS

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Sec. 3-1. Purpose of Sewer System.

For the purpose of promoting health, safety and the general welfare of the City, a system for the collection, transmission and disposal of sanitary sewage shall be constructed, extended, maintained, repaired, replaced, operated and removed within the City by which to provide an adequate system for the collection, transmission and disposal of sanitary sewage from domestic, commercial, industrial and such other uses and purposes for which said system may be used.

Ref. Idaho Code § 42-3201

Sec. 3-2. Definition of Terms.

- A. Terms used in this Chapter shall have the meanings herein given to them:
 1. *Best Management Practices (BMPs)*. This includes schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the requirements of City ordinances.
 2. *Biochemical Oxygen Demand (abbreviated as 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", for five (5) day BOD determination.

3. *Building Drain.* The building drain is that part of the lowest piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the side sewer beginning two feet (2') outside the building wall.

4. *Chlorine Requirements.* 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."

5. *Commercial User.* All persons not specifically classified as domestic or as an industrial waste contributor.

6. *Composite Sample.* Not less than twelve (12) individual samples taken at not less than thirty (30) minute intervals for a period of not less than six (6) hours.

7. *Dwelling Unit.* A building or structure or portion thereof that is constructed and used primarily for residential purposes.

8. *Garbage.* The residue from the preparation, cooking and dispensing of food, and from the handling, storage and sale of food products and produce.

9. *Grease Interceptor.* A plumbing appurtenance or appliance (Gravity Grease Interceptor, Hydro-mechanical Grease Interceptor, or Electro-mechanical Grease Interceptor) that is installed in a wastewater system to intercept non-petroleum fats, oil, and grease (FOG) and food waste from a wastewater discharge.

10. *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 dimension.

11. *House Service Line.* The

extension from the building drain to the public sewer and is sometimes referred to as a service connection or side sewer.

12. *Industrial Wastes.* The liquid wastes from industrial processes as distinct from sanitary sewage.

13. *Interceptor.* A plumbing appurtenance or appliance designed and installed in order to separate and retain deleterious, hazardous or undesirable matter from normal wastes while permitting normal sewage or liquid wastes to discharge into the drainage system. This definition applies to any intercepting device to be installed on the sanitary sewer or the storm sewer systems.

14. *MG.* Million gallons.

15. *Natural Outlet.* Any outlet in a watercourse, pond, ditch, lake or other body of surface or ground water.

16. *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.

17. *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 (1) of the procedures outlined in "Standard Methods."

18. *Private Sewer.* A sewer serving one (1) or more buildings, residences, or properties, constructed by private contract.

19. *Public Sewer.* A sewer in which all owners of abutting property have equal rights, and is controlled by public authority that serves one (1) or more persons and ultimately discharge into the City sanitary sewer system, even though those sewers may not have been constructed with City funds.

20. *Sanitary Sewage.* Wastes that are derived principally from dwellings, business buildings, institutions and industrial waste, exclusive of storm and surface waters.

21. *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 waters or unpolluted industrial wastes are not admitted.

22. *Service Charge.* The charge levied on all users of the sewage system.

23. *Service Tap.* A connection of side sewer to public sewer.

24. *Sewage.* Wastewater.

25. *Sewage Treatment Plant.* Water Reclamation and Reuse Facility.

26. *Sewer.* A pipe or conduit for conveying wastewater or any other waste liquids.

27. *Sewerage System.* The facilities for the collection, transportation, pumping, treatment and final disposition of sewage, or any and all such facilities.

28. *Side Sewer.* The extension from the building drain to the public sewer and shall mean house service line.

29. *Standard Methods.* The examination and analytical procedures set forth in the most recent edition of "Standard Methods for the Examination of Water, Sewage, and Industrial Wastes," published jointly by the American Public Health Association, the American Water Works Association, and the Federation of Sewage and Industrial Wastes Association.

30. *Standard Sewage.* Sewage and acceptable wastes that are within specifications regarding PH, BOD, dissolved oxygen, suspended solids, and grease.

31. *Storm Sewer or Storm Drain.* A pipe or conduit which carries ground water drainage, storm surface waters, and unpolluted cooling or process waters, but excludes sewage and polluted industrial wastes.

32. *Suspended Solids (SS).* Solids that either float on the surface of, or are 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."

33. *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 suspension, colloidal state or solution; odorous or otherwise obnoxious gases. It shall contain not more than thirty (30) mg/1 each of suspended solids or biochemical oxygen demand. Analytical determination shall be made in accordance with procedures set forth in "Standard Methods."

34. *Wastewater.* The water carried human, animal or household wastes in a public or private sewer, and may include industrial wastes.

35. *Wastewater Treatment System (also termed sewerage system).* All facilities for collecting, pumping, treating and disposing of domestic, commercial, and industrial waste, and includes sewers as well as the Water Reclamation and Reuse Facility.

36. *Water Reclamation and Reuse Facility.* An assemblage of devices, structures, and equipment for treating domestic, commercial, and industrial waste.

37. *Watercourse.* A channel in which a flow of water occurs, either continuously or intermittently.

- B. Any other terms used herein shall have their usual and customary meaning. (Ord. 2015-17, 12/07/2015; 2021-09, 07/19/2021)

Sec. 3-3. Premises to Connect to Public Sewer; Penalty.

- A. The City Engineer is hereby empowered in all cases where there is a public sewer in any street, or easement in the City to compel every owner of land, buildings, or premises used for human occupancy, employment, recreation, or used for other purposes requiring sanitary facilities and abutting on such street, or easement or

within three hundred feet (300') of the same, to construct or cause to be constructed a sufficient side sewer in the manner herein prescribed which shall connect said land, building or premises, and all water closets and pipes therein or thereon used as a receptacle or conductor of sewage with such nearest accessible public sewer within ninety (90) days after date of official notice, unless in the opinion of the City Engineer such connection is impracticable by reason of the topography of the ground.

- B. Any owner of premises who shall fail or neglect to connect said land, building or premises to such nearest accessible public sewer within ninety (90) days after date of official notice, shall be guilty of a misdemeanor and upon conviction thereof shall be punished as provided for in this Chapter. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.
(Ord. 2009-04, 02/02/2009; 2021-09, 07/19/2021)

Sec. 3-4. Sanitary Facilities Required.

- A. Every person owning any land or premises used in the manner and situated within the limits prescribed in this Chapter, in all cases where there is a public sewer in any street, highway, alley or easement, shall make sufficient house drain and side sewer from such person's house, lot or premises connected with such sewer; and the City shall have power in all cases where there is a public sewer as aforesaid to cause said person to install suitable sanitary facilities in said house, lot or premises and to cause such connections to be made, and shall give such person's agents or tenants notice in writing, specifying the time when such drain and facilities must be completed; provided, such time shall not exceed ninety (90) days.

- B. A separate and independent side sewer shall be provided for every building, residence or property, except as approved by the Council.
Ref. Idaho Code § 50-1326

Sec. 3-5. Sewers Property of the City.

All sewers located in any street alley or easement in the City shall belong to the City. All connections with the City sewer system in any street or alley or easement shall belong to the City and no private sewer, except as otherwise provided in this Chapter shall be deemed valid and binding upon the City or any of its inhabitants. It is the intent and purpose of the Chapter to abolish all private sewer connections with the City sewer system except as herein provided and the City shall own all sewer connections made by private persons along any street or alley and the City shall own, control and operate all sewers laid or placed along any street or alley within the corporate limits. Side sewers as defined herein shall not be owned or maintained by the City.
Ref. Idaho Code §§ 39-3609; 39-118

Sec. 3-6. Extension of Public Sewers.

- A. Extension including the construction of new sewage systems, sewage treatment plants or systems, other waste treatment or disposal facilities, or for modification or expansion to existing sewage treatment plants or systems, waste treatment or disposal facilities, to the public sewer system by a sewer user at such user's own expense shall have prior approval and shall be in accordance with the standards and designs of the City. Plans, specifications, and any other pertinent information relating to the proposed extension shall be submitted to the City Engineer for approval.
- B. The City shall secure all necessary state and federal approvals prior to approving the submittal under this Section. No construction of the proposed facilities shall commence

until such approvals are obtained in writing.

Sec. 3-7. Construction Specifications for Sewers.

Specifications for the construction of sewers shall be enforced by the City. The City Engineer is hereby empowered to prepare and put into effect "Regulations Governing Sewer Construction in the City," herein referred to as "regulations." Copies of the regulations may be obtained from the office of the Clerk or City Engineer. The regulations shall contain specifications relative to materials, construction, procedure, inspection, testing, backfilling and responsibilities in sewer installations. Specific installations not fully covered by the regulations shall be ruled upon by the City at the time of occurrence. The regulations, revisions thereof and additions thereto shall be issued by the Council.

Sec. 3-8. As-Built Plans Required.

No deviation shall be made from the approved plans and specifications without the prior approval of the City Engineer. Within thirty (30) days of the completion of construction of the extension to the public sewer system, complete and accurate plans and specifications depicting the actual construction, alteration, or modification performed must be submitted to the City Engineer together with such other pertinent information as may be required.

Sec. 3-9. Sewer Extensions Property of City.

The extension to the sewer system by the user, when accepted, shall thereafter constitute a part of the sewer system of the City. All rights, title and interest in and to such extensions shall be held by the City and be used, operated, maintained and managed by the City as part of its sewer system.

Sec. 3-10. Side Sewer Construction and Repair; Permit Required.

A. The owner of premises shall be responsible for all construction and maintenance expense related to

installing and maintaining side sewers and private sewers located on said premises. When any side sewer or private sewer connected with any public sewer or drain becomes obstructed, broken or out of order, the City shall, if the owner of such premises, fails to repair the same after two (2) day's notice so to do, cause such drain to be removed and reconstructed, repaired, altered or cleansed, as he may deem expedient, at the expense of the owner, agent or occupant of such premises as aforesaid. Tree roots which travel through the side sewer and into the public sewer in such a manner as to cause hindrance or blockage in the public sewer shall, at the owner's expense, be repaired to prevent roots from entering the side sewer. City shall repair at owner's expense after thirty (30) days notice. Reasonable cost of repair shall be filed as a lien against owner's property upon owner's failure to reimburse the City for the cost of repair.

B. No person shall relay, repair any side sewer connecting with any of the public sewers, nor shall any opening be made into the same until the person making the same shall obtain a side sewer permit.
(Ord. 99-25, 07/19/99)

Sec. 3-11. Permit Required to Work on Sewers.

A. It shall be unlawful for any person to uncover, make any connection with or opening into, use, alter, or disturb any public sewer or appurtenance thereof, without first obtaining a written permit from the City, and no construction of a side sewer shall be commenced without first obtaining such permit. An application for a side sewer permit shall state the location of the sewer, the number of the lot and block, and the number of the building to be connected, and the type of occupancy.

B. It shall be unlawful for any person to extend any private sewer or side sewer

- beyond the limits of the building or property for which a permit has been given without obtaining an additional permit for the desired extension.
- C. Whenever any side sewer or other connection is made with any public sewer or private sewer, or any part of such side sewer or other connection is constructed, the said work shall be inspected by the City.
- D. There shall be two (2) classes of side sewer permits:
1. For single dwelling units; and,
 2. All units other than single dwelling units, including multiple dwelling units, commercial establishments and industrial establishments.
- E. The owner or owner's agent shall make application for a side sewer permit on a 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 City Engineer.
- F. Whenever a person desires to construct a side sewer intended to be connected with or discharged into any sewer, he shall, before beginning work upon the same, file with the City the plan thereof, which shall show the whole course of the side sewer from the connection with the sewer to its terminus at the house or premises with the location of all branches and fixtures to be connected therewith. Said plans, or a copy thereof, shall be left on file in the office of the City Engineer.
- G. If, upon investigation of said plan, the City shall find that the same does not conform to the requirements of this Chapter, the City shall not issue any permit for its construction or connection with any public sewer and it shall be unlawful to construct said sewer or to connect the same either directly or indirectly with any public sewer. Suitability or adequacy of structures or means of metering, measuring, sampling or otherwise determining the nature, quantity or quality of sewage shall be determined and inspected by the City.
- H. A side sewer permit shall be valid only for a period not to exceed ninety (90) days from the date of issuance and, if such side sewer construction is not completed and inspected within that time, the permit shall be automatically rendered null and void and an additional permit shall be obtained prior to continuing or beginning construction. The existence of a side sewer permit shall in no way be construed as making permissible any work for which an excavation permit may be required by the provisions of this Code. All costs and expense incident to the installation and connections of a side sewer shall be borne by the owner.
- I. The owner performing the said installation and connection shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation of the side sewer.
- J. Existing side sewers may be used in connection with new buildings only when they are found on examination and test by the City to meet all requirements of this Chapter.

Sec. 3-12. Sewer Taps.

A sewer tap fee shall be required for all sewer connections into existing public sewer lines. The applicant shall excavate the sewer line intended for tapping in such a manner as to provide a safe and adequate access as determined by the City Engineer. City personnel will make the tap on the sewer line. The applicant shall be responsible for completion of the side sewer in accordance with the permit and the provisions of this Chapter.

Sec. 3-13. Permit Fees.

- A. Before any permit is issued for the installation or alteration of plumbing or sewers, or before any sewer connection

- B. permit is issued, the person making the application therefor shall pay to the City, a fee set from time to time by resolution of the Council or occasioned by the following necessary functions:
 1. Excavation Permit: Required for excavations in any street, alley or public place.
 2. Sewer Tapping Fee: Required for connection directly to an existing public sewer line.
 3. Sewer System Fee: Required for all new sewer users and users whose expansion or change in use places additional demand for capacity on the sewer system. The user shall be given credit for existing use in determining the amount of the sewer system fee.
 4. Side Sewer Inspections: Required for each building with a side sewer.
 5. Construction Inspection for public sewer pipe inspection (new or repair).
- B. Every permit issued by the City under the provisions of this Code shall expire by limitation and become null and void, if the work authorized by such permit is not commenced within sixty (60) days from date of such permit, or if the work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of one hundred twenty (120) days. Before such work can be recommenced a new permit shall be first obtained to do so, and the fee therefor shall be one-half (1/2) of the amount required for a new permit for such work, provided no changes have been made, or will be made, in the original plans and specifications for such work; and provided, further that such suspension or abandonment has not exceeded one year.
(Ord. 85-04, 05/06/1985; 86-25, 07/21/1986)

Sec. 3-14. Right to Revoke Permissions.

- A. All permits or permissions given under this Chapter shall be subject to the condition that the City may at any time revoke and annul the same for just and

proper cause and the permittee or permittee’s successors in interest, shall have no right to claim any damage in consequence of such permit or permission being revoked or annulled. Said just cause shall exist when the permittee violates any law, ordinance, resolution, or other order regulating sewers in the City or violates the terms of the permit or permission granted by the City.

- B. The issuance or granting of a permit or approval of plans shall not prevent the City from thereafter requiring the correction of errors in said plans and specifications or from preventing construction operations being carried on thereunder when in violation of this Chapter or of any other ordinance or from revoking any certificate of approval when issued in error.

Sec. 3-15. Excavation Permit Required.

No permit shall be granted to do side sewer work in any street, alley or public place until the applicant has first obtained the permit for excavation as required by the provisions of this Chapter.

Sec. 3-16. Construction Specifications for Side Sewers.

- A. Specifications for the construction of side sewers shall be enforced by the City. The City Engineer is hereby empowered to prepare and to put into effect "Regulations Governing Side Sewer Construction," in the City, herein referred to as "regulations." Copies of the regulations may be obtained in the office of the Clerk or City Engineer.
- B. The regulations shall contain specifications relative to materials, construction, procedure, inspection, backfilling and responsibilities in side and private sewer installations.
- C. Specific installations not fully covered by the regulations shall be ruled upon by the City Engineer at the time of occurrence. The regulations, revisions

- D. thereto and additions thereof shall be issued by the City Engineer.

Sec. 3-17. Construction Specifications for Private Sewers.

- A. Specifications for construction of private sewers shall be by the City Engineer. Specifications for private sewers shall be those for side sewers, except as modified or deemed necessary by the City Engineer.
- B. Private sewers shall be constructed only as permitted specifically by the Council. Each branch of a private sewer serving a single residence, building or property shall be considered a side sewer and shall require a side sewer permit. Only the part carrying the sewage of two (2) or more side sewers shall be considered a private sewer.
- C. A tapping permit shall be required for all private sewers.

Sec. 3-18. Notice of Inspections.

Notice in writing must be given to the City Engineer at his or her office by any person desiring to make connection with any public sewer or drain at least five (5) hours previous to the time of making such connection, stating when such work will be ready for inspection, and the City or its agent, shall inspect the same. The connection must be made in the manner prescribed in this Chapter and to the satisfaction of the City Engineer before the trench is filled. When any person desires to lay or drive any pipe in any alley or easement in which a public, private or side sewer is laid, notice shall be given to the City Engineer at least twenty-four (24) hours prior.

(Ord. 2021-09, 07/19/2021)

Sec. 3-19. Sewage to be Discharged into Wastewater Treatment System.

All sanitary sewage, industrial wastes, or other polluted waters shall be discharged into the Wastewater Treatment System. It shall be unlawful for any person to dispose otherwise of said sewage, wastes and

polluted waters except as otherwise authorized by the City.

Sec. 3-20. Unpolluted Water Not Permitted in Sanitary Sewer.

It shall be unlawful for any person to discharge or cause to be discharged any storm water, ground water, roof runoff, subsurface drainage, cooling water or unpolluted water to any sanitary sewer.

Sec. 3-21. Unpolluted Water Discharged to Storm Drain.

Storm water shall be discharged to such sewers as specifically designated as storm drains, or to a natural outlet approved by the City Engineer. Industrial cooling water or unpolluted process water may be discharged upon approval of the City Engineer to a storm drain, or natural outlet.

Sec. 3-22. Types of Wastes Prohibited from Public Sewers.

Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:

- A. Any water or waste which may contain more than one hundred (100) parts per million by weight of animal or vegetable fat, oil or grease.
- B. Any gasoline, benzene, naphtha, fuel oil, or other flammable liquid, solid or gas, or other petroleum products and derivatives.
- C. Any garbage that has not been properly shredded.
- D. Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, or other solid or viscous substance capable of causing obstruction to the flow in sewers or other interferences with the proper operations of the sewage system.
- E. Any waters or wastes having pH lower than five and five-tenths (5.5) or higher than nine (9.0) or having any other corrosive property capable of causing

damage or hazard to sewer structures, equipment, personnel of the sewage system, or to be adversely active on sewer treatment processes.

- F. Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with sewage treatment processes constitute a hazard to humans or animals, or create any hazard in the receiving waters of the sewage treatment plant.
- G. Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant.
- H. 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.

Sec. 3-23. Discharge of Certain Waters, Wastes, etc., Possessing Characteristics Likely to Cause Harm.

- A. No person shall discharge or cause to be discharged into a sewer any of the following described substances, materials, waters or wastes if it appears likely in the opinion of the Designated City Official or technical expertise at his or her disposal that such wastes can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property, or constitute a nuisance. The City Supervisor shall be responsible for choosing the Designated City Official.
- B. In forming his or her opinion as to the acceptability of these wastes the Designated City Official will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process,

capacity of the sewage treatment plant, degree to treatability of wastes in the sewage treatment plant, and other pertinent factors. The substances prohibited are:

1. Any liquid or vapor having a temperature higher than one hundred fifty degrees Fahrenheit (150°F) sixty-five degrees Centigrade (65°C).
2. Septic tank effluent.
3. Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, containing substances which may solidify or become viscous at temperatures between thirty-two degrees Fahrenheit (32°F) and one hundred fifty degrees Fahrenheit (150°F), zero and sixty-five degrees Centigrade (0 and 65°C).
4. Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.
5. Any ground or unground fruit peelings and cores from canneries and packing plants. Cull fruits vegetables. Fruit and vegetable pits and seeds.
6. Any waters or wastes containing phenols or other taste or odor producing substances, in such concentrations exceeding limits which may be established by the Designated City Official or expertise at his or her disposal as necessary, after treatment of the composite sewage, to meet the requirements of the State, Federal, or other public agencies or jurisdiction for such discharge to the receiving waters.
7. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Designated City Official or expertise at his or her disposal in compliance with applicable state or federal regulations.
8. Materials which exert or cause:
 - a. 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 sulfate).

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

c. Unusual five (5) day BOD (biochemical oxygen demand), or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.

d. Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.

e. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
(Ord. 2009-04, 02/02/2009; 2021-09, 07/19/2021)

Sec. 3-24. Action Upon Discharge Having Deleterious Effect.

- A. If any waters or wastes are discharged, or are proposed to be discharged into the sewers which in the judgment of the Designated City Official, 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 City shall:
 - 1. Reject the wastes; and/or
 - 2. Require pretreatment to an acceptable condition for discharge to the public sewers; and/or
 - 3. Require control over the quantities and rates of discharge; and/or
 - 4. Require additional payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions.
- B. If the Designated City Official permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Council. Where preliminary

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

(Ord. 2009-04, 02/02/2009; 2021-09, 07/19/2021)

Sec. 3-25. Admission and Control of Industrial Wastes into Public Sewers.

- A. Applicability. This Section shall apply to industrial wastes as previously defined, and further to wastes from industries which exhibit strengths or characteristics of BOD in excess of or equal to two hundred forty (240) milligrams per liter (mg/l) or suspended solids in excess of or equal to two hundred forty (240) milligrams per liter (mg/l) based upon a composite sample of the wastes.
- B. Review and Acceptance of Wastes. Review and acceptance of the City shall be obtained prior to the discharge into the public sewers of any waste having a BOD greater than two hundred forty (240) milligrams per liter (mg/l) or a suspended solids content greater than two hundred forty (240) milligrams per liter (mg/l).
- C. Preliminary Treatment or Processing Facilities Generally. When required, in the opinion of the Designated City Official to modify or eliminate wastes that are harmful to the structures, processes, or operation of the sewage treatment works, the person shall provide at his or her expense such preliminary treatment or processing facilities as may be determined necessary to render such wastes acceptable for admission to the public sewers.
- D. Canning, Freezing or Food Packing Operations. Any industry discharging wastes from a canning, freezing, or food packing operation shall provide pretreatment to include but not limited to vibrating or rotary screens to remove

- any particle larger than twenty (20) mesh.
- E. Volume of Flow Used for Computing Industrial Waste Charges. The volume of flow used for computing industrial waste charges shall be the metered water consumption of the person as shown in the records of meter readings maintained by the City. If the person discharging industrial wastes into the public sewers procures any part, or all, of his or her water from sources other than the City Water Department, all or a part of which is discharged into the public sewers, the person shall install and maintain at his or her expense water meters of a type approved by the City for the purposes of determining the volume of water obtained from these other sources.
- F. Authority of City to Request Negotiations Where Wastes Show Character or Concentration in Excess of Acceptable Limits. If, in the opinion of the Designated City Official, tests taken of industrial wastes show the character or concentration of these wastes to be in excess of those limits established, the City shall have the authority to request negotiations with representatives of such industry concerned to arrive at any special agreement concerning pretreatment and/or payment of any surcharge or additional service charges necessary for additional City facilities.
- G. 1. Observation Manholes Required. When required by the City, the owner of any property serviced by side sewer carrying industrial wastes shall, after notice, install a suitable manhole in the side sewer to facilitate observation, sampling and measuring the wastes. Such manhole, when necessary, shall be accessibly and safely located and shall be constructed in accordance with plans approved by the City Engineer. The manhole shall be installed by the owner at his or her expense and shall be maintained by the owner so as to be safe and accessible at all times.
2. In lieu of requiring the construction of an observation manhole, the City may direct that each person discharging industrial wastes into public sewer shall obtain sufficient composite samples on which to base and compute such person's industrial waste service charge.
- H. Industrial User Determination. The City may determine, by at least three (3) composite waste samplings during a year, if a waste discharged to a public sewer, based on either BOD or suspended solids, exceeds two hundred forty (240) milligrams per liter (mg/l) organic load or the average flow exceeds ten percent (10%) of the sewage treatment plant's design capacity. If three (3) consecutive measurements by the City indicate that the two hundred forty (240) milligrams per liter (mg/l) organic load or the point two five (0.25) milligrams per day flow rate is being exceeded, then the waste shall be classified as industrial waste. Commercial users may have the option of using the commercial or industrial rates established herein.
- I. Industrial Waste. The waste samples shall be collected in tests performed by the City. Laboratory procedures used in the examination of industrial wastes shall be those set forth in "Standard Methods". However, the City may approve alternate methods for certain analysis of industrial wastes if the City is reasonably satisfied as to the accuracy of such alternate methods.
- J. Basis for Determining Industrial Waste Charges. The total yearly treatment plant operation, maintenance, and debt service costs chargeable to each user shall be computed on the basis of the industrial waste load discharged to the wastewater treatment system. The industrial waste charge shall be computed using the metered water flow to the premises as basis for waste flow and the laboratory analysis of samples procured as directed by the City as a basis for computing BOD and

suspended solids content of the waste. Metered water flow shall include all water delivered to or used on the premises. Water not discharged to a public sewer may be separately metered at the person's expense to allow deduction of such flow from the total water used on the premises in computing the industrial waste sewer service charge.

(Ord. 2009-04, 02/02/2009; 2021-09, 07/19/2021)

Sec. 3-26. Principles for Computing Industrial Waste Service Charge.

Industrial waste service charges shall be based upon flow, BOD, SS, and these rate factors are considered separately as they apply to the cost of wastewater treatment system construction and plant operation .

Sec. 3-27. Powers and Authority of Inspectors.

- A. Right of Entry Generally: The City and all duly authorized agents of the City bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this Chapter. The City shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper, or other industries beyond those which have a reasonably direct bearing on the kind and source of discharge to the sewers or waterways to facilities for waste treatment.
- B. Observance of Safety Rules: While performing the necessary work on private properties referred to above, the City and all duly authorized agents of the City shall observe all safety rules applicable to the premises established by the owner and the owner shall be held harmless for injury or property damage asserted against the owner and growing out of the gauging and sampling operation except as such may

be caused by negligence or failure of the owner to maintain safe conditions.

- C. Right of Entry on Private Properties Through Which City Holds Easement: The City and other duly authorized agents 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 said 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.

Sec. 3-28. Authority of City to Waive Certain Requirements.

The City may waive certain requirements in these rules and regulations when special conditions indicate that the purpose of these requirements and regulations can be achieved without strict adherence to all of the provisions and requirements. Variances shall be determined and approved for the specified time limits by the Designated City Official with technical expertise he or she considers necessary.

(Ord. 2009-04, 02/02/2009; 2021-09, 07/19/2021)

Sec. 3-29. Sewer Rates.

The schedule of rates, fees, tools and charges for the sanitary sewer facilities and services furnished by or through, or for the use of, the City sewer system, which rates, fees, tolls, and charges shall be from time to time set forth by resolution of the Council and approved by the Mayor and thereby found and declared to be reasonable and just, taking in account and consideration the cost value of the system and the cost of maintaining and operating the system, and the proper and necessary allowances for the depreciation thereof and the amounts necessary for the retirement of all bonds and

other securities payable from the revenues of the system, accruing interest on all such bonds, and reserves therefor, be and the same are thereby fixed, established, levied, imposed and otherwise prescribed.

Sec. 3-30. When Due and Payable; Billing Periods; Fines for Overdue Accounts; Delinquent Accounts; Fines for Delinquent Accounts.

Whenever a resolution setting forth the sewer rates is adopted by the Council and approved by the Mayor, such resolution shall include the period of time for which billings are to be assessed, the due date for payment of billings, the amount of fines to be assessed on accounts not paid when due, the time at which overdue accounts shall be deemed delinquent, the amount of fines to be assessed on delinquent accounts, provision for discontinuing water service to properties on which accounts are delinquent, and any other such policy, rules, or regulations relating to the procedure for billing accounts and collection.

Sec. 3-31. Interceptors.

- A. The City shall have the authority to require the installation of grease, oil, and/or sand interceptors for the proper handling of wastewater containing grease, oil, sand, or other substances prohibited by this Chapter. All interceptors shall be of a type and capacity approved by the City and shall be located so as to be easily accessible for maintenance, cleaning, and inspection.
- B. The City shall have the authority to establish Best Management Practices (BMPs) in order to carry out any provision(s) of this Chapter, and such BMPs shall be fully enforceable under this Code.
- C. Where installed, all grease, oil, and sand interceptors shall be maintained by the owner or occupant, at the owner's or occupant's expense, in continuously efficient operation at all

times in accordance with established BMPs.

- D. Failure to maintain any interceptor in continuously efficient operation in accordance with established BMPs subjects the owner or occupant to enforcement as provided for in this Chapter.
- E. The introduction of chemical, biological, enzymatic, or any other additive into an interceptor, directly or indirectly, that may cause interference with the normal operation of the unit or causes pass-through of prohibited substances is prohibited.
(Ord. 2015-17, 12/07/2015; 2021-09, 07/19/2021)

Sec. 3-32. Permits.

No permit shall be issued for the construction of any building or structure in the City unless the plans and specifications show connections in compliance with this Chapter.

Sec. 3-33. Violations; Penalties.

- A. It shall be unlawful to occupy or use any building or structure in violation of this Chapter. Any person violating any of the provisions of this Chapter, in addition to the penalties provided herein, shall be subject to all remedies available to the City under State and Federal law, including recovery of costs to the City resulting from such violation.
- B. Any person violating any provision of this Chapter shall be subject to the following:

It is an infraction punishable by a fine of one hundred dollars (\$100) plus court costs for any person to violate provisions of this Chapter for the first time. A second violation within five (5) years is an infraction punishable by a fine of three hundred dollars (\$300) plus court costs. A third violation within five (5) years shall be a misdemeanor as defined by the Idaho Code and shall subject such person to the maximum misdemeanor

penalties as provided in the Idaho Code.

Each separate day during which any violation of this Chapter occurs or continues shall be deemed to constitute a separate offense, and upon conviction thereof shall be punishable as stated herein.

(Ord. 859, 1/12/48; 894, 6/22/50; 992, 4/23/58; 1326, 6/6/77; 82-1492, 6/7/82; 85-04, 5/6/85; 86-25, 7/21/86; 2015-17, 12/07/2015)

Sec. 3-34. Rules and Regulations.

The City Supervisor or designee is hereby authorized to adopt rules and regulations to carry out and enforce the provisions of this Chapter.

(Ord. 2009-04, 02/02/2009; 2021-09, 07/19/2021)

Sec. 3-35. Invalidation Clause.

If any section, paragraph, clause or provision of this Chapter shall be held to be invalid for any reason, such invalidity shall not affect the validity or enforceability of the remaining provisions thereof.

Sec. 3-36. Liability for Injury or Damage.

Nothing contained in this Chapter is intended to be nor shall it be construed to create or form the basis for any liability on the part of the City, or its officers, employees or agents, for any injury or damage resulting from the failure of a side sewer to conform to the provisions of this Chapter, or by reason or in consequence of any inspection, notice, order, certificate, permission or approval authorized, issued or done, or failure to act in connection with the implementation or enforcement of this Chapter, or by reason of any action or inaction on the part of the City related in any manner to the enforcement of this Chapter by its officers, employees or agents.

(Ord. 2015-17, 12/07/2015)