

Chapter 113 – Sewer

113.010 **Definitions.**-Unless the context specifically indicates otherwise, the meaning of terms used in this Chapter shall be as follows:

1. **City** shall mean the City of Moscow Mills, Missouri.
2. **Operation and Maintenance** shall mean all expenditures during the useful life of the public sewer system for materials, labor, utilities, and other items which are necessary for managing and maintaining the public sewer system to achieve the capacity and performance for which such system was designed and constructed.
3. **Public Sewer System** shall mean the City's facilities for carrying, collecting, storing, treating and discharging sewage and waste.
4. **Replacement** shall mean expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the useful life of the public sewer system to maintain the capacity and performance for which such system was designed and constructed. The term "operation and maintenance" includes replacement.
5. **Residential** shall mean a unit used primarily for dwelling purposes.
6. **Superintendent** shall mean the Public Works Superintendent, who is in responsible charge of the operation and maintenance of the public sewer system.
7. **User Charge** shall mean that portion of the total sewer system charge which is levied in a proportional and adequate manner for the cost of operation, maintenance, and replacement of the City's public sewer system.

113.020 **Connection required.**-The Owners of all properties located within the City improved with any structure used or designed to be used for human habitation, employment, recreation or other purpose, where there is located access to the main line of the City's public sewer system within 100 feet of the property line shall be required to connect to said system. Unless prior written agreement is reached with the City, the property owner shall be responsible for installing any and all lines required to connect to the main line of the City's public sewer system. Where the City's public sewer system is not available, all properties shall be connected to a private sewage disposal system complying with the provisions of all county and state laws.

113.030 **Scope of sewer service.**-The City shall provide sewer service to all properties within the City limits when proper application is made. When properties are annexed into the City or new development takes place, the City will provide Sewer service as soon as practicable. The City may, at the discretion of the Board of Aldermen, provide sewer service to properties outside the City limits. The sewer rate for properties outside the City limits shall be double the sewer rate for properties within the City limits.

113.040 Connection.

1. No person shall uncover, make any connections with or opening into, use, alter, or disturb the City’s public sewer system without first obtaining written permission from the Superintendent.

2. All connections to the City’s public sewer system shall be made at the expense of the property owner and subject to the control and supervision of the City. The city retains the right to supervise the type and character of connections and to refuse connections that do not meet the City’s specifications. The property owner, by making application for connection, agrees to indemnify and hold harmless the City for liability to the property owner or any other person for any injury, loss, or damage whatsoever, relating to or arising out of the connection.

3. All new connections to the City’s public sewer system shall require a permit. The owner of the property or his agent shall make application when applying for a building permit. The application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Superintendent. A permit and inspection fee shall be charged at the time of application as follows:

Meter Size	Permit and Inspection Fee (Sewer)
3/4"	\$2,000.00
1"	\$2,600.00
2"	\$3,886.00
3"	\$6,429.00
4"	\$11,571.00
6"	\$17,143.00
8"	\$20,571.00
10"	\$27,428.00

The Board of Alderman shall have the authority to reduce or waive this fee.

4. The size, alignment, material used, and methods used shall all conform to the requirements of the most recent edition of the City’s building code or other regulations established by the Superintendent. In the absence of City codes or regulations, the ASTM and WPCF Manual of Practice, No. 9, shall apply.

5. A permit to construct, issued by MDNR, will be provided to the City prior to any construction, alteration or extension of lines connected or to be connected to the City's public sewer system.

6. The owner or his agent shall notify the Superintendent when lines are ready for inspection prior to connection to the City's public sewer system. All connections shall be made under the supervision of the Superintendent.

7. The Superintendent or his designated agents shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling and testing.

8. The owner of the property shall be responsible for any costs associated with testing required by the Superintendent to complete inspections.

113.050 Stop work order.-The Superintendent may issue a written stop work order to any person who is found violating the provisions of this Chapter or otherwise failing to conform to the City's specifications for connection to the City's public sewer system. Violation of a stop work order shall be unlawful and shall constitute a misdemeanor and shall be punished by a fine of not less than one dollar (\$1.00) and not more than five hundred dollars (\$500.00) or by imprisonment not exceeding ninety (90) days or both, recoverable with costs of court. Each day of violation shall constitute a separate offense.

113.060 Unlawful connections.-The City may immediately disconnect any connections made in violation of this Chapter and may make report to the Chief of Police for prosecution. Connection in violation of the provisions of this Chapter shall constitute a misdemeanor and shall be punished by a fine of not less than one dollar (\$1.00) and not more than five hundred dollars (\$500.00) or by imprisonment not exceeding ninety (90) days or both, recoverable with costs of court. Each day of violation shall constitute a separate offense.

113.070 Unlawful discharge.-Discharge into the City's public sewer system in violation of the provisions of this Chapter shall constitute a misdemeanor and shall be punished by a fine of not less than one dollar (\$1.00) and not more than five hundred dollars (\$500.00) or by imprisonment not exceeding ninety (90) days or both, recoverable with costs of court. Each day of violation shall constitute a separate offense. In addition, any person causing damage to the City's public sewer system shall be civilly liable to the City for any costs of repair.

113.080 Elevation of building sewer.-Whenever possible, the service connection 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, sewage carried by such building drain shall be lifted by an approved means and discharged to the public sewer.

113.090 Surface runoff and groundwater.-No person shall make connection of roof downspouts, interior and exterior foundation drains, are 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 the City's public sewer system.

113.100 **Substances prohibited.**-No person shall discharge or cause to be discharged any of the following described waters or wastes into 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 five and five-tenths (5.5) or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the public sewer.
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, woods, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper items, either whole or ground by garbage grinder.
5. Any liquid or vapor having a temperature higher than one hundred fifty (150) degrees Fahrenheit (sixty-five [65] degrees centigrade).
6. Any water or waste 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 (32) and one hundred fifty (150) degrees Fahrenheit (zero and sixty-five [65] degrees centigrade).
7. 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 City.
8. Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.
9. Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement.

10. 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 the state, federal or other public agencies of jurisdiction for such discharge to the receiving waters.

11. 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.

12. Any waters or wastes having a pH in excess of nine and five-tenths (9.5).

13. Materials which exert or cause:

a. 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).

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

c. Unusual BOD, biochemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the City's public sewer.

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

14. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amendable 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.

15. Any waters or wastes having (1) a 5-day BOD greater than 300 parts per million by weight, or (2) containing more than 350 parts per million by weight of suspended solids or (3) having an average daily flow greater than 2 per cent of the average sewage flow if the City, shall be subject to the review of the City. Where necessary in the opinion of the City, the owner shall provide, this 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 waters or wastes. Plans, specifications, and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the City and no construction of such facilities shall be commenced until said approvals are obtained in writing.

113.200 Allocation of charges.

1. The user charges shall generate adequate annual revenues to pay costs of annual operation and maintenance, including repair and replacement, and the costs associated with debt retirement of bonded capital associated with financing the City's public sewer system. Unless otherwise provided in any ordinance authorizing the issuance of revenue bonds, the user charges shall be allocated as provided in this Chapter.

2. That portion of the total user charges collected which is designated for operation and maintenance, including repair and replacement purposes, shall be deposited in a separate non-lapsing fund known as the Operation, Maintenance and Replacement Fund and will be kept in two primary accounts as follows:

a. An account designated for the specific purpose of defraying operation and maintenance costs, excluding repair and replacement, of the City's public sewer system (Operation and Maintenance Account).

b. An account designated for the specific purpose of ensuring repair and replacement needs over the useful life of the City's public sewer system (Replacement Account). Deposits in the Replacement Fund in the amount of \$117,294.70 annually (See Appendix B & C).

3. That portion of the total user charges collected which is designated for debt retirement shall be deposited in a separate non-lapsing fund known as the Debt Retirement Account and will be kept in a primary account for the specific purpose of meeting debt retirement and construction costs for capital improvements associated with the City's public sewer.

4. Fiscal year-end balances in the Operation and Maintenance Account, the Replacement Account, and Debt Retirement 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.

5. Connection fees or "tap fees" shall be used first to pay any deficiency in debt retirement and second to reimburse any person who has contracted to be reimbursed for contribution to the expansion of the City's public system.

113.300 User Charges-(see Appendix A).

A. The City of Moscow Mills, Missouri, shall collect a monthly sewer user charge for the services rendered by the City's sanitary sewer system to the owners or occupants of each residence, building, or structure which is connected to said system.

B. Except as otherwise provided herein, the sewer user charge shall be the total of: a) a minimum/base service charge for operation and maintenance of the sewer system

("minimum charge"); plus b) an amount established in this Chapter based on the water usage attributable to the premises ("unit charge").

C. For new users or users terminating service, the minimum charge shall be prorated based on a 30-day billing cycle for a partial month of service.

D. The water usage shall be rounded to the nearest 100 gallon increment and billed accordingly.

113.301 Rates.

A. The minimum charge beginning January 1, 2019, shall be \$37.25; this amount shall be charged if water service is available to the premises, whether or not it is occupied; for new users or users terminating service, the minimum charge shall be prorated based on a 30-day billing cycle for a partial month of service.

B. The unit charge beginning January 1, 2019, shall be \$6.05; per 1000 gallons of water usage; the amount of water usage shall be rounded to the nearest 100-gallon increment for billing purposes; water usage for unit charge purposes shall be based on:

1. The quantity of water used from any source, as measured by a water meter acceptable to the City, or
2. The quantity of sanitary sewage, water, or other waste entering the City's sanitary sewer system, as measured by a meter acceptable to the City, or
3. A monthly average based on Section 113.302, or
4. A written agreement between the City and the user.

C. Rates shall automatically increase by an inflation factor of 3% each year starting in January, unless the Board of Aldermen decides otherwise.

D. Beginning January 1, 2019, the City elects to bill monthly sewer user charges using a monthly average as the basis for unit charge purposes; in the event a particular user elects to be billed using another basis, the user must make written application for same and must agree to pay on such basis for one year following the date of application; said application will be subject to the City's conditions and Board of Aldermen approval.

113.302 Monthly Average.

A. Subject to the provisions contained herein, a monthly average for a premises may be determined from the average of the monthly water consumption recorded during the period of January 1st through March 31st preceding the establishment of the monthly average. The monthly average so determined may be first used in rendering the bill beginning in the month of April following the determination and shall be used until the following April. A new monthly average shall be established annually.

B. If a premises first becomes subject to a meter reading after March, the monthly average shall be 4,500 until a monthly average can be determined between January 1st through March 31st the following year.

C. In the event of a new occupancy after the monthly average has been determined, the

monthly average shall be 4,500 until a monthly average can be determined between January 1st through March 31st the following year.

D. In the event there is a water leak during the period of January 1st through March 31st, the monthly average shall be 5,000 until a monthly average can be determined between January 1st through March 31st the following year.

113.400 **Construction Standards for Sanitary Sewers and Appurtenances**-Sanitary Sewers and appurtenances shall be constructed in accordance with the City of Moscow Mills Sanitary Sewer and Appurtenances Construction Standards.

113.500 **Appendices**.-Appendix "A" and Appendix "B: to former Chapter 113 of the City Code and the City of Moscow Mills, MO. Sanitary Sewer and Appurtenances Construction Standards and the Rules of the Missouri Department of Natural Resources, Division 20 - Clean Water Commission, Chapter 8 - Design Guides, latest edition are hereby adopted and incorporated herein.

Adopted by Ordinance 6/14/93. Amended by: Ordinance #10, 1/9/95. Ordinance #216, 9/29/03. Ordinance #265, 4/18/05. Ordinance #296, 10/19/05. Ordinance #360, 11/20/06. Ordinance #425 10/22/07. Ordinance #442 2/25/08. Ordinance #485 10/16/08. Ordinance #489, 7/13/09. Ordinance # 537 and Ordinance #541, 12/21/09. Ordinance #570, 9/13/10. Ordinance #614, 11/14/11. Ordinance #842, 12/17/18.