

ARTICLE II - SEWER DEPARTMENT

SECTION 7-201: OPERATION AND FUNDING

The City owns and operates the city sewer system through the utilities superintendent. For the purposes of defraying the cost of the operation, maintenance and replacement (OM&R) of the sewer utilities in the City, the City Council may establish a user charge based on actual use and revise the charges, if necessary, to accomplish the following:

1. Maintain the proportional distribution of operation, maintenance and replacement costs among users and user classes;
2. Generate adequate revenues to pay the costs of OM&R;
3. Apply excess revenues collected from a class of users to the costs of OM&R attributable to that class for the next year and adjust the rates accordingly.

The revenue from the user charge system based on actual use shall be known as the Sewer Maintenance Fund, and such revenue shall be used only for the purpose of paying the reasonable expenses of the operation and maintenance of the sanitary sewage system for the purpose of extending and improving the sanitary sewage system and for the purpose of creating reserves for any of the aforesaid purposes. The utilities superintendent shall have the direct management and control of the Sewer Department and shall faithfully carry out the duties of his/her office. He/she shall have the authority to adopt rules and regulations for the sanitary and efficient management of the department subject to the supervision and review of the City Council. (Ref. Neb. Rev. Stat. §18-501, 18-503, 18-509)

SECTION 7-202: DEFINITIONS

Unless the context specifically indicates otherwise, the meanings of terms used herein shall be as follows:

1. "BOD" (denoting biochemical oxygen demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20° degrees C. expressed in milligrams per liter.
2. "Building drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of a building and conveys it to the building sewer, the building sewer beginning five feet outside the inner face of the building wall.

3. "Building sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.
4. "City" shall mean the City of Plattsmouth, Nebraska.
5. "Combined sewer" shall mean a public sewer receiving both surface run-off and sewage.
6. "Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.
7. "Industrial wastes" shall mean the liquid wastes from industrial manufacturing processes, trades or businesses as distinct from sanitary sewage.
8. "Local ventilating pipe" shall mean and include any pipe through which foul air is removed from a room or fixture.
9. "Natural outlet" shall mean any outlet into a watercourse, pond, ditch, lake, or other body of surface or ground water.
10. "Normal sewage" shall mean sewage not exceeding maximum tolerance of contamination of 300 milligrams per liter BOD or 350 milligrams per liter of suspended solids.
11. "Person" shall mean any individual, firm, company, association, society, corporation or group.
12. "pH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.
13. "Properly shredded garbage" shall mean the wastes from the preparation, cooking and dispensing of foods that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers with no particle greater than one-half inch (1.27 centimeters) in any dimension.
14. "Public sewer" shall mean a sewer controlled by public authority in which all owners of abutting properties have equal rights.
15. "Sanitary sewer" shall mean a public sewer that carries sewage and to which storm, surface and ground waters are not intentionally admitted.
16. "Sewage" shall mean a combination of the water-carried wastes from property, together with such ground, surface and storm waters as may be present.

17. "Sewer" shall mean a pipe or conduit for carrying sewage.
18. "Shall" is mandatory; "may" is permissive.
19. "Slug" shall mean any discharge of water, sewage or industrial waste which in concentration of any given constituent or in quantity of flow exceeds, for any period of duration longer than 15 minutes, more than five times the average 24-hour concentration of flows during normal operation.
20. "Soil pipe" shall mean and include any pipe which conveys the discharge of water closets with or without the discharge from other fixtures to the house or building drain.
21. "Standard methods" shall mean the examination and analytical procedures set forth in the most recent editions of "Standard Methods for the Examination of Water, Sewage and Industrial Waste," published jointly by the American Public Health Association, the American Water Works Association, and the Water Pollution Control Federation.
22. "Storm sewer" shall mean a public sewer which carries storm and surface waters and drainage but excludes sewage and industrial wastes, other than unpolluted cooling water.
23. "Suspended solids" (SS) shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.
24. "Utilities superintendent" shall mean the Public Works Director of the City of Plattsburgh or his/her authorized representative, deputy or agent.
25. "Trap" shall mean and include a fitting or device so constructed as to prevent the passage of air or gas through a pipe without materially affecting the flow of sewage or waste through it.
26. "Trap seal" shall mean the vertical distance between the crown weir and the dip of the trap.
27. "Unpolluted waters" is water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.
28. "Vent pipe" shall mean any pipe provided to ventilate a house or building drainage system and to prevent trap siphonage and back pressure.

29. "Waste pipe" shall mean any pipe which receives the discharge of any fixture, except water closets, and conveys the same to the house drain, soil pipe or waste stack.
30. "Watercourse" shall mean a natural or artificial channel for the passage of water, either continuously or intermittently.

SECTION 7-203: SEWER CONTRACT

The City, through the Sewer Department, shall furnish sewer services to persons within its corporate limits whose premises abut a street or alley in which a commercial main is now or may hereafter be laid. The City may also furnish sewer service to persons whose premises are situated outside the corporate limits of the City, as and when, according to law, the City Council may see fit to do so. The rules, regulations and sewer rental rates hereinafter named in this article shall be considered a part of every application hereafter made for sewer service and shall be a part of the contract between every customer now or hereafter served. Without further formality, the making of the application on the part of any applicant or the use of sewer service by present customers thereof shall constitute a contract between the customer and the City, to which said contract both parties are bound. If the customer shall violate any of the provisions of said contract or any reasonable rules and regulations that the City Council may hereafter adopt, the utilities superintendent or his/her agent may cut off or disconnect the sewer service from the building or premises of such violation. No further connection for sewer service to said building or premises shall again be made save or except by order of the utilities superintendent or his/her agent. (Ref. Neb. Rev. Stat. §18-503)

SECTION 7-204: SERVICE CONTRACTS

Contracts for sewer service are not transferable. Any person wishing to change from one location to another shall set up a new account, make a new application and sign a new contract. If any customer shall move from the premises where service is furnished, or if the said premises is destroyed by fire or other casualty, he/she shall at once inform the utilities superintendent, who shall cause the sewer service to be shut off from the said premises. If the customer should fail to give notice, he/she shall be charged for that period of time until the official in charge of sewers is otherwise advised of such circumstances. (Ref. Neb. Rev. Stat. §18-503, 18-508)

SECTION 7-205: RATE SETTING

Customers of the City Sewer Department shall be charged a flat rate based on water usage for the use of sewer service. Rates shall be set from time to time by resolution of the City Council. Such rates shall be on file at the offices of the utili-

ties superintendent and city clerk and available for public inspection at any reasonable time. (Ref. Neb. Rev. Stat. §16-694, 18-509)

SECTION 7-206: SEWER FEES; BILLING

All sewer use charges provided for in this article shall be billed the first day of each month for service during the preceding month and shall be due and payable as of that time. Residential customers shall be billed once every other month and commercial customers shall be billed monthly. If any user shall neglect or refuse to pay such bill on or before the 15th day of the month succeeding the due date, the bill shall be considered delinquent and the water service to the premises of such consumer shall be discontinued. All sewer use charges prescribed by this article shall be a lien upon the premises and the real estate for which the sewer use service is supplied and used, and if not paid when due, such charge shall be certified to the city treasurer and may be recovered by the City in an action at law from the owner or person, firm or corporation using the service, or it may be certified to the tax assessor and assessed against the premises served, and collected or returned in the same manner as other city taxes are certified, assessed, collected and returned. Users commencing or ending their use of the sewage system after the first day of any month shall pay the sewer use charge for the entire month remaining. (Ref. Neb. Rev. Stat. §16-694, 18-503, 18-509)

SECTION 7-207: DISCONTINUANCE OF SERVICE, NOTICE PROCEDURE

The City shall have the right to discontinue service if the charges for such service become delinquent pursuant to the delinquency provision heretofore set forth in this chapter. Before any termination, the utilities superintendent shall first give notice by first class mail or in person to any domestic subscriber whose service is proposed to be terminated. If notice is given by first class mail, such mail shall be conspicuously marked as to its importance. Service shall not be discontinued for at least seven days. As to any subscriber who has previously been identified to the City as a welfare recipient by the Department of Health and Human Services, such notice shall be by certified mail and notice of such proposed termination shall be given to the Department of Health and Human Services.

The notice shall contain the following information:

1. The reason for the proposed disconnection;
2. A statement of the intention to disconnect unless the domestic subscriber either pays the bill or reaches an agreement with the City;
3. The date upon which service shall be disconnected if the domestic subscriber does not take appropriate action;
4. The name, address and telephone number of the employee or department to whom the domestic subscriber may address an inquiry or complaint;
5. The domestic subscriber's right, prior to the disconnection date, to request a conference regarding any dispute over such proposed disconnection;

6. A statement that the City may not disconnect service pending the conclusion of the conference;
7. A statement to the effect that disconnection may be postponed or prevented upon presentation of a duly licensed physician's certificate which shall certify that the domestic subscriber or resident within such subscriber's household has an existing illness or handicap which would cause such subscriber or resident to suffer an immediate and serious health hazard by the disconnection of the utility's service to that household. Such certificate shall be filed with the City within five days of receiving notice under this section and will prevent the disconnection of the City's service for a period of 30 days from such filing. Only one postponement of disconnection shall be allowed under this subsection for each incidence of nonpayment of any due account;
8. The cost that will be borne by the domestic subscriber for restoration of service;
9. A statement that the domestic subscriber may arrange with the City for an installment payment plan;
10. A statement to the effect that those domestic subscribers who are welfare recipients may qualify for assistance in payment of their utility bills and that they should contact their caseworker in that regard; and
11. Any additional information not inconsistent with this section which has received prior approval from the City Council.

A domestic subscriber may dispute the proposed discontinuance of service by notifying the utility with a written statement that sets forth the reasons for the dispute and the relief requested. If a statement has been made by the subscriber, a conference shall be held before the utility may discontinue service.

The procedures adopted by the City Council for resolving utility bills, three copies of which are on file in the office of the city clerk, are hereby incorporated by reference in addition to any amendments thereto and are made a part hereof as though set out in full.

This section shall not apply to any disconnections or interruptions of service made necessary by the utility for reasons of repair or maintenance or to protect the health or safety of the domestic subscriber or of the general public. (Ref. Neb. Rev. Stat. §19-2701 et seq.)

SECTION 7-208: LIEN

In addition to all other remedies, if a customer shall for any reason remain indebted to the City for sewer service furnished, such amount due, together with any rents and charges in arrears, shall be considered a delinquent sewer rent which is hereby declared to be a lien upon the real estate for which the same was used. The utilities superintendent shall notify in writing, or cause to be notified in writing, all owners of premises or their agents whenever their tenants or

lessees are 30 days or more delinquent in the payment of sewer rent. It shall be the duty of the utilities superintendent to report to the City Council a list of all unpaid accounts due for sewer together with a description of the premises upon which the same was used. The report shall be examined, and if approved by the City Council, shall be certified by the city clerk to the county clerk to be collected as a special tax in the manner provided by law.

SECTION 7-209: CLASSIFICATION

The City Council may classify the customers of the Sewer Department for the purpose of rental fees; provided that such classifications are reasonable and do not discriminate unlawfully against any consumer or group of consumers. The classification must be approved by the Environmental Protection Agency, relative to the user charge grant condition. (Ref. Neb. Rev. Stat. §18-503)

SECTION 7-210: DISCHARGE OF UNTREATED SEWAGE; UNLAWFUL

It shall be unlawful to discharge to any natural outlet within the City or within two miles of the corporate limits thereof, or in any area under the jurisdiction of the City, any sewage, industrial wastes or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this article.

SECTION 7-211: PUBLIC SEWERS REQUIRED; CESSPOOLS, PRIVIES AND SEPTIC TANKS PROHIBITED

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

SECTION 7-212: PUBLIC SEWERS REQUIRED; MANDATORY HOOKUP

The owner of any houses, buildings or properties used for human employment, recreation or other purposes, situated within the City and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary or combined 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 public sewer in accordance with the provisions of this article within 90 days after the date of official notice to do so; provided that said public sewer is within 100 feet of the property line.

SECTION 7-213: BUILDING SEWER INSTALLATION; PERMIT REQUIRED, TRANSFERABILITY

No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first

obtaining a written permit from the utilities superintendent. When two or more persons are copartners, the permit shall issue in the name of the firm or copartnership, and no permit shall be transferable. (Ref. Neb. Rev. Stat. §16-249, 16-321, 16-694)

SECTION 7-214: BUILDING SEWER CONSTRUCTION; BOND REQUIRED AT REQUEST OF CITY COUNCIL

Any licensed plumber with experience in laying drain, water or sewer pipes, upon application to the City Council, may receive a permit to lay drain, water or sewer pipes, or make connections thereto as specified in the permit; provided, no application for such permit shall be considered unless accompanied by a non refundable tap fee of \$200.00 and a bond in an amount to be fixed by the City Council, if, in its discretion, a bond is necessary. Such bond, if required, shall be subject to the approval of the City Council, to secure the City and the public against damages that may arise by reason of the carelessness or neglect of such person or corporation to properly execute or protect his/its work, and to properly repair all damages caused thereby, or for any penalties that may be imposed. (Ref. Neb. Rev. Stat. §16-249, 16-321, 16-694)

SECTION 7-215: BUILDING SEWER CONSTRUCTION; PROTECTION OF WORK

The contractor shall, at his/her expense, erect suitable barriers around all excavations or obstructions on public thoroughfares to prevent accidents, and during the night shall place and maintain sufficient lights for this purpose on or near the work. The contractor will, at all times until its completion and final acceptance, protect his/her work, apparatus and material from accidental or other damage, and shall make good any damages thus occurring at his/her own expense.

SECTION 7-216: BUILDING SEWER CONSTRUCTION; ACCESS AND DRAINAGE

The contractor shall keep unobstructed a sufficient area around fire hydrants to permit their full and effective use in case of fire. He/she shall keep natural drainage and watercourses unobstructed or provide equal courses effectively placed. The contractor shall be held liable if negligent.

SECTION 7-217: BUILDING SEWER CONSTRUCTION; PROTECTION OF PROPERTY

The contractor shall, at his/her expense, by the use of false work, braces, shoring or other effective means, protect against damage all buildings, walls, fences and other property along his/her line of work affected directly by such work and shall repair or repay the injured owners for such damage.

The contractor shall exercise care to protect from injury all existing water pipes, sewer lines, gas lines, telephone cables, electric cables, and other underground structures which may be encountered during the progress of the work. Water and other service pipes and fixtures, if damaged, shall be repaired by the contractor without additional compensation.

The contractor shall give notice in writing at least 48 hours before breaking ground to all persons, superintendents, inspectors, or those otherwise in charge of property, streets, water pipes, sanitary sewer pipes or otherwise that may be affected by their operation, in order that they may remove any obstructions for which they are responsible or may have a representative on the ground to see that their property is properly protected.

SECTION 7-218: BUILDING SEWER CONSTRUCTION; GUARANTEE

The contractor shall furnish a maintenance bond, subject to the City's approval, guaranteeing to keep all work constructed under his/her contract in good repair for a period of two years from the date of final acceptance. Good repair shall be construed to mean that any functional or structural deterioration, except that from ordinary and reasonable use, which appreciably reduces the effectiveness of the improvement for the purpose intended or any serious departure from the standards of original construction shall be remedied.

If, in the opinion of the City, such deterioration takes place, it shall so notify the contractor by registered letter to the address given in the contractor's proposal, and a copy of such notice will be sent to the bonding company, which notice is mutually agreed to be sufficient and adequate. If the contractor shall not proceed to remedy such defects as are called to his/her attention in the notice within ten days, the City shall cause the repairs to be made as it deems best, and the entire cost thereof shall be paid by the contractor or his/her sureties.

SECTION 7-219: BUILDING SEWER CONSTRUCTION; EXCAVATION AND BACKFILL

Trenching shall be in open cut except with the written permission of the engineer. Permission for tunnel work may be given for crossing under crosswalks, house driveways or service pipes when such tunnels will not exceed ten feet in length. The length of trench to be opened at one time may be limited when, in the opinion of the engineer, such limitation is necessary. The amount of open or unfilled trench shall not exceed 1,000 feet unless ordered by the engineer, and failure to comply with this requirement shall be cause for shutdown of the entire job until such backfilling is accomplished. Trenches shall be only of sufficient width to provide a free working space on each side of the pipe of not less than four inches nor more than the outside diameter of the pipe bells, plus 24 inches.

Trenches shall be kept free from water until the material in the joints has hardened. Trenches shall be sheeted and braced as necessary. Such sheeting shall not be removed until backfilling has progressed to such stage that no damage to pipe lines or structures will result from its removal.

At street crossings, sidewalks and other points where the engineer deems it necessary, the trenches shall be bridged in a secure manner so as to prevent serious interruption of travel and to afford access to public and private premises. Such bridges shall be approved by the engineer.

Backfilling of trenches shall be done in accordance with rules and regulations set by the utilities superintendent.

SECTION 7-220: BUILDING SEWER CONSTRUCTION; PREPARATION OF FOUNDATION FOR PIPE LAYING

When the excavation is in firm earth, care should be taken to avoid the removal of material below the established grade. If the foundation is in rock, the excavation shall be carried to an elevation which will provide for a bedding course not less than 12 inches thick below the body of the pipe. This bedding course shall be suitable earth or sand, free from rocks, roots, sod or vegetable matter and shall be firmly tamped in place before shaping the bed to fit the pipe. Before pipes are placed, the bottom of the trench shall be shaped to give full support to the lower one-fourth of the pipe circumference. Adequate bell holes shall be made at each joint. Where the excavation is in unstable earth or muck, the contractor shall provide the necessary materials for stabilization so the pipe will be laid on a firm foundation. If the foundation is in unstable soil, the excavation shall be carried to a depth which will allow the placement of a six-inch thick layer of crushed limestone as subgrade stabilization.

SECTION 7-221: BUILDING SEWER CONSTRUCTION; CONSTRUCTION CODES

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

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

The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the City or the procedures set forth in appropriate specifications of the A.S.T.M. and the W.P.C.F. Manual of Practice No. 9. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the utilities superintendent before installation.

SECTION 7-222: SEWER INSTALLATION/REPAIR EXPENSE

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

SECTION 7-223: SINGLE PREMISE

A separate and independent building sewer shall be provided for every building, except that where one building stands at the rear of another on an interior lot and no public sewer is available or can be constructed to the rear building through an adjoining alley, courtyard or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer; but the City does not and will not assume any obligation or responsibility for damage caused by or resulting from any such single connection aforementioned.

SECTION 7-224: USE OF EXISTING SEWERS

Old building sewers may be used in connection with new buildings only when they are found to meet all requirements of this article upon examination and testing by the utilities superintendent.

SECTION 7-225: UNLAWFUL CONNECTION

No person shall make connection of roof downspouts, interior and exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer unless such connection is approved by the utilities superintendent for purposes of disposal of polluted surface drainage; provided that if responsibility can be determined, the party responsible for disposal of polluted surface drainage into the public sanitary sewer shall pay a user charge equivalent to the cost of treating the polluted drainage.

SECTION 7-226: PROHIBITED DISCHARGES; STORM, SURFACE, GROUND, COOLING AND PROCESS WATERS

No person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof runoff, subsurface drainage including interior and exterior foundation drains, uncontaminated cooling water, or unpolluted industrial waters to any sanitary sewer.

Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the city engineer or the utilities superintendent. Industrial cooling water or unpolluted process waters shall be discharged, at the request of the city engineer or the utilities superintendent, to a combined sewer, storm sewer or natural outlet. The contributor of any identifiable discharge of polluted water to the sanitary sewer system shall be held responsible for reimbursing the City for such costs. The costs shall be determined by the utilities superintendent with the approval of the City Council.

SECTION 7-227: HAZARDOUS AND PROHIBITED DISCHARGES;
FLAMMABLE, TOXIC, CORROSIVE AND OBSTRUCTIVE
SUBSTANCES; PRELIMINARY TREATMENT

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

- A. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.
- B. Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant.
- C. Any waters or wastes having a pH lower than 5.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works.
- D. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair, fleshings, entrails and paper dishes, cups, towels, milk containers, etc., either whole or ground by garbage grinders.
- E. Any waters or wastes having:
 - 1. A 5-day BOD greater than 300 parts per million by weight, or

2. More than 350 parts per million by weight of suspended solids, or
3. An average daily flow greater than 2% of the average sewage flow of the City.
4. A chlorine requirement greater than demanded by normal sewage as evaluated by the City's consulting engineer shall be subject to the review of the utilities superintendent.

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

1. Reduce the biochemical oxygen demand to 300 parts per million by weight, or
2. Reduce the suspended solids to 350 parts per million by weight, or
3. Control the quantities and rates of discharge of such water or wastes, or
4. Reduce the chlorine requirement to conform with normal sewage.

Plans, specifications and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the utilities superintendent, and no construction of such facilities shall be commenced until said approvals are obtained in writing.

SECTION 7-228: HAZARDOUS AND PROHIBITED DISCHARGES; SPECIFIC PROHIBITIONS AS DETERMINED BY SUPERINTENDENT

No person shall discharge or cause to be discharged to any public sewer the following-described substances, materials, waters or wastes if it appears likely, in the opinion of the utilities superintendent, that such wastes can harm the public sewers, sewage treatment process or equipment, have an adverse effect on the receiving stream or otherwise endanger life, limb, public property, or constitute a nuisance. In forming his/her opinion as to the acceptability of these wastes, the utilities superintendent will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials or construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, and other pertinent factors. The substances prohibited are:

- A. Any liquid or vapor having a temperature higher 150° Fahrenheit or 65° Centigrade.
- B. Any water or waste containing fats, wax, grease or oils, whether emulsified or not, in excess of 100 mg/l or containing substances which may solidify or become viscous at temperatures between 32° Fahrenheit and 150° Fahrenheit or 0° and 65° Centigrade.

C. 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 utilities superintendent.

D. Any waters or wastes containing strong acid iron pickling wastes or concentrated plating solutions.

E. Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances, or wastes exerting an excessive chlorine requirement to such degree that any such material received in the composite sewage at the treatment works exceeds the limits established by the utilities superintendent for such materials.

F. Any waters or wastes containing phenols or other taste- or odor-producing substances, in such concentrations exceeding limits which may be established by the utilities superintendent as necessary, after treatment of the composite sewage, to meet the requirements of the state, federal, or other public agencies of jurisdiction for such discharge to the receiving waters.

G. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the utilities superintendent in compliance with applicable state or federal regulations.

H. Any waters or wastes having a pH in excess of 9.5.

I. Materials which exert or cause:

1. Unusual concentrations of inert suspended solids (such as, but not limited to, Fuller's earth, lime slurries and lime residues), or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).
2. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
3. Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load of the sewage treatment works.
4. Unusual volume of flow or concentration of wastes constituting slugs.

J. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to receiving waters.

SECTION 7-229: DISCHARGE OF HAZARDOUS AND PROHIBITED
SUBSTANCES; NATURE OF; SUPERINTENDENT'S
DISCRETION WITH RESPECT TO

If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in the above section and which in the judgment of the utilities superintendent may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life to constitute a public nuisance, the utilities superintendent may:

- A. Reject the wastes,
- B. Require pretreatment to an acceptable condition for discharge to the public sewers,
- C. Require control over the quantities and rates of discharge, and/or
- D. Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of this article.

If the utilities superintendent permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the utilities superintendent, and subject to the requirements of all applicable codes, ordinances and laws.

SECTION 7-230: HAZARDOUS AND PROHIBITED SUBSTANCES; SPECIAL
EXCEPTIONS PERMITTED

No statement contained in this article shall be construed as preventing a special agreement or arrangement between the City and the owner of any property whereby an industrial waste of unusual strength or character may be accepted by the City for treatment, subject to payment therefore by the owner.

SECTION 7-231: GREASE, OIL AND SAND INTERCEPTORS; WHEN
REQUIRED

Grease, oil and sand interceptors shall be provided by the owner of all restaurant property and other businesses when, in the opinion of the utilities superintendent, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand or other harmful ingredients; except that such interceptors shall not be required for residences. All interceptors shall be of a type and capacity approved by the utilities superintendent and

shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors, the owner(s) shall be responsible for the proper removal and disposal of the captured material by appropriate means and shall maintain records of the dates and means of disposal which are subject to review by the utilities superintendent. Any removal and hauling of the collected materials not performed by personnel of the owner(s) must be performed by currently licensed waste disposal firms.

SECTION 7-232: PRELIMINARY TREATMENT OR FLOW-EQUALIZING FACILITIES; MAINTENANCE BY OWNER

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

SECTION 7-233: CONTROL MANHOLES

When required by the superintendent, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manhole, when required, shall be accessible and safely located and shall be constructed in accordance with plans approved by the superintendent. The manhole shall be installed by the owner at his/her expense and shall be maintained by him/her so as to be safe and accessible at all times.

SECTION 7-234: SAMPLING OF WATERS AND WASTES; METHOD OF

All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this chapter shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association, and shall be determined at the sampling station provided or upon suitable samples taken at said sampling station. One copy of the latest edition of said volume shall be kept on file in the office of the city clerk for use and examination by the public. In the event no special sampling station has been required, the sampling station shall be considered to be the nearest manhole in the public sewer downstream from the point at which the building sewer is connected. Sampling shall be carried out by approved methods to determine the existence of hazards to life, limb, and property. (The particular analyses involved will determine whether a 24-hour composite of all outfalls of a premises is appropriate or whether a grab sample should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24-hour composites of all outfalls, whereas pHs are determined from periodic grab samples.)

SECTION 7-235: COMPLIANCE; INSPECTIONS, INJURY, LIABILITY

The utilities superintendent and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing systems in accordance with the provisions of this article. The city engineer and the utilities superintendent shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper or other industries, nor shall they have the right to enter into areas where methods and/or processes are entitled to protection as trade secrets of the property owner beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

While performing the necessary work on the property referred to in this section, the utilities superintendent and other duly authorized employees of the City shall observe all applicable safety rules established by the company. The company shall be held harmless for injury or death to the city employees, and the City shall indemnify the company against loss or damage to its property by city employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure to the company to maintain safe conditions as required in Section 7-233 and 7-234.

SECTION 7-236: UNAUTHORIZED ENTRY OR UNAUTHORIZED DAMAGING OF EQUIPMENT; UNLAWFUL

Entrance into a manhole or opening for any purpose except by authorized persons is hereby prohibited. No person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is part of the sewage works. Any person violating this provision shall be subject to immediate arrest and may be prosecuted to the full extent of the law.

SECTION 7-237: PRIVATE SEWAGE DISPOSAL SYSTEMS

Where a public sanitary or combined sewer is not available under the provisions of Section 7-211, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this article.

1. Before commencing construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the utilities superintendent. The application for such permit shall be made on a form furnished by the City, which the applicant shall supplement by any plans, specifications and other information as deemed necessary by the utilities superintendent.

2. A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the utilities superintendent, who

shall be allowed to inspect the work at any stage of construction, and in any event, the applicant for the permit shall notify the utilities superintendent when the work is ready for final inspection and before any underground portions are covered. The inspection shall be made within 24 hours of the receipt of notice by the utilities superintendent.

3. The type, capacities, location, and layout of a private sewage disposal system shall comply with the Nebraska Department of Environmental Quality's Title 124 Rules and Regulations for the Design, Operation and Maintenance of Septic Tank Systems. No permit shall be issued for any private sewage disposal system employing subsurface soil absorption facilities where the area of the **lot** is less than 10,000 square feet. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

4. At such time as a public sewer becomes available to a property served by a private sewage disposal system, a direct connection shall be made to the public sewer within 90 days in compliance with this article, and any septic tank, cesspool and similar private sewage disposal facilities shall be abandoned in accordance with the Nebraska Department of Environmental Quality's Title 124 Rules and Regulations for the Design, Operation and Maintenance of Septic Tank Systems, at the expense of the owner.

5. Wherever the city sewage system exists or is extended, all private sewage disposal systems are hereby declared to be a nuisance; and every person, firm or corporation that owns, controls or is in possession of said premises on which said private sewage disposal system is located shall be deemed guilty of maintaining a nuisance.

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

7. No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by state or federal law.

SECTION 7-238: LICENSED PLUMBERS

Only licensed plumbers who have a current license issued by the City of Plattsmouth may connect any house drain with any sewer or lateral of the public sewer system, and then only after having notified the utilities superintendent and submitting to his/her supervision in accordance with such rules and regulations as are then in effect with respect thereto.

SECTION 7-239: PENALTIES

Any person upon whom a duty is placed by the provisions of this article, who shall fail, neglect or refuse to perform such duty, or who shall violate any of the

provisions of this article, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not to exceed \$500.00 for each violation, together with the costs of prosecution. Each day that a violation of this article continues shall constitute a separate and distinct offense and shall be punishable as such; provided, however, that any such person upon whom a duty is placed by the provisions of this article who shall fail, neglect or refuse to perform such duty, or who shall violate any of the provisions of said sections, may be served by the City with written notice stating the nature of such negligent duty or of such violation and providing a reasonable time limit for the satisfactory correction of such negligent duty or violation. Such person shall, within such period of time, perform such duty or cease such violation; otherwise, for each day after such period of time that such person fails, neglects, or refuses to perform such duty or violates such provision, he/she shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished as above provided.

In addition to, or in lieu of, other remedies provided to the City by this article to correct or abate a failure, neglect or refusal to perform a duty imposed by this article or a violation of a provision of this article, the city engineer or the utilities superintendent may revoke any permit issued under the provisions of this article, and may effect the discontinuation of such services to the owner of the property. The City may also institute an injunction or other appropriate action or proceeding.

Any person upon whom a duty is placed by the provisions of this article, who shall fail, neglect or refuse to perform such duty, or who shall violate any of the provisions of this article, or who is responsible for an accidental discharge as aforesaid, may be held liable to the City for any expense, loss or damage occasioned the City by reason thereof.