

Chapter 13.12

SEWER SERVICE SYSTEM

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Article I. Sewer Service Charges

13.12.010 Definitions.

The meaning of terms used in this article shall be as follows:

“Biochemical oxygen demand (BOD)” means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at twenty (20) degrees centigrade, expressed in milligrams per liter.

“Building drain” means that part of the lower 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 feet (1.5 meters) outside the inner face of the building wall.

“Building sewer” means the extension from the building drain to the public sewer or other place of disposal, also called house connection.

“Combined sewer” means a sewer intended to receive both wastewater and storm or surface water.

“Easement” means a right given by the owner of land to another party for specific limited use of that land including utility placement, maintenance and drainage.

“Floatable oil” means oil, fat, or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable fat if it is properly pretreated and the wastewater does not interfere with the collection system.

“Garbage” means any putrescible solid or semi-solid animal and/or vegetable waste material resulting from the handling, preparation, cooking, serving and consumption of food.

“Industrial waste” means waste resulting from, or incidental to, any process of industry, manufacturing, mining or development of any agricultural or natural resources. This does not include waste materials, the discharge of which is the subject to rules and regulations of the Water Quality Division or mining materials subject to Land Quality rules and regulations of the Wyoming Department of Environmental Quality.

“May” is permissive (see “shall”).

“Natural outlet” means any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake or other body of surface or groundwater.

“Person” means any individual, firm, company, association, society, corporation or group.

“pH” means the logarithm of the reciprocal of the hydrogen-ion concentration. The concentration is the weight of the hydrogen-ions, in grams, per liter of solution. Neutral water, for example, has a pH value of seven and a hydrogen-ion concentration of 10^{-7} .

“Properly shredded garbage” means 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 particles greater than one-half inch (1.27 centimeters) in any dimension.

“Public sewer” means a common sewer controlled by a governmental agency or public utility.

“Sanitary sewer” means a sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions together with minor quantities of ground, storm, and surface waters that are not admitted intentionally.

“Sewage” means the spent water of a community. The preferred term is “wastewater.”

“Sewer” means a pipe or conduit that carries wastewater or drainage water.

“Sewer lateral line” means the sewer line from the sewer main to the structure or property served.

“Sewer utility” means all sanitary sewers, sewage treatment works, equipment, material and supplies used by the Town to collect and dispose of sewage from the property served by the Town; provided, that a sewer service line shall be regarded as the property of the owner of such structure or property served.

“Shall” is mandatory (see “may”).

“Sludge” means any discharge of water or wastewater 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 times the average twenty-four (24) hour concentration or flows during normal operation and shall adversely affect the collection system and/or performance of the wastewater treatment works.

“Storm drain” (sometimes termed “storm sewer”) means a drain or sewer for conveying water, groundwater, subsurface water, or unpolluted water from any source.

“Suspended solids” means total suspended matter that either floats on the surface of, or is in suspension in water, wastewater, or other liquids, and that is removable by laboratory filtering as

prescribed in “Standard Methods for the Examination of Water and Wastewater” and referred to as non-filterable residue.

“Unpolluted water” means 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.

“Wastewater” means the spent water of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any groundwater, surface water, and storm water that may be present.

“Wastewater facilities” means the structures, equipment, and processes required to collect, carry away, and treat domestic and industrial wastes and dispose of the effluent.

“Wastewater treatment works” means an arrangement of devices and structures for treating wastewater, industrial waste, and sludge. Sometimes used as synonymous with “waste treatment plant” or “wastewater treatment plant” or “water pollution control”.

“Watercourse” means a natural or artificial channel for the passage of water either continuously or intermittently. (Ord. dated 5/12/86 (part): prior code § 17-401)

13.12.020 Connections, fees and regulation.

The following regulations for operation of the Town sewer collection and disposal system are adopted:

A. A tap fee of eight hundred dollars (\$800.00) per tap shall be charged to

each consumer requesting sewer services from the Town, and an additional fee of twenty-five dollars (\$25.00) per apartment unit. Permission from the governing body of the Town of Encampment must be obtained prior to any connection to the sewer system.

B. The tap fee of eight hundred dollars (\$800.00) per tap shall be charged to each consumer and an additional fee of twenty-five dollars (\$25.00) per apartment unit shall be charged to each consumer pursuant to this section and shall permit the consumer to complete tapping in to the Town sewer services within six months of payment of the tapping fees. Thereafter, the consumer will be required to make payment of an additional tapping fee of eight hundred dollars (\$800.00) and twenty-five dollars (\$25.00) per apartment unit or mobile home unit or lot for each six-month period that he desires to be allowed to tap into the Town sewer system. The consumer will not be required to make payment of an additional tapping fee or fees if the cause of the delay beyond six months is the Town.

C. Each single family dwelling or separate building shall be required to have a separate tap.

D. All extensions of sewer mains in areas not provided with service will be at the expense of the consumer and must meet the standards for such lines set forth in the Wyoming Public Works Standard Specifications, the Town of Encampment Development Standards or other specifications set forth in Title 16 of this code. (Ord. dated 5/12/86; prior code § 17-107(d),(e),(f))

13.12.030 Use of public sewers required.

A. It is unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the Town, or in any area under the jurisdiction of said Town, any human or animal excrement, garbage, or other objectionable waste.

B. It is unlawful to discharge to any natural outlet within the Town, or in any area under the jurisdiction of said Town, 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 is unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of wastewater.

D. The owner(s) of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the Town 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 sewer of the Town, is required at the owner(s) expense to install suitable toilet facilities therein, and to connect such facilities directly with the provisions of this article, within sixty (60) days after date of official notice to do so, provided that said public sewer is within two hundred (200) feet of the property line. (Ord. dated 5/12/87 (part): prior code § 17-402)

13.12.040 Private wastewater disposal.

A. A private wastewater disposal system shall not be allowed within the

Town of Encampment. (Amended 01-14-1999)

B. At such time a public sewer becomes available to a property service by a private wastewater disposal system, as provided in Section 13.12.030 D of this chapter a direct connection shall be made to the public sewer within sixty (60) days in compliance with this article, and any septic tanks, cesspools, and similar private wastewater disposal facilities shall be cleaned of sludge and filled with suitable material.

C. The owner shall operate and maintain existing private wastewater disposal facilities in a sanitary manner at all times, at no expense to the Town.

D. No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the Wyoming Department of Environmental Quality, Water Quality Division. (Ord. dated 5/12/87 (part): prior code § 17-403)

13.12.050 Sanitary sewers, building sewers and connections.

A. It is unlawful for any person, firm or corporation, excepting the properly authorized agents, officers, or employees of the Town, to insert taps in any sewer main in the Town.

B. There shall be two classes of building sewer permits: (1) for residential and commercial service, and (2) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the Town. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Town of Encampment. Application

for sewer tap may be made to the Town Council at their regular meeting date. If application is approved, the tap fee shall be paid to the Town clerk and authorization will be given to the Department of Public Works to make the tap.

C. All costs and expense incidental to the installation and connection of the building sewer shall be borne by the owner. It shall be the responsibility of the property owner to excavate and expose the sewer main and sewer line per qualifications outline in section 12.08.040 of the Town of Encampment Municipal Code. The owner shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer. The Town shall provide the sewer tap.

D. A separate and independent building sewer shall be provided for every building.

E. Old building sewers may be used in connection with new buildings only when they are found, on examination and test under the supervision of the Town of Encampment or its authorized agent, to meet all requirements of this article.

F. The size, slope, alignment, materials of construction of all sanitary sewers including building sewers, and the methods to be used in excavating, placing of 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 state of Wyoming and the Wyoming Public Works Standard Specifications.

G. 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. When pumping stations are required, the cost of constructing, operating and maintaining such stations shall be the responsibility of the property owner served thereby.

H. No person shall make connection of roof downspouts, foundation drains, areaway drains, or other sources of surface run off 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 public utilities commissioner.

I. The connection of the building sewer into the public sewer shall conform to the requirements of the Wyoming Public Works Development Standards, the Development Standards adopted by the Town of Encampment and any applicable rules and regulations of the State of Wyoming Department of Environmental Quality, Water Quality Division. All such connections shall be made gastight and watertight and verified by proper testing. Any deviation from the prescribed procedures and materials must be approved by the Town of Encampment before installation.

J. All excavations for building sewer installation shall comply with Title 12.08 Excavations of the Town of Encampment Municipal Code and be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Town. Ord. dated 5/21/87 (part): prior code § 17-404)

13.12.060 Use of the public sewers.

A. No person shall discharge or cause to be discharged any unpolluted waters such as storm water, surface water, groundwater, roof runoff, subsurface drainage, or cooling water to any sewer.

B. No person shall discharge or cause to be discharged any of the following described water 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 containing toxic or poisonous solids, liquids, or other wastes, to contaminate the sludge of any sewage treatment process, constitute a hazard in or have an adverse effect on the waters receiving any discharge from the works.

Each user which discharges any toxic pollutants which cause an increase in the cost of managing the effluent or the sludge of the Town treatment works shall pay for such increased costs.

3. Any waters or wastes having a pH lower than 5.5 or having any corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the wastewater 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 wastewater facilities such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, underground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc. either whole or ground by garbage grinders.

C. The following described substances, materials, waters or wastes shall be limited in discharges to municipal systems to concentrations or quantities which will not harm either the sewers, the sludge of any municipal system, the wastewater treatment process or equipment, will not have an adverse effect on the receiving stream, or will not otherwise endanger lives, limb, public property, or constitute a nuisance. The Town of Encampment may set limitations lower than the limitations established in the regulations below if, in their opinion, such more severe limitations are necessary to meet the above objectives. In forming their opinion as to the acceptability, the Town of Encampment will give consideration to such factors as the quantity of subject waste in relation to flows and velocities in the sewers, materials of construction of the sewers, the wastewater treatment process employed, capacity of the wastewater treatment plant, and other pertinent factors. The limitations or restrictions on materials or characteristics of waste or wastewaters discharged to the sanitary sewer which shall not be violated without approval of the Town of Encampment are as follows:

1. Wastewater having a temperature higher than one hundred fifty (150) degree Fahrenheit (sixty-five (65) degrees Celsius).

2. Wastewater containing more than twenty-five (25) milligrams per liter of petroleum oil, non-biodegradable cutting oils, or product of mineral oil origin.

3. Wastewater from industrial plants containing floatable oils, fat or grease.

4. Any garbage that has not been properly shredded. (see Section

13.12.010 of this chapter). Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments, or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers.

5. Any waters or wastes containing iron, chromium, copper, zinc and similar objectionable or toxic substances to such degree that any such material received in the composite wastewater at the wastewater treatment works exceeds the limits established by the Wyoming Department of Environmental Quality, Water Quality Division for such material.

6. Any waters or wastes containing odor producing substances exceeding limits which may be established by the Town of Encampment.

7. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Wyoming Department of Environmental Quality, Water Quality Division in compliance with applicable state or federal regulations.

8. Quantities of flow, concentrations, or both which constitute a "sludge" as defined herein.

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

10. Any water or wastes which, by interaction with other wastes in the

public sewer system, release obnoxious gases, from suspended solids which interferes with the collection system, or create a condition deleterious to structures and treatment processes.

D. 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 subsection C of this section and which in the judgment of the Town of Encampment or its authorized agent, may have a deleterious effect upon the wastewater facilities, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Town of Encampment 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 cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of this article. If the Town of Encampment 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 Town of Encampment and the Wyoming Department of Environmental Quality, Water Quality Division.

E. Grease, oil and sand interceptors shall be provided when, in the opinion of the Town of Encampment or its authorized agent, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts as specified in subsection C of this section, or any flammable wastes,

sand or 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 Town of Encampment and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors, the owner shall be responsible for the proper removal and disposal by appropriate means of the captivated material and shall maintain records of the dates and means of disposal which are subject to review by the Town of Encampment.

F. Where pretreatment or flow-equalization facilities are provided or required for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

G. When required by the Town of Encampment, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable structure together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes. Such structures, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Town of Encampment.

H. The Town of Encampment may require a user of sewer services to provide information needed to determine compliance with this article. These requirements may include:

1. Wastewater's discharge peak rate and volume over a specified time period;
2. Chemical analyses of wastewaters;

3. Information on raw materials, processes, and products affecting wastewater volume and quality;

4. Quantity and disposition of specific liquid, sludge, oil, solvent, or other materials important to sewer use control;

5. A plot plan of sewers of the user's property showing sewer and pretreatment facility location;

6. Details of wastewater pretreatment facilities;

7. Details of system to prevent and control the losses of materials through spills to the municipal sewer.

I. All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this article shall be determined in accordance with latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association. Sampling methods, location, times, durations, and frequencies are to be determined on an individual basis subject to approval by Town of Encampment.

J. No statement contained in this article shall be construed as preventing any specific agreement or arrangement between the Town and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Town for treatment.

13.12.070 Damaging or tampering with facilities prohibited.

No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance or equipment which is a part of the wastewater facilities. Any person(s)

violating this provision shall be subject to immediate arrest under charge of disorderly conduct. (Ord. dated 5/21/87 (part): prior code § 17-405; 13.12.060(k))

13.12.080 Inspection Required.

Any new construction or repair to existing connection to the sewer utility shall require proper inspection, testing and adoption by the Town or its agent, prior to being placed into service. Any cost incurred for inspection are the responsibility of the property owner and any Town properties disturbed during the construction process shall be restored to prior condition or as otherwise specified by the Town.

13.12.090 Powers and authority of inspectors.

A. All connections to the public sewer shall be made under the supervision of Town of Encampment or its authorized agent.

B. The Department of Public Works and other authorized agents of the Town bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing pertinent to discharge to the community system in accordance with the provisions of this article.

C. The Department of Public Works or other authorized agents of the Town are authorized to obtain information concerning industrial processes which have a direct bearing on the kind and source of discharge to the wastewater collection system. The industry may withhold information considered confidential. The industry must

establish that the revelation to the public of the information in question might result in an advantage to competitors.

D. While performing the necessary work on private properties referred to in subsection A of this section, the Department of Public Works or *other* authorized agents of the Town 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 employees, and the Town shall indemnify the company against loss or damage to its property by Town employees and against liability claims and demands for personal injury or property damage asserted against the company growing out of the gauging and sampling operation, except as such may be caused by the negligence or failure of the company to maintain safe conditions as required by this article.

E. The Department of Public Works and other authorized agents of the Town bearing proper credentials and identification shall be permitted to enter all private properties through which the Town 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 wastewater facilities lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved. (Ord. dated 5/21/87 (part): prior code § 17-406)

Article II. Sewer Use Regulations

13.12.100 Purpose.

The purpose of this article shall be to generate sufficient revenue to pay all

costs for the operation and maintenance of the complete wastewater system as well as establishing a reasonable reserve. The costs shall be distributed to all users of the system in proportion to each user's contribution to the total loading of the treatment works.

13.12.110 Establishing and maintaining appropriate rates for sewer service.

The governing body of the Town of Encampment shall determine the total annual costs of operation and maintenance of the wastewater collection and treatment system which are necessary to maintain the capacity and performance, during the service life of the treatment works, for which such works were designed and constructed. The total annual cost of operation and maintenance shall include, but need not be limited to, labor, repairs, equipment replacement, maintenance, necessary modifications, power, sampling, laboratory tests, and a reasonable contingency fund.

A. The governing body of the Town of Encampment shall establish, by resolution, rates for sewer use. The Town of Encampment shall conduct a review of the fiscal condition of the sewer utility to ensure that sewer rates are adequate to meet the fiscal obligations of the enterprise.

B. Sewer rate increases will be established and supported by an approved financial plan. The Town of Encampment shall make sewer rate adjustments necessary to ensure the fiscal obligations of the enterprise are met. Recommended rate adjustments shall be considered by Town Council

and established by resolution.(Ord. 1313 (part), 1987: prior code § 17-302)

13.12.120 Review of each user's wastewater service charge.

If a significant user, such as an industry, has completed in plant modifications which would change that user's wastewater contribution unit, the user can present, at a regularly scheduled meeting of the governing body, such factual information and the governing body of the Town shall then determine if the user's wastewater contribution unit is to be changed. The governing body of the Town shall notify the user of its findings as soon as possible. An adjustment in rate may or may not result from such a review. (Ord. 1313 (part), 1987: prior code § 17-305)

13.12.130 Wastes prohibited from being discharged to the wastewater treatment system.

The discharge of any waters containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly, or by interaction with other wastes, to contaminate the sludge of any municipal systems, or injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in or have an adverse effect on the waters receiving any discharge from the treatment works is prohibited. This shall include dumping of any septic tank wastewater into any part of the municipal collection system. Each user which discharges any toxic pollutants which cause an increase in the cost of managing the effluent or the sludge of

the Town treatment works shall pay for such increased costs. (Ord. 1313 (part), 1987: prior code § 17-307

13.12.140 Prohibition of clear water connections.

No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or ground water to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer. (Ord. 1313 (part), 1987: prior code § 17-308)

13.12.150 Responsibility for maintenance of sewer lateral lines.

It shall be the responsibility of the consumer to maintain the lateral sewer service line from the structure to which service is being provided to the sewer main. The consumer shall be responsible for repairing or replacing such sewer service line when, in the opinion of the Town of Encampment, such line has become inoperative due to stoppages, crushing, settlement or any other defect. (amendment added 09-13-2001; prior code §13.12.180)