

## Chapter 710

### SEWERS AND SEWAGE DISPOSAL

Cross References — Merger of utility systems, see §700.010; utility services, ch. 700, art. II; service charges, ch. 700, art. III — V; user charge system, ch. 715.

#### ARTICLE I

#### Public and Private Sewers and Drains — Sewer Use Regulations

**Section 710010. Definitions.** [CC 1985 §14-601; Ord. No. 644, 10-20-1980]

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

**BOD** (denoting **BIOCHEMICAL OXYGEN DEMAND**) — The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degrees Celsius (20°C), expressed in milligrams per liter.

**BUILDING DRAIN** — 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 the building and conveys it to the building sewer, beginning five (5) feet outside the inner face of the building wall.

**BUILDING SEWER** — The extension from the building drain to the public sewer or other place of disposal.

**COMBINED SEWER** — A sewer receiving both surface runoff and sewage.

**GARBAGE** — Solid wastes from the domestic and commercial preparation, cooking and dispensing of food and from the handling, storage and sale of produce.

**INDUSTRIAL WASTES** — The liquid wastes from industrial manufacturing processes, trade or business as distinct from sanitary sewage.

**NATURAL OUTLET** — Any outlet into a watercourse, pond, ditch, lake or other body of surface or groundwater.

**PERSON** — Any individual, firm, company, association, society, corporation or group.

**pH** — The logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

**PROPERLY SHREDDED GARBAGE** — The wastes from the preparation, cooking and dispensing of food 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 (½) inch in any dimension.

**PUBLIC SEWER** — A sewer in which all owners of abutting properties have equal rights and which is controlled by public authority.

**SANITARY SEWER** — A sewer which carries sewage and to which storm, surface and groundwaters are not 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, pumping, treating and disposing of sewage.

**SEWER** — A pipe or conduit for carrying sewage.

**SHALL** — Is mandatory; **MAY** — is permissive.

**SLUG** — 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 fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation.

**STORM DRAIN** (sometimes termed **STORM SEWER**) — A sewer which carries storm and surface waters and drainage but excludes sewage and industrial wastes, other than unpolluted cooling water.

**SUPERINTENDENT** — The Superintendent of the Water Utility of the City of Mulvane or an authorized deputy, agent or representative.

**SUSPENDED SOLIDS** — 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.

**WATERCOURSE** — A channel in which a flow of water occurs either continuously or intermittently.

**Section 710.020. Use of Public Sewer.** [CC 1985 §14-602; Ord. No. 644, 10-20-1980]

- A. It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the City of Mulvane or in any area under jurisdiction of said City any human or animal excrement, garbage or other objectionable waste
- B. It shall be unlawful to discharge to any natural outlet within the City of Mulvane or in any area under the jurisdiction of said City any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Article.
- C. 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.

- D. The owner of all 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 ninety (90) days after the date of official notice to do so, provided that said public sewer is within one hundred (100) feet of the property line and any private sewage disposal system shall be cleaned of sludge and filled with clean bankrun gravel or dirt.

**Section 710.030. Public Sewer Not Available.** [CC 1985 §14-603; Ord. No. 644, 10-20-1980]

- A. Where a public sanitary or combined sewer is not available, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this Article.
- B. Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the 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 are deemed necessary by the Superintendent. A permit and inspection fee of twenty-five dollars (\$25.00) shall be paid to the City at the time the application is filed.
- C. A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Superintendent. He/she shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the Superintendent when the work is ready for final inspection and before any underground portions are covered. The inspection shall be made within twenty-four (24) hours of the receipt of notice by the Superintendent.
- D. The type, capacities, location and layout of a private sewage disposal system shall comply with all recommendations of the State Board of Health and Environment. 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 twenty thousand (20,000) square feet. No septic tank or cesspool shall be permitted to discharge to any natural outlet.
- E. The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times at no expense to the City.
- F. No statement contained in this Article shall be construed to interfere with any additional requirements that may be imposed by the Health Officer.

**Section 710.040. Generalities.** [CC 1985 §14-604; Ord. No. 644, 10-20-1980]

- A. 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 Superintendent.
- B. The owners or their agents shall make application for sewer permits. The permit application shall be supplemented by any plans, specifications or other information

pertinent in the judgment of the Superintendent.

- C. All costs and expenses incident 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.
- D. A separate and independent building sewer shall be provided for every building except where one (1) building stands at the rear of another building under the same ownership on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court yard or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one (1) building sewer.
- E. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:
  - 1. Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas.
  - 2. 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 including but not limited to cyanides in excess of two (2) mg/l as CN in the wastes as discharged to the public sewer.
  - 3. 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.
  - 4. 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 and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.
- F. No person shall discharge or cause to be discharged the following described substances, materials, waters or wastes if it appears likely, in the opinion of the Superintendent, that such wastes can harm either the sewers, sewage treatment process or equipment, have an adverse effect on the receiving stream or can otherwise endanger life, limb, public property or constitute a nuisance. In forming his/her opinion as to the acceptability of these wastes, the Superintendent will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant and other pertinent factors. The substances prohibited are:
  - 1. Any liquid or vapor having a temperature higher than one hundred fifty degrees Fahrenheit (150°F)(65°C).

2. Any water or wastes containing fats, wax, grease or oils, whether emulsified or not, in excess of one hundred (100) mg/l 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).
3. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths ( $\frac{3}{4}$ ) horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the Superintendent.
4. Any waters or wastes containing strong acid iron pickling wastes or concentrated plating solutions whether neutralized or not.
5. 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 sewage treatment works exceeds the limits established by the Superintendent for such materials.
6. Any waters or wastes containing phenols or other taste or odor-producing substances in such concentrations exceeding limits which may be established by the Superintendent as necessary, after treatment of the composite sewage, to meet the requirements of State, Federal or other public agencies of jurisdiction for such discharge to the receiving waters.
7. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Superintendent in compliance with applicable State or Federal regulations.
8. Any waters or wastes having a pH in excess of 9.5.
9. Materials which exert or cause:
  - a. Unusual concentrations of inert suspended solids (such as, but not limited to, fuller earth, lime slurries and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride or sodium sulfate).
  - b. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
  - c. Unusual BOD, chemical oxygen demand or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
  - d. Unusual volume of flow or concentration of wastes constituting "*slugs*" as defined herein
10. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
11. Any waters or wastes having:

- a. A five (5) day BOD greater than three hundred (300) parts per million by weight,
- b. Containing more than three hundred fifty (350) parts per million by weight of suspended solids, or
- 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:

- (1) Reduce the biochemical oxygen demand to three hundred (300) parts per million by weight,
- (2) Reduce the suspended solids to three hundred fifty (350) parts per million by weight, or
- (3) 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 said approvals are obtained in writing.

G. If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contained the substances or possess the characteristics enumerated in Subsection (D) of this Section, and which in the judgment of the Superintendent, may have a deleterious effect upon the sewage works, processes, equipments, or receiving waters, or which otherwise create a hazard to life to constitute a public nuisance, the Superintendent may:

1. Reject the wastes.
2. Require pretreatment to an acceptable condition for discharge to the public sewers.
3. Require control over the quantities and rates of discharge, and/or,
4. Require payment to cover the added costs of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of Subsection (K) of this Section.

If the 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 Superintendent, and subject to the requirements of all applicable codes, ordinances and laws.

H. Grease, oil and sand interceptors shall be provided 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 or other harmful ingredients, except that such interceptors shall be of a type and capacity approved by the Superintendent and shall be located as to be readily and easily accessible for cleaning and

inspection.

- I. 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.
- J. 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 accessibly 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.
- K. No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the City and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the City for treatment, subject to payment therefore, by the industrial concern.

**Section 710.045. Installation of Back Water Valves.** [Ord. No. 1092, 11-20-2000]

- A. To prevent the backflow from the public sanitary sewer system, it shall be required in all new construction that each building sanitary sewer drain, connected to the City sanitary sewer system, shall have a backwater valve installed.
  - 1. The device shall be installed where it is accessible for inspection and repair.
  - 2. The device shall be installed in accordance with the Section 710-9 of the 1997 Edition of the Uniform Plumbing Code.

**Section 710.050. Protection From Damage.** [CC 1985 §14-605; Ord. No. 644, 10-20-1980]

No unauthorized 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 under charge of disorderly conduct.

**Section 710.060. Superintendent.** [CC 1985 §14-606; Ord. No. 644, 10-20-1980]

- A. The 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 in accordance with the provisions of this Article. The Superintendent or his/her representatives shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.
- B. While performing the necessary work on private properties, the Superintendent or duly authorized employees of the City shall observe all safety rules applicable to the premises established by the company and 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 of the company to maintain safe conditions.

- C. The Superintendent and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all private properties through which the City holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easements shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

**Section 710070. Violations — Liability.** [CC 1985 §14-607; Ord. No. 644, 10-20-1980]

- A. Any person found to be violating any provision of this Article, shall be served by the City with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.
- B. Any person violating any of the provisions of this Article shall become liable to the City for any expense, loss or damage occasioned the City by reason of such violation.