

Departments

Article 2. Sewer Department

§3-201 MUNICIPAL SEWER DEPARTMENT: OPERATION AND FUNDING. The Municipality owns and operates the Municipal Sewer System through the Utilities Superintendent. The Governing Body, for the purpose of defraying the cost or the management and maintenance of the Municipal Sewer System may each year levy a tax not exceeding the maximum limit prescribed by State law on the actual valuation of all real estate and personal property within the corporate limits that is subject to taxation. The revenue from the said tax shall be known as the Sewer Maintenance Fund. The Utilities Superintendent shall have the direct management and control of the Sewer Department and shall faithfully carry out the duties of his office. He shall have the authority to adopt rules and regulations for the sanitary and efficient management of the Department subject to the supervision and review of the Governing Body. (Ref. 17-925.01 RS Neb.)

§3-202 MUNICIPAL SEWER DEPARTMENT: DEFINITIONS. The following definitions shall be applied throughout this Article. Where no definition is specified, the normal dictionary usage of the word shall apply.

BUILDING OR HOUSE SEWER. The terms "Building Sewer" and "House Sewer" as used in this Code, shall mean and include that part of a house or building drainage system extending from the house or building drain to its connection with the main sewer.

BUILDING OR HOUSE DRAIN. The terms "Building Drain" and "House Drain" as used in this Code, shall mean and include that part of the lowest horizontal piping of a house or building drainage system which receives the discharge from soil, waste, or other drainage pipes inside the walls of any building or house.

SOIL PIPE. The term "Soil Pipe" as used in this Code, shall mean and include any pipe which conveys the discharge of water closets with or without the discharge from other fixtures to the house or building drain.

WASTE PIPE. The term "Waste Pipe" as used in this Code shall mean and include any pipe which receives the discharge of any fixture, except water closets, and conveys the same to the house drain, soil pipe, or waste stack.

LOCAL VENTILATING PIPE. The term "Local Ventilating Pipe" as used in this Code, shall mean and include any pipe through which foul air is removed from a room or fixture.

VENT PIPE. The term "Vent Pipe" as used in this Code shall mean and include any pipe provided to ventilate a house or building drainage system and to prevent trap siphonage and back pressure.

TRAP. The term "Trap" as used in this Code, shall mean and include a fitting or device, so constructed as to prevent the passage of air or gas through a pipe without materially affecting the flow of sewage or waste through it.

TRAP SEAL. The term "Trap Seal" as used in this Code shall mean and include the vertical distance between the crown weir and the dip of the trap.

PLUMBING FIXTURES. The term "Plumbing Fixtures" as used in this Code, shall mean and include receptacles intended to receive and discharge water liquid or water-carried wastes into the sewer system with which they are connected.

SEWER SYSTEM. The term "Sewer System" as used in this Code, shall mean and include all facilities for collecting, pumping, treating, and disposing of sewage.

SEWAGE. The term "Sewage" as used in this Code, shall mean and include a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments together with such ground, surface, and storm waters as may be present.

SANITARY SEWER. The term "Sanitary Sewer" as used in this Code, shall mean and include a sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.

STORM SEWER. The term "Storm Sewer" as used in this Code, shall mean and include a sewer which carries storm and surface drainage, but excludes sewage and polluted industrial wastes.

GARBAGE. The term "Garbage" as used in this Code, shall mean and include solid wastes from the preparation of cooking and dispensing of food and produce.

PROPERLY SHREDDED. The term, "Properly Shredded" as used in this Code, shall mean and include shredding to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers with no particle larger than one half (1/2") inch in diameter.

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BIOLOGICAL OXYGEN DEMAND. The term "Biological Oxygen Demand" as used in this Code, shall mean and include the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty (20°) degrees C., expressed in parts per million by weight.

pH!. The term "pH" as used in this Code, shall mean and include the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

SUSPENDED SOLIDS. The term "Suspended Solids" as used in this Code, shall mean and include solids that either float on the surface of, or are in immersion in water, sewage, or other liquids, and are removable by filtering.

§3-203 MUNICIPAL SEWER DEPARTMENT: APPLICATION FOR PERMIT. Any person wishing to connect with the Sewer System shall make an application therefor to the Municipal Clerk. Sewer service may not be supplied to any house or building except upon the order of the Superintendent. The Department shall not supply sewer service to any person outside the corporate limits without special permission from the Governing Body; Provided, that the entire cost of pipe and other installation charges shall be paid by such consumers. Nothing herein shall be construed to obligate the Municipality to provide sewer service to non-residents. (Ref. 19-2701 RS Neb.)

§3-204 MUNICIPAL SEWER DEPARTMENT: SEWER CONTRACT. The Municipality through the Municipal Sewer Department shall furnish sewer services to persons within its corporate limits whose premises abut a street or alley in which a commercial main is now or may hereafter be laid. The Municipality may also furnish sewer service to persons whose premises are situated outside the corporate limits of the Municipality, as and when, according to law, the Governing Body may see fit to do so. The rules and regulations shall be considered a part of every application hereafter made for sewer service and shall be considered a part of the contract between every customer now or hereafter served. Without further formality, the making of the application on the part of any applicant or the use of sewer service by present customers thereof shall constitute a contract between the customer and the Municipality to which said contract both parties are bound. IT the customer shall violate any of the provisions or said contract or any reasonable rules and regulations that the Governing Body may hereafter adopt, the Utilities Superintendent, or his agent, may cut off or disconnect the sewer service from the building or premise of such violation. No further connection for sewer service to said building or premise shall again be made save or except by order of the Superintendent or his agent.

§3-205 MUNICIPAL SEWER DEPARTMENT: MANDATORY HOOK-UP. Upon written notice by the Utilities Superintendent the property owner, occupant, or lessee of any premise within three hundred (300') feet of any sewer main shall without delay cause the said building to be connected with the Sewer System and equipped with inside sewerage facilities. Every building hereafter erected shall be connected with the Sewer System at the time of its construction. In the event that any property owner, occupant, or lessee shall neglect, fail, or refuse, within a period of ten (10) days after notice has been given to him to do so by registered mail! or by publication in a newspaper in or of general circulation in the Municipality, to make such connection, the Governing Body shall have the power to cause the same to be done, to assess the cost thereof against the property, and to collect the assessment thus made in the manner provided for collection of other special taxes and assessments; Provided however, that existing private sewers shall not be subject to the provisions of this Section unless the Governing Body makes a finding that the septic tank is no longer functioning or has become unhealthy.

§3-206 MUNICIPAL SEWER DEPARTMENT: DIRECT CONNECTIONS. Each and every building must make a direct connection with the main sewer line. Under no circumstances Will two (2) or more houses be allowed to make such connections through one (1) pipe.

§3-207 MUNICIPAL SEWER DEPARTMENT: SERVICE CONTRACTS. Contracts for sewer service are not transferable. Any person wishing to change from one location to another shall make a new application and sign a new contract. If any customer shall move from the premise where service is furnished, or if the said premise is destroyed by fire or other casualty, he shall at once inform the Utilities Superintendent who shall cause the sewer service to be shut off from the said premise. If the customer should fail to give notice, he shall be charged for that period of time until the official in charge of sewers is otherwise advised of such circumstances.

§3-208 MUNICIPAL SEWER DEPARTMENT: INSTALLATION PROCEDURE. In making excavations in streets, alleys, or sidewalks for the purpose of installing pipe, or making repairs, the paving, stones, and earth must be removed and deposited in a manner that will occasion the least inconvenience to the public and provide for adequate drainage. No person shall leave an excavation made in the street, alley, or sidewalk open at any time without a barricade, and during the night, warning lights. After the house sewer is laid, the public ways and property shall be restored to good condition. All installation shall be done under the supervision and strictly in accordance with the rules, regulations, and specifications for such installation prescribed by the Utilities Superintendent: Provided, that the said rules, regulations, -and specifications have been reviewed and approved by the Governing Body. It shall be the duty of the Village to tap the main.

§3-209 MUNICIPAL SEWER DEPARTMENT: INSTALLATION EXPENSE. The customer, upon approval of his application for sewer service, shall pay to the Utilities Superintendent a tap fee of two hundred fifty (\$250.00) dollars.

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The customer shall then be required to pay the expense of procuring the materials required and shall pay all other costs of installation.

§3-210 MUNICIPAL SEWER SYSTEM: REPAIRS AND REPLACEMENT. The Municipal Sewer Department may require the owner of any property which is within the Municipality and connected to the public sewers or drains to repair or replace any connection line which serves the owner's property and is broken, clogged or otherwise in need of repair or replacement. The property owner's duty to repair or replace such a connection line shall include those portions upon the owner's property and those portions upon public property or easements up to and including the point of junction with the public main.

The Municipal Clerk shall give the property owner notice by registered letter or certified mail, directed to the last-known address of such owner or the agent of such owner, directing the repair or replacement of such connection line. If within thirty (30) days of mailing such notice the property owner fails or neglects to cause such repairs or replacements to be made, the Utilities Superintendent may cause such work to be done and assess the cost upon the property served by such connection. (Ref. 18-1748 RS Neb.)

§3-211 MUNICIPAL SEWER DEPARTMENT: RATE SETTING: FEE. Customers of the Municipal Sewer Department shall be charged a flat rate for the use of sewer service. Rates shall be set by ordinance and shall be on file at the office of the Municipal Clerk for public inspection at any reasonable time. The Customers of the Village Sewer Department shall be charged for the use of the Village Sewer System a flat user fee of \$27.70 per month. Sales tax shall be billed and collected on said rate.

§3-212 MUNICIPAL SEWER DEPARTMENT: SERVICE DEPOSIT. The Governing Body, in its discretion, may require a service deposit from any or all customers of the Municipal Sewer Department in a sum set by resolution and filed in the office of the Municipal Clerk for public inspection at any reasonable time. From the said fund shall be deducted all delinquent sewer charges. The deposit shall be collected by the Municipal Clerk who shall immediately turn the same over to the Municipal Treasurer who shall keep the deposit in a trust fund for customers of the Sewer Department. The said fund shall be put out at interest -separate and apart from other funds. Interest arising therefrom shall be expended solely for the repair of equipment and property belonging to the Municipal Sewer Department. (Ref. 17-925.01 RS Neb.)

§3-213 MUNICIPAL SEWER DEPARTMENT: OLD HOUSE SEWERS. Old house sewers and drains may be used in connection with new buildings or new plumbing only when they are found, on examination by the Utilities Superintendent, to conform in all respects to the requirements governing new sewers and drains. If the old work is found defective or otherwise unsatisfactory, he shall notify the owner to make the necessary changes to conform with the provisions of the Municipal Code.

§3-214 MUNICIPAL SEWER DEPARTMENT: UNLAWFUL USE. It shall be unlawful for any person to discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, surface drainage, or unpolluted industrial process waters into the sanitary sewer. Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes into the Municipal Sewer System:

- A. Liquids or vapors having a temperature higher than one hundred fifty (150) degrees F.
- B. Water or waste which may contain more than one hundred (100) parts per million by weight of fat, oil or grease.
- C. Gasoline, benzene, naphtha, fuel oil, other flammable or explosive liquid, solid, or gas.
- D. Garbage that has not been properly shredded.
- E. Sand-, mud, metal, rags, paper, or other _solid or viscous substance capable of causing obstruction to the flow in the sewer system.
- F. Toxic or poisonous substances in sufficient quantity to interfere with or injure the sewage treatment process, constitute a hazard to humans, animals, or fish, or create any hazard in the receiving area of the sewage treatment plant.
- G. Suspended solids of such character and quantity that unusual attention or expense is required to handle such materials.
- H. Waters or wastes having a pH lower than 5.5 or higher than 9.0 or having other corrosive properties capable of causing damage to the structures, equipment, and personnel of the Municipal Sewer Department.
- I. Any noxious or malodorous gas or substance capable of creating a public nuisance.

§3-215 MUNICIPAL SEWER DEPARTMENT: SPECIAL EQUIPMENT. In the event a customer of the Municipal Sewer Department discharges an unusually large amount of waste daily, an unusually large amount of grease or oil, or waste with an unusually high biochemical oxygen demand the chief sewer official may require the said customer to install

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interceptors or other preliminary treatment equipment to reduce the objectionable characteristics of the waste to within such maximum limits as he shall prescribe subject to the review of the Governing Body. All preliminary treatment facilities shall be purchased and maintained continuously in satisfactory and efficient operation at the customer's expense. Nothing herein shall be construed to prohibit a special agreement or arrangement between the Governing Body and an industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Municipality for treatment subject to additional rental fees or other charges.

§3-216 MUNICIPAL SEWER DEPARTMENT; MANHOLES. Entrance into a manhole or opening for any purpose except by authorized persons is hereby prohibited. It shall be unlawful to deposit or cause to be deposited in any receptacle connected with the Sewer System any substance which is not the usual and natural waste carried by the Sewer System.

§3-217 MUNICIPAL SEWER DEPARTMENT; INSPECTIONS. The chief sewer official or his authorized agents, shall have free access at any reasonable time to all parts of each premise and building which is connected with the Sewer System to ascertain whether there is any disrepair or violations of this Article therein.

§3-218 MUNICIPAL SEWER DEPARTMENT; LIEN. In addition to all other remedies, if a customer shall for any reason remain indebted to the Municipality for sewer service furnished, such amount due, together with any rents and charges in arrears shall be considered a delinquent sewer rent which is hereby declared to be a lien upon the real estate for which the same was furnished. The Municipal Clerk shall notify in writing or cause to be notified in writing, all owners of premises or their agents whenever their tenants or lessees are sixty (60) days or more delinquent in the payment of sewer rent. It shall be the duty of the Utilities Superintendent on the first (1st) day of June of each year to report to the Governing Body a list of all unpaid accounts due for sewer service together with a description of the premises served. The report shall be examined, and if approved by the Governing Body, shall be certified by the Municipal Clerk to the County Clerk to be collected as a special tax in the manner provided by law. (Ref. 17-925.01 RS Neb.)