

TITLE VII. UTILITIES

Cross Reference—As to construction specifications for water and sanitary sewer lines, see exhibit 1 of ord. no A-6275, enacted May 10, 1996, which is on file in the city offices.

CHAPTER 700: WATER

Cross References—As to damaging, interfering with, etc., waterworks apparatus, see §215.350; as to plumbing generally, see ch. 640; as to sewers and sewage disposal generally, see ch. 705; as to stormwater management, see ch. 525; as to billing, rates and charges, see ch. 715.

ARTICLE I. GENERAL PROVISIONS

SECTION 700.010: DEFINITIONS

For the purposes of this Chapter, the following words and phrases shall have the meanings respectively ascribed to them by this Section:

APPLICANT: Any person who shall make application for the City to extend any water main, and any person who shall make application to the City to tap any main or extension thereto and to become a user.

SERVICE LINE: That portion of pipe between the tap and the meter, used for delivery of water to the meter from the main.

SINGLE USER EXTENSION: The extension to any existing water main for the use of a single user, and to which no other taps or service lines are to be connected.

TAP: The coupler by which the service line shall be attached to the water main.

USER: Any person receiving water from and through the City water system for personal, domestic or industrial use.

WATER MAIN OR MAIN: All pipes, of whatever construction, through which the City shall furnish water to the taps and service lines of users, but not including taps and service lines.
(CC 1979 §31-2; Ord. No. A-2055 §1, 9-19-63; Ord. No. A-3770 §1, 2-8-77)

SECTION 700.015: INTRODUCTION OF FLUORIDE INTO THE PUBLIC WATER SUPPLY

- A. The City Council of Monett, Missouri, is hereby authorized and directed to provide the means and to proceed with the introduction of the fluoride ion into the public drinking water supply of Monett, Missouri, in such quantities as are required to provide throughout the pipe distribution system a fluoride concentration of approximately one (1) part fluoride per million parts of water.

- B. The City Council of Monett, Missouri, shall see that the Water Department keeps an accurate record of the amount of fluoride bearing chemical applied to the quantities of water treated, and cause such analytical tests to be made for fluoride (in terms of the element F) in the untreated and treated water as it shall be directed to do by the Missouri Department of Health. (Ord. No. 6950 §§1–2, 5-19-00)

SECTION 700.020: CHAPTER CONSIDERED PART OF CONTRACTS

The rules and regulations in this Chapter shall be considered a part of the contract with every person who is supplied with water through the waterworks system of the City, and every such person, by taking water, shall be considered as expressing his/her consent to be bound thereby. (CC 1979 §31-3; Ord. No. A-2055 §2, 9-19-63; Ord. No. A-3770 §2, 2-8-77)

ARTICLE II. EXTENSION OF AND CONNECTIONS TO WATER MAINS

SECTION 700.025: CITY MAY EXTEND WATER AND SEWER MAINS AND SERVICE LINES OUTSIDE THE CITY—WHEN

- A. Notwithstanding any other provisions of the ordinance of the City of Monett to the contrary, with the prior approval of the City Council and upon such terms and conditions as the City Council may impose, the City of Monett may extend and may permit connection of properties from outside the City of Monett to the sewer and water system of the City of Monett subject to the usual connection charges and user fees as applicable to other properties connected to the sewer and water system of the City of Monett, or such other special connection fees and sewer and water use charges as the City may, from time to time, adopt by ordinance of the City applicable to properties located outside the City of Monett and connected to the sewer and water system thereof; provided that the City Council shall determine in its sole discretion that the provisions of such City sewer and water services and the extension of City sewer and water lines to properties beyond the City limits of the City of Monett is in the circumstances proposed beneficial to the City of Monett and the general health and welfare of its citizens, and the potential development of the City of Monett.
- B. Prior to the extension of water and sewer mains and service lines outside the City limits of the City of Monett, the proper owners of all fee interest must petition the City for annexation. If said annexation is an impossibility, said owners will sign an Irrevocable Petition and Consent to Annexation, and will annex when possible.
- C. Any construction that takes place prior to annexation must meet the Building Codes of the City of Monett prior to extension or hookup to City water and sewer services. (Ord. No. A-6792 §§1–3, 2-18-99)

SECTION 700.030: TYPE AND SIZE OF WATER MAINS

All water mains constructed for attachment to the City water system shall be of cement-lined cast-iron construction, manufactured in accordance with A.W.W.A. specifications, and shall be of the existing size but in no case smaller than eight (8) inches in inside diameter, unless so approved by

the City Council; provided, that if the City Engineer shall state in his/her cost estimate, as provided in Section 700.050, that it is necessary and in the best interests of the welfare of the residents of the City that a larger water main be constructed and such cost estimate shall include the additional cost

of constructing such larger water main, the Council may, by ordinance, declare that such larger main shall be installed, and upon such declaration and acceptance thereof by the applicant, such larger main shall be installed. (CC 1979 §31-4; Ord. No. A-2055 §3, 9-19-63; Ord. No. A-3770 §3, 2-8-77; Ord. No. A-7133 §1, 2-27-02)

SECTION 700.040: APPLICATION FOR EXTENSION GENERALLY, INITIAL EXTENSION DEPOSIT AND SERVICE CONNECTIONS TO CITY WATER MAINS EXISTING OUTSIDE CORPORATE LIMITS OF THE CITY

- A. Any applicant desiring to extend any existing water main shall make a written application therefor to the City Clerk. Such application shall state the name and address of the applicant, the proposed use of the water to be served through such extension and the location and length of such proposed extension. Such application shall be accompanied by a plat of the addition, sub-division or lot to be served, the plans for such extension, which such plans shall have been approved by the State Board of Health, when required, and by an authorized representative of the City, and an initial deposit of fifteen dollars (\$15.00), which shall be held by the Clerk pending final disposition of such application.
- B. Service connections shall not be made to City water mains which exist outside the corporate limits of the City of Monett, as of October 10, 1994, if the property to be served:
 - B.1. Lies contiguous to existing corporate City limits; and
 - B.2. May physically be annexed; and
 - B.3. Has not yet been annexed.
- C. Service connections may be made to City water mains which exist outside the corporate limits of the City of Monett, as October 10, 1994, if annexation is physically impossible.
- D. No additional water mains shall be extended outside the corporate limits of the City of Monett after October 10, 1994. (CC 1979 §31-5; Ord. No. A-2055 §4, 9-19-63; Ord. No. A-3770 §4, 2-8-77; Ord. No. A-6009 §1, 10-10-94)

SECTION 700.050: COST ESTIMATE FOR PROPOSED EXTENSION—CITY ENGINEER TO MAKE AND SUBMIT TO SUPERINTENDENT OF UTILITIES—SUPERINTENDENT OF UTILITIES TO NOTIFY APPLICANT—FAILURE TO PAY

Upon receipt of an application as provided in this Article, the Superintendent of Utilities shall notify the Mayor and the City Engineer, stating the location of the proposed extension. The City Engineer shall forthwith make an estimate of the cost of the proposed extension, in writing, and submit the same to the Superintendent of Utilities within five (5) days of the date of the application. The Superintendent of Utilities shall thereupon notify such applicant, stating the amount of such estimate. The applicant shall, within ten (10) days of the receipt of such notice, pay to the Superintendent of

Utilities the full amount of such cost estimate. In the event such applicant shall fail to pay to the Superintendent of Utilities the amount of the cost estimate, the application shall be denied by the Superintendent of Utilities. (CC 1979 §31-6; Ord. No. A-2055 §5, 9-19-63; Ord. No. A-3770 §5, 2-8-77)

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SECTION 700.060: COST ESTIMATE—HOW COMPUTED

The cost estimate submitted as required in this Article shall be computed on the basis of the following items:

D.1. All estimates shall be based on pipe of the specifications set forth in Section 700.030.

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- D.2. Materials shall be computed on the basis of prevailing market prices.
- D.3. Such cost estimate shall include engineering services, if any, materials, labor, equipment rental, if any, surveys and grading and the cost of "looping" the end of the extension.
- D.4. For the purpose of computing the length of the proposed extension, the City Engineer or other authorized representative of the City shall measure the distance from the terminal point of the nearest usable existing water main to the far end of the addition, subdivision or lot to be served and any loop provided under Subsection (3) of this Section.
- D.5. Such cost estimate shall state the total cost of constructing the proposed extension and the cost per foot of such construction.
- D.6. The City shall provide the necessary valves, fittings and fire hydrants to connect such extension to the existing main, and for the extension, but shall not pay for the installation of such valves, fittings and the fire hydrants. Also, the City shall pay for any additional cost incurred when a larger than six (6) inch main is required, except when such larger main is required by the applicant, in which case the applicant shall pay all costs required for the applicant's usage.
(CC 1979 §31-7; Ord. No. A-2055 §7, 9-19-63; Ord. No. A-3770 §7, 2-8-77)

SECTION 700.070: COSTS—DISPOSITION GENERALLY—INSPECTIONS OF WORK

Upon the receipt of the balance of payment due under the cost estimate as provided in Section 700.050, the Superintendent of Utilities shall deliver the additional funds to the City Treasurer to be deposited in the Pro Rata Water Fund. During the installation of the water main, the work area shall be available for inspection of the water main and ditch at all reasonable hours by the City Engineer or any delegated City employee. Upon completion of the water main installation, which shall not exceed one hundred eighty (180) working days, weather permitting, and if approved, the City Engineer shall approve eighty percent (80%) of the total received for payment to the contractor or the City for installation of such water main extension. The remaining twenty percent (20%) shall be retained a minimum of thirty (30) days until all finished grade is completed, including blacktop, concrete or any other finished grade as required, including seeding where necessary. If the contractor does not complete the finished grade in a reasonable length of time as required, the City retains the right to hire another contractor to complete the finished grade and to pay such contractor from the twenty percent (20%) retained funds. (CC 1979 §31-8; Ord. No. A-3770 §9, 2-8-77)

SECTION 700.080: COUNCIL TO ADOPT ORDINANCE GRANTING APPLICATION, STATING MANNER OF CONSTRUCTION AND APPROVING CONTRACT BETWEEN CITY AND APPLICANT

Upon the receipt of the balance of payment due under the cost estimate as provided in Section 700.050, the Superintendent of Utilities shall deliver the application and the cost estimate to the City Council, and if the Council shall find that the proposed extension is not contrary to the public interest, they shall, by ordinance, direct that the application be granted. Such ordinance shall further state the manner in which the construction of the proposed water main extension is to be done and approve a contract between the City and/or a private contractor approved by the City and the

applicant for the construction of such extension. (CC 1979 §31-9; Ord. No. A-2055 §6, 9-19-63;
Ord. No. A-3770 §6, 2-8-77)

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SECTION 700.090: ADDITIONAL PAYMENTS OR REFUNDS BASED ON ACTUAL COST OF EXTENSION—GENERALLY

Should the actual cost of extending the water main be more than the cost estimate, the applicant shall pay such additional amount to the City before water service shall be commenced. If the actual cost of extending the water main is less than the estimated cost, the applicant shall be refunded the amount of his/her payment, less the actual cost. (CC 1979 §31-10; Ord. No. A-2055 §8, 9-19-63; Ord. No. A-3770 §8, 2-8-77)

SECTION 700.100: ADDITIONAL PAYMENTS OR REFUNDS BASED ON ACTUAL COST OF EXTENSION—REFUNDS INAPPLICABLE TO CERTAIN EXTENSIONS—SUPERINTENDENT OF UTILITIES TO DELIVER FUNDS TO TREASURER

Whenever any application shall be filed for extension of any existing water main, and such application shall state that the applicant will become a single user, and the plat submitted with such application shall support such statement, all funds paid to the Superintendent of Utilities by reason of such application shall, when such application is approved, be paid by the Superintendent of Utilities to the City Treasurer, who shall deposit the same in the General Revenue Fund of the City, and the refund provisions of this Article shall be inapplicable. Whenever such application shall state that it is probable that taps will be made for users other than the applicant for the extension, and the plat submitted therewith shall support such statement, upon approval of such application, the Superintendent of Utilities shall deliver all funds paid to him/her by reason of such application to the City Treasurer, who shall deposit the same in the Pro Rata Water Fund.
(CC 1979 §31-11; Ord. No. A-2055 §9, 9-19-63)

SECTION 700.110: CITY TREASURER TO KEEP RECORDS CONCERNING PRO RATA WATER FUND

The City Treasurer shall keep a ledger account book of all funds on deposit in the Pro Rata Water Fund, showing the amount paid into such fund by the Treasurer as a result of each water main extension, the applicant making such payment and all payments made therefrom. (CC 1979 §31-12; Ord. No. A-2055 §10, 9-19-63; Ord. No. A-3770 §10, 2-8-77)

Cross Reference—As to city treasurer generally, see §§115.380—115.430 of this code.

SECTION 700.120: ADDITIONAL PAYMENTS BY USERS CONNECTING WITHIN FIVE YEARS AFTER EXTENSION COMPLETED—REQUIRED—AMOUNT

When any water main extension other than a single user extension shall be completed, for a period of five (5) years thereafter, any user connecting to such extension shall pay into the Pro Rata Water Fund, in addition to the initial deposit provided in this Article, the following amount:

The total cost of such extension shall be divided by the number of feet in such extension, and such user shall pay an amount equal to the total number of front feet in the property owned by such user which fronts on or abuts such extension, times such per foot construction cost; provided, that if such

extension is available for users on both sides thereof, such user shall pay one-half of such charge.
(CC 1979 §31-13; Ord. No. A-2055 §11, 9-19-63; Ord. No. A-3770 §11, 2-8-77)

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SECTION 700.130: ADDITIONAL PAYMENTS BY USERS CONNECTING WITHIN FIVE YEARS AFTER EXTENSION COMPLETED—REFUND TO ORIGINAL APPLICANT FOR EXTENSION FROM OTHER USERS

When any water main extension other than a single user extension shall be completed, for a period of five (5) years thereafter, the applicant shall be entitled to a refund from each user other than applicant who taps such main extension between the terminal point of the water main before such extension was made and the terminal point of the extension. Such refund shall be in the amount of the charge paid by the user as set forth in Section 700.120. (CC 1979 §31-14; Ord. No. A-2055 §12, 9-19-63; Ord. No. A-3770 §12, 2-8-77)

SECTION 700.140: ADDITIONAL PAYMENTS BY USERS CONNECTING WITHIN FIVE YEARS AFTER EXTENSION COMPLETED—REFUND TO ORIGINAL APPLICANT NOT TO EXCEED AMOUNT PAID INTO FUND

In no event shall refunds be made to the original applicant in excess of the amount paid into the Pro Rata Water Fund, and no interest shall be paid thereon. (CC 1979 §31-15; Ord. No. A-2055 §13, 9-19-63; Ord. No. A-3770 §13, 2-8-77)

SECTION 700.150: SERVICE CHARGES TO BE PAID INTO GENERAL REVENUE FUND, RATHER THAN PRO RATA WATER FUND

No service charge paid by any applicant to become a user shall be paid into the Pro Rata Water Fund, but such charges shall be paid into the General Revenue Fund of the City. (CC 1979 §31-16; Ord. No. A-2055 §14, 9-19-63; Ord. No. A-3770 §14, 2-8-77)

SECTION 700.160: EXTENSIONS TO BECOME PROPERTY OF CITY

Upon completion of any water main extension, such extension shall become and remain the sole property of the City. (CC 1979 §31-18; Ord. No. A-2055 §15, 9-19-63; Ord. No. A-3770 §15, 2-8-77)

SECTION 700.170: CONNECTION OF ADDITIONAL MAINS OR EXTENSIONS TO EXTENSIONS MADE PURSUANT TO ARTICLE

Additional mains or extensions may be connected onto any extension made under this Article, but such water main extension shall not entitle the original applicant for extension to a refund from the Pro Rata Water Fund by reason of such additional extension. (CC 1979 §31-19; Ord. No. A-2055 §16, 9-19-63; Ord. No. A-3770 §16, 2-8-77)

SECTION 700.180: FUNDS REMAINING IN PRO RATA WATER FUND FIVE YEARS AFTER EXTENSION TO BECOME PROPERTY OF CITY

At the expiration of five (5) years from the date any water main extension is completed, all funds remaining in the Pro Rata Water Fund as a result of such extension shall become the sole property of

the City and shall be transferred to the General Revenue Fund of the City. (CC 1979 §31-20; Ord. No. A-2055 §17, 9-19-63; Ord. No. A-3770 §17, 2-8-77)

SECTION 700.190: APPLICATIONS FOR EXTENSIONS TO USERS WITHIN CITY TO BE GIVEN PREFERENCE OVER APPLICATIONS FOR EXTENSIONS OUTSIDE CITY

Applications for water main extensions for service to users within the corporate limits shall be given preference over applications for extensions of water mains for service to users outside the corporate limits. (CC 1979 §31-21; Ord. No. A-2055 §18, 9-19-63; Ord. No. A-3770 §18, 2-8-77)

SECTION 700.200: COUNCIL TO DETERMINE WHETHER WORK ON EXTENSIONS TO BE DONE BY CITY EMPLOYEES OR BY CONTRACT—PROCEDURE FOR LETTING CONTRACTS

The Council shall, in its ordinance directing commencement of work on water main extensions, state whether such work is to be done by City employees or by contract. All contracts let for the extension of water mains shall be let to such contractors as the City and the applicant may agree upon or, if no such agreement is made, to the lowest and best bidder therefor. Notice for such bids shall be mailed to all contractors licensed and bonded to do business in the City, and all bids shall be submitted in writing and shall be sealed. (CC 1979 §31-22; Ord. No. A-2055 §19, 9-19-63; Ord. No. A-3770 §19, 2-8-77)

SECTION 700.210: EXTENSIONS TO BE LOCATED IN EXISTING EASEMENTS WHERE POSSIBLE—EASEMENTS TO BE PROVIDED CITY WHERE NECESSARY

Where possible, all extensions of water mains shall be located in streets, roadways, alleys or other easements existing in favor of the City. Where necessary, rights of way or easements shall be provided to the City at no cost. (CC 1979 §31-23; Ord. No. A-2055 §20, 9-19-63; Ord. No. A-3770 §20, 2-8-77)

SECTION 700.220: TAPS AND SERVICE LINES—PIPE TO BE PROVIDED BY AND BECOME PROPERTY OF CITY—SERVICE LINE TO EXTEND FROM MAIN TO METER

The tap and service line pipe shall be provided by the City and, upon installation, shall remain the property of the City. Such service line shall extend from the main to the meter, which shall be set adjacent to the property line. (CC 1979 §31-25; Ord. No. A-2055 §24, 9-19-63; Ord. No. A-3770 §24, 2-8-77)

SECTION 700.230: TAPS AND SERVICE LINES IN EXCESS OF THREE-QUARTERS OF AN INCH

If any applicant to become a user shall state in his/her application that he/she wishes to install a tap and service line in excess of three-quarters (3/4) of an inch, he/she shall state in his/her application the size tap desired. The City Engineer shall estimate the cost of installing such tap, and the amount estimated shall be paid in full by the applicant before work on installation of the tap and service line

shall be commenced. In the event the actual cost of installing such tap shall be more than the amount estimated by the City Engineer, the applicant shall pay to the City such additional amount,

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before water service shall be commenced. In the event the actual cost of installing such tap shall be less than estimated by the City Engineer, the applicant shall be refunded the amount paid by him/her, less the actual cost. (CC 1979 §31-26; Ord. No. A-2055 §25, 9-19-63; Ord. No. A-3770 §25, 2-8-77)

SECTION 700.240: CITY TO PERFORM WORK ON TAPS AND SERVICE LINES

The City shall perform all work in constructing and installing taps and service lines. (CC 1979 §31-27; Ord. No. A-2055 §27, 9-19-63; Ord. No. A-3770 §27, 2-8-77)

SECTION 700.250: WORK NOT TO BE COMMENCED UNTIL COST PAID AS PROVIDED IN CHAPTER 715

No work shall be commenced on the construction of any water main extension or upon any tap or service line, until the full amount therefor shall have been paid as provided in Chapter 715. (CC 1979 §31-29; Ord. No. A-2055 §22, 9-19-63; Ord. No. A-3770 §22, 2-8-77)

ARTICLE III. METERS AND MISCELLANEOUS

REGULATIONS

SECTION 700.260: METERS REQUIRED

All water service provided by the City to any user shall be had through a meter. (CC 1979 §31-33)

SECTION 700.270: TAPPING OF LINES AND MAINS TO BE DONE BY CITY

The tapping of all water lines and mains shall be done by the City, under the direct supervision of the City Engineer. A record of all such connections shall be kept by the City Engineer, and each connection shall be clearly designated on the map of the City waterworks system. (CC 1979 §31-35)

SECTION 700.280: METER BOX

All water meters, shall be installed in a meter box, of sufficient diameter that the unions on each side of the meter will come within the box and can be readily disconnected from the inside of the box for the easy removal of the meter for inspection or repair or replacement, but not less than eighteen (18) inches in diameter. The meter box shall have slotted sides and shall not rest on the service pipe but on the ground beneath. The box must have a cast iron cover as the location may require. All meter boxes shall be approved by the Utilities Department. (CC 1979 §31-36)

SECTION 700.290: USER TO KEEP METER AND CERTAIN PARTS OF WATER LINE IN REPAIR

All parts of the water line on the customer side of the meter yoke shall be kept in repair by the owner of such premises served. If such owner shall fail or refuse to keep such line or parts thereof in proper repair, service to such location may be discontinued. (CC 1979 §31-37)

SECTION 700.300: RIGHT OF ENTRY OF CITY ENGINEER, ETC., FOR PURPOSES OF INSPECTION—USERS TO FURNISH CERTAIN INFORMATION

Every person taking water from the City shall permit the City Engineer or his/her agent, at all reasonable hours, to enter the premises and building for the inspection of the lines and fixtures and to inquire how the water is used, and all users shall furnish such information as shall be reasonably necessary for determination of the use of water by the user. (CC 1979 §31-38)

SECTION 700.310: CITY NOT LIABLE FOR DAMAGES, DISCONTINUANCE OF SERVICE, ETC.,—RIGHT OF CITY TO SHUT OFF WATER TO MAKE REPAIRS

No claim shall be made against the City by reason of the breaking of any service pipe or fixtures or by reason of the failure of the supply of water at any time, nor from damage arising from shutting off the water supply for the purpose of making repairs to any part of the system. The right to shut off the water to make reasonable repairs is expressly reserved by the City. (CC 1979 §31-39)

SECTION 700.320: UNAUTHORIZED OPENING OR USE OF FIRE HYDRANTS

No person shall open any fire hydrant and permit water to escape into the street or attach any hose to a fire hydrant, for any purpose other than to extinguish fires, without permission from the Mayor or other authorized representative of the City. (CC 1979 §31-41)

Cross Reference—As to fire prevention generally, see ch. 205 of this code.

SECTION 700.330: ATTACHING HOSES TO UNMETERED HYDRANTS, FAUCETS, ETC.,—GENERALLY

No person shall attach to a hydrant, faucet or other fixture any hose for the purpose of sprinkling or any other use, unless the water line is provided with a meter and backflow prevention device, except for the purpose of extinguishing a fire. (CC 1979 §31-42)

SECTION 700.340: ATTACHING HOSES TO UNMETERED HYDRANTS, FAUCETS, ETC., —DISCONTINUANCE OF USE OF WATER UPON SOUNDING OF FIRE ALARM

All users engaged in the use of water as provided in Section 700.330 shall, upon the sounding of the fire alarm, discontinue use of water from the system until such fire is extinguished. (CC 1979 §31-43)

SECTION 700.350: EMERGENCY USE RESTRICTIONS

Upon notice to users, by publication or otherwise, the City may restrict the use of water by users when the same shall be necessary for protection of the public health, safety or welfare; provided, that such emergency shall be declared by the Council by ordinance. (CC 1979 §31-44)

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SECTION 700.360: PERMIT FOR WATER CONNECTION NOT TO BE GRANTED WHERE SERVICE LINE WILL PASS THROUGH PREMISES OTHER THAN THOSE TO BE SERVED

No permit for a connection to the water system will be granted if the service line from the City main will pass over or through premises other than those to be served. (CC 1979 §31-55)

SECTION 700.370: LAYING SERVICE PIPE, WATER MAIN, ETC., IN SEWER TRENCH OR NEAR SEWER LINE

No service pipe, connection, water main or extension shall be laid in a sewer trench or within eighteen (18) inches of any sewer line. (CC 1979 §31-56)

SECTION 700.380: BRASS STOP AND WASTECOCK REQUIRED WITHIN WALLS OF BUILDING SUPPLIED

Every service pipe entering the premises of any user shall be fitted with a brass stop and wastecock, easily accessible and within the walls of the building supplied, at such a point that all water may be drained out of the pipes and other fixtures in such building to prevent freezing, and any plumber installing such service line into any building shall make the location of such wastecock known to the inhabitants of such building. (CC 1979 §31-57)

SECTION 700.390: INSPECTION AND APPROVAL OF PLUMBING AND FIXTURES PREREQUISITE TO COMMENCEMENT OF SERVICE

All plumbing and fixtures installed in any building shall be inspected and approved by the City Engineer or other authorized representative of the City, before water service shall be commenced in such building. (CC 1979 §31-58)

SECTION 700.400: PROTECTION AND BACKFILLING OF EXCAVATIONS

All ditches for the laying of water lines shall be not less than two (2) feet deep. All excavations for the replacement or construction of water mains, extensions or service pipes shall be covered, and the surfaces shall be repaired and returned to their original condition. All excess material shall be removed. Water mains, extensions or pipes placed under sidewalks shall be tunnelled under and the opening replaced and repacked when such installation is completed. Whenever any excavation is made for the construction or installation of water mains, extensions or service pipes, the same shall be clearly marked with proper warning lights and shall be barricaded. (CC 1979 §31-59)

SECTION 700.405: PROPER SEWAGE TREATMENT FACILITIES REQUIRED FOR PERMANENT WATER SERVICE

No permanent water service shall be furnished to any habitable building or structure unless said building or structure is connected to the City sanitary sewer system, or unless said building or

structure is connected to a septic tank system or other private waste treatment facilities installed in accordance with the Building Code of the City of Monett. Any such septic tank system or private

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waste treatment facility shall be inspected and approved by the City Engineer and the City Building Inspector before such system or facility is completed. (Ord. No. A-5984-A §1, 8-30-94)

CROSS-

**ARTICLE IV. BACKFLOW PREVENTION AND
CONNECTION CONTROL**

SECTION 700.410: CROSS-CONNECTION CONTROL—GENERAL POLICY

E. *Purpose.* The purpose of this Article is:

E.1. To protect the public potable water supply from contamination or pollution by containing within the consumer's internal distribution system or private water system contaminants or pollutants which could backflow through the service connection into the public potable water supply system.

E.2. To promote the elimination, containment, isolation, or control of existing cross-connections, actual or potential, between the public or consumer's potable water system and non-potable water systems, plumbing fixtures, and industrial-process systems.

E.3. To provide for the maintenance of a continuing program of cross-connection control which will systematically and effectively prevent the contamination or pollution of all potable water systems.

F. *Application.* This Article shall apply to all premises served by the public potable water system of the City of Monett, Missouri, hereinafter referred to as "City".

G. *Policy.* This Article will be reasonably interpreted by the City. It is the City's intent to recognize the varying degrees of hazard and to apply the principle that the degree of protection shall be commensurate with the degree of hazard.

The City shall be primarily responsible for protection of the public potable water distribution system from contamination or pollution due to backflow or contaminants or pollutants through the water service connection. The cooperation of all consumers is required to implement and maintain the program to control cross-connections. The City and consumer are jointly responsible for preventing contamination of the water system.

If, in the judgment of the City or its authorized representative, cross-connection protection is required through either piping modification or installation of an approved backflow prevention device, due notice shall be given to the consumer. The consumer shall immediately comply by providing the required protection at his/her own expense; and failure, refusal, or inability on the part of the consumer to provide such protection shall constitute grounds for discontinuing water service to the premises until such protection has been provided.

(CC 1979 §31-65; Ord. No. A-5406 §1, 6-28-90)

SECTION 700.420: DEFINITIONS

As used in this Article the following terms shall have these prescribed meanings:

AIR-GAP SEPARATION: The unobstructed vertical distance through the free atmosphere between

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the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture, or other device and the overflow level rim of the receptacle, and shall be at least double the diameter of the supply pipe measured vertically above the flood level rim of the vessel, but in no case less than one (1) inch.

AUXILIARY WATER SUPPLY: Any water source or system, other than the public water supply, that may be available in the building or premises.

BACKFLOW: The flow other than the intended direction of flow, of any foreign liquids, gases, or substances into the distribution system of a public water supply.

BACKFLOW PREVENTION ASSEMBLY: Any double check valve or reduced pressure principle backflow preventer having resilient-seated shut-off valves on both the upstream and downstream end and the necessary test cocks as integral parts of the assembly.

CONSUMER: The owner or person in control of any premises supplied by or in any manner connected to a public water system.

CONTAINMENT: Protection of the public water supply by installing a backflow prevention assembly or air-gap separation on the main service line to a facility.

CONTAMINATION: An impairment of the quality of the water by sewage, process fluids, or other wastes to a degree which could create an actual hazard to the public health through poisoning or through spread of disease by exposure.

CROSS-CONNECTION: Any physical link between a potable water supply and any other substance, fluid, or source, which makes possible contamination of the potable water supply due to the reversal of flow of the water in the piping or distribution system.

HAZARD, DEGREE OF: An evaluation of the potential risk to public health and the adverse effect of the hazard upon the potable water system.

1. *Hazard, health.* Any condition, device or practice in the water supply system and its operation which could create or may create a danger to the health and well-being of the water consumer.
2. *Hazard, plumbing.* A plumbing type cross-connection in a consumer's potable water system that has not been properly protected by a vacuum breaker, air-gap separation or backflow prevention assembly.
3. *Hazard, pollutional.* An actual or potential threat to the physical properties of the water system or to the potability of the public or the consumer's potable water system but which would constitute a nuisance or be aesthetically objectionable or could cause damage to the system or its appurtenances, but would not be dangerous to health.
4. *Hazard, system.* An actual or potential threat of severe damage to the physical properties of the public potable water system or the consumer's potable water system, or of a pollution or contamination which would have a protracted effect on the quality of the potable water in the system.

INDUSTRIAL PROCESS SYSTEM: Any system containing a fluid or solution, which may be chemically, biologically, or otherwise contaminated or polluted in a form or concentration such as would constitute a health, system, pollutional, or plumbing hazard if introduced into a potable water supply.

ISOLATION: Protection of a facility's internal plumbing system by installing a backflow prevention assembly, air-gap separation, or other backflow prevention device on an individual fixture, appurtenance or system.

POLLUTION: The presence of any foreign substance (organic, inorganic or biological) in water which tends to degrade its quality so as to constitute a hazard or impair the usefulness of the water to

a degree which does not create an actual hazard to the public health but which does adversely and unreasonably affect such waters for domestic use.

PUBLIC POTABLE WATER SYSTEM: Any publicly or privately owned water system supplying water to the general public which is satisfactory for drinking, culinary and domestic purposes and meets the requirements of the Missouri Department of Natural Resources.

SERVICE CONNECTION: The terminal end of a service line from the public water system. If a meter is installed at the end of the service, then the service connection means the downstream end of the meter. (CC 1979 §31-66; Ord. No. A-5406 §1 (App A), 6-28-90)

SECTION 700.430: CROSS-CONNECTIONS PROHIBITED

- A. No water service connection shall be installed or maintained to any premises where actual or potential cross-connections to the public potable or consumer's water system may exist unless such actual or potential cross-connections are abated or controlled to the satisfaction of the City, and as required by the laws and regulations of the Missouri Department of Natural Resources.
- B. No connection shall be installed or maintained whereby an auxiliary water supply may enter a public potable or consumer's water system unless such auxiliary water supply and the method of connection and use of such supply shall have been approved by the City and the Missouri Department of Natural Resources.
- C. No water service connection shall be installed or maintained to any premises in which the plumbing system, facilities, and fixtures have not been constructed and installed using acceptable plumbing practices considered by the City as necessary for the protection of health and safety. (CC 1979 §31-67; Ord. No. A-5406 §1, 6-28-90)

SECTION 700.440: SURVEY AND INVESTIGATIONS

- A. The consumer's premises shall be open at all reasonable times to the City, or its authorized representative, for the conduction of surveys and investigations of water use practices within the consumer's premises to determine whether there are actual or potential cross-connections to the consumer's water system through which contaminants or pollutants could backflow into the public potable water system.
- B. On request by the City or its authorized representative, the consumer shall furnish information on water use practices within his/her premises.
- C. It shall be the responsibility of the water consumer to conduct periodic surveys of water use practices on his/her premises to determine whether there are actual or potential cross-connections to his/her water system through which contaminants or pollutants could backflow into his/her or the public potable water system. (CC 1979 §31-68; Ord. No. A-5406 §1, 6-28-90)

SECTION 700.450: TYPE OF PROTECTION REQUIRED

The type of protection required by this Article shall depend on the degree of hazard which exists, as follows:

- .1. An approved air-gap separation shall be installed where the public potable water system may be contaminated with substances that could cause a severe health hazard.

- .2. An approved air-gap separation or an approved reduced pressure principle backflow prevention assembly shall be installed where the public potable water system may be contaminated with a substance that could cause a system or health hazard.
- .3. An approved air-gap separation or an approved reduced pressure principle backflow prevention assembly or an approved double-check valve assembly shall be installed where the public potable water system may be polluted with substances that could cause a pollutional hazard not dangerous to health. (CC 1979 §31-69; Ord. No. A-5406 §1, 6-28-90)

SECTION 700.460: WHERE PROTECTION IS REQUIRED

- A. An approved backflow prevention assembly shall be installed on each service line to a consumer's water system serving premises where, in the judgment of the City or the Missouri Department of Natural Resources, actual or potential hazards to the public potable water system exist. The type and degree of protection required shall be commensurate with the degree of hazard.
- B. An approved air-gap separation or reduced pressure principle backflow prevention assembly shall be installed at the service connection or within any premises where, in the judgement of the City or the Missouri Department of Natural Resources, the nature and extent of activities on the premises, or the materials used in connection with the activities, or materials stored on the premises, would present an immediate and dangerous hazard to health should a cross-connection occur, even though such cross-connection may not exist at the time the backflow prevention device is required to be installed. This includes but is not limited to the following situations:
 - B.1. Premises having an auxiliary water supply, unless the quality of the auxiliary supply is acceptable to the City, and the Missouri Department of Natural Resources.
 - B.2. Premises having internal cross-connections that are not correctable, or intricate plumbing arrangements which make it impractical to ascertain whether or not cross-connections exist.
 - B.3. Premises where entry is restricted so that inspection for cross-connections cannot be made with sufficient frequency or at sufficiently short notice to assure the cross-connections do not exist.
 - B.4. Premises having a repeated history of cross-connections being established or re-established.
 - B.5. Premises, which due to the nature of the enterprise therein, are subject to recurring modification or expansion.
 - B.6. Premises on which any substance is handled under pressure so as to permit entry into the public water supply, or where a cross-connection could reasonably be expected to occur. This shall include the handling of process waters and cooling waters.
 - B.7. Premises where materials of a toxic or hazardous nature are handled such that if backsiphonage or backpressure should occur, a serious health hazard may result.
- C. The types of facilities listed below fall into one or more of the categories of premises where an approved air-gap separation or reduced pressure principal backflow prevention assembly is required by the City and the Missouri Department of Natural Resources to protect the public water supply and must be installed at these facilities unless all hazardous or potentially hazardous conditions have

been eliminated or corrected by other methods to the satisfaction of the City and the Missouri Department of Natural Resources.

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- C.1. Aircraft and missile manufacturing plants.
- C.2. Automotive plants including those plants which manufacture motorcycles, automobiles, trucks, recreational vehicles and construction and agricultural equipment.
- C.3. Potable water dispensing stations which are served by a public water system.
- C.4. Beverage bottling plants including dairies and breweries.
- C.5. Canneries, packing houses and reduction plants.
- C.6. Car washes.
- C.7. Chemical, biological and radiological laboratories including those in high schools, trade schools, colleges, universities and research institutions.
- C.8. Hospitals, clinics, medical buildings, autopsy facilities, morgues, mortuaries and other medical facilities.
- C.9. Metal or plastic manufacturing, fabrication, cleaning, plating or processing facilities.
- C.10. Plants manufacturing paper and paper products.
- C.11. Plants manufacturing, refining, compounding or processing fertilizer, film, herbicides, natural or synthetic rubber, pesticides, petroleum, or petroleum products, pharmaceuticals, radiological materials or any chemical which would be a contaminant to the public water system.
- C.12. Commercial facilities that use herbicides, pesticides, fertilizers or any chemical which would be a contaminant to the public water system.
- C.13. Plants processing, blending or refining animal, vegetable or mineral oils.
- C.14. Commercial laundries and dye works.
- C.15. Sewage, storm water and industrial waste treatment plants and pumping stations.
- C.16. Waterfront facilities including piers, docks, marinas and shipyards.
- C.17. Industrial facilities which recycle water.
- C.18. Restricted or classified facilities or other facilities closed to the supplier of water or the department.
- C.19. Fire sprinkler systems using any chemical additives.
- C.20. Auxiliary water systems.
- C.21. Irrigation systems with facilities for injection of pesticides, herbicides or other chemicals or with provisions for creating back pressure.

C.22. Portable tanks for transporting water taken from a public water system.

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C.23. Facilities which have pumped or repressurized cooling or heating systems that are served by a public water system, including all boiler systems. (CC 1979 §31-70; Ord. No. A-5406 §1 (App. B), 6-28-90)

SECTION 700.470: BACKFLOW PREVENTION ASSEMBLIES

- A. Any backflow prevention assembly required to protect the facilities listed in Section 700.460 shall be of a model or construction approved by the City and the Missouri Department of Natural Resources.
 - A.1. Air-gap separation to be approved shall be at least twice the diameter of the supply pipe, measured vertically above the top rim of the vessel, but in no case less than one (1) inch.
 - A.2. A double-check valve assembly or a reduced pressure principle backflow prevention assembly shall be approved by the City, and shall appear on the current "list of approved backflow prevention assemblies" established by the Missouri Department of Natural Resources.
- B. Existing backflow prevention assemblies approved by the City at the time of installation and properly maintained shall, except for inspection and maintenance requirements, be excluded from the requirements of this Article so long as the City is assured that they will satisfactorily protect the water system. Whenever the existing assembly is moved from its present location, or requires more than minimum maintenance, or when the City finds that the maintenance constitutes a hazard to health, the unit shall be replaced by a backflow prevention assembly meeting the requirements of this Article. (CC 1979 §31-71; Ord. No. A-5406 §1, 6-28-90)

SECTION 700.480: INSTALLATION

- A. Backflow prevention assemblies required by this Article shall be installed at a location and in manner approved by the City and shall be installed at the expense of the water consumer.
- B. Backflow prevention assemblies installed on the service line to the consumer's water system shall be located on the consumer's side of the water meter, as close to the meter as is reasonably practical, and prior to any other connection.
- C. Backflow prevention assemblies shall be located so as to be readily accessible for maintenance and testing, protected from freezing. No reduced pressure principle backflow prevention assembly shall be located where it will be submerged or subject to flooding by any fluid.
(CC 1979 §31-72; Ord. No. A-5406 §1, 6-28-90)

SECTION 700.490: INSPECTION AND MAINTENANCE

- A. It shall be the duty of the consumer at any premises on which backflow prevention assemblies required by this Article are installed to have inspection, tests, and overhauls made in accordance with the following schedule or more often where inspections indicate a need.

A.1. Air-gap separations shall be inspected at the time of installation and at least every twelve (12) months thereafter.

- A.2. Double-check valve assemblies shall be inspected and tested for tightness at the time of installation and at least every twelve (12) months thereafter.
- A.3. Reduced pressure principle backflow prevention assemblies shall be inspected and tested for tightness at the time of installation and at least every twelve (12) months thereafter.
- B. Inspections, tests, and overhauls of backflow prevention assemblies shall be made at the expense of the water consumer and shall be performed by a State of Missouri certified backflow prevention assembly tester.
- C. Whenever backflow prevention assemblies required by this Article are found to be defective, they shall be repaired or replaced at the expense of the consumer without delay.
- D. The water consumer must maintain a complete record of each backflow prevention assembly from purchase to retirement. This shall include a comprehensive listing that includes a record of all tests, inspections, and repairs. Records of inspections, tests, repairs, and overhauls shall be made available to the City upon request.
- E. Backflow prevention assemblies shall not be bypassed, made inoperative, removed, or otherwise made ineffective. (CC 1979 §31-73; Ord. No. A-5406 §1, 6-28-90)

SECTION 700.500: VIOLATIONS

- A. The City shall deny or discontinue, after reasonable notice to the occupants thereof, the water service to any premises wherein any backflow prevention assembly required by this Article is not installed, tested, and maintained in a manner acceptable to the City, or if it is found that the backflow prevention assembly has been removed or bypassed, or if an unprotected cross-connection exists on the premises.
- B. Water service to such premises shall not be restored until the consumer has corrected or eliminated such conditions or defects in conformance with this Article to the satisfaction of the City. (CC 1979 §31-74; Ord. No. A-5406 §1, 6-28-90)

CHAPTER 705: SEWERS

Cross References—As to plumbing generally, see ch. 640; as to water generally, see ch. 700; as to billing, rates and charges, see ch. 715, art. III.

ARTICLE I. IN GENERAL

SECTION 705.010: DEFINITIONS

For the purpose of this Chapter, the following words and phrases shall have the meanings respectively ascribed to them by this Section:

ACT OR THE ACT: The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended 33 U.S.C. 1251 et. seq.

ADMINISTRATOR: The Chief Administrative Officer of a State or Interstate Water Pollution Control Agency with an NPDES Permit program approved pursuant to Section 402(b) of the Act and an approved State pretreatment program.

B.O.D. (denoting Biochemical Oxygen Demand): The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory conditions in five (5) days at twenty degrees Centigrade (20°C) expressed in parts per million by weight. Test shall not utilize nitrification inhibitor.

BUILDING DRAIN: 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 building sewer beginning five (5) feet outside the building wall.

BUILDING SEWER: The extension from the building drain to the City sewer or other place of disposal.

COMBINED SEWER: A sewer receiving both surface runoff and sewage.

COMMERCIAL AND INDUSTRIAL WASTES: The water-carried wastes from commercial and industrial establishments, as distinct from sanitary sewage.

CONTROL AUTHORITY: The approval authority or the City.

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

INDUSTRIAL USER: A source of indirect discharge which does not constitute a discharge of pollutants under regulations issued pursuant to Section 402 of the Act (33 U.S.C. 1342).

INFERENCE: A discharge which, alone or in conjunction with a discharge or discharges from other sources, both inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and therefore is a cause of a violation of any requirement of the POTW's NPDES Permit (including an increase in the magnitude or duration of a violation) or of statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations).

Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) including Title II, more commonly referred to as the Resource Conservation and Recovery Act and including State regulations of the SWDA), the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act.

NEW SOURCE: Any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under Section 307(c) of the Act which will be applicable to such source if such standards thereafter promulgated in accordance with that Section, provided that the building, structure, facility, or installation is constructed at a site at which no other source is located; or the building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or the production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source should be considered.

NATIONAL CATEGORICAL PRETREATMENT STANDARD OR PRETREATMENT STANDARD: Any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307(b) and (c) of the Act (33 U.S.C. 1347) which applies to a specific category of industrial users, including the general and specific prohibitions found in 40 CFR 403.5.

NORMAL SEWAGE: Sewage which contains not over three hundred (300) parts per million of B.O.D. and not over three hundred and fifty (350) parts per million of suspended solids, and which does not contain any of the materials or substances listed in of Article V of this Chapter in excess of allowable amounts specified in such Article.

OPERATION AND MAINTENANCE: All expenditures during the useful life of the treatment works for materials, labor, utilities, billing, equipment replacement, and other items which are necessary for managing and maintaining the sewage works to achieve the capacity and performance for which such works were designed and constructed.

PASS THROUGH: A discharge which exits the POTW in quantities or concentrations which, alone or with discharges from other sources, causes a violation of the POTW's NPDES Permit.

pH: The logarithm to the base ten of the reciprocal of the hydrogen ion concentration.

PPM (DENOTING PARTS PER MILLION): The concentration of a material in pounds per million pounds of water.

PRETREATMENT REQUIREMENT: Any substantive or procedural pretreatment requirement, other than a national pretreatment standard, applicable to an industrial user.

PUBLICLY OWNED TREATMENT WORKS (POTW): A treatment works as defined by Section 212 of the Act (33 U.S.C. 1292) which is owned in this instance by the City. This definition includes any sewers that convey wastewater to the POTW, but does not include pipes, sewers or other conveyances not connected to a facility providing treatment. For the purposes of this Section, POTW shall also include any sewers that convey wastewaters to the POTW from persons outside the City who are, by contract or agreement with the City, users of the City's POTW.

RECEIVING STREAM: Any natural watercourse into which water, treatment plant effluent, combined sewer overflow or storm water is discharged.

REPLACEMENT: 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 such works were designed and constructed. The term "*operation and maintenance*" includes replacement.

SANITARY SEWAGE: Those wastes which are comparable to wastes which originate in residential units and contain only human excrement and wastes from kitchen, laundry, bathing and other household facilities.

SANITARY SEWER: A sewer which carries sanitary sewage and to which storm, surface and ground waters are not to be intentionally admitted.

SEWAGE: 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.

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

SEWAGE WORKS: All facilities for collecting, transporting, pumping, treating and disposing of sewage.

SEWER: A pipe or conduit for carrying sewage.

SIGNIFICANT INDUSTRIAL USER: Any industrial user of the City's wastewater disposal system who:

- .1. Is subject to categorical pretreatment standards under 40 CFR 403.6 and 40 CFR Chapter 1, Subchapter N; and
- .2. Any other industrial user that: Discharges an average of twenty-five thousand (25,000) gallons per day or more of process wastewater to the POTW (excluding sanitary, non-contact cooling and boiler blowdown wastewater); contributes a process waste stream which makes up five percent (5%) or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or is designated as such by the control authority as defined in 40 CFR 403.12(a) on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement (in accordance with 40 CFR 403.8(f)(6)).

SIGNIFICANT NON-COMPLIANCE: An industrial user whose violation meets one (1) or more of the following criteria:

- .1. *Chronic violations of wastewater discharge limits:* Those in which sixty-six percent (66%) or more of all measurements taken during a six-month period exceed (by any magnitude) the daily maximum limit or the average limit for the same pollutant parameter;

.2. *Technical Review Criteria (TRC) violations:* Those in which thirty-three percent (33%) or more of all of the measurements for each pollutant parameter taken during a six (6) month period

equal or exceed the product of the daily maximum limit or the average limit multiplied by the applicable TRC (TRC = 1.4 for BOD, TSS, fats, oil, and grease, and 1.2 for all other products except pH.);

- .3. Any other violation of a pretreatment effluent limit (daily maximum or longer term average) that the control authority determines has caused, alone, or in combination with other discharges, interference or pass through (including endangering the health of POTW personnel or the general public);
- .4. Any discharge of a pollutant that has caused imminent endangerment to human health, welfare or to the environment or has resulted in the POTW's exercise of its emergency authority under Section 705.580 of this Chapter to halt or prevent such a discharge;
- .5. Failure to meet, within ninety (90) days after the schedule date, a compliance schedule milestone contained in a local control mechanism or enforcement order for starting construction, completing construction, or attaining final compliance;
- .6. Failure to provide, within thirty (30) days after the due date, required reports such as baseline monitoring reports, periodic self-monitoring reports, and reports on compliance with compliance schedules;
- .7. Failure to accurately report non-compliance;
- .8. Any other violation or group of violations which the control authority determines will adversely affect the operation or implementation of the local pretreatment program.

STANDARD LABORATORY METHODS: Methods of analysis and testing as outlined in the latest edition of "Standard Methods for the Examination of Water and Sewage," published jointly by the American Public Health Association, the American Waterworks Association and the Water Pollution Control Federation.

STORM SEWER: A sewer which carries storm and surface waters and drainage but which is not to carry sanitary sewage and polluted industrial wastes.

SUPERINTENDENT: The Superintendent of the Utility Department of the City, or his/her authorized agent or representative.

SUSPENDED SOLIDS: Solids that either float on the surface or are in suspension in water, sewage or other liquids and which are largely removable by standard laboratory methods.

TREATMENT WORKS: Any devices or systems for the storage, treatment, recycling, and reclamation of municipal sewage, domestic sewage or liquid industrial wastes. These include intercepting sewers, outfall sewers, sewage collection systems, individual systems, pumping, power, and other equipment and their appurtenances; extensions, improvements, remodeling, additions, or alterations thereto; elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; and any works, including site acquisition of the land that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment (including land for composting sludge, temporary storage of such compost, and land used for the storage of treated wastewater in land treatment systems before land application); or any other method or system for preventing, abating, reducing, storing, treating, separating, or disposing of

municipal waste or industrial waste, including waste in combined storm water and sanitary sewer systems.

USEFUL LIFE: The estimated period during which a treatment works will be operated. (CC 1979 §26-1; Ord. No. A-2692 §1, 3-11-69; Ord. No. A-4064 §1, 6-21-79; Ord. No. A-5270 §§1-2, 7-10-90; Ord. No. A-5734 §I, 6-18-93; Ord. No. A-5751 §1, 8-2-93)

SECTION 705.020: SUPERINTENDENT RESPONSIBLE FOR OPERATING AND MAINTAINING SEWERAGE SYSTEM—ADMINISTERING AND ENFORCING CHAPTER, ETC.

The Superintendent shall be in charge of and shall be responsible for the operation and maintenance of the City sewerage system and shall cooperate with the other officers and representatives of the City in administering, carrying out and enforcing the provisions of this Chapter. The Superintendent shall be responsible for causing to be ascertained the amount of water consumed on all premises receiving sewerage service from the City's sewerage system and the amount of all sewerage service charges becoming due under the provisions of this Chapter, and for causing such charges to be billed to the occupants and owners of the premises served. (CC 1979 §26-2; Ord. No. A-2692 §35, 3-11-69)

SECTION 705.030: RIGHT OF ENTRY OF SUPERINTENDENT AND OTHER CITY EMPLOYEES FOR PURPOSES OF INSPECTION, MEASUREMENT, ETC.

The City shall inspect the facilities of any user to ascertain whether the purpose of this Chapter is being met and all requirements are being complied with. Persons or occupants of premises where wastewater is created or discharged shall allow the City or their representative(s) ready access at any time to all parts of the premises for the purposes of inspection, sampling, records examination and reproductions of records required by this Chapter or the right to set up on the user's property such devices as are necessary to conduct sampling, inspection, compliance monitoring and/or metering operations. Where a user has security measures in force which would require proper identification and clearance before entry into their premises, the user shall make necessary arrangements with their security guards so that upon presentation of suitable identification, control authority personnel will be permitted to enter, without delay, for the purposes of performing their specific responsibilities. (CC 1979 §26-3; Ord. No. A-2692 §16, 3-11-69; Ord. No. A-4064 §4, 6-21-79; Ord. No. A-5734 §II, 6-18-93)

SECTION 705.040: DEPOSIT ON PUBLIC OR PRIVATE PROPERTY OF WASTES REQUIRED TO BE DISCHARGED INTO SANITARY SEWER

It shall be unlawful for any person to place, deposit or permit to be deposited in an insanitary manner upon public or private property within the City or in any area under the jurisdiction of the City any human or animal excrement, garbage or other objectionable waste required by this Chapter to be discharged into a sanitary sewer. (CC 1979 §26-4; Ord. No. A-2692 §4, 3-11-69)

Cross References—As to garbage and refuse generally, see ch. 240 of this code; as to littering generally, see §215.260.

**SECTION 705.050: VIOLATIONS—NOTICE—ABATEMENT OR CORRECTION
GENERALLY**

- A. When the Superintendent shall find that a violation of this Chapter exists, he/she may post a notice upon the property where the violation exists to abate or correct the violation, stating in such notice the time in which the same is to be done, and shall direct a copy of such notice, by certified mail, to the owner at his/her last known address; provided, that if the Superintendent shall find that an emergency exists, he/she may immediately cause the violation to be abated or corrected. If such violation is not corrected within the time specified in such notice, the Superintendent may cause such violation to be abated or corrected.
- B. Whenever the Superintendent shall have caused any violation to be abated or corrected pursuant to this Section, he/she shall certify the costs thereof to the City Council, and the owner of the property on which such violation was abated or corrected shall be civilly liable to the City for the costs of such abatements or correction.
- C. Any proceedings under this Section shall not relieve the owner of any liability for any penalty that may be assessed under Section 705.070. (CC 1979 §26-6; Ord. No. A-2692 §20, 3-11-69)

Cross Reference—As to general penalty for violations of code, see §100.080 of this code.

**SECTION 705.060: VIOLATION NOTICE—AUTHORITY OF SUPERINTENDENT ON
NONCOMPLIANCE WITH NOTICE**

In the event of the continuation of a violation of this Chapter ten (10) days after the notice provided in Section 705.050, the Superintendent may effect the discontinuance of the discharge of sewage from the premises where such violation originated into the City sewers.
(CC 1979 §26-7; Ord. No. A-2692 §21, 3-11-69)

SECTION 705.070: VIOLATIONS—CIVIL LIABILITY OF VIOLATORS TO CITY

Any person violating any of the provisions of this Chapter shall become civilly liable to the City for any expense, loss or damage occasioned the City by reason of such violation.
(CC 1979 §26-8; Ord. No. A-2692 §22, 3-11-69)

ARTICLE II. SEWER CONNECTIONS

GENERALLY

SECTION 705.080: REQUIRED—EXCEPTION

The owner of each house, building or property used for human occupancy, employment, recreation or other purpose, situated in the City and abutting on any street, alley, right of way or easement in which there is located a sanitary sewer of the City is hereby required, at his/her expense, to install suitable toilet facilities therein and to connect such facilities directly with the proper sanitary sewer, in accordance with the provisions of this Chapter, within ninety (90) days after such sewer is so located and after official notice to do so; provided, that such sanitary sewer is within one hundred

(100) feet of the property line; provided further, that in the event there is no sanitary sewer within one hundred (100) feet of the property line, the owner may construct and maintain an adequate septic

tank installation in accordance with standards of the State Department of Health, until such time as a sanitary sewer is available as aforesaid. (CC 1979 §26-9; Ord. No. A-2692 §2, 3-11-69)

SECTION 705.090: APPLICATION FOR SERVICE—ISSUANCE OF PERMIT—PERSONS AUTHORIZED TO MAKE CONNECTIONS

Application for sewerage services to premises not connected with the City's sewerage system shall be made by the occupant or owner of the premises to be served to the Superintendent of such system or to such other person as may be designated by the City Council. Upon the issuance of a written permit to such applicant and the payment of the connection fee prescribed by this Article, such applicant shall be, in the manner prescribed by this Article or other ordinances of the City, connected with the City's sewerage system; provided, that all such work in making such connection shall be done only by employees of the City. (CC 1979 §26-10; Ord. No. A-2692 §36, 3-11-69)

SECTION 705.100: CONSTRUCTION OR MAINTENANCE OF PRIVIES, CESSPOOLS, ETC.

It shall be unlawful to construct or maintain any privy, privy vault, cesspool or other facility, except septic tanks as provided by this Chapter, and then only when permitted by Section 705.080, intended or used for the disposal of sewage or human excrement; provided, that approved type privies may be temporarily erected and maintained on construction sites, with the approval of the Superintendent. (CC 1979 §26-14; Ord. No. A-2692 §3, 3-11-69)

ARTICLE III. EXTENSION OF SEWER LINES

Cross Reference—As to city extension of water and sewer mains and service lines outside the city, see §700.025.

SECTION 705.110: DEFINITIONS

For the purposes of this Article, the following words and phrases shall have the meanings respectively ascribed to them by this Section:

APPLICANT: Any person, firm, corporation or other association of persons who shall make application to the City to extend any sewer main or lateral, and any person, firm, corporation or other association of persons who shall make application to the City to tap any main and become a user.

SERVICE LINE: Only that portion of pipe between the tap and the building to be served.

SEWER MAIN OR LATERAL: All pipes of whatever construction heretofore or hereafter constructed and through which the City shall furnish sanitary sewer service to taps and service lines of users, but such term shall not include taps and service lines.

SINGLE USER EXTENSION: The extension to any existing sanitary sewer main for the use of a single user, and to which no other taps or service lines are to be connected.

TAP: Only the coupler by which the service line shall be attached to the sewer main.

USER: Any person, firm, corporation or other association of persons discharging water and waste

material into the sanitary sewer system of the City for personal, domestic or industrial use. (CC 1979 §26-14.1; Ord. No. A-4065 §1, 6-21-79; Ord. No. A-4562 §1, 8-9-84)

SECTION 705.120: PROVISIONS OF ARTICLE TO BE PART OF CONTRACT

The provisions of this Article shall be considered a part of all contracts between any applicant or user and the City providing for the extension of sewer mains or laterals. (CC 1979 §26-14.2; Ord. No. A-4065 §2, 6-21-79; Ord. No. A-4562 §2, 8-9-84)

SECTION 705.130: PIPE SPECIFICATIONS GENERALLY

From and after the effective date of this Article, all sewer mains or laterals constructed for attachment to the City sewer system shall be eight (8) inches in diameter and made of vitrified clay pipe with joints designed to minimize infiltration and to prevent the entrance of roots throughout the life of the system; provided, that if the Superintendent of Utilities shall state in the cost estimate, as hereinafter provided, that it is necessary and in the best interest of the welfare of the residents of the City that a larger main be constructed, such cost estimate shall include the additional cost of construction of such larger main. (CC 1979 §26-14.3; Ord. No. A-4065 §3, 6-21-79; Ord. No. A-4562 §3, 8-9-84)

SECTION 705.140: APPLICATION FOR EXTENSION OF EXISTING MAIN

Any applicant desiring to extend any existing sewer main shall make written application therefor to the City utilities office. Such application shall state the name and address of the applicant, the proposed use of the new sewer line and the location, length, depth and percent of grade of such proposed extension. Such application shall be accompanied by a plat of the addition, subdivision or lot to be served and the plans for such extension, which shall have been approved by the State Department of Natural Resources, when required, and an authorized representative of the City. (CC 1979 §26-14.4; Ord. No. A-4065 §4, 6-21-79; Ord. No. A-4334 §1, 2-10-82; Ord. No. A-4562 §4, 8-9-84)

SECTION 705.150: COMPLETED EXTENSIONS TO BECOME PROPERTY OF CITY

Upon completion of any sewer line extension, such extension shall become and remain the sole property of the City. (CC 1979 §26-14.5; Ord. No. A-4065 §5, 6-21-79; Ord. No. A-4562 §5, 8-9-84)

SECTION 705.160: AWARD OF CONTRACTS

All contracts let for the extension of a sewer line shall be let to such contractor as the City and the applicant may agree upon or, if no such agreement is made, to the lowest and best qualified bidder therefor. (CC 1979 §26-14.6; Ord. No. A-4065 §6, 6-21-79; Ord. No. A-4562 §6, 8-9-84)

SECTION 705.170: LOCATION OF EXTENSION

All extensions of sewer lines shall be located in streets where possible; however, roadways, alleys or other easements existing in favor of the City may be used. Where necessary, rights of way or easements shall be provided to the City at no cost. (CC 1979 §26-14.7; Ord. No. A-4065 §7, 6-21-79; Ord. No. A-4562 §7, 8-9-84)

SECTION 705.180: BARRICADES AND OBSTRUCTIONS

All streets, roads, highways or other public thoroughfares which are closed to traffic while constructing or repairing sewer lines shall be protected by means of effective barricades, on which shall be placed acceptable warning signs. Barricades shall also be located at the nearest intersecting public highway or street on each side of the blocked section. All open trenches and other excavations shall be provided with suitable barriers, signs and lights to the extent that adequate protection is provided to the public. Obstructions, such as material piles and equipment, shall be provided with similar warning lights and signs. All barricades and obstructions shall be illuminated by means of warning lights at night. All lights used for this purpose shall be kept burning from sunset to sunrise. Materials stored upon or alongside public streets and highways shall be so placed, and the work at all times shall be so conducted, as to cause the minimum obstruction and inconvenience to the traveling public. All barricades and light expense will be paid by the contractor. (CC 1979 §26-14.8; Ord. No. A-4065 §8, 6-21-79; Ord. No. A-4562 §8, 8-9-84)

SECTION 705.190: SCORING OF STREET, ETC., SURFACE

All excavation in the streets, highways or alleys shall be done only after the street, highway or alley surface that contains blacktop or concrete is scored on each side of the work for the total distance of the excavation. The scoring shall be limited to and shall not exceed six (6) inches on each side of the width of the excavation and shall be only wide enough to properly perform the necessary work. (CC 1979 §26-14.9; Ord. No. A-4065 §9, 6-21-79; Ord. No. A-4562 §9, 8-9-84)

**SECTION 705.200: CONTROL OF LOCATION, ELEVATION, ETC., OF WORK—
INSPECTION BY CITY REPRESENTATIVE**

- A. The contractor shall furnish competent personnel with work tools, stakes and materials in the establishment of base lines, benchmarks and other basic reference media needed to control the location and elevation of work, the sewer grade to be controlled as near as possible within the range of .40% to 2.5% on all services and a minimum of two and two-tenths (2.2) feet per second flow on sewer mains and laterals. Thereafter, the contractor shall carefully preserve such vertical and horizontal control and shall make and be responsible for all measurements from it to the work to be done.
- B. The City's representative will check "as built" measurements for conformance to drawings and will check pipe alignment and lamp each section of sewer line. The contractor shall reconstruct or correct the same as may be necessary. (CC 1979 §26-14.10; Ord. No. A-4065 §10, 6-21-79; Ord. No. A-4562 §10, 8-9-84)

SECTION 705.210: CLEANUP AND REPAVING

- A. Upon completion of work, the contractor shall remove all equipment, material, excess excavated material, etc., and smooth and regrade the area to conform to existing grade to the satisfaction of the owner and the City representative. All areas are to be reseeded or repaved as may be necessary.

- B. To compute the amount of repaving material, who pays and how much, the square yards of surface measured shall be six (6) inches outside the trench width and along the centerline of the pipe. For the purpose of measurement for payment, all disturbed area shall be computed as total area, and

payment for this amount shall be deposited with the City Collector by the contractor. After trench backfill with granular material, the contractor shall maintain the surface of pavement grade until the permanent pavement is replaced.

- C. All asphalt or blacktop pavement, removed or damaged, shall be replaced with four (4) inches of compacted base aggregate for subgrade and two (2) inches of asphalt. All concrete pavements removed or damaged shall be replaced with four (4) inches of compacted base aggregate for subgrade and a six-inch thick concrete slab of class A concrete reinforced with 0.25% steel by volume. (CC 1979 §26-14.11; Ord. No. A-4065 §11, 6-21-79; Ord. No. A-4562 §11, 8-9-84)

SECTION 705.220: MANHOLES

- A. Manholes shall be four (4) feet in diameter for twenty-one (21) inch and smaller pipe and shall include the foundation, invert, precast sections, tapered top section, manhole frame and cover and necessary steps.
- B. After the manhole has been installed with proper invert channels in the base and the mortar has thoroughly cured, but before backfilling is started, the outside and interior surface of each manhole shall be painted with one heavy coat of coal tar paint. Surfaces to receive paint shall be dry.
- C. At the option of the contractor, standard manholes shall be constructed of precast concrete sections or cast-in-place concrete.
- D. Manholes shall be installed at the end of each line, at all changes in grade, size and alignment, at all intersections and at distances not greater than four hundred (400) feet, except by written permission from the Superintendent of Utilities.
- E. Drop manholes shall be used for a sewer entering a manhole twelve (12) inches or more above the manhole invert. Where the difference in elevation between the incoming sewer and the manhole invert is less than twelve (12) inches, the invert should be filled to prevent solids deposition. Drop manholes should be constructed with outside drop connections. Due to the unequal earth pressures that would result from the backfilling operation in the vicinity of the manhole, the entire outside drop connection shall be encased in concrete.
- F. The flow channel through manholes shall/should be made to conform in shape and slope to that of the sewer.
- G. Inlet and outlet pipes shall be joined to the manhole with gasketed, flexible, watertight connections or any watertight connection arrangement that allows differential settlement of the pipe and manhole to take place. (CC 1979 §26-14.12; Ord. No. A-4065 §12, 6-21-79; Ord. No. A-4562 §12, 8-9-84)

SECTION 705.230: COMPACTING OF FILL MATERIAL

All fill material placed in structural fills or embankments shall be uniformly compacted to not less than ninety-five percent (95%) of the maximum density at optimum moisture content, unless otherwise noted. (CC 1979 §26-14.13; Ord. No. A-4065 §13, 6-21-79; Ord. No. A-4562 §13, 8-9-84)

SECTION 705.240: TRENCH BOTTOMS

- A. Trench bottoms shall be accurately graded to provide uniform bearing and support for the pipe barrel between bell holes. When the trench bottom is of proper character, such as uncemented granular material or other natural bedding material, and uniform shaping can be executed, foreign bedding material will not be required, except as stated elsewhere. When trench bottom materials will not allow uniform bearing for the entire pipe length, the excavation shall be carried to a depth sufficient to allow a depth of three (3) inches to six (6) inches for the bedding material, as specified herein, to be placed under the pipe and to extend upward to fifty percent (50%) of the pipe diameter. Foreign bedding shall be five-eighths (5/8) inch or less crushed rock.
- B. Concrete or well-graded granular material (bedding classes A, B or C, as described in ASTM C12-74 or WPCP Map No. 9) shall be used for all rigid pipe; provided, that the proper strength pipe is used with the specified bedding to support the anticipated load.
- C. Concrete or well-graded granular material, bedding class I, II or III, as described in ASTM D2321-74, shall be used for all flexible pipe; provided, that the proper strength pipe is used with the specified bedding to support the anticipated load. (CC 1979 §26-14.14; Ord. No. A-4065 §14, 6-21-79; Ord. No. A-4562 §14, 8-9-84)

SECTION 705.250: GENERAL SPECIFICATIONS FOR SERVICE LINES

From and after the effective date of this Article, all sewer service lines constructed for attachment to the City sewer system shall be of at least four (4) inch vitrified clay pipe, with joints designed to minimize infiltration and to prevent the entrance of roots throughout the life of the system, on all public property and easements and by all means in areas of heavy traffic such as streets, alleys and driveways. (CC 1979 §26-14.15; Ord. No. A-4065 §15, 6-21-79; Ord. No. A-4562 §15, 8-9-84)

SECTION 705.260: FLEXIBLE PIPE

- A. Flexible type pipe may be used in other than public property, provided the proper strength pipe is used with specified bedding to support the anticipated load. The specified bedding is concrete or well-graded granular material (class I, II or III as described in ASTM D2321-74).
- B. Deflection tests shall be performed on all flexible pipe. The tests shall be run not less than thirty (30) days after final backfill has been in place. The deflection shall not exceed five percent (5%). The deflection test is to be run using a rigid ball or mandrels or equivalent and shall have diameters equal to ninety-five percent (95%) of the inside diameter of the pipe. The tests shall be performed without mechanical pulling devices. The flexible type pipe shall be of the design to minimize infiltration and to prevent the entrance of roots throughout the life of the system. (CC 1979 §26-14.16; Ord. No. A-4562 §16, 8-9-84)

SECTION 705.270: LEAKAGE TESTS

Leakage tests shall be made on all types of sewers. These tests shall be made with low pressure air and shall be performed under the following limitations:

The low pressure air test is conducted by plugging each opening in the reach of pipe to be tested. One of the plugs provided must have an inlet tap for connecting an air hose. After connecting the

air control equipment to the air hose, monitor the air pressure so that the internal pressure does not exceed 5.0 PSIG. After reaching 4.0 PSIG, throttle the air supply to maintain 3.5 and 4.0 PSIG for at least two (2) minutes in order to allow equilibrium. Decrease pressure to 3.5 PSIG and begin timing. If the time in seconds for the air pressure to drop to 2.5 PSIG is greater than the following chart, the pipe is presumed to be free of defects:

Pipe Size	Time
6 inches	2 minutes 55 seconds
8 inches	3 minutes 57 seconds
10 inches	4 minutes 43 seconds
12 inches	5 minutes 40 seconds
15 inches	7 minutes 5 seconds
18 inches	8 minutes 30 seconds
21 inches	9 minutes 50 seconds
24 inches	11 minutes 20 seconds
27 inches	12 minutes 45 seconds
30 inches	14 minutes 10 seconds
36 inches	17 minutes 00 seconds
42 inches	19 minutes 50 seconds
48 inches	22 minutes 40 seconds

(CC 1979 §26-14.17; Ord. No. A-4562 §17, 8-9-84)

SECTION 705.280: DETERMINATION OF GROUND WATER LEVEL AND PRESSURE ADJUSTMENT

In areas where ground water is known to exist, the contractor shall install a one-half (½) inch capped pipe nipple approximately ten (10) inches long, through the manhole wall on top of one of the sewer lines entering the manhole. This shall be done at the time the sewer line is installed. Immediately prior to the performance of the line acceptance test, the ground water level shall be determined by removing the pipe cap, blowing air through the pipe nipple to be sure the nipple is clear and connecting a hose to the nipple. The hose shall be raised vertically to determine water level. The height in feet will then be divided by 2.31 to establish the pounds of pressure that will be added to all readings. (CC 1979 §26-14.18; Ord. No. A-4562 §18, 8-9-84)

SECTION 705.290: COVER REQUIREMENTS FOR SEWERS ENTERING OR CROSSING STREAMS, ETC.

When sewers are entering or crossing streams, drainage courses or roadway ditches, the top of the pipe shall be at a sufficient depth below the natural bottom of the stream or course bed to protect the sewer line. In general, the following cover requirements must be met: One (1) foot of cover is required where the sewer is located in rock; three (3) feet of cover is required in other material; in major streams, more than three (3) feet of cover may be required; in paved stream channels, the top of the sewer line should be placed below the bottom of the channel pavement. Any other channel variations or depth must be approved in writing by the Superintendent of Utilities. (CC 1979 §26-14.19; Ord. No. A-4562 §19, 8-9-84)

SECTION 705.300: LOCATION OF SEWERS TO BE REMOVED FROM STREAM BEDS

Sewers located along streams shall be located outside of the stream bed and sufficiently removed therefrom to provide for future possible stream widening and prevent pollution by siltation during construction. (CC 1979 §26-14.20; Ord. No. A-4562 §20, 8-9-84)

SECTION 705.310: LOCATION OF SEWER OUTFALLS, MANHOLES, ETC., IN RELATION TO STREAMS

The sewer outfalls, manholes or other structures shall be so located that they do not interfere with the free discharge of flood flows of the stream. (CC 1979 §26-14.21; Ord. No. A-4562 §21, 8-9-84)

SECTION 705.320: DITCH CHECKS

Where trenches are dug in or across roadway ditches or other watercourses, and the slope of the ditch exceeds one percent (1%), suitable ditch checks shall be installed. Ditch checks may be of creosoted lumber, stone or concrete. In any case the ditch checks shall extend not less than two (2) feet below the original ditch or watercourse bottom for the full bottom width and not less than eighteen (18) inches into the side slopes thereof. (CC 1979 §26-14.22; Ord. No. A-4562 §22, 8-9-84)

SECTION 705.330: CONSTRUCTION SPECIFICATIONS FOR SEWERS ENTERING OR CROSSING WATERCOURSES

Sewers entering or crossing ditches or other watercourses shall be constructed of ductile iron pipe with mechanical joints and shall be so constructed that they will remain watertight and free from changes in alignment or grade. Material used to backfill the trench shall be stone, coarse aggregate, washed gravel or other materials which will not cause siltation. These backfill materials maybe used after proper bedding and pipecover. All crossings with ductile iron pipe shall extend at least three (3) feet into the slope on each side of the ditch or watercourse. (CC 1979 §26-14.23; Ord. No. A-4562 §23, 8-9-84)

SECTION 705.340: PROHIBITED CONNECTIONS BETWEEN SEWERS AND POTABLE WATER SUPPLIES

There shall be no connections between a public or private potable water supply and a sewer or appurtenance which would permit the passage of any sewage or polluted water into the potable supply. No waterpipe shall pass through or come in contact with any part of a sewer manhole. Sewers shall meet the requirements of 10 CSR60-2.010 with respect to minimum distances from public water supply wells or other water supply sources and structures. (CC 1979 §26-14.24; Ord. No. A-4562 §24, 8-9-84)

SECTION 705.350: MINIMUM DISTANCES BETWEEN SEWER MAINS AND WATER MAINS

Sewer mains shall be laid at least ten (10) feet horizontally from any existing or proposed water main, and/or the water main must be at least eighteen (18) inches above the top of the sewer. In

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cases where it is not practical to maintain the above distances, a variance may be granted in writing by the Superintendent of Utilities. (CC 1979 §26-14.25; Ord. No. A-4562 §25, 8-9-84)

SECTION 705.360: CONDITIONS NOT LISTED IN ARTICLE

Any conditions not listed in this Article must meet all rules and regulations of the State Department of Natural Resources and the Federal Environmental Protection Agency. The Water Pollution Control Federation Manual Practice #9 shall be followed relative to detailed instructions for all sanitary and storm sewers. (CC 1979 §26-14.26; Ord. No. A-4562 §26, 8-9-84)

ARTICLE IV. DISCHARGES INTO SEWERAGE

SYSTEM—GENERALLY

SECTION 705.370: METHOD OF DISCHARGING STORM WATER, SURFACE WATER, UNPOLLUTED INDUSTRIAL PROCESS WATER, ETC., GENERALLY

No person shall discharge or cause to be discharged any storm water, surface water, roof runoff, ground water, subsurface drainage, cooling water or unpolluted industrial process water to any sanitary sewer. Such storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers or to a natural outlet approved by the Superintendent. Industrial cooling water or unpolluted process waters may be discharged, upon approval of the Superintendent, to a storm sewer or natural outlet. (CC 1979 §26-26; Ord. No. A-2692 §§5–6, 3-11-69)

SECTION 705.380: DISCHARGE OF UNTREATED SANITARY SEWAGE, INDUSTRIAL WASTES, ETC., INTO NATURAL OUTLET OR STORM SEWER

It shall be unlawful to discharge into any natural outlet or storm sewer within the City or in any area under the jurisdiction of the City any sanitary sewage, industrial wastes or other polluted waters, except where suitable treatment has been provided in accordance with the provisions of this Article. (CC 1979 §26-27; Ord. No. A-2692 §7, 3-11-69)

SECTION 705.390: GREASE, OIL AND SAND INTERCEPTORS

Grease, oil and sand interceptors shall be provided at the owner's expense when, in the opinion of the Superintendent, 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 shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Superintendent and shall be so located as to be readily and easily accessible for cleaning and inspection. (CC 1979 §26-28; Ord. No. A-2692 §8, 3-11-69)

SECTION 705.400: DISCHARGES OF CERTAIN MATERIALS PROHIBITED

The following materials, substances and wastes shall not be discharged into the City sewers:

B.1. Any liquid or vapor having a temperature higher than one hundred fifty degrees Fahrenheit (150°F), except that in no case shall a user's discharge, alone or in conjunction with other

discharges, cause the POTW's influent to exceed one hundred four degrees Fahrenheit (104°F) or inhibit the biological activity of the POTW.

- B.2. Any water or waste containing fats, wax, grease or oils, whether emulsified or not, in excess of one hundred ppm or 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) (0 and 65°C).
- B.3. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the Superintendent.
- B.4. Wastes having a pH less than 6.0 or greater than 9.5 or otherwise having chemical properties which are hazardous or capable of causing damage to the sewage works or personnel.
- B.5. Any liquids, solids, or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the POTW or to the operation of the POTW, including, but not limited to, wastestreams with a closed cup flashpoint of less than one hundred forty degrees Fahrenheit (140°F) or sixty degrees Centigrade (60°C) using the test methods specified in 40 CFR 261.21.
- B.6. Any solid or viscous material which could cause an obstruction to flow in the sewers or in any way interfere with the treatment process. Examples of such materials include, but are not limited to, ashes, wax, paraffin, cinders, sand, mud, straw, shavings, metal, glass, rags, lint, feathers, tars, plastics, wood and sawdust, paunch manure, hair and fleshings, entrails, lime slurries, grinding compounds, acetylene generation sludge, chemical residues, acid residues, food processing bulk solids, refuse and debris not normally contained in sanitary sewage.
- B.7. Any wastewater in any quantity which, either singularly or by interaction with other pollutants, injures or interferes with any wastewater treatment process, constitutes a hazard to humans or animals, causes the POTW to violate discharge limitations set forth in the POTW's NPDES Permit, creates a toxic effect in the receiving stream of the POTW, causes the POTW to be in non-compliance with sludge use or disposal criteria, guidelines or regulations developed under Section 405 of the Act, or causes non-compliance with any criteria, guidelines or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substance Control Act or State criteria applicable to the sludge management method being used.
- B.8. Any radioactive wastes or isotopes of such half-life or concentration which may exceed limits established by the latest State and Federal regulations and the Superintendent.
- B.9. Any whey.
- B.10. Any corrosive, noxious or malodorous material or substance which, either singly or by reaction with other wastes, is capable of causing damage to the sewage works, creating a public nuisance or hazard or preventing entry into the sewers for maintenance and repair.
- B.11. Any concentrated dye wastes or other wastes which are either highly colored or could become highly colored by reacting with other wastes.

B.12. Any pollutant in any quantity which causes pass through.

B.13. Any waters or wastes having:

- B.13.a. A five (5) day biochemical oxygen demand greater than three hundred (300) parts per million by weight;
- B.13.b. Containing more than three hundred fifty (350) parts per million by weight of suspended solids; or
- B.13.c. Having an average daily flow greater than two percent (2%) of the average sewage flow of the City, shall be subject to the review of the Superintendent.

Where necessary in the opinion of the Superintendent, the owner shall provide, at his/her expense, such preliminary treatment as may be necessary to:

- a. Reduce the biochemical oxygen demand to three hundred parts (300) per million by weight;
- b. Reduce the suspended solids to three hundred and fifty (350) parts per million by weight; or
- c. Control the quantities and rates of discharge of such waters or wastes. Plans, specifications and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the Superintendent and no construction of such facilities shall be commenced until such approvals are obtained in writing.

B.14. Any pollutants, including oxygen demanding pollutants (BOD, etc.) released at a flow rate and/or pollutant concentration which will cause interference to the POTW.

B.15. Any pollutant in a quantity which either singularly or by interaction with other wastes may cause acute worker health and safety problems, create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for maintenance and repair.

B.16. Any wastewater containing petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through.

B.17. Any trucked or hauled pollutants, except at discharge points designated by the Superintendent. (CC 1979 §26-29; Ord. No. A-2692 §9, 3-11-69; Ord. No. A-4064 §2, 6-21-79; Ord. No. A-5734 §III, 6-18-93)

SECTION 705.410: ADMISSION OF CERTAIN WASTES CONTAINING QUANTITIES OF PROHIBITED SUBSTANCES SUBJECT TO APPROVAL—PRELIMINARY TREATMENT OF CERTAIN WASTES

The admission into the sanitary sewers of any polluted waters or industrial wastes containing any quantity of substance having the characteristics described in Sections 705.400 shall be subject to the review and approval of the Superintendent. Where necessary, in the opinion of the Superintendent, the owner of the property or premises producing such waste shall provide, at his/her expense, such

preliminary treatment as may be necessary to reduce objectionable characteristics or constituents to within the maximum limits provided for in Sections 705.400 or to control the quantities or rates of

discharge of such water or waters. In no case shall an industrial user be allowed to discharge wastes in violation of applicable pretreatment standards.

Construction drawings, specifications and other pertinent information relating to the proposed preliminary treatment facilities shall be prepared by the owner at his/her expense and shall be submitted for the approval of the Superintendent and the Water Pollution Board of the State, and no construction of such facilities shall be commenced until such approvals are obtained in writing. Construction shall be in accordance with such approved plans.

Where preliminary treatment facilities are provided for any waters or water, they shall be maintained continuously in satisfactory and effective operation by the owner at his/her expense.
(Ord. No. A-5734 §VII, 6-18-93)

SECTION 705.420: MONITORING FACILITIES

The City shall require all significant industrial users to provide at the user's own expense, monitoring facilities that are accessible by the City only, for sampling and flow measurement of the user's discharge to the POTW. The monitoring facility should normally be situated on the user's premises, but the City may, when such a location would be impractical or cause undue hardship on the user, allow the facility to be constructed in the public street or sidewalk area and located so that it will not be obstructed by landscaping or parked vehicles. The sampling facility shall be maintained at all times in a safe and proper operating condition at the expense of the user. Whether constructed on public or private property, the sampling and monitoring facilities shall be provided in accordance with the City's requirements and all applicable local construction standards and specifications. Construction shall be completed within ninety (90) days following written notification by the City.
(Ord. No. A-5734 §VII, 6-18-93)

SECTION 705.430: PERSONS DISCHARGING INDUSTRIAL WASTES, ETC., TO FILE REPORT AND MAINTAIN RECORDS

- A. Every person and establishment known to be discharging industrial wastes or polluted water into the sewers or sewage works of the City, or into any sewer connected therewith, shall file a report with the Superintendent, supplying the following information:
 - A.1. Name and address.
 - A.2. Title of official making such report.
 - A.3. Location of plant.
 - A.4. The nature of the business conducted in such plant.
 - A.5. The volume of industrial waste mixture and sewage discharged by each plant.
 - A.6. The average daily number of employees employed in each plant by shifts.

A.7. The source of water supply of each plant and the volume of water used by each such plant daily, specified separately as to each source.

- A.8. Such additional information as is deemed applicable to ascertain the volume, nature and composition of the industrial waste so discharged.
- B. Every person discharging any industrial waste mixture into the sewers or sewage works of the City or into any sewer connected thereto, shall keep and maintain records of the data required to be furnished by this Section in the questionnaire as defined above. Such records shall be available for inspection during regular business hours by authorized representatives or employees of the City, upon presenting written credentials of their authority, and such representatives or employees shall be permitted to make and retain copies of such records. (CC 1979 §26-34; Ord. No. A-2692 §§14–15, 3-11-69)

**SECTION 705.440: STORAGE OF CERTAIN MATERIALS IN SEWERED AREAS, ETC.,
SUBJECT TO REVIEW BY SUPERINTENDENT**

The storage of any material in sewered areas or in areas draining into a City sewer which, because of discharge or leakage from such storage, may create an explosion hazard in the sewage works or in any other way have a deleterious effect upon these works or treatment processes or constitute a hazard to human beings, animals or the receiving stream shall be subject to review by the Superintendent, who at his/her discretion, may require reasonable safeguards to prevent discharge or leakage of large quantities of such materials into the sewers.
(CC 1979 §26-35; Ord. No. A-2692 §17, 3-11-69)

**SECTION 705.450: ACCIDENTAL DISCHARGES—DEVELOPMENT OF SLUG CONTROL
PLAN**

Each user shall provide protection from accidental discharge of prohibited materials or other substances regulated by this Article. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner's or user's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the City for review, and shall be approved by the City before construction of the facility. All existing users shall complete such a plan by August 1, 1993. No user who commences contribution to the POTW after June 18, 1993 shall be permitted to introduce pollutants into the system until accidental discharge procedures have been approved by the City. Review and approval of such plans and operating procedures shall not relieve the industrial user from the responsibility to modify the user's facility as necessary to meet the requirements of this Section. In the case of an accidental discharge, or any slug loading, it is the responsibility of the user to immediately telephone and notify the POTW of the incident. The notification shall include location of discharge, type of waste, concentration and volume, and corrective actions.

- .1. *Written notice.* Within five (5) days following an accidental discharge, the user shall submit to the Superintendent a detailed written report describing the cause of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage or other liability which may be incurred as a result of damage to the POTW, fish kills or any other damage to person or property; nor shall such notification relieve the user of any fines, civil penalties or other liability which may be imposed by this Chapter or other applicable law.

- .2. *Notice to employees.* A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees whom to call in the event of a dangerous discharge.

Employers shall ensure that all employees who may cause or suffer a dangerous discharge to occur are advised of the emergency notification procedure. (CC 1979 §26-36; Ord. No. A-2692 §18, 3-11-69; Ord. No. A-5734 §IV, 6-18-93)

SYSTEM—

ARTICLE V. DISCHARGES INTO SEWERAGE

PRIVATE WASTE TREATMENT

**SECTION 705.460: REVIEW OF CERTAIN WATERS OR WASTES BY SUPERINTENDENT
—PRELIMINARY TREATMENT BY OWNER OR USER**

Any waters or wastes having:

- .1. A five (5) day biochemical oxygen demand greater than three hundred parts (300) per million by weight;
- .2. Containing more than three hundred fifty (350) parts per million by weight of suspended solids; or
- .3. Having an average daily flow greater than two percent (2%) of the average sewage normal methods of waste treatment, such as, but not limited to, metals and chemicals in excess of those limitations of the Federal Categorical Pretreatment Standards, shall be subject to review by the Superintendent. Where necessary, in the opinion of the Superintendent, the owner and/or user shall provide, at his/her expense, such preliminary treatment as may be necessary to meet all discharge requirements in the times specified. (CC 1979 §26-40; Ord. No. A-4561 §1, 8-9-84)

**SECTION 705.470: DESIGN, CONSTRUCTION AND MAINTENANCE OF PRIVATE
WASTE TREATMENT FACILITIES**

In lieu of introducing untreated or partially treated industrial wastes and polluted waters into the sewers of the City, the owner and/or user of the premises producing such wastes shall construct and operate, at his/her expense private waste treatment facilities. The design and operation of such facilities shall continuously produce an effluent which will not create a public nuisance and shall meet all the requirements of the State Department of Natural Resources, the Federal Environmental Protection Agency and all City ordinances at all times. This shall include compliance with all Federal Categorical Pretreatment Standards within the time limitations as specified by the Federal Pretreatment Regulations as published, or as shall be published in the Federal Registers. Construction drawings, specifications and other pertinent information relating to such proposed treatment facilities shall be prepared by the owner and/or user at his/her expense and shall be submitted to the Superintendent and the State Department of Natural Resources, and no construction of such facilities shall commence until such approvals are obtained in writing. Construction shall be in accordance with such approved plans. The review of such plans and operating procedures will in no way relieve the owner and/or user from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the City. Where such private waste treatment facilities are provided, they shall be maintained continuously in satisfactory and effective operation by the owner and/or user at his/her expense. (CC 1979 §26-41; Ord. No. A-4561 §2, 8-9-84)

SECTION 705.480: CONTROL MANHOLES OR SAMPLING DEVICES

When required by the Superintendent, the owner of any property served by a building sewer carrying industrial wastes shall install a suitable control manhole or acceptable sampling device in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manholes or sampling device, when required, shall be accessible and safely located and shall be constructed in accordance with plans approved by the Superintendent. The manhole or sampling device shall be located on the City side of all pretreatment facilities if pretreatment is needed.
(CC 1979 §26-42; Ord. No. A-4561 §3, 8-9-84)

SECTION 705.490: REPORTING REQUIREMENTS

- A. *Compliance Date Report.* Within ninety (90) days following the date for final compliance with applicable pretreatment standards or, in the case of a new source, following commencement of the introduction of wastewater into the POTW, any user subject to pretreatment standards and requirements shall submit to the Superintendent a report as required by 40 CFR 403.12(d), indicating the nature and concentration of all pollutants in the discharge from the regulated process which are limited by pretreatment standards and requirements and the average and maximum daily flow for these process units in the user facility which are limited by such pretreatment standards or requirements. The report shall state whether the applicable pretreatment standards or requirements are being met on a consistent basis and, if not, what additional O&M and/or pretreatment is necessary to bring the user into compliance with the applicable pretreatment standards or requirements.
- B. *Periodic Compliance Report.*
- B.1. Unless required more frequently in a Wastewater Discharge Permit issued by the City, all significant industrial users (SIUs) shall submit to the Superintendent during the months of June and December a periodic compliance report. The report shall contain the results of sampling and analysis of the discharge, including the flow rate and the nature and concentration, or production and mass where requested by the Superintendent, of pollutants contained therein which are limited by the applicable pretreatment standard. The frequency of sampling and analysis shall be as prescribed in Subsection (3) below. The reporting frequency for any industry may be altered by the Superintendent upon consideration of such factors as actual flow rates and pollutant concentrations, seasonal production schedules, etc.
- B.2. The Superintendent may impose mass limitations on users which are using dilution to meet applicable pretreatment standards, or in other cases where the imposition of mass limitations are appropriate. In such cases, the semi-annual self-monitoring report shall indicate the mass of pollutants regulated by pretreatment standards in the effluent of the user.
- B.3. All significant industrial users (SIUs) shall sample and analyze their wastewater discharge at the frequency stipulated in their Wastewater Discharge Permit. Monitoring shall consist of sampling the discharge and determining the nature and concentration of pollutants contained therein which are limited by the applicable pretreatment standard. Upon promulgation of a national categorical pretreatment standard for a particular industrial category containing more stringent monitoring requirements, the requirements of this Section shall immediately be superseded. The Superintendent shall notify all affected users of the more stringent requirements.

- B.4. Grab samples shall be used for pH, cyanide, total phenols, oil and grease, and sulfide. For all other pollutants, twenty-four hour composite samples shall be obtained through flow-proportional composite sampling techniques where feasible. The Superintendent may waive flow-proportional sampling for any user demonstrating that the use of an automatic sampler is infeasible. In such cases, samples may be obtained through time-proportional sampling composite sampling techniques or through a minimum of four (4) grab samples where the user demonstrates that this will provide a representative sample of the wastewater being discharged.
- B.5. All analyses shall be performed in accordance with procedures established by the Administrator pursuant to Section 304(h) of the Act and contained in 40 CFR, Part 136 and amendments thereto or with any other test procedures approved by the Administrator. Where 40 CFR, Part 136 does not include a sampling or analytical technique for the pollutants in question, or where the Administrator determines that the Part 136 sampling and analytical techniques are inappropriate for the pollutants in question, sampling and analyses shall be performed using validated analytical methods or any other sampling and analytical procedures, including procedures suggested by the Superintendent or other parties, approved by the Administrator.
- B.6. Periodic compliance reports shall contain the results of all sampling and analysis performed by the user during the period covered by the report. If sampling and analysis performed by the user indicates a violation of permit limitations, the user shall notify the POTW within twenty-four (24) hours of becoming aware of the violation. The user shall repeat the sampling and analysis and submit both analyses to the Superintendent within thirty (30) consecutive calendar days after becoming aware of the violation.
- B.7. The periodic compliance reports shall be based upon data obtained through appropriate sampling and analysis as described in Subsections (4) and (5) above, performed during the period covered by the report, which data is representative of conditions occurring during the reporting periods.
- B.8. The periodic compliance report shall state whether the applicable pretreatment standards or requirements are being met on a consistent basis and, if not, what additional O&M and/or pretreatment standards or requirements.
- C. *Signatory Requirements.* The reports required in this Section shall include the certification statement set forth in 40 CFR Part 403.6(a)(2)(ii), and shall be signed as required by 40 CFR Part 403.12 (I).
- D. All industrial users shall notify the POTW in advance of any substantial change in volume or character of pollutants in their discharges, including hazardous wastes.
- E. All industrial users shall notify in writing, the POTW, the State and the U.S. Environmental Protection Agency of any discharge which would be considered a hazardous waste, if disposed of in a different manner.
- F. *Record Keeping Requirements.* All industrial users shall keep records of all information resulting from any monitoring activities required by this Chapter a minimum of three (3) years, or as may be extended by the POTW. (CC 1979 §26-43; Ord. No. A-4561 §4, 8-9-84; Ord. No. A-5734 §IV, 6-18-93)

SECTION 705.500: ARTICLE DEEMED PART OF PERMITS

The provisions of this Article shall be considered a part of all permits issued between the applicant or owner and/or user and the City. (CC 1979 §26-44; Ord. No. A-4561 §5, 8-9-84)

SECTION 705.510: INDUSTRIAL WASTEWATER DISCHARGE PERMIT

- A. All significant users proposing to connect to or to contribute to the POTW shall obtain a Wastewater Discharge Permit before connecting to or contributing to the POTW. All existing significant users connected to or contributing to the POTW shall obtain a wastewater contribution permit within one hundred eighty (180) days after June 15, 1993.
- B. Users required to obtain a Wastewater Discharge Permit shall complete and file with the City an application in the form prescribed by the City and accompanied by a fee of one hundred dollars (\$100.00). Within one hundred eighty (180) days after June 18, 1993, or within one hundred eighty (180) days after a final administrative decision has been made upon a category determination submission under 40 CFR 403.6(a)(4), whichever is later, existing significant users subject to such categorical pretreatment standards and currently discharging to or scheduled to discharge to the POTW shall apply for a Wastewater Discharge Permit. In addition, the user shall be required to submit a baseline monitoring report which contains the information listed in the following Subsections (1–14). Where reports containing this information already have been submitted to the Superintendent, the user may not be required to submit this information again. At least ninety (90) days prior to commencement of a discharge, new sources, or sources that become significant industrial users subsequent to the promulgation of an applicable categorical pretreatment standard, shall be required to submit with an application for Wastewater Discharge Permit, a report which lists the information in Subsections (1–8) and (11–14). New sources shall also be required to include in this report information on the method of pretreatment the source intends to use to meet applicable pretreatment standards. New sources shall give estimates of the information requested in Subsections (3), (4), (5), (8), (11), (12), and (13).
 - B.1. Name, address, and location (if different from the address).
 - B.2. SIC number according to the Standard Industrial Classification Manual, Bureau of the Budget, 1987, as amended.
 - B.3. Wastewater constituents and characteristics, including but not limited to, those mentioned in this Chapter as determined by a reliable analytical laboratory; sampling and analysis shall be performed in accordance with procedures established by the EPA pursuant to Section 304(g) of the act and contained in 40 CFR, Part 136, as amended.
 - B.4. Time and duration of contributions.
 - B.5. Average daily and three-minute peak wastewater flow rates, including daily, monthly and seasonal variations, if any.
 - B.6. Site plans, floor plans, mechanical and plumbing plans and details to show all sewers, sewer connections and appurtenances by the size, location and elevation.

B.7. Description of activities, facilities and plant processes on the premises including all materials which are or could be discharged.

- B.8. Where known, the nature and concentration of any pollutants in the discharge which are limited by any City, State or Federal Pretreatment Standards;
- B.9. A statement regarding whether or not the pretreatment standards are being met on a consistent basis and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required for the user to meet applicable pretreatment standards.
- B.10. If additional pretreatment and/or O&M will be required to meet the pretreatment standards, the shortest schedule by which the user will provide such additional pretreatment. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard. The following conditions shall apply to this schedule:
 - B.10.a. The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (e.g. hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, etc.)
 - B.10.b. No increment referred to in Subsection (A) above, shall exceed nine (9) months.
 - B.10.c. Not later than fourteen (14) days following each date in the schedule and the final date for compliance, the user shall submit a progress report to the Superintendent including, as a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment of progress, the reason for delay, and the steps being taken by the user to return the construction to the schedule established. In no event shall more than nine (9) months elapse between such progress reports to the Superintendent.
- B.11. Each product produced by type, amount, process or processes and rate of production.
- B.12. Type and amount of raw materials processed (average and maximum per day).
- B.13. Number and type of employees, and hours of operation of plant and proposed or actual hours of operation of pretreatment system.
- B.14. Any other information as may be deemed by the City to be necessary to evaluate the permit application.

The City will evaluate the data furnished by the user and may require additional information. After evaluation and acceptance of the data furnished, the City may issue a wastewater contribution permit subject to terms and conditions provided herein.

- C. Within nine (9) months of the promulgation of a national categorical standard, the Wastewater Discharge Permit of users subject to such standards shall be reviewed to require compliance with such standard within the time frame prescribed by such standard. Where a user, subject to a national categorical pretreatment standard, has not previously submitted an application for a Wastewater Discharge Permit as required by Subsection (B) hereof, the user shall apply for a Wastewater Discharge Permit within one hundred eighty (180) days after the promulgation of the applicable national categorical pretreatment standard. In addition, the user with an existing Wastewater Discharge Permit shall submit to the Superintendent within one hundred eighty (180) days after the

promulgation of an applicable national categorical pretreatment standard information required by Subsections (B)(8), (9), and (10), above.

- D. *Permit Conditions.* Wastewater Discharge Permits shall be expressly subject to all provisions of this Chapter and all other applicable regulations, user charges and fees established by the City. Permits will contain the following:
- D.1. Applicable Federal, State and local effluent limits.
 - D.2. Limits on average and maximum rate and time of discharge or requirements for flow regulations and equalization.
 - D.3. Requirements for installation and maintenance of inspection and sampling facilities.
 - D.4. Specifications for monitoring programs which may include sampling, frequency of sampling, number, types and standards for tests and reporting schedule.
 - D.5. Compliance schedules.
 - D.6. Requirements for submission of technical reports or discharge reports (See Section 705.490).
 - D.7. Requirements for maintaining and retaining plant records relating to wastewater discharge as specified by the City, and affording the City access thereto.
 - D.8. Requirements for notification of the City of any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater treatment system, including hazardous wastes.
 - D.9. Requirements for notification of slug discharges.
 - D.10. Other conditions as deemed appropriate by the City to ensure compliance with this Article.
- E. *Permit Duration.* Permits shall be issued for five (5) years. The user shall apply for permit reissuance a minimum of ninety (90) days prior to the expiration of the user's existing permit. The terms and conditions of the permit may be subject to modification by the City during the term of the permit as limitations or requirements are modified or the just cause exists. The user shall be informed of any proposed changes in his/her permit at least thirty (30) days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.
- F. *Permit Transfer.* Wastewater Discharge Permits are issued to a specific user for a specific operation. A Wastewater Discharge Permit shall not be reassigned or transferred or sold to a new owner, new user, different premises or a new or changed operation.
- G. *Suspension of Permit.* The City may suspend the wastewater treatment service and/or wastewater contribution permit when such suspension is necessary, in the opinion of the City, in order to stop an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health or welfare of persons, to the environment, causes interference to the POTW or causes the City to violate any condition of its NPDES Permit.
- G.1. Any person notified of a suspension of the wastewater treatment service and/or the wastewater contribution permit shall immediately stop or eliminate the contribution.

G.2. In the event of a failure of the person to comply voluntarily with the suspension order, the City shall take such steps as deemed necessary, including immediate severance of the sewer

connection, to prevent or minimize damage to the POTW system or endangerment to any individuals.

G.3. The City shall reinstate the wastewater contribution permit and/or the wastewater treatment service upon proof of the elimination of the non-complying discharge.

G.4. A detailed written statement submitted by the user describing the causes of the harmful contribution and the measures taken to prevent any future occurrence shall be submitted to the City within fifteen (15) days of the date of occurrence.

H. *Revocation of Permit.* Any user who violates the following conditions of this Chapter or applicable State and Federal regulations, is subject to having his/her permit revoked:

H.1. Failure of a user to factually report the wastewater constituents and characteristics of his/her discharge;

H.2. Failure of the user to report significant changes in operation, or wastewater constituents and characteristics;

H.3. Refusal of reasonable access to the user's premises for the purpose of inspecting or monitoring;
or

H.4. Violation of conditions of the permit. (CC 1979 §26-45; Ord. No. A-4561 §§6-7, 8-9-84; Ord. No. A-5734 §IV, 6-18-93)

SECTION 705.520: PUBLIC NATURE OF INFORMATION AND DATA OBTAINED FROM OWNER OR USER

Any information or data submitted by a user pursuant to this Chapter may be claimed as confidential by the submitter. Such a claim must be asserted at the time of submission by stamping the words "confidential business information" on each page containing such information. If no claim is made at the time of submission, the City may make the information public without further notice. If a claim is asserted, the information will be treated in accordance with 40 CFR Part 2 (Public Information).

- .1. Effluent data submitted to the City pursuant to this Chapter shall be available to the public without reservation.
- .2. All other information which is submitted to the State or City shall be available to the public at least to the extent provided by 40 CFR 2.302.
- .3. All information and data obtained by the City from industrial user reports, questionnaires, permit applications, permits and monitoring programs, and from inspections shall be available to governmental agencies upon request. (CC 1979 §26-47; Ord. No. A-4561 §9, 8-9-84; Ord. No. A-5734 §VI, 6-18-93)

SECTION 705.530: FEDERAL STANDARDS TO SUPERSEDE LESS STRINGENT CITY DISCHARGE STANDARDS

National categorical pretreatment standards, located in 40 CFR Chapter 1, Subchapter N, Parts

405–471, are hereby incorporated into this Chapter. The national categorical pretreatment standards, if more stringent than limitations imposed in this Chapter for sources in that subcategory, shall immediately supersede the limitations imposed in this Chapter. The Superintendent shall notify all affected users of the applicable reporting requirements under 40 CFR 403.12. (CC 1979 §26-48; Ord. No. A-4561 §10, 8-9-84; Ord. No. A-5734 §III, 6-18-93)

SECTION 705.540: DILUTION AS TREATMENT PROHIBITED

No user shall ever increase the use of process water or in any way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in national categorical pretreatment standards or in any other pollutant-specific limitation developed by the City or State. (Ord. No. A-5734 §III, 6-18-93)

SECTION 705.550: STATE REQUIREMENTS AND LIMITATIONS TO SUPERSEDE LESS STRINGENT FEDERAL AND CITY REGULATIONS

State requirements and limitations on discharges shall apply in any case where they are more stringent than Federal requirements and limitations or those of the City's ordinances. (CC 1979 §26-49; Ord. No. A-4561 §11, 8-9-84)

SECTION 705.560: ADMINISTRATIVE ENFORCEMENT REMEDIES

- A. *Notice of Violation.* Whenever the Superintendent finds that any industrial user has violated or is violating this Chapter, a Wastewater Discharge Permit or order issued hereunder, the Superintendent or his/her agent may serve upon said user written notice of the violation. Within ten (10) days of the receipt date of this notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted to the Superintendent. Submission of this plan in no way relieves the user of liability for any violations occurring before or after receipt of the notice of violation.
- B. *Consent Orders.* The Superintendent is hereby empowered to enter into consent orders, assurances of voluntary compliance, or other similar documents establishing an agreement with the industrial user responsible for the non-compliance. Such orders will include specific action to be taken by the industrial user to correct the non-compliance within a time period also specific by the order. Consent orders shall have the same force and effect as administrative orders issued pursuant to Subsection (D) hereof.
- C. *Show Cause Hearing.* The Superintendent may order any industrial user which causes or contributes to violation of this Chapter or Wastewater Discharge Permit or order issued hereunder, to show cause why a proposed enforcement action should not be taken. Notice shall be served on the user specifying the time and place for the meeting, the proposed enforcement action and the reasons for such action, and a request that the user show cause why this proposed enforcement action should not be taken. The notice of the meeting shall be served personally by registered or certified mail (return receipt requested) at least ten (10) days prior to the hearing. Such notice may be served on any principal executive, general partner or corporate officer. Whether or not a duly notified industrial user appears as noticed, immediate enforcement action may be pursued.

D. *Administrative Order.* When the Superintendent finds that an industrial user has violated or continues to violate the Chapter or a Wastewater Discharge Permit or order issued thereunder,

he/she may issue an order to the industrial user responsible for the discharge directing that, following a specified time period, sewer service shall be discontinued unless adequate treatment facilities, devices, or other related appurtenances have been installed and are properly operated. Orders may also contain such other requirements as might be reasonably necessary and appropriate to address the non-compliance, including the installation of pretreatment technology, additional self-monitoring, and management practices.

E. *Emergency Suspensions.*

E.1. The Superintendent may suspend the wastewater treatment service and/or wastewater permit of an industrial user whenever such suspension is necessary in order to stop an actual or threatened discharge presenting or causing an imminent or substantial endangerment to the health or welfare of persons, the POTW, or the environment.

E.2. Any user notified of a suspension of the wastewater treatment service and/or the wastewater permit shall immediately stop or eliminate its contribution. In the event of a user's failure to immediately comply voluntarily with the suspension order, the Superintendent shall take such steps as deemed necessary, including immediate severance or plugging of the sewer connection or termination of water service to prevent or minimize damage to the POTW, its receiving stream, or endangerment to any individuals. The Superintendent shall allow the user to recommence its discharge when the endangerment has passed, unless the termination proceedings set forth in Section 705.550 are initiated against the user.

E.3. An industrial user which is responsible, in whole or in part, for imminent endangerment shall submit a detailed written statement describing the cause of the harmful contribution and the measures taken to prevent any future occurrence to the Superintendent prior to the date of the hearing described in Subsection (E,2) above. (CC 1979 §26-50; Ord. No. A-4561 §12, 8-9-84; Ord. No. A-5734 §V, 6-18-93)

SECTION 705.570: VIOLATIONS SUBJECTING OWNER OR USER TO PERMIT REVOCATION

Any owner and/or user who violates the following conditions of this Article, or applicable State and Federal regulations, is subject to having his/her permit revoked in accordance with the procedures of this Article:

- .1. Failure of the owner and/or user to factually report the wastewater constituents and characteristics of his/her discharge.
- .2. Failure of the owner and/or user to report significant changes in operations, or wastewater constituents and characteristics.
- .3. Refusal of reasonable access to the premises of the owner and/or user for the purpose of inspection or monitoring.
- .4. Violations of conditions of the permit.
- .5. Refusal to retain records for a minimum of three (3) years.

- .6. Failure of the user to provide prior notification of a new or substantially changed discharge.
(CC 1979 §26-51; Ord. No. A-4561 §13, 8-9-84; Ord. No. A-5734 §IV, 6-18-93)

SECTION 705.580: INJUNCTIVE RELIEF

Whenever an industrial user has violated or continues to violate the provisions of this Chapter, Wastewater Discharge Permit or order issued hereunder, the Superintendent through counsel may petition the Circuit Court of Barry County for the issuance of a preliminary or permanent injunction or both (as may be appropriate) which restrains or compels the activities on the part of the industrial user. The Superintendent shall have such remedies to collect these fees as it has to collect other sewer service charges. (CC 1979 §26-52; Ord. No. A-4561 §§14-17, 8-9-84; Ord. No. A-5734 §V, 6-18-93)

SECTION 705.590: VIOLATIONS—CIVIL LIABILITY—PENALTIES—CONTINUING VIOLATIONS—RECOVERY OF COURT FEES, ETC.

Any person violating any of the provisions of this Article shall become civilly liable to the City for any expense, loss or damage occasioned the City by reason of such violation. The owner and/or user may be fined not more than one thousand dollars (\$1,000.00) for each offense. Each day on which a violation shall occur or continue shall be deemed a separate and distinct offense. In addition to the penalties provided herein, the City may recover reasonable attorney's fees, court costs, court recorder's fees and other expenses of litigation by appropriate suit at law against the person found to have violated this Article or the orders, rules, regulations and permits issued hereunder. (CC 1979 §26-53; Ord. No. A-4561 §18, 8-9-84; Ord. No. A-5957 §1, 7-18-94)

SECTION 705.600: VIOLATIONS—PENALTIES FOR FALSE STATEMENTS, ETC.

Any person who knowingly makes any false statement, representation or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to this Article or the wastewater contribution permit, or who falsifies, tampers with or knowingly renders inaccurate any monitoring device or method required under this Article, shall, upon conviction, be punished by a fine of not more than five hundred dollars (\$500.00) or by confinement for not more than ninety (90) days, or by both. (CC 1979 §26-54; Ord. No. A-4561 §19, 8-9-84)

SECTION 705.610: CITY TO PUBLISH ANNUAL LIST OF NON-COMPLYING USERS

The City shall annually publish in the largest daily newspaper a list of the users which violated at least once during the twelve (12) previous months any of the pretreatment requirements or standards with which users must comply. The notification shall also summarize any enforcement actions taken against the owners and/or users during the same twelve (12) months, pursuant to Section 403.8 (f) (2) VII of the Federal Register. (CC 1979 §26-55; Ord. No. A-4561 §22, 8-9-84; Ord. No. A-5734 §VI, 6-18-93)

ARTICLE VI. CONSTRUCTION OF SEWERS

SECTION 705.620: SPECIFICATIONS FOR CONSTRUCTION OF SEWERS

The specifications contained in Exhibit 1 of Ordinance Number A-6519, which is on file in the City offices, and made a part hereof, shall hereinafter become the standardized specifications for the construction of sewer lines in the City of Monett, Missouri. (Ord. No. A-6519 §1, 6-10-97)

CHAPTER 710: ELECTRICITY

Cross References—As to billing, rates and charges, see ch. 715.

ARTICLE I. IN GENERAL

SECTION 710.010: APPLICABILITY OF CHAPTER

The monthly rates and charges for electric energy supplied by and through the municipal electric system of the City shall be as set forth in this Chapter. All persons to whom such electric energy is supplied and all persons at whose request such electric energy is supplied shall pay for the same at such monthly rates. The delivery of such electric energy shall constitute an agreement of the persons to whom the same is supplied and of the persons at whose request the same is supplied to make payment thereof at the rates and upon the terms and conditions set forth in this Chapter and as set forth in other applicable ordinances of the City (see Chapter 715 as to rates). (CC 1979 §9-13; Ord. No. A-2961 §1, 10-19-70; Ord. No. A-4076 §1, 8-10-79; Ord. No. A-4409 §1, 1-4-83)

SECTION 710.020: REGULATIONS, ETC., CONTAINED IN CHAPTER CONSIDERED PART OF CITY'S CONTRACT WITH CONSUMER

The rates, rules and regulations contained in this Chapter shall constitute and be considered a part of the contract with every person who is supplied with electric current from the electric light system of the City, and every such person, hereinafter called the "consumer," who accepts and uses electric current from the City shall be held to have considered and agreed to be bound thereby. (CC 1979 §9-1; Ord. No. 771 §1, 12-2-24)

SECTION 710.030: MAYOR TO HAVE CHARGE AND CONTROL—EMPLOYMENT OF ASSISTANTS, ETC.

The management and operation of the electric light system and plant of the City shall be under the charge and control of the Mayor, who, subject to the directions of the City Council, shall have full power and authority to superintend, manage and operate the same and, on behalf of the City, to employ such assistants, help and employees as may be necessary to properly and efficiently operate such system and plant. (CC 1979 §9-2; Ord. No. 771 §2, 12-2-24)

Cross Reference—As to mayor generally, see §§115.080—115.140 of this code.

SECTION 710.040: APPLICATION FOR SERVICE—RIGHT OF ENTRY OF SUPERINTENDENT OF UTILITIES FOR INSPECTION, ETC.,— AUTHORITY OF CITY TO SHUT OFF CURRENT

- A. Every person desiring electric current from the City plant or system shall make application therefor, in writing, upon a blank furnished by the City, stating fully the purpose for which the same is required and the length of time desired and the amount of electric current to be used. Every person taking or using electric current from the City shall permit the Superintendent of Utilities, at all

reasonable hours, to enter the premises and buildings for the purpose of inspecting the wires, meters and fixtures therein and to inquire how and the purpose for which the electric current is used.

- B. Every such user, taker or consumer shall be required at all times to correctly answer all questions relative to the electric current consumed in such premises and permit the free access and inspection of the wires, meters and other appliances therein. Any violation of this Section shall be grounds for the immediate discontinuance of electric current in such houses or premises. The City reserves the right to shut off the electric current at any time without notice for the purpose of making repairs or extensions or for any other good reason, and no claim for damages shall be made against the City on account thereof, any permit or regulation to the contrary notwithstanding.
(CC 1979 §9-3; Ord. No. 771 §6, 12-2-24)

SECTION 710.050: CONNECTION OF LIGHTS

When lights are connected to any one service connection, they shall be connected through a meter and be subject to meter rates, and then only one service connection for lights shall be made by each customer or consumer in the same building. (CC 1979 §9-4; Ord. No. 771 §9, 12-2-24)

SECTION 710.060: METERS AND METER DEPOSITS GENERALLY

All meters not purchased or owned by the consumer shall remain the property of the City. Any meter, whether owned by the City or the consumer, may be removed from the consumer's premises at any time without notice for the purpose of testing or repairing the same or for any other proper reason. Meter deposits cannot be sold or transferred or assigned by the consumer, except by consent in writing of the Finance Director, and the City shall keep an accurate account or record of all meter deposits with each consumer, giving the date when paid, the number of the same and the number of amperes and the location of the premises. No interest shall be paid on meter deposits. Any person, having made a meter deposit and desiring to purchase his/her own meter, may have the meter deposit so made applied to the purchase price of the meter so purchased, upon the surrender of the meter deposit receipt to the City. (CC 1979 §9-6; Ord. No. 771 §13, 12-2-24; Ord. No. 7593 §1, 8-22-05)

SECTION 710.070: RESPONSIBILITY FOR DAMAGES TO METERS—TAMPERING, ETC., WITH METERS

All users of electric current shall be held responsible for any damages done to meters installed or used on their premises, except for ordinary wear and unavoidable casualty due to natural elements. The City shall supply and retain ownership of all meters and shall keep the same in repair and proper working condition without cost to the user, except when such user shall be liable for any damage to such meter, in which case the user shall pay the City for the cost of repairing or replacing the meter, and the same shall be charged and collected in the same manner as the charges for electric current. No user or other person shall repair or remove any meter, or break any seal thereon, or tamper or interfere with the registration of any meter. (CC 1979 §9-7; Ord. No. 7593 §1, 8-22-05)

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Electricity

SECTION 710.080: WIRING OF BUILDING BY USER PREREQUISITE TO INSTALLATION OF METER BY CITY—CONNECTIONS TO BE MADE ONLY BY AUTHORIZED REPRESENTATIVES OF CITY

The City shall not install any meter until the user shall have the building wired at his/her own expense, including the loop and all lamps, motors and other current consuming apparatus connected and ready for use. All connections to the City electric system shall be made only by authorized representatives of the City under the supervision and control of the Utilities Superintendent.
(CC 1979 §9-8)

SECTION 710.090: ACCEPTING DELIVERY OF ELECTRIC ENERGY WHICH DOES NOT PASS THROUGH METER—TAMPERING WITH ELECTRIC SYSTEM, ETC.

No person shall accept delivery of electric energy by the City that does not pass through an electric meter installed at or near the point of delivery, and no person shall tamper with any electric line or other part of the electric system of the City or make any connection to such system without written permission from the City, or reconnect service when service has been discontinued for nonpayment of a bill for service. (CC 1979 §9-10; Ord. No. A-2961 §13, 10-19-70; Ord. No. A-4076 §13, 8-10-79; Ord. No. A-4409 §14, 1-4-83)

SECTION 710.100: PRIVATE OUTDOOR LIGHTING SERVICE

The City shall provide private outdoor lighting service (security lights) to customers of the electric distribution system of the City, upon and according to the terms of the schedule on file in the office of the Superintendent of Utilities, upon the further condition that such terms and conditions are subject to modification at any time by the City Council. (CC 1979 §9-12; Ord. No. A-3723 §1, 9-10-76)

ARTICLE II. VIOLATIONS AND PENALTIES

SECTION 710.110: USING OR TAKING ELECTRIC CURRENT FROM CITY WITHOUT PAYING

Any person using or taking electric current from the City without paying therefor when due shall be deemed guilty of a misdemeanor. (CC 1979 §9-14; Ord. No. 771 §1, 12-2-24)

SECTION 710.120: VIOLATIONS AND PENALTIES

The violation of any provision of this Chapter is declared to be a misdemeanor and any person violating any provision of this Chapter shall be punished by a fine of not less than one dollar (\$1.00) or more than one hundred dollars (\$100.00), plus costs for each violation. Each day in which a violation of this Chapter shall continue shall constitute a separate offense. The imposition of a fine

under this Section shall not relieve any person of any liability to the City by reason of the other provisions of this Chapter. (CC 1979 §9-30; Ord. No. A-5140 §4, 8-10-89)

CHAPTER 715: UTILITIES–BILLING, RATES

AND CHARGES

ARTICLE I. GENERAL PROVISIONS

SECTION 715.010: CHAPTER CONSIDERED PART OF CONTRACTS

The provisions of this Chapter shall be considered a part of all contracts between any applicant or user and the City providing for water, sewer or electric energy.

SECTION 715.020: DEFINITIONS

As used in this Chapter, the following words shall have the meanings set out herein:

MONTH OR MONTHLY PERIOD: A preceding period of approximately one (1) month, ending as near the same day of each month as is practicable for the utility meters of the City to be read. In reading such meters and in calculating the water bills, sewerage service charges and electric bills as aforesaid, the monthly period shall extend from the time such meter was read for the preceding month to the date the same is read for a current month.

SECTION 715.030: BILLS FALLING DUE ON SUNDAYS, HOLIDAYS, ETC.

In the event the due date for any utility bill due the City falls on a Sunday, holiday or other day on which the City office is closed, no penalty shall be charged on such bills paid on the following day. (CC 1979 §9-28; Ord. No. A-2784 §1, 10-9-69)

SECTION 715.040: BAD CHECK SERVICE CHARGE

Any person, firm or corporation who gives a check to the City of Monett in payment for services rendered by the City of Monett that is returned by the payee bank for any reason shall be charged a twenty dollar (\$20.00) service charge for said returned check. If said check is not picked up within twenty-four (24) hours after a telephone call is made by the City, then notice shall be given in writing that said check shall be picked up within three (3) days or utility service to the residence or establishment will be discontinued. After this the usual legal procedure shall be followed for collection of the check. (CC 1979 §9-29; Ord. No. A-5140 §3, 8-10-89; Ord. No. A-6752 §1, 10-2-98; Ord. No. 7593 §1, 8-22-05)

ARTICLE II. WATER RATES AND CHARGES

SECTION 715.050: CONNECTION DEPOSITS REQUIRED

- A. *Residential Consumers.* Each person who proposes to purchase water from the City for residential purposes shall, before being connected with the water distribution system of the City, deposit with the City an amount as indicated by the following schedule:

A.1. For consumers within the corporate limits who own the premises at which such water is to be supplied, ten dollars (\$10.00).

- A.2. For consumers within the corporate limits who do not own the premises at which such water is to be supplied, ten dollars (\$10.00).
- A.3. For all consumers outside the corporate limits, ten dollars (\$10.00).
- B. *Non-Residential Consumers.* Each person who proposes to purchase water from the City for other than residential purposes shall, before being connected with the water distribution system of the City, deposit with the City an amount determined by the Superintendent of Utilities to be approximately equal to the charges for water to be purchased by such consumer for one (1) month, based upon the connected load of and the anticipated use of water by such consumer; provided, that in the event it is thereafter determined by the amount of water actually purchased by such consumer that the deposit initially so determined by the Superintendent of Utilities is not approximately equal to the average charge for water purchased by such consumer for one (1) month, the Superintendent of Utilities shall notify such consumer of such additional amount as may be required to cause such deposit to be equal to such average charge, and such consumer shall deposit, as aforesaid, within ten (10) days after such notification, such additional amount; provided further, that in the event any consumer fails to deposit such additional amount within such time, water service to such consumer shall be discontinued.
- C. *Refunds.* Such deposit shall be retained by the City so long as water service is connected to the premises for the consumer making such deposit, and until all charges for water service supplied such consumer have been paid in full, and then shall be refunded to the person making such deposit; provided, that in the event the person making such deposit does not pay for water service provided, such deposit may at any time be applied to all charges for such service, and the balance thereof, if any, refunded to the person making such deposit. (CC 1979 §31-17; Ord. No. A-2963 §§1-3, 10-19-70; Ord. No. 7593 §1, 8-22-05)

SECTION 715.060: TAPS AND SERVICE LINES GENERALLY—APPLICATION FOR INSTALLATION—SERVICE CHARGE

In addition to the deposit requirements established by this Article for the extension of water mains, the applicant, and all other persons wishing to install a three-quarter (3/4) inch tap and service line and become users, shall submit to the Superintendent of Utilities a written application therefor, stating clearly the name and address of the applicant, a plat of the lot to be served by such tap and service line and the proposed use of the water to be delivered. Such application shall be accompanied by a service charge for connecting such tap and service line, computed as follows:

- C.1. If the water main to be tapped is on the same side of the street as the property to be served, the service charge shall be three hundred dollars (\$300.00).
- C.2. If the water main to be tapped is on the opposite side of the street from the property to be served, the service charge shall be five hundred dollars (\$500.00).
3. Irrigation T-tap on existing service line shall be two hundred dollars (\$200.00). (CC 1979 §31-24; Ord. No. A-2055 §23, 9-19-63; Ord. No. A-3770 §23, 2-8-77; Ord. No. 7779, 7-20-07)

SECTION 715.070: PAYMENT OF CHARGES DUE—AUTHORIZATION BY SUPERINTENDENT OF UTILITIES TO TURN ON WATER—AUTHORITY OF PLUMBERS TO TEST WORK—SERVICE DISCONTINUED—PROCEDURE

Water shall not be turned on in any building or service pipe except by order of the Superintendent of Utilities, nor until the applicant shall have paid water rental and service charges due for the current or preceding months, nor until all charges for repairs, if any, have been paid as provided in this Article. No plumber shall leave water turned on into a service line where he/she found the same turned off, and such plumber may turn the same on only to test his/her work. When the water service to any user shall be discontinued by order of the Superintendent of Utilities as provided in this Article, no user shall turn the same on or permit the same to be turned on, without the written consent of the Mayor or by order of the Council. (CC 1979 §31-40)

SECTION 715.080: WATER NOT TO BE FURNISHED ON FLAT RATE BASIS

No water shall be furnished to any user on a flat rate basis. (CC 1979 §31-45)

SECTION 715.090: MONTHLY RATES AND CHARGES

A. *Generally.* The monthly rates and charges for water supplied by and through the municipal water system shall be as set forth in this Section and all persons to whom water is supplied by the City shall make payment for the same at the following monthly rates:

Base rate (includes 2,000 gallons)..... \$12.00

A reduced rate of six dollars (\$6.00) per two thousand (2,000) gallons is available to residential customers sixty-five (65) years of age or older upon application with the City collection office and by showing proof of age.

Next 8,000 gallons..... \$2.15 per 1,000 gallons

Next 90,000 gallons..... \$2.05 per 1,000 gallons

Next 900,000 gallons..... \$1.95 per 1,000 gallons

Next 1,000,000 gallons..... \$1.85 per 1,000 gallons

All over 2,000,000 gallons (per thousand gallons)..... \$1.70

B. *Irrigation Meters.* Monthly rates and charges for water supplied by and through the municipal water system and used for irrigation shall be as set forth in this Section and all persons to whom water is supplied by the City for irrigation purposes shall make payment for the same at the following monthly rates:

Base rate (includes 2,000 gallons)..... \$12.00

A reduced rate of six dollars (\$6.00) per two thousand (2,000) gallons is available to residential customers sixty-five (65) years or older upon application with the City collection office and by showing proof of age.

All over 2,000 gallons \$ 3.00 per 1,000 gallons

C. *Bulk Water.* Water supplied in bulk by the City through a metered fire hydrant or from the City reservoir shall make payment for the same at the following rates:

Minimum charge (includes 3,000 gallons)..... \$30.00

All in excess of 3,000 gallons..... \$ 8.00 per 1,000 gallons

D. *Minimum Charges.* Notwithstanding the provisions of Subsection (A) of this Section, each person to whom water is supplied by the City shall pay a minimum monthly charge for having such service available, which charge shall be determined by the size of the water meter through which such service is available and shall be as follows:

5/8 inch meter to 2 inch meter \$ 10.00 per month

A reduced rate of five dollars (\$5.00) per month is available to residential customers sixty-five (65) years of age or older upon application with the City collection office and by showing proof of age.

3 inch meter..... \$15.00 per month

4 inch meter..... \$25.00 per month

6 inch meter..... \$50.00 per month

8 inch meter..... \$75.00 per month

Such minimum monthly charges shall be due regardless of the amount of water supplied by the City but shall be credited against the monthly charge for the amount of water supplied by the City.

E. *Billings And Collections Generally.* Such charges for water supplied by the City shall be made, billed and collected as prescribed by this Chapter and other applicable ordinances of the City.

F. *Additional Charge For Consumers Outside The City.* Nothing in this Section shall be construed to repeal the twenty percent (20%) additional charge made for all water supplied by the City to consumers outside the City. Charges for water supplied by the City to consumers outside the corporate limits shall be the charges that would be charged for the same quantity of water supplied in the same period of time to consumers in the City plus twenty percent (20%) of such charges. (CC 1979 §31-46; Ord. No. 775 §25, 12-2-24; Ord. No. A-911 §§1,2, 7-23-46; Ord. No. A-1428 §1, 3-8-55; Ord. No. A-2201 §1, 2-17-65; Ord. No. A-2960 §1, 10-19-70; Ord. No. A-4077 §1, 8-10-79; Ord. No. A-4759 §1, 5-9-86; Ord. No. A-5329 §1, 12-24-90; Ord. No. A-5974 §1, 8-10-94; Ord. No. A-6810 §1, 3-31-99; Ord. No. A-6811, 3-31-99; Ord. No. 7684, 8-23-06; Ord. No. 7928, 5-20-09)

SECTION 715.100: MULTIPLE CONNECTIONS TO SINGLE METER

One (1) meter must be set to control the supply of water for each building, whether or not such buildings are owned by the same person. Where one (1) or more buildings are served by one (1) meter, the Utilities Superintendent may, whenever in his/her judgment the interests of the City are

best served, order the property owner to install a meter at each building, but each building or family supplied shall pay at least a minimum water rate per month. (CC 1979 §31-47; Ord. No. 775 §27, 12-2-24; Ord. No. A-693 §§1,2, 3-31-42)

SECTION 715.110: READING OF METERS AND BILLING

The City shall begin reading meters on the first (1st) day of each month to determine the amount of water passing through any meter since the last reading thereof. When such meters shall have been read, the Utilities Superintendent shall submit to the Billing Clerk a statement of all accounts, with the meter readings for each meter subscribed thereon. The Billing Clerk shall then bill each user by mailing to him/her at the address shown in the records of the City a statement for water service provided. (CC 1979 §31-48; Ord. No. 7593 §1, 8-22-05)

SECTION 715.120: DELINQUENT MONTHLY CHARGES FOR NON-INDUSTRIAL SERVICE—GENERALLY

The monthly charges due the City for water service, except industrial water service, shall be delinquent on the fifth (5th) business day of the month following the month during which such water service was rendered. Monthly charges shall be considered paid upon processing and posting of payment by the City of Monett or its authorized agent. The United States postmark date will not be considered processing or posting of payment by the City of Monett. An additional penalty of ten percent (10%) of such charges becoming delinquent shall be added on the fourth (4th) business day after the due date. (CC 1979 §31-49; Ord. No. A-2527 §2, 5-9-68; Ord. No. 7631 §1, 12-20-05; Ord. No. 7809, 12-12-07)

SECTION 715.130: NON-INDUSTRIAL SERVICE—DISCONTINUANCE OF SERVICE—WHEN

In the event the monthly charges due the City for water service, except industrial water service, shall remain unpaid after five (5) days following the due date, the Utilities Superintendent is authorized to discontinue water service to the consumer whose charges for such services are not so paid. (CC 1979 §31-50; Ord. No. A-2527 §3, 5-9-68)

SECTION 715.140: NON-INDUSTRIAL SERVICE—RESTORATION OF DISCONTINUED SERVICE

In the event water service, except industrial water service, is discontinued to a consumer by reason of non-payment for such service, such service shall be restored only upon the payment of twenty-five dollars (\$25.00) for such restoration, if made between the hours of 8:00 A.M. and 4:00 P.M. Monday through Friday, or upon the payment of fifty dollars (\$50.00) for such restoration, if made between the hours of 4:00 P.M. and 10:00 P.M. Monday through Friday, or upon the payment of one hundred dollars (\$100.00) for such restoration, if made anytime between the hours of 10:00 P.M. and 8:00 A.M. Monday through Friday, or on any Saturday, Sunday or holiday of the City, and such service shall not be restored until such delinquent charges are paid in full. (CC 1979 §31-51; Ord. No. A-2527 §4, 5-9-68; Ord. No. 7809, 12-12-07)

SECTION 715.150: DELINQUENT MONTHLY CHARGES FOR INDUSTRIAL WATER SERVICE—GENERALLY

The monthly charges due the City for industrial water service shall be delinquent on the twentieth (20th) day of the month following the month during which such water service was rendered, and an additional charge of ten percent (10%) of such charges becoming delinquent shall be added to such charges. (CC 1979 §31-51.1; Ord. No. A-4622 §1, 1-10-85; Ord. No. A-4718 §1, 12-6-85; Ord. No. 7809, 12-12-07)

SECTION 715.160: INDUSTRIAL SERVICE—DISCONTINUANCE OF SERVICE FOR NONPAYMENT

In the event the monthly charges due the City for industrial water service shall not be paid by the last day of the month following the month during which such water service was rendered, the Utilities Superintendent is authorized to discontinue water service to the consumer whose charges for such service are not so paid. (CC 1979 §31-51.2; Ord. No. A-4622 §2, 1-10-85)

SECTION 715.170: INDUSTRIAL SERVICE—RESTORATION OF DISCONTINUED SERVICE

In the event water service of industrial accounts is discontinued by reason of non-payment for such service as herein provided, such service shall be restored only upon the payment of twenty-five dollars (\$25.00) for such restoration, if made between the hours of 8:00 A.M. and 4:00 P.M. Monday through Friday, or upon the payment of fifty dollars (\$50.00) for such restoration, if made between the hours of 4:00 P.M. and 10:00 P.M. Monday through Friday, or upon the payment of one hundred dollars (\$100.00) for such restoration, if made anytime between the hours of 10:00 P.M. and 8:00 A.M. Monday through Friday, or on any Saturday, Sunday or holiday of the City, and such service shall not be restored until such delinquent charges are paid in full. (CC 1979 §31-51.3; Ord. No. A-4622 §3, 1-10-85; Ord. No. 7809, 12-12-07)

SECTION 715.180: TESTING OF METERS AND CORRECTION OF BILLS

Any meter may be removed by the City for inspection and testing. In the event a meter is found to be functioning at more or less than two percent (2%) from normal, the City shall recompute all

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water bills for the preceding three (3) months resulting from the readings from such meter, and if the user shall have paid more or less than the amount due for actual water used, such amount shall be charged or credited on his/her next water bill or refunded. A variation of less than two percent (2%) will not be considered. (CC 1979 §31-53)

ARTICLE II. SEWER RATES AND CHARGES

SECTION 715.190: CONNECTIONS TO BE MADE BY CITY—CONDITIONS FOR CONNECTIONS GENERALLY

- A. No person shall tap a sewer main or line of the City, other than an employee of the City.
- B. Upon application, the City shall tap a sewer line for use, upon the following conditions:
 - B.1. A ditch from the premises to be served to the line to be tapped shall be dug and opened by a plumber licensed by the City or some other person contracted by the licensed plumber to install service and, if applicable, that such plumber has obtained the necessary permit to dig and open such ditch in a street or alley.
 - B.2. The payment of a fee of thirty dollars (\$30.00) to the City at the time of permit application.
 - B.3. For such payment, the City shall tap the line and install a sewer tap saddle.
 - B.4. All responsibility for digging and opening the ditch and closing the same and connecting to the tap shall be upon the plumber granted permission to make such tap.
(CC 1979 §26-11; Ord. No A-3761 §§1,2, 1-7-77)

SECTION 715.200: CONNECTION CHARGES FOR CONNECTIONS TO CERTAIN SEWERS —SEWERS CONSTRUCTED WITH PROCEEDS FROM BOND ISSUE

There is hereby established a fee of two hundred dollars (\$200.00) for any sewer connection made to a sewer main constructed with the proceeds of the sewer bonds issued by the City in 1959, which fee shall be additional to the connection charge required by Section 715.190. Such fee shall be credited to the General Fund of the City. (CC 1979 §26-12; Ord. No. A-1925 §1, 6-8-62)

SECTION 715.210: ADDITIONAL CONNECTION CHARGES FOR CONNECTIONS TO CERTAIN SEWERS—SEWERS CONSTRUCTED WITH PROCEEDS FROM 1970 BOND ISSUE

- A. There is hereby prescribed a charge, determined as set forth in this Section, for connecting to any of the sewers constructed in whole or in part from the proceeds of bonds authorized by the City at an election held June 23, 1970, for the purpose of serving real property not included in and lawfully assessed in a special assessment sewer lateral district.

- B. Such charge shall be the number of square feet in the entire contiguous tract of real property to be served owned by the same owner and located within one hundred fifty (150) feet, excluding streets and alleys, of the nearest point of such sewer, times the average charge per square foot in all of such

special assessment districts so formed; i.e., \$.052701 per square foot or one thousand dollars (\$1,000.00), whichever is greater.

- C. Such charge shall be in addition to the normal sewer connection fee established by the City.
- D. No person shall connect to a sewer so constructed without the express written consent of the Superintendent of Utilities.
- E. No person shall connect to a sewer so constructed until such charge has been paid to the City Treasurer.
- F. All such charges paid to the City shall be credited to the bond fund for the repayment of the general obligation bonds authorized at such election.
- G. In the event a connection is made in violation of this Section, the person making or causing such connection to be made shall, within five (5) days after receiving notice to do so, disconnect and terminate such connection. Such notice may be given by delivering a copy of the same to the person in charge of the property to be served or to the owner of such property, or by mailing the same by certified mail to the last known address of the owner of such property.
(CC 1979 §26-13; Ord. No. A-3835A §§1-7, 7-8-77)

SECTION 715.220: ASSESSED AGAINST PROPERTY CONNECTED WITH OR DISCHARGING INTO SANITARY SEWERAGE SYSTEM

There are hereby assessed against, and the City shall collect, sewerage service charges for use and services rendered by the sanitary sewer system of the City from the owners or occupants of each lot, parcel of real estate or building which is connected with the sanitary sewerage system of the City or which discharges sanitary sewage, industrial wastes, water or other liquids, either directly or indirectly, into the sanitary sewerage system of the City. (CC 1979 §26-15; Ord. No. A-2692 §23, 3-11-69; Ord. No. A-4078 §1, 8-10-79)

SECTION 715.230: ESTABLISHMENT OF "OPERATION AND MAINTENANCE" AND "REPLACEMENT" ACCOUNTS

- A. That portion of the total user charge collected which is designated for operation and maintenance, including replacement purposes as established in Section 715.260, shall be deposited in separate non-lapsing funds known as the Operation, Maintenance, and Replacement Fund, and will be kept in two (2) primary accounts as follows:
 - A.1. An account designated for the specific purposes of defraying operation and maintenance costs (excluding replacement) of the treatment works (Operation and Maintenance Account).
 - A.2. An account designated for the specific purpose of ensuring replacement needs over the useful life of the treatment works (Replacement Account). Deposits in the replacement account shall be made at least annually from the operation, maintenance and replacement revenue in the amount of forty-five thousand five hundred dollars (\$45,500.00) annually. (Reference is made to Section 705.290 of this Chapter.)

- B. Fiscal year-end balances in the Operation and Maintenance Account and the Replacement Account shall be carried over to the same accounts in the subsequent fiscal year, and shall be used for no

other purposes than those designated for these accounts. Monies which have been transferred from other sources to meet temporary shortages in the Operation, Maintenance, and Replacement Fund shall be returned to their respective accounts upon appropriate adjustments of the user charge rates for operation, maintenance, and replacement. The user charge rate shall be adjusted such that the transferred monies will be returned to their respective accounts within the fiscal year following the fiscal year in which the monies were borrowed. (Ord. No. A-5751 §26-15.1, 8-2-93)

SECTION 715.240: ASSESSED AGAINST PROPERTY WHICH SHOULD BE CONNECTED WITH AVAILABLE SANITARY SEWER

After August 1, 1979, there are hereby assessed against, and the City shall collect, sewerage service charges for having available the use and services to be rendered by the sanitary sewerage system of the City, from the owners or occupants of each lot, parcel of real estate or building which should be connected with the sanitary sewerage system of the City under the provisions of Section 705.080. (CC 1979 §26-16; Ord. No. A-2692 §24, 3-11-69; Ord. No. A-4078 §2, 8-10-79)

SECTION 715.250: CHARGES DECLARED NECESSARY AND ADEQUATE

The City Council hereby finds and determines that the rates, fees and charges for the use and services or availability of the use and services of the sanitary sewerage system of the City will be necessary and adequate to provide for the maintenance, operation and improvement of such sanitary sewerage system as are hereinafter specified. (CC 1979 §26-17; Ord. No. A-2692 §25, 3-11-69; Ord. No. A-4078 §3, 8-10-79)

**SECTION 715.260: RATES BASED ON QUANTITY AND QUALITY OF WATER USED—
RATE SCHEDULE**

(Reference is made to Section 715.280 of this Chapter). The monthly rates required and which shall be charged and collected by the City for sewerage service furnished or available by the City's sanitary sewer system shall be based upon the quantity and quality of water used, and shall be measured by the water meter or meters installed on the premises served or for which service is available; such charges shall be as follows:

- .1. For each single-family residence or other residential unit served by a single meter which serves only one (1) single-family residence or other residential unit, a monthly charge at the rate of ten dollars (\$10.00) minimum charge plus one dollar ninety-seven cents (\$1.97) per one thousand (1,000) gallons in excess of the first two thousand (2,000) gallons on a monthly water bill to the City.
- .2. For each residential unit served by a single water meter which serves more than one (1) single-family residence or other residential unit, a monthly charge at the rate of ten dollars (\$10.00) minimum charge plus one dollar ninety-seven cents (\$1.97) per one thousand (1,000) gallons in excess of the first two thousand (2,000) gallons on a monthly water bill to the City per single-family residence or other residential unit so served.
- .3. For all other users or persons for whom service is available, a monthly rate of ten dollars (\$10.00) minimum charge plus one dollar ninety-seven cents (\$1.97) per one thousand (1,000)

gallons in excess of the first two thousand (2,000) gallons on a monthly water bill to the City based on "normal sewage organic" strength. *Normal sewage* shall mean sewage which

contains not over three hundred (300) parts per million or five (5) day biochemical oxygen demand by weight and not over three hundred fifty (350) parts per million by weight of suspended solids, and which does not contain in excess of the allowable amounts specified in any of the materials or substances listed in this Chapter.

4. Any business establishment, industry or other user discharging a waste or fluid into the City's sewerage system which exceeds the "normal sewage" strength will be charged, in addition to the above sewerage service, a surcharge based on samples tested under the provisions of Section 9 of Ordinance No. A-3982 and calculated under the following formula:

$$A(B) + C(D) = T_c$$

A = operation and maintenance costs for treatment of one pound of B.O.D.

B = pounds of B.O.D. from user above normal sewage level.

C = operation and maintenance costs for treatment of one pound of suspended solids.

D = pounds of suspended solids from user above normal sewage level.

T_c = total surcharge.

Such service surcharge by the City shall be made, billed and collected as prescribed by this Section and other applicable ordinances of the City now in force and hereafter enacted.

5. For parties connected with the City's sewerage system and obtaining water from sources other than the City's water system, the sewerage service charges shall be on the basis and at the rates set forth above, the applicable rate being applied to what would be the bill of the City for the total amount of water furnished the user from all sources as measured by a metering plan which shall have been approved by the Superintendent for the City. (CC 1979 §26-18; Ord. No. A-2692 §26, 3-11-69; Ord. No. A-4078 §4, 8-10-79; Ord. No. A-5271 §1, 7-10-90; Ord. No. A-5751 §16-18 (Item No. 3) 8-2-93; Ord. No. A-6816 §1, 3-31-99; Ord. No. A-6817 §1, 3-31-99; Ord. No. A-7123 §1, 2-25-02; Ord. No. A-7290 §1, 3-7-03; Ord. No. 7929, 5-20-09)

Editor's Note—Ordinance no. A-3982, adopted August 24, 1978, provides for industrial cost recovery in connection with waste treatment facilities constructed under E.P.A. Project No. C-290524. Such ordinance has not been included in this volume but rather has been saved from repeal by the ordinance adopting this codification. A copy thereof may be found on file in the office of the superintendent of utilities.

SECTION 715.270: CITY TO REVIEW USER CHARGE SYSTEM ANNUALLY

- A. The City will review the user charge system annually and revise user charge rates as necessary to ensure that the system generates adequate revenues to pay the costs of operation and maintenance including replacement, and that the system continues to provide for the proportional distribution of operation and maintenance, including replacement costs among users and user classes.

- B. The City will notify each user at least annually, in conjunction with a regular bill, of the rate being charged for operation and maintenance, including replacement of the treatment works.
 (Ord. No. 5751 §26-18.1, 8-2-93)

SECTION 715.280: USER CHARGE AND SURCHARGE CALCULATION METHODOLOGY

This Section presents the methodology to be used in calculating user charge rates and surcharges and illustrates the calculations followed in arriving at the first (1st) year's user charges and surcharges. The unit costs established in this Section are based on estimates of expenses and loadings. The actual expenses and loadings that occur may differ from these estimates and certainly they will change as time passes. Therefore, the unit costs must be re-established whenever necessary to reflect actual expenses and loadings. Once the system is in use, the expenses and loadings can be determined from operating records and the unit costs can be adjusted based on these figures.

- B.1. *Expenses.* The total annual expenses associated with the treatment works, as defined in Section 705.010, are estimated as follows:

<i>Item</i>	<i>Annual Expense</i>
Labor Cost *(\$467,798 + \$35,000)	\$ 502,798.00
Operation Cost *(\$388,213 + \$92,000)	480,213.00
Debt Service Cost *(\$128,662 + \$564,000)	692,662.00
Replacement Cost *(\$45,000 + \$63,500)	109,000.00
Sewer Rehab. Costs	<u>200,000.00</u>
 TOTAL	 \$1,984,673.00

*(Year 2003 budget + anticipated increase)

The preceding table includes costs associated with treating infiltration/inflow (I/I). This cost of eighty-seven thousand three hundred sixty dollars (87,360.00) will be allocated to the minimum bill.

- B.2. *Expenses allocated to minimum charge.* That portion of the total annual expense allocated to the minimum charge includes the cost to treat I/I and a portion of the debt service costs.

Annual Cost to Treat I/I (assumed clear water) = O,M&R Cost to treat total flow x annual percentage I/I x percentage of total costs attributable to flow = (\$502,798 + 480,213 + 109,000) x 0.2 x 0.4 = \$87,360.00

Portion of Debt service costs	<u>83,196.00</u>
Total Annual Minimum Cost	\$170,556.00
Minimum Charge/user/month = \$170,556.00/ (3,050 users x 12 months)	\$4.66

(Note: The above procedure allocates the cost of transporting and treating infiltration/inflow and a portion of the fixed administrative costs according to the number of users.)

B.3. *Allocation of other expenses.* Those expenses above and beyond the fixed costs recouped by the minimum charge established in Subsection (2) are allocated to appropriate pollutants in the following manner:

Annual Cost to Treat Flow	=	\$1,984,673.00	- (Total budget)
	less	(87,360.00)	- (I/I)
	less	<u>(83,196.00)</u>	- (Partial debt
	40% x	1,814,117.00	service)
	=	\$725,647.00	
Annual Cost to Treat BOD(5)	= 30% x	\$1,814,117.00	
	=	<u>\$511,235.00</u>	
Annual Cost to Treat Suspended Solids	= 30% x	\$1,814,117.00	
	=	\$544,235.00	

B.4. *Loadings.* The initial hydraulic loading based on metered water is estimated to be one billion eighty-six million (1,086,000,000) gallons per year. The initial BOD(5) loading is estimated to be two million three hundred twenty-three thousand (2,323,000) pounds per year. The initial suspended solids loading is estimated to be two million four hundred ten thousand (2,410,000) pounds per year.

B.5. *Unit costs.* The following calculations are utilized to determine the appropriate unit cost for treating BOD(5) and suspended solids:

$$\begin{aligned}
 &\text{Initial Unit Cost for BOD(5) Removal} \\
 &= \frac{\text{Annual cost to treat BOD(5)}}{\text{Estimated annual BOD(5) loading}} \\
 &= \$544,235.00 / 2,323,000 \text{ lb./yr.} \\
 &= \$0.23/\text{lb.}
 \end{aligned}$$

$$\begin{aligned}
 &\text{Initial Unit Cost for SS Removal} \\
 &= \frac{\text{Annual cost to treat SS}}{\text{Estimated annual SS loading}} \\
 &= \$544,235.00 / 2,410,000 \text{ lb./yr.} \\
 &= \$0.23/\text{lb.}
 \end{aligned}$$

B.6. *Unit charge.* Based on the estimated 2002 sewage flow, excluding I/I, of one billion eighty-six million (1,086,000.00) gallons, the unit charge required to generate \$1,814,117.00 annually is as follows:

$$\frac{\$1,814,117.00}{1,086,000,000 \text{ gal.}} = \$1.67/1,000 \text{ gallons}$$

- B.7. *Total user charge.* For billing purposes, the base charge includes the first two thousand (2,000) gallons of water usage. The total sewer use charge is, therefore, billed at eight dollars (\$8.00) base charge (\$4.66 + 2,000 gal. x \$1.67/1,000 gal.) plus one dollar sixty-seven cents (\$1.67) per one thousand (1,000) gallons water used in excess of two thousand (2,000) gallons. This charge is equal to that presently set forth in Section 715.260, Subsections (1), (2) and (3).

Example calculations of residential charges are as follows:

Where average water usage is 5,800 gallons/month
 User Charge = \$8.00 + 1.67 (5.8 - 2.0) = \$14.35/month

Where average water usage is less than 2,000 gallons/month, the
 Base \$8.00 per month charge takes precedence.
 User Charge = \$8.00/month

- B.8. *Extra strength contributors.* For users who contribute wastewater that has greater strength than normal domestic wastewater, the user charge will be calculated as set forth in Section 715.260(4). An example calculation of a user charge for an extra strength user is as follows:

Assumed Conditions:

Water Use = 1,000,000 gallons/month (1 MG/month)

BOD = 500 mg/l

SS = 275 mg/l

$A(B) + C(D) = T_c$

A = \$0.23/lb. BOD

B = (Actual BOD, mg/l - "Normal" BOD, mg/l) (Water Use, MG) (8.34)

= (500 - 300) (1.0) (8.34)

= 1,668 lb. excess BOD

C = \$0.23/lb. SS

D = (Actual SS, mg/l - "Normal" SS, mg/l) (Water Use, MG) (8.34)

= (275 - 350) (1.0) (8.34) which is less than zero, therefore there is no surcharge for excess suspended solids.

In this example, the total surcharge (T_c) equals $0.23 (1,668) = 0.1(0)$

= \$383.64/month. (Ord. No. A-5751 §26-18.2, 8-2-93; Ord. No. 7366, 11-13-03)

SECTION 715.290: DETERMINATION OF REPLACEMENT SCHEDULES

- A. This Section contains replacement schedules that were developed to determine the amount of revenue needed to fund the Replacement Account. The replacement schedules list the equipment, the estimated dates when the equipment will have to be replaced, and the estimated cost of replacement (including an allowance for inflation) over the useful life of the treatment works. Also listed is a summary sheet which shows the estimated cost flow that will occur in the Replacement Account. The replacement dates and costs shown are estimates; the actual replacement dates and costs could be significantly different from those shown. If the actual replacement expenses differ significantly from those listed in the replacement schedule, the funding of the Replacement Account shall be adjusted accordingly.

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B. REPLACEMENT SCHEDULE–FOLLOWING 2003 IMPROVEMENTS

Item	Replacement Cost			
	5 Yrs.	10 Yrs.	15 Yrs.	20 Yrs.
Raw Sewage Screw Pump (3)				
Lower Bearing	2,000	2,000	2,000	2,000
Upper Drive	–	5,000	–	5,000
Mechanical Bar Screen	3,000	10,000	3,000	10,000
Grit Removal Equipment				
Blowers (2)	2,000	4,000	2,000	4,000
Classifier (1)	–	2,000	–	2,000
Grit Pump (1)	3,000	3,000	3,000	3,000
Primary Clarifier Sludge Pumps (2)	3,000	6,000	3,000	6,000
Primary Clarifier Scum Pump (1)	1,500	3,000	1,500	3,000
Primary Clarifier Drives (2)	–	4,000	–	4,000
Sludge Thickener Drive (1)	–	2,000	–	2,000
Anaerobic Digester Equipment				
Mixers (4)	2,000	4,000	2,000	4,000
Diaphragm Pumps (3)	1,000	1,000	1,000	1,000
Recirc. Pumps (2)	–	6,000	–	6,000
Miscellaneous	10,000	10,000	10,000	10,000
Trickling Filter Pumps (3)	15,000	15,000	15,000	15,000
T.F. Rotary Distributors (3)	–	9,000	–	9,000
Tertiary Filter Screw Pumps (2)	2,000	5,000	2,000	5,000
Tertiary Filters	8,000	16,000	8,000	16,000
Tertiary Filter Submersible Pump (1)	1,000	3,000	1,000	3,000
Intermediate Pumps (5)	10,000	25,000	10,000	25,000
Anaerobic/Anoxic Mixers (10)	10,000	20,000	10,000	20,000
Brush Rotor Aerators (10)	20,000	30,000	20,000	30,000
Propeller Mixers (4)	4,000	12,000	4,000	12,000
Recycle Pumps (4)	4,000	12,000	4,000	12,000
Final Clarifier Drives	–	8,000	–	8,000
WAS Pumps (2)	2,000	6,000	2,000	6,000
Snail/Grit Classifier (1)	1,000	3,000	1,000	3,000
Snail Pump (1)	500	1,000	500	1,000
Sludge Pumps (4)	8,000	16,000	8,000	16,000
Gravity Belt Thickener (1)	10,000	30,000	10,000	30,000
Polymer Feed Equipment	1,000	1,000	1,000	1,000
Aerobic Digester Blowers (4)	8,000	30,000	8,000	30,000
Waste Sludge Pumps (2)	4,000	8,000	4,000	8,000
UV Disinfection Equipment	6,000	6,000	6,000	6,000
Standby Generator (1)	10,000	30,000	10,000	30,000
Miscellaneous	10,000	10,000	10,000	10,000
TOTAL	\$171,000	\$358,000	\$171,000	\$358,000

2003 Cost (Interest Future)	Future Replacement Cost (Assumed 3.5% Inflation)			
	5 Yrs. (1.188)	10 Yrs. (1.411)	15 Yrs. (1.675)	20 Yrs. (1.990)
\$171,000	\$203,148	\$241,281	\$286,425	\$340,290

(5 Yr. Equipment Cycle)				
\$358,000 (10 Yr. Equipment Cycle)	N/A	505,138	N/A	712,420
\$171,000 (15 Yr. Equipment Cycle)	N/A	N/A	286,425	N/A
Future Replacement Costs	\$203,148	\$746,419	\$572,850	\$1,052,710

	Annual Requirements			
	5 Yrs.	10 Yrs.	15 Yrs.	20 Yrs.
Future Replacement Costs	\$203,148	\$746,419	\$572,850	\$1,052,710
A/F-5 years, 4% (.185)(203,148) = \$37,582	<u>-203,148</u> -0-	<u>-203,148</u> 543,271	<u>-203,148</u> 369,702	<u>-203,148</u> 849,562
A/F-10 years, 4% (.0833)(543,271) = \$45,255		<u>-543,271</u> -0-	<u>244,622</u> 153,080	<u>-244,622</u> 604,940
A/F-15 years, 4% (.0499)(125,080) = \$6,242			<u>-125,080</u> -0-	<u>-33,741</u> 571,199
A/F-20 years, 4% (.0336)(571,199) = \$19,192				<u>-571,199</u> -0-
Total = \$108,271				

Projected Replacement Account Balance				
Years After New Facilities Placed In Operation	User Charge Income	Interest Income (4%)	Expenditure	Balance
1	\$109,000	-0-	-0-	\$109,000
2	\$109,000	\$4,360	-0-	222,360
3	\$109,000	8,894	-0-	340,254
4	\$109,000	13,610	-0-	462,865
5	\$109,000	18,515	203,148	387,231
6	\$109,000	15,489	-0-	511,270
7	\$109,000	20,469	-0-	641,189
8	\$109,000	25,648	-0-	775,837
9	\$109,000	31,033	-0-	915,870
10	\$109,000	36,635	746,419	315,086
11	\$109,000	12,603	-0-	436,690
12	\$109,000	17,468	-0-	563,157
13	\$109,000	22,526	-0-	694,683
14	\$109,000	27,787	-0-	831,471
15	\$109,000	33,259	572,850	400,880
16	\$109,000	16,035	-0-	525,915
17	\$109,000	21,037	-0-	655,951
18	\$109,000	26,238	-0-	791,189
19	\$109,000	31,648	-0-	931,837
20	\$109,000	37,273	1,052,710	25,400

(Ord. No. A-5751 §26-18.3, 8-2-93; Ord. No. 7366, 11-13-03)

SECTION 715.300: CHARGES FOR BUSINESSES, ETC., PLACING UNUSUAL BURDENS ON SEWERAGE SYSTEM

Any business establishment, industry or other user discharging an unusual amount of waste or fluid into the City's sewerage system, which places an unusual burden upon such system or its sewerage treatment works or facilities, shall be charged such reasonable and proper amount as may be fixed from time to time by the City Council, taking into account such unusual burden. Any such charge imposed upon a customer whose premises are located outside the corporate limits may exceed the

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charge imposed for similar services upon a customer whose premises are located within the corporate limits. (CC 1979 §26-20; Ord. No. A-2692 §29, 3-11-69)

Editor's Note—Ordinance No. A-3982, adopted August 24, 1978, provides for industrial cost recovery in connection with waste treatment facilities constructed under E.P.A Project No C290524. Such ordinance has not been included in this volume but rather has been saved from repeal by the ordinance adopting this codification. A copy thereof may be found on file in the office of the Superintendent of Utilities.

SECTION 715.310: FREE SEWERAGE SERVICE PROHIBITED, OTHER THAN TO CITY

No sewerage services shall be furnished or rendered by the City's sewerage system, or any of the facilities thereof, free of charge to any customer or user thereof, other than to the City itself. (CC 1979 §26-21; Ord. No. A-2692 §30, 3-11-69)

SECTION 715.320: MODIFICATION IN SPECIAL CIRCUMSTANCES—SPECIAL CONTRACTS WITH CERTAIN CUSTOMER

If, in any particular case special and unusual circumstances shall make the application of the sewerage rates and charges specified in this Article inequitable and unfair when applied to any commercial or industrial user, the City Council shall have the right to modify such rates with respect to such customer and, in such case, may enter into contracts which shall provide for equitable and fair rates and charges for sewerage services. (CC 1979 §26-22; Ord. No. A-2692 §31, 3-11-69)

SECTION 715.330: BILLING PROCEDURE

- A. All water meters shall be read and bills for both water and sewerage services shall be rendered monthly as such services accrue. The Superintendent shall each month calculate the amount of each bill for water service for the preceding monthly period and shall add thereto the amount of such customer's bill for sewerage service, computed as specified in this Article, and shall render monthly to each customer a single combined bill for such water and sewerage services. If a single user's water consumption is measured by more than one (1) meter, the total water consumption of such user as shown by all such meters shall be the basis on which such user's sewerage service charges are computed, and not each separate meter reading.
- B. For persons liable for payment of a sewer service charge who obtain any water from any source other than the City's water system, the Superintendent shall each month ascertain the total amount of water furnished such person for the preceding monthly period, calculate what would be the bill of the City for such water and then determine the amount of the sewerage service charge for such person, computed as aforesaid, and render a bill therefor. (CC 1979 §26-23; Ord. No. A-2692 §32, 3-11-69)

SECTION 715.340: WHEN BILLS DUE AND PAYABLE—ADDITIONAL CHARGE FOR DELINQUENCY—DISCONNECTION AND RECONNECTION OF SERVICE—ENFORCEMENT OF COLLECTION BY LEGAL REMEDIES

The monthly charges due the City for sewage services, except industrial sewage service, shall be delinquent after the fifth (5th) business day of the month following the month during which such sewage services were rendered. Monthly charges shall be considered paid upon processing and posting of payment by the City of Monett or its authorized agent. The United States postmark date will not be considered processing or posting of payment by the City of Monett. An additional penalty of ten percent (10%) of such charges becoming delinquent shall be added on the fourth (4th) business day after the due date. If any such bill shall be and remain unpaid after the five (5) days following the due date, then service to such applicant or consumer at the premises by reason of which such sewage charge was made shall be discontinued and shall not be resumed until all past due bills for sewage service are paid in full, together with any court cost and attorney fees incurred by the City in effecting such collection. It shall be the duty of the City or other representative of the City charged with the duty of collecting or receiving payment for sewage service to notify the Superintendent of Utilities of the premises which, because of delinquency in the payment of bills, are not longer entitled to sewage service and the Superintendent shall promptly proceed to cause sewage service to such consumer and premises to be disconnected, and the City shall proceed to enforce collection of such charges by legal remedy available to it. (CC 1979 §26-24; Ord. No. A-2692 §33, 3-11-69; Ord. No. 7593 §1, 8-22-05; Ord. No. 7631 §3, 12-20-05; Ord. No. 7809, 12-21-07)

SECTION 715.350: JOINT LIABILITY OF OCCUPANT AND OWNER OF PREMISES

The occupant and user of the premises receiving sewerage services and the owner of such premises shall be jointly and severally liable to pay for such services rendered on such premises. The City shall have power to sue the occupant or the owner of such real estate in a civil action and receive any sums due for such service, plus a reasonable attorney's fee to be fixed by the Court. (CC 1979 §26-25; Ord. No. A-2692 §34, 3-11-69)

**SECTION 715.360: INCREASED SERVICE CHARGES FOR PROHIBITED DISCHARGES—
IMPOSED—AMOUNTS**

If any sewage, water, liquids or materials prohibited by Section 705.380 or 705.400 is discharged into the sanitary sewerage system of the City, for each month in which any such discharge occurs, the sewage service charges to the owner and occupant of the premises from which such discharge originated shall be increased ten percent (10%) of the monthly water bill, not including sales tax; provided, that in the event such discharge shall originate from the same premises for two (2) or more consecutive months, for each subsequent consecutive month in which discharge occurs from the same premises, up to a total of six (6) consecutive months, the sewage service charge to the owner and occupant shall be increased by a cumulative additional ten percent (10%) of the monthly water bill, not including sales tax, and that for each day such discharge shall occur in such third (3rd) consecutive month and thereafter a daily additional charge shall be due by such owner and occupant as hereinafter set forth, so that the sewage service charge for each month in which such sewage, water, liquids or materials are discharged from the same premises into the sanitary sewerage system of the City shall be increased by the following percentages of the monthly water bill, not including sales tax, for the month in which such discharge occurs and by the following daily additional charges, which charges shall be hereafter called the "increased sewage service charge":

Any month in which such discharge occurs.....	10%
Second (2nd) consecutive month in which such discharge occurs.....	20%
Third (3rd) consecutive month in which such discharge occurs.....	30%, plus \$20.00 per day additional charge
Fourth (4th) consecutive month in which such discharge occurs	40%, plus \$40.00 per day additional charge
Fifth (5th) consecutive month in which such discharge occurs	50% plus \$60.00 per day additional charge

Sixth (6th) consecutive month in which such discharge occurs...60%, plus \$80.00 per day additional charge
 (CC 1979 §26-37; Ord. No. A-2692 §28, 3-11-69; Ord. No. A-2901 §1, 5-26-70; Ord. No. A-3245 §1, 11-8-72; Ord. No. A-3759 §1, 1-7-77)

**SECTION 715.370: INCREASED SERVICE CHARGES FOR PROHIBITED DISCHARGES—
REDUCTION—WHEN—REVERSION TO HIGHEST RATE UPON
RESUMPTION OF DISCHARGES**

When an increased sewage service charge rate is established as provided in Section 705.360, the highest increased rate and daily additional charge so established shall remain in force for a minimum period of two (2) months, including the first month for which such increase was established, and

shall remain in force thereafter until such highest increased rate and daily addition charge have been reduced in the following manner:

Such highest increased rate shall be reduced by ten percent (10%) of the monthly water bill, not including sales tax, for the first succeeding month after such two (2) month period in which such discharge does not occur and by a cumulative additional ten percent (10%) of the monthly water bill, not including sale tax, for each of the consecutive succeeding months after such two (2) month period in which such discharge does not occur and the daily additional charge shall be reduced to the daily additional charge corresponding with the applicable increased percentage charge as set forth above; provided, that nothing herein shall be construed to prevent the re-establishment of the highest increase and daily additional charge by reason of such discharge occurring in successive months. The decrease in service charge shall be as follows, after said two (2) month period:

Any month in which such discharge does not occur.....	10%
Second (2nd) consecutive month in which such discharge does not occur	20%
Third (3rd) consecutive month in which such discharge does not occur	30%
Fourth (4th) consecutive month in which such discharge does not occur ...	40%
Fifth (5th) consecutive month in which such discharge does not occur	50%
Sixth (6th) consecutive month in which such discharge does not occur.....	60%

However, any time in a six (6) month period following such two (2) month period, when any sewage, water, liquids or materials prohibited by Section 705.380 or 705.400 are discharged into the sanitary sewerage system of the City, the increased charge and daily additional charge will automatically revert back to the highest daily additional charge and highest percent of the increased sewer charge in the past twelve (12) month period. (CC 1979 §26-38; Ord. No. A-2692 §28, 3-11-69; Ord. No. A-2901 §1, 5-26-70; Ord. No. A-3245 §1, 11-8-72; Ord. No. A-3759 §1, 1-7-77)

SECTION 715.380: DOUBLING OF INCREASED SERVICE CHARGE FOR CERTAIN DISCHARGES

- A. In the event any sewage, water, liquids or materials prohibited by Section 705.400 or 705.410 are discharged from any premises into the sanitary sewage system of the City at any time when any grease, oil or sand interceptor or any preliminary treatment device or other device has been installed on such premises for the purpose of preventing a prohibited discharge or any device has been installed on such premises for the purpose of reducing the B.O.D., suspended solids, toxic solids, poisonous, viscous or other materials or liquids discharged into such sanitary sewer system, and when any such device is not in normal proper working order, the increased sewage service charge, not including the daily additional charge, for the month in which such discharge occurs shall be twice the increased sewage service charge, not including the daily additional charge, otherwise to be charged hereunder.
- B. In any event any sewage, water, liquids or materials which are discharged into the sanitary sewer system of the City from any premises contain materials or substances prohibited by Section 705.400 or 705.410 in an amount greater than one hundred fifty percent (150%) of the minimum of such materials or substances prohibited by such sections or contain materials or substances prohibited by such sections in an amount greater than twenty-five percent (25%) of the greatest amount of such

materials or substances prohibited by such sections discharged from such premises during the preceding three (3) months, the sewage service charge, not including the daily additional charge, for

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the month in which such discharge occurs shall be twice the increased sewage service charge not including the daily additional charge, otherwise to be charged hereunder.

- C. In the event more than one condition as set forth in this Section occurs, which establishes that such increased service charge, including the additional charge, shall be twice the increased service charge, including the additional charge, otherwise to be charged under Sections 715.360 and 705.370, nothing in this Section shall be construed to provide that such increased service charge in any month shall be greater than twice the amount of the increased service charge, including the additional charge, otherwise to be charged hereunder. (CC 1979 §26-39; Ord. No. A-2692 §28, 3-11-69; Ord. No. A-2901 §1, 5-26-70; Ord. No. A-3245 §1, 11-8-72; Ord. No. A-3759 §1, 1-7-77)

ARTICLE III. ELECTRICITY—RATES AND

CHARGES

SECTION 715.390: INDUSTRIAL SERVICE—MONTHLY RATES

- A. The monthly rate for each monthly billing period electric energy is supplied for industrial service shall be:

A.1. *Demand charge.*

For each kw of billing demand.....	\$6.96
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A.2. *Energy charge.*

First 100 hours use of billing demand.....	\$.0490 per hour
Next 100 hours use of billing demand.....	.0490 per hour
Next 100 hours use of billing demand.....	.0490 per hour
All additional hours use of billing demand0415 per hour

- B. A minimum monthly bill is prescribed in Section 715.400. (CC 1979 §9-15; Ord. No. A-2961 §2, 10-19-70; Ord. No. A-4076 §2, 8-10-79; Ord. No. A-4409 §2, 1-4-83; Ord. No. A-5566 §1, 7-17-92; Ord. No. A-6812 §1, 3-31-99; Ord. No. A-6813, 3-31-99; Ord. No. 7316, 5-20-03; Ord. No. 7845, 4-21-08)

Editor's Note—The above rates are effective May 1, 2008.

SECTION 715.400: INDUSTRIAL SERVICE—TERMS AND CONDITIONS—MINIMUM CHARGES

The terms under which electric energy will be supplied for industrial service are:

- .1. Electric energy shall be supplied under the industrial service rate only for use in an industrial or manufacturing or processing business having an estimated or actual fifty (50) kilowatt demand

and twenty thousand (20,000) kilowatt hours use per month and only upon an application requesting such service in such form and supplying such information as may be prescribed by the City Superintendent of Utilities; provided, in the event a consumer once under the industrial service rate does not by actual use meet the above minimum standards of use, such consumer shall be ineligible for such rate until the qualifying use is thereafter established for a period of three (3) consecutive months.

- .2. If a consumer desires more than one class of service as to character of voltage, phase or frequency, or delivery at more than one point, each class of service and point of delivery shall be metered separately and shall be considered as service to separate consumers for the purpose of billing; provided, when a consumer desires delivery of electric energy at the primary voltage of the City, metering and special conditions of service applicable to such delivery of electric energy shall be determined and established by contract between such consumer, and the City.
- .3. The billing demand shall be the highest fifteen (15) minutes integrated kilowatt demand registered by a demand meter for the monthly billing period.
- .4. In no event shall the demand charge for any monthly billing period be less than seventy-five percent (75%) of the highest demand charge for any one monthly billing period of the last eleven (11) preceding consecutive monthly billing periods and in no case less than the demand charge for fifty (50) kilowatts.
- .5. Application for and receipt of electric energy under the industrial service rate shall constitute an agreement by the applicant and consumer to pay not less than the minimum monthly charge for such service for a period of twelve (12) consecutive months following the first delivery of electric energy under such rate to such applicant or consumer. (CC 1979 §9-16; Ord. No. A-2961 §3, 10-19-70; Ord. No. A-4076 §3, 8-10-79; Ord. No. A-4409 §3, 1-4-83)

SECTION 715.410: COMMERCIAL SERVICE RATES

- A. The monthly rate for each monthly billing period electric energy is supplied for commercial service shall be:

Small Commercial Standard Rate Schedule

Minimum charge per month.....	\$10.00
First 200 kwh	\$0.100 per kwh
Next 1,800 kwh.....	\$0.075 per kwh
Next 10,000 kwh.....	\$0.060 per kwh
Over 12,000 kwh.....	\$0.063 per kwh

- B. The monthly rate for each monthly billing period electric energy is supplied for large commercial service shall be:

Large Commercial Standard Rate Schedule

(Electric energy shall be supplied under the large commercial service rate for use in a commercial, light manufacturing or not-for-profit business having an estimated or actual thirty (30) kilowatt demand.)

Minimum monthly charge.....	\$50.00
Demand charge: All kw	\$5.22/kw

Energy charge: All kwh \$0.048/kwh

- C. A minimum monthly bill is prescribed in Section 715.420.
- D. The rates described heretofore for small commercial electric are to go into effect September 1, 2006. Large commercial electric rates will be effective December 1, 2006. (CC 1979 §9-17; Ord. No. A-2961 §4, 10-19-70; Ord. No. A-3077 §1, 9-10-71; Ord. No. A-4076 §4, 8-10-79; Ord. No. A-4409 §4, 1-4-83; Ord. No. A-5568 §1, 7-17-92; Ord. No. 7315, 5-20-03; Ord. No. 7678, 8-23-06)

SECTION 715.420: COMMERCIAL SERVICE—TERMS AND CONDITIONS—MINIMUM CHARGES

The terms under which electric energy will be supplied for commercial service are:

- .1. Electric energy shall be supplied under the commercial service rate only for use in a commercial enterprise, an enterprise providing a service or a product or an industrial or manufacturing or processing business not receiving service under the industrial service rate and only upon an application requesting such service in such form and supplying such information as may be prescribed by the City Superintendent of Utilities.

In the event an incidental residential use is made by a consumer receiving service under the commercial service rate, nevertheless the commercial service rate shall apply.

- .2. Such electric energy shall be supplied at such voltage, phase and frequency and other conditions of service as may be prescribed by the City.
- .3. In the event more than one class of service or one point of delivery is provided, each class of service and point of delivery shall be metered separately and shall be considered as service to separate consumers for the purpose of billing.
- .4. In no event shall the energy charge for any monthly billing period be less than the following charge, based upon demand for electric energy through the delivery point, based upon the connected load:

1 to 7 kw	\$ 10.00
8 to 15 kw	25.00
16 to 30 kw	40.00
30 to 50 kw	50.00
Above 50 kw	125.00

Such connected load shall be determined at the time application for such service is made and is subject to review and change each six (6) months such service is supplied or at any time a material change is made in such connected load.

- .5. Application for and receipt of electric energy under the commercial service rate shall constitute an agreement by the applicant and consumer to pay not less than the minimum monthly charge for such service for a period of twelve (12) consecutive months following the first delivery of

energy under such rate to such applicant or consumer. (CC 1979 §9-18; Ord. No. A-2961 §5, 10-19-70; Ord. No. A-4076 §5, 8-10-79; Ord. No. A-4409 §5, 1-4-83; Ord. No. 7679, 8-23-06)

SECTION 715.430: RESIDENTIAL SERVICE—MONTHLY RATES

A. The monthly rate for each monthly billing period electric energy is supplied for residential service shall be:

Minimum charge per month.....	\$5.50
First 100 kwh	\$0.110 per kwh
Next 1,100 kwh.....	\$0.073 per kwh
Over 1,200 kwh.....	\$0.064 per kwh

B. Provided, when the premises of a consumer receiving electric service under the residential service rate are equipped for all electric service, then during the billing period months of October through May, the rate for such service shall be as follows:

B.1. Minimum charge per month..... \$5.50

B.2. *All electric schedule (October through May).*

First 100 kwh	\$0.110 per kwh
Next 600 kwh	\$0.073 per kwh
Next 500 kwh	\$0.063 per kwh
Over 1,200 kwh.....	\$0.055 per kwh

C. Provided further, when the premises of a consumer receiving electric service under the residential service rate are equipped for all electric service, then during the billing period months of June through September, the rate for such service shall be as follows:

C.1. Minimum charge per month..... \$5.50

C.2. *All electric schedule (June through September).*

First 100 kwh	\$0.110 per kwh
Next 600 kwh	\$0.073 per kwh
Next 500 kwh	\$0.073 per kwh
Over 1,200 kwh.....	\$0.064 per kwh

C.3. A minimum monthly bill is prescribed in Section 715.440.

D. The residential rates described heretofore are to go into effect September 1, 2006. (CC 1979 §9-19; Ord. No. A-2961 §6, 10-19-70; Ord. No. A-3077 §2, 9-10-71; Ord. No. A-4076 §6, 8-10-79; Ord. No. A-4409 §6, 1-4-83; Ord. No. A-5567 §1, 7-17-92; Ord. No. A-6814 §1, 3-31-99; Ord. No. A-6815, 3-31-99; Ord. No. 7314, 5-20-03; Ord. No. 7680, 8-23-06)

SECTION 715.440: RESIDENTIAL SERVICE—TERMS AND CONDITIONS—MINIMUM CHARGES

The terms under which electric energy will be supplied for residential service are:

- .1. Electric energy shall be supplied under the residential rate only for use for residential purposes, and unless special application for multiple family use is made as hereinafter provided, shall be for single-family use.
- .2. Upon special application, the Superintendent of Utilities may approve the residential rate for electric energy supplied for residential purposes, for multiple-family use such as duplexes, rooming houses and apartment houses.
- .3. If electric energy is delivered for residential purposes for multiple-family use, the applicable rate shall be the rate prescribed by Section 715.430 with the prescribed kwh bracket multiplied by the number of separate living units or rooms to which electric energy is so supplied.
- .4. Such electric energy shall be supplied at such voltage, phase and frequency and other conditions of service as may be prescribed by the City Superintendent of Utilities.
- .5. Such electric energy shall be supplied through one (1) meter, unless upon special application the installation of more than one meter is approved by the Superintendent of Utilities, in which event each meter shall be billed separately.
- .6. The minimum monthly bill for electric energy supplied under the residential rate shall be five dollars fifty cents (\$5.50) per month for each monthly billing period.
- .7. For the purposes of this Section, a consumer shall be considered as equipped for all electric service when the premises of such consumer at which such service is received are equipped for the use of only electric energy and not for any other energy utilities. (CC 1979 §9-20; Ord. No. A-2961 §7, 10-19-70; Ord. No. A-4076 §7, 8-10-79; Ord. No. A-4409 §7, 1-4-83; Ord. No. 7681, 8-23-06)

SECTION 715.450—715.460: RESERVED

Editor's Note—Ord. no. 7682, adopted August 23, 2006, repealed section 715.450 "rates other than industrial, commercial or residential—monthly amounts" and section 715.460 "rates other than industrial, commercial or residential—terms and conditions" in their entirety. Former sections 715.450 and 715.460 derived from CC 1979 §§9-21—9-22; ord. no. A-2961 §§8—9, 10-19-70; ord. no. A-4076 §§8—9, 8-10-79; ord. no. A-4409 §§8—9, 1-4-83.

SECTION 715.470: DETERMINATION OF RATES FOR MONTHLY BILLING PERIOD CONTAINING PARTS OF MORE THAN ONE CALENDAR MONTH

For the purpose of determining the application of the above rates for a monthly billing period which contains parts of more than one (1) calendar month, such monthly bill shall be determined upon the

rate applicable to the month which constitutes the greater part of such monthly billing period. (CC 1979 §9-24; Ord. No. A-2961 §10, 10-19-70; Ord. No. A-4076 §10, 8-10-79; Ord. No. A-4409 §10, 1-4-83)

SECTION 715.480: FUEL COST ADJUSTMENT CHARGE

The fuel adjustment added to the purchased power from the electric supplier to the City will be billed at a rate of 1.07 times that fuel adjustment above base zero cost per kilowatt hour, the zero base cost being that base rate for fuel that the wholesale power rate is based upon. (CC 1979 §9-25; Ord. No. A-3524 §1, 2-10-75; Ord. No. A-4409 §11, 1-4-83)

SECTION 715.490: DEPOSITS

- A. Each person to whom electric energy is delivered by the City shall deposit with the City an amount as follows:
- A.1. *For consumers under the industrial rate.* Fifty cents (\$.50) for each KVA of estimated or connected load and in no case shall the deposit be less than fifty dollars (\$50.00).
 - A.2. *For consumers under the commercial rate.* Two (2) times the estimated highest monthly charge. In no case will the deposit be less than one hundred dollars (\$100.00).
 - A.3. *For consumers under the residential rate.* Fifty dollars (\$50.00) minimum. Based on credit history the Utilities Superintendent may require up to five hundred dollars (\$500.00) additional deposit.
- B. In the event that, by reason of an actually connected load or use of electric energy the deposit prescribed upon the basis of such load or use is greater than the amount initially deposited by any consumer, the Superintendent of Utilities shall determine the deposit upon the basis of such actually connected load or the average monthly bill for electric energy for the preceding twelve (12) month period or use of electric energy, whichever is greater, and notify the consumer of the deposit based upon the later basis, and the consumer shall, within ten (10) days after such notification, deposit with the City such additional sum as is required to cause the total deposit of such consumer to equal the recomputed deposit. In the event such additional deposit is not so posted, service to such consumer shall be disconnected.
- C. In the event service is rendered upon the residential rate through more than one (1) meter, the applicable deposit shall be made for each meter.
- D. In the event service is rendered under the residential rate for multiple-family use, the deposit prescribed shall be the sum as set forth in Subsection (A)(3) hereof multiplied by the number of separate living units or rooms for which electric energy is so supplied.
- E. Upon the discontinuance of service to any consumer and the payment of all charges due to the City, such deposit shall be refunded to the person posting the same; and upon the discontinuance of service to any consumer and the failure of such consumer to pay all charges due to the City, such deposit shall be applied to all such charges due the City. (CC 1979 §9-26; Ord. No. A-2961 §11, 10-19-70; Ord. No. A-3134 §1, 2-9-72; Ord. No. A-4076 §11, 8-10-79; Ord. No. A-4409 §12, 1-4-83; Ord. No. 7683, 8-23-06)

SECTION 715.500: READING OF METERS AND BILLING PROCEDURE—DELINQUENT BILLS—DISCONNECTION AND RECONNECTION OF SERVICE, REMEDIES FOR ENFORCEMENT OF COLLECTION

- A. The Superintendent of Utilities shall cause all electric meters to be read and shall review billing for electric service prepared by the Billing Clerk for accuracy of correct billing. The Superintendent shall each month calculate the amount of each bill and determine the amount to be due the City by reason of electric energy furnished during the monthly period.
- B. As used in this Section, the term "*month*" or "*monthly period*" shall mean a preceding period of approximately one (1) month ending as near the same day of each month as is practicable for the electric meters of the City to be read. In reading such meters and in calculating the bills for electric energy so furnished, the monthly period shall extend from the time each meter was read for the preceding month to the date the same is read for a current month.
- C. The Billing Clerk, upon calculating the amount of such bills, shall cause bills for such electric service to be prepared and to be mailed to the last known address of the consumer.
- D. *Billing—Delinquency—Disconnection—Reconnection—Changes.*
- D.1. The monthly charges due the City for electric service, except industrial electric service, shall be delinquent after the fifth (5th) business day of the month following the month during which such service was rendered. Monthly charges shall be considered paid upon processing and posting of payment by the City of Monett or its authorized agent. The United States postmark date will not be considered processing or posting of payment by the City of Monett. An additional penalty of ten percent (10%) of such charges becoming delinquent shall be added on the fourth (4th) business day after the due date. If any such bill shall be and remain unpaid after five (5) days following the due date, then service to such applicant or consumer at the premises by reason of which such electric energy charge was made shall be discontinued and shall not be resumed until all past due bills for electric energy are paid in full, together with a reconnection charge in the amount of twenty-five dollars (\$25.00) for such restoration if made between the hours of 8:00 A.M. and 4:00 P.M. Monday through Friday, or upon the payment of fifty dollars (\$50.00) for such restoration, if made between the hours of 4:00 P.M. and 10:00 P.M. Monday through Friday, or upon the payment of one hundred dollars (\$100.00) for such restoration, if made anytime between the hours of 10:00 P.M. and 8:00 A.M. Monday through Friday, or on any Saturday, Sunday or holiday of the City, together with any court costs and attorney fees incurred by the City in effecting such collection. It shall be the duty of the City or other representative of the City charged with the duty of collection or receiving payment for electric energy to notify the Superintendent of Utilities of the premises which, because of delinquency in the payment of bills, are no longer entitled to electric energy and the Superintendent shall promptly proceed to cause electric energy service to such consumer and premises to be disconnected, and the City shall proceed to enforce collection of such charges by any legal remedy available to it.
- D.2. The monthly charges due the City for industrial electric energy service shall be delinquent on the twentieth (20th) day of the month following the month during which such electric service was rendered, and an additional charge of ten percent (10%) of such charges becoming delinquent shall be added to such charges. In the event the monthly charges due the City for industrial electric energy service shall not be paid by the last day of the month following the month during which such electric service was rendered, the Utilities Superintendent is

authorized to discontinue electric service to the consumer whose charges for such service are not so paid. In the event electric service of industrial account is discontinued by reason of

non-payment for such service as herein provided, such service shall be restored only upon the payment of twenty-five dollars (\$25.00) for such restoration if made between the hours of 8:00 A.M. and 4:00 P.M. Monday through Friday, or upon the payment of fifty dollars (\$50.00) for such restoration, if made between the hours of 4:00 P.M. and 10:00 P.M. Monday through Friday, or upon the payment of one hundred dollars (\$100.00) for such restoration, if made anytime between the hours of 10:00 P.M. and 8:00 A.M. Monday through Friday, or on any Saturday, Sunday or holiday of the City, and such service shall not be restored until such delinquent charges are paid in full.

- E. The City shall have power to sue the person making application for and the person accepting electric energy, or both, for such sums as may be due the City by reason of electric energy delivered by the City, plus a reasonable attorney's fee to be fixed by the Court and all costs of collection. (CC 1979 §9-27; Ord. No. A-5140 §1, 8-10-89; Ord. No. 7593 §1, 8-22-05; Ord. No. 7631 §2, 12-20-05; Ord. No. 7808, 12-12-07)

SECTION 715.510: VIOLATIONS AND PENALTIES

The violation of any provision of this Article is declared to be a misdemeanor and any person violating any provision of this Article shall be punished by a fine of not less than one dollar (\$1.00) or more than one hundred dollars (\$100.00), plus costs for each violation. Each day in which a violation of this Article shall continue shall constitute a separate offense. The imposition of a fine under this Section shall not relieve any person of any liability to the City by reason of the other provisions of this Article. (CC 1979 §9-30; Ord. No. A-5140 §4, 8-10-89)