

CHAPTER 34**LIQUID WASTES****SUBCHAPTER 1****GENERAL PROVISIONS**

34.01 DEFINITIONS. For use in this Chapter, unless the context specifically indicates otherwise, the following terms are defined:

1. "B.O.D."(denoting Biochemical Oxygen Demand): means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty (20) degrees C., expressed in milligrams per liter.
2. "Building Drain": means 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 (1.5 meters) outside the inner face of the building wall.
3. "Building Sewer": means the extension from the building drain to the public sewer or other place of disposal.
4. "Combined Sewer": means a sewer receiving both surface run-off and sewage.
5. "Contributor": means any person responsible for the production of domestic, commercial or industrial waste which is directly or indirectly discharged into the public sewer system.
6. "Domestic Sewage": means sewage having a suspended solids content not to exceed 400 mg/l and a BOD not to exceed 400mg/l and which does not contain substances, materials or wastes set out in Section 3 hereof.
7. "Garbage": means the residue from the preparation and dispensing of food and from the handling, storage and sale of food products and produce.
8. "Industrial Wastes": means solid, liquid or gaseous substances from any industrial, manufacturing, commercial or business establishment, or process, or from the development, recovery or processing of any natural resource which any person discharges or allows to be discharged into the public sewer, but shall not include any wastes from a building used exclusively for residential purposes which contains eight

dwelling or rooming units, or less.

9. "Inspector": means the person duly authorized by the Council to inspect and approve the installation of building sewers and their connections to the public sewer system; and to inspect such sewage as may be discharged therefrom.

10. "Natural Outlet": means any entrance into a watercourse, pond, ditch, lake, or other body of surface or groundwater.

11. "Parts Per Million (ppm)": means a weight-to-weight ratio; the parts-per-million value multiplied by the factor 8.345 shall be equivalent to pounds per million gallons of water, and for the purposes of this Subchapter it shall mean the same as milligrams per liter (mg/l).

12. "Paunch Manure": means any material found in the stomachs or paunches of livestock.

13. "pH": means the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

14. "Private Sewage Disposal System": means a system which provides for the treatment and disposal of domestic sewage from four or fewer dwelling units or the equivalent of less than sixteen (16) individuals on a continuing basis.

15. "Private Sewer": means a sanitary building drain and sewer privately owned and not directly controlled by public authority.

16. "Properly Shredded Garbage": means garbage which has been shredded to such a degree that all particles will be carried freely in suspension under the flow conditions normally prevailing in public sewers with no particle greater than one half (1/2) (1.27 centimeters) inch in any dimension.

17. "Public Sewer": means a sanitary sewer provided by or under the jurisdiction of the City or a sewer provided by or under the jurisdiction of any other city or sewer district which ultimately discharges into a sewer under the jurisdiction of the City.

18. "Sanitary Sewer": means a sewer that conveys sewage or industrial wastes or a combination of both, and into which storm, surface, and groundwaters or unpolluted industrial wastes are not intentionally admitted.

19. "Semi-Public Sewage Disposal System": means system for the treatment of disposal of domestic sewage which is not a private sewage disposal system and which is not owned by a city, a sanitary sewer district, or a designated and approved

management agency under section 1288 of the Federal Water Pollution Control Act (33 U.S.C. . 1288).

20. "Sewage": means the water-carried human, animal and household wastes in a public or private drain, together with such groundwater infiltration, surface drainage and industrial wastes as may be present.

21. "Sewage Treatment Plant": means the arrangement of devices, and structures and equipment of the City of Des Moines for treating sewage and industrial wastes.

22. "Sewage Works": means all facilities for collecting, pumping, treating, and disposing of sewage and industrial wastes.

23. "Sewer": means a pipe or conduit for carrying sewage or any other wastes liquids, including storm, surface and groundwater drainage.

24. "Sewer Rental": means any and all charges, rates, fees, or rentals levied against and payable by contributors, as consideration for the servicing of said contributors by said sewer system.

25. "Slug": means any discharge of sewage, which in concentration of any given constituent or quantity or discharge exceeds for any period of duration longer than fifteen (15) minutes, more than five (5) times the average twenty-four (24) hour concentration or discharge during normal operation of the contributor.

26. "Standard Methods": means the examination and analytical procedures set forth in the most recent edition of "Standard Methods for the Examination of Water, Sewage, and Industrial Wastes," published jointly by the American Public Health Association, the American Water Works Association and the Water Pollution Control Federation.

27. "Storm Drain" or "Storm Sewer": means a sewer which carries storm and surface waters and drainage but excludes sewage and industrial wastes, other than unpolluted cooling water.

28. "Storm Water Runoff": means that portion of rainfall that is drained into the sewers.

29. "Superintendent": means the Superintendent of Public Works of the City or the Superintendent's authorized deputy, agent, or representative.

30. "Suspended Solids": means solids that either float on the surface of, or are in suspension in sewage and which are removable by laboratory filtering.

31. "Unpolluted Water or Liquids": means any water or liquid containing none of the following: free or emulsified grease or oil; substances that may impart taste-and-odor or color characteristics; volatile, explosive, toxic or poisonous substances in suspension, colloidal state or solution; explosive, odorous or otherwise obnoxious gases. Such water or liquids shall not contain more than 25 mg/l of suspended solids, and not more than 25 mg/l of BOD.

32. "Watercourse": means a channel in which a flow of water occurs, either continuously or intermittently.

34.02 SUPERINTENDENT. The Superintendent of the Public Works shall exercise the following powers and duties:

(Code of Iowa, 1995, Sec. 372.13 [4])

1. Operation and Maintenance: Operate and maintain the City sewage system.
2. Inspection and Tests: Conduct necessary inspections and tests to assure compliance with the provisions of this Chapter.
3. Records: Maintain a complete and accurate record of all sewers, sewage connections and manholes constructed showing the location and grades thereof.

34.03 PROHIBITED ACTS. No person shall do, or allow, any of the following:

1. Damage Sewer System. Maliciously, willfully, or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the sewer system.

(Code of Iowa, 1995, Sec. 716.1)

2. Downspouts. Connect a roof downspout, exterior foundation drain, area-way drain, or other source 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.

3. Manholes. Open or enter any manhole of the sewer system, except by authority of the Superintendent.

4. Objectionable Wastes. Place or deposit in any unsanitary manner on public or private property within the City, or in any area under the jurisdiction of the City, any human or animal excrement, garbage, or other objectionable waste.

5. Septic Tanks. Construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage except as provided in this Chapter.

(Code of Iowa, 1995, Sec. 364.12 [3f])

6. Untreated Discharge. Discharge to any natural outlet within the City, or in any area under its jurisdiction, any sanitary sewage, industrial wastes, or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Chapter.

(Code of Iowa, 1995, Sec. 364.12 [3f])

34.04 SEWER CONNECTION REQUIRED. The owner of any house, building, or property used for human occupancy, 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, is hereby required to install, at such owner's expense, suitable toilet facilities therein and a building sewer connecting such facilities directly with the proper public sewer, and to maintain the same all in accordance with the provisions of this Chapter. Such compliance shall be completed within sixty (60) days after the date of official notice from the City to do so, provided that said public sewer is located within two hundred (200) feet of the property line of such owner and is of such design as to receive and convey by gravity such sewage as may be conveyed to it.

(Code of Iowa, 1995, Sec. 364.12 [3f])

34.05 SERVICE OUTSIDE THE CITY. The owners of property outside the corporate limits of the City so situated that the property may be served by the City sewer system may apply to the Council for permission to connect to the public sewer upon the terms and conditions stipulated by resolution of the Council.

(Code of Iowa, 1995, Sec. 364.4 [2 & 3])

34.06 ACCESS TO PREMISES. The City shall be entitled to access to the premises of any contributor for the purpose of inspection, observation, measurement, sampling and testing to any reasonable time and to such extent as may be necessary to carry out the provisions of this Chapter, and it shall be deemed a part of the agreement on the part of the contributor as a condition to permission to connect with the public sewer, that such access be granted.

34.07 USE OF EASEMENTS. 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 easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

34.08 SPECIAL PENALTIES. The following special penalty provisions shall apply to violations of this Chapter:

1. Notice of Violation. Any person found to be violating any provision of this Chapter, except subsections 1, 3 and 4 of Section 34.03, 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 cause all violations.
2. Continuing Violations. Any person who shall continue any violation beyond the time limit provided for in subsection 1 hereof, shall be guilty of a simple misdemeanor. Each day in which any such violation shall continue shall be deemed a separate offense.
3. Liability Imposed. Any person violating any of the provisions of this Chapter shall become liable to the City for any expense, loss, or damage occasioned the City by reason of such violation.

34.09 INJUNCTIONS. In addition to any other remedies provided in this Chapter, when there has been a violation of the provisions of this Chapter, the City may institute suit in the district court of this county to prevent further violation of any provisions of this Chapter, or to restrain, correct, or abate such violation.

SUBCHAPTER 2**BUILDING SEWERS AND CONNECTIONS**

34.10 PERMIT FEES. The person who makes the building sewer connection application shall pay a permit fee to the Clerk to cover the cost of issuing the permit and supervising, regulating, and inspecting the work. All permit fees under this Chapter shall be fixed and determined by the Council, adopted by resolution, and uniformly enforced. Such permit fees, may from time-to-time, be amended by the Council by resolution. A copy of the resolution setting forth the currently effective permit fees shall be kept on file in the office of the City Administrator, and be open to inspection during regular business hours.

34.11 PLUMBER REQUIRED. Any connection to a public sewer shall be made by a plumber licensed by the City. The Superintendent shall have the power to suspend the approval of any plumber for violation of any of the provisions of this Chapter; a suspension, unless revoked, shall continue until the next regular meeting of the Council. The Superintendent shall notify the plumber immediately by personal written notice of the suspension, the reasons for the suspension, and the time and place of the Council meeting at which a hearing will be granted. At this Council meeting, the Superintendent shall make a written report to the Council stating reasons for the suspension, and the Council, after hearing, shall revoke the suspension or take any further action that is necessary and proper.

34.12 EXCAVATIONS. All excavations for building sewer installations shall be made in accordance with the following:

1. **Barricades and Lighting.** Adequate barricades and warning lights shall be so placed as to protect the public from hazard.
2. **Public Convenience.** Streets and alleys shall be opened in the manner which will cause the least inconvenience to the public and admit the uninterrupted passage of water along the gutter on the street.
3. **Construction Methods.** All excavation required for the installation of a building sewer shall be open trench work unless otherwise approved by the City. Pipe laying and backfill shall be performed in accordance with A.S.T.M. specification C12-19, except that no backfill shall be placed until the work has been inspected.
4. **Restoration of Public Property.** Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the City, at the expense of the property owner.
5. **Completion by the City.** Should any excavation in any street or alley be left open or unfinished, for a period of twenty-four (24) hours or should the work be improperly done, the Superintendent shall have the right to finish or correct such work and the expense shall be charged to

the property owner.

34.13 CONNECTION REQUIREMENTS. Any connection with a public sanitary sewer must be made under the direct supervision of the Superintendent and in accordance with the following:

1. **Old Building Sewers.** Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Superintendent, to meet all requirements of this Chapter.
2. **Separate Building Sewers.** A separate and independent building sewer shall be provided for every occupied building; except where one building stands at the rear of another 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. In such cases the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.
3. **Installation.** The connection of the building sewer into the public sewer shall conform to the requirements of the Building and Plumbing Codes or other applicable rules and regulations of the City, or the procedures set forth in appropriate specifications of the A.S.T.M. (American Society of Testing Material) and the W.P.C.F. (Water Pollution Control Federation) Manual of Practice No. 9. All such connections shall be made gas-tight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Superintendent before installation.
4. **Water Lines.** When possible, building sewers should be laid at least ten (10) feet horizontally from a water service. The horizontal separation may be less, provided the water service line is located at one side and at least twelve (12) inches above the top of the building sewer.
5. **Materials and Methods.** The size, slope, alignment, materials of construction of a building sewer, 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 Codes 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.
6. **Depth.** Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. The depth of cover above the sewer shall be sufficient to afford protection from frost.
7. **Sewage Lifts.** In all buildings in which any building drain is too low to

permit gravity flow to the public sewer, sanitary sewage carried by such drain shall be lifted by approved artificial means and discharged to the building sewer.

8. Bearing Walls. No building sewer shall be laid parallel to, or within three (3) feet of any bearing wall, which might thereby be weakened.

9. Unstable Soil. No sewer connection shall be laid so that it is exposed when crossing any watercourse. Where an old watercourse must of necessity be crossed or where there is any danger of undermining or settlement, cast iron soil pipe or vitrified clay sewer pipe thoroughly encased in concrete shall be required for such crossings. Such encasement shall extend at least six (6) inches on all sides of the pipe. The cast iron pipe or encased clay pipe shall rest on firm, solid material at either end.

10. Preparation of Basement or Crawl Space. No connection for any residence, business or other structure with any sanitary sewer shall be made unless the basement floor is poured, or in the case of a building with a slab or crawl space, unless the ground floor is installed with the area adjacent to the foundation of such building cleared of debris and backfilled. The backfill shall be well compacted and graded so that the drainage is away from the foundation. Prior to the time the basement floor is poured, or the first floor is installed in buildings without basements, the sewer shall be plugged and the plug shall be sealed by the Superintendent. Any accumulation of water in any excavation or basement during construction and prior to connection to the sanitary sewer shall be removed by means other than draining into the sanitary sewer.

34.14 INTERCEPTORS REQUIRED. Grease, oil, sludge and sand interceptors shall be provided in accordance with the following: filling stations, automobile wash racks, garages, and other facilities, when, in the opinion of the Superintendent, they are necessary for the proper handling of such wastes that contain grease in excessive amounts or any flammable waste, sand or other harmful ingredients. Such interceptors shall not be required for private living quarters or dwelling units.

1. Design and Location. All interceptors shall be of a type and capacity as provided by the Iowa Public Health Bulletin and Plumbing Code, to be approved by the Superintendent, and shall be located so as to be readily and easily accessible for cleaning and inspection.

2. Construction Standards. The interceptors shall be constructed of impervious material capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, water-tight and equipped with easily removable covers that shall be gas-tight and water-tight.

3. Maintenance. All interceptors of grease, oil, sludge and sand shall be maintained by the owner at his expense in continuously efficient operations at all

times.

34.15 SEWER TAP. Connection of the building sewer into the public sewer shall be made at the "Y" branch, if such branch is available at a suitable location. If no properly located "Y" branch is available, the property owner shall at his or her own expense install a "Y" saddle with mortar in the public sewer at the location specified by the Superintendent. At no time shall a building sewer be constructed so as to enter a manhole unless special written permission is received from the Superintendent and in accordance with the Superintendent's direction if such connection is approved.

34.16 CONNECTION DEADLINE. All approved connection permits shall require the owner to complete construction and connection of the building sewer to the public sewer within thirty (30) days from the approval of the permit, except that when, in the judgment of the Superintendent, a property owner on application has made sufficient showing that due to conditions beyond his or her control or peculiar hardship, the period of time set forth for the completion of the connection shall be inequitable or unfair to him or her, an extension of time within which to comply with the provisions herewith may be granted.

34.17 INSPECTION REQUIRED. All connections with the sanitary sewer system before being covered shall be inspected and approved, in writing, by the Superintendent. As soon as all pipe work from the public sewer to inside the building has been completed, and before any backfilling is done, the Superintendent shall be notified and he shall inspect and test the work as to workmanship and material; no sewer pipe laid under ground shall be covered or trenches filled until after the sewer has been so inspected and approved. If the Superintendent refuses to approve the work, the plumber or owner must proceed immediately to correct the work.

34.18 PROPERTY OWNER'S RESPONSIBILITY. All costs and expenses incident to the installation, connection and maintenance of the building sewer shall be borne by the owner.

34.19 ABATEMENT OF VIOLATIONS. Construction or maintenance of building sewer lines whether located upon the private property of any owner or in the public right-of-way, which construction or maintenance is in violation of any of the requirements of this Chapter, shall be corrected, at the owner's expense, within thirty (30) days after date of official notice from the Council of such violation. If not made within such time, the Council shall, in addition to the other penalties herein provided, have the right to finish and correct the work and assess the cost thereof to the property owner. Such assessment shall be collected with and in the same manner as general property taxes.

(Code of Iowa, 1995, Sec. 364.12 [3])

SUBCHAPTER 3**USE OF PUBLIC SEWERS**

34.20 STORM WATER. No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof run-off, sub-surface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer. Stormwater 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 Superintendent. Industrial cooling water or unpolluted process waters may be discharged on approval of the Superintendent, to a storm sewer, combined sewer, or natural outlet.

34.21 PROHIBITED WASTES. Unless otherwise agreed to in writing no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

1. Flammable or Explosive Material. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.
2. Toxic or Poisonous Materials. 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) milligrams per liter as CN in the wastes as discharged to the public sewer.
3. Corrosive Wastes. 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. 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.

34.22 RESTRICTED DISCHARGES. 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 City 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 its opinion as to the acceptability of these wastes, the City 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. High Temperature. Any liquid or vapor having a temperature higher than one hundred fifty (150) degrees F (65 degrees C).
2. Fat, Oil, Grease. Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred (100) milligrams per liter or six hundred (600) milligrams per liter of dispersed or other soluble matter.
3. Viscous Substances. Water or wastes containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150) degrees F (0 and 65 degrees C).
4. Garbage. Any garbage that has not been properly shredded.
5. Acids. Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solution whether neutralized or not.
6. Toxic or Objectionable Wastes. 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.
7. Odor or Taste. Any waters or wastes containing phenols or other taste or odor producing substances, in such concentrations exceeding limits which may be established by state or federal agencies having jurisdiction over discharge to the receiving waters.
8. Radioactive Wastes. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by applicable state or federal regulations.
9. Excess Acidity. Any waters or wastes having a pH in excess of 9.5.
10. Unusual Wastes. Materials which exert or cause:
 - A. Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers 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. BOD greater than 1500 mg/l.
- D. Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.

11. Noxious or Malodorous Gases. Any noxious or malodorous gas or other substance which either singly or by interaction with other wastes is capable of creating a public nuisance or hazard to life or of preventing entry into sewers for their maintenance and repair.

12. Damaging Substances. Any waters, wastes, materials or substances which react with water or wastes in the sewer system to release noxious gases, develop color of undesirable intensity, form suspended solids in objectionable concentration or create any other condition deleterious to structures and treatment processes.

13. Untreatable Wastes. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed such as, but not limited to heavy metals and toxic substances.

34.23 RESTRICTED DISCHARGES - POWERS. 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 Section 34.22 of this Chapter, and which may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the City may:

- 1. Rejection. Refuse to accept the wastes into the public sewer; or
- 2. Pretreatment. Require pretreatment by the contributor at his own expense before discharge to the public sewers; or
- 3. Controls Imposed. Require control over the quantities and rates of discharge;
- 4. Special Charges. Require payment to cover the added cost of handling and treating the wastes.

34.24 SPECIAL FACILITIES. If the City 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 City and subject to the requirements of all applicable codes, ordinances, and laws. 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 the owner's expense.

34.25 COLLECTION POINT. When required by the City the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable central collection point together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such collection point when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the City. The collection point shall be installed by the owner at the owner's expense, and shall be maintained by the owner so as to be safe and accessible at all times.

34.26 TESTING OF WASTES. 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 of the Examination of Water and Wastewater", published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb, and property.

SUBCHAPTER 4**PRIVATE SEWER SYSTEMS**

34.27 WHEN PROHIBITED. Except as otherwise provided in this Subchapter, 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.

(Code of Iowa, 1995, Sec. 364.12 [3f])

34.28 WHEN REQUIRED. Where a public sanitary or combined sewer is not available under the provisions of Section 34.04, the building sewer shall be connected to a private sewage system complying with the provisions of this Chapter.

34.29 COMPLIANCE WITH RULES. The type, capacity, location and layout of a private sewage disposal system shall comply with all recommendations of the state Department of Natural Resources and the Superintendent of Public Works.

34.30 DISCHARGE TO NATURAL OUTLETS PROHIBITED. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

34.31 MAINTENANCE OF FACILITIES. The owner of private sewage disposal facilities shall operate and maintain the facilities in a sanitary manner at all times and at no expense to the City.

34.32 ADDITIONAL REQUIREMENTS. No statement contained in this Subchapter shall be construed to interfere with any additional requirements that may be imposed by any health officer acting in that officer's official capacity.

34.33 PRIVATE SYSTEMS ABANDONED. At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Section 34.04, a direct connection shall be made to the public sewer in compliance with this Chapter and any septic tanks, cesspools and similar private sewage disposal facilities shall be abandoned and filled with suitable material.

(Code of Iowa, 1995, Sec. 364.12 [3f])

34.34 DISPOSAL OF WASTE. It shall be unlawful for any person to place any effluent or waste from cesspools, septic tanks or privy vaults in any other location in the City except in such location as may be designated by the Superintendent. The rate or charge for receiving such waste shall be determined by resolution of the Council.

SUBCHAPTER 5**SEWER RENTAL**

34.35 SEWER RENTAL REQUIRED. Every contributor shall pay to the City sewer rental fees as hereinafter provided.

(Code of Iowa, 1995, Sec. 384.84 [1])

34.36 RENTAL RATE. Effective June 30, 1995, each contributor shall pay a service charge for the use of and for the service supplied by the City sanitary sewer system based upon the amount and rate of water consumed plus a minimum service charge. Any service charge under this Subchapter shall be fixed and determined by the Council, adopted by resolution, and uniformly enforced. The service charges may from time-to-time, be amended by the Council by resolution. A copy of the resolution setting forth the currently effective service charges shall be kept on file in the office of the City Administrator, and be open to inspection during regular business hours. The rental provided herein shall be applied and computed upon the water service of each premises during the customary billing period as to all water bills mailed from and after July 1, 1995.

34.37 SPECIAL RATES. Where, in the judgment of the Superintendent and the Council, special conditions exist to the extent that the application of the sewer rental provided in Section 34.36 would be inequitable or unfair to either the City or the contributor, a special rate shall be proposed by the Superintendent and submitted to the Council for approval by resolution.

(Code of Iowa, 1995, Sec. 384.84)

34.38 PRIVATE WATER SYSTEMS. Contributors whose premises are served by a private water system shall pay sewer rentals based upon the water used as determined by the Superintendent either by an estimate agreed to by the contributor or by metering the water system at the contributor's expense. Any negotiated, or agreed upon sales or rentals shall be subject to approval of the Council.

(Code of Iowa, 1995, Sec. 384.84)

34.39 PAYMENT OF BILLS. All sewer rentals shall be due and payable under the same terms and conditions provided for payment for water service.

(Code of Iowa, 1995, Sec. 384.84)

34.40 LIABILITY. The owner of the premises served and the occupant thereof and the user of the sanitary sewer service shall be jointly and severally liable for the sewer service provided said premises.

34.41 LIEN FOR NON-PAYMENT. Sewer rental charges remaining unpaid and delinquent shall constitute a lien upon the premises served and shall be certified by the Clerk to the county auditor

for collection in the same manner as property taxes.

(Code of Iowa, 1995, Sec. 384.84)

SUBCHAPTER 6**STORMWATER DRAINAGE UTILITY**

34.60 PURPOSE. The purpose of this chapter is to establish a Stormwater Drainage Utility and provide a means of funding the construction, operation and maintenance of stormwater management facilities including, but not limited to, detention and retention basins, storm water sewers, inlets, ditches and drains, and cleaning of streets. The Council finds that the construction, operation and maintenance of the City's storm and surface water drainage system should be funded through charging users of property which may connect or discharge directly, or indirectly, into the storm and surface water drainage system or properties receiving the indirect benefit of drainage diverted into the City's system.

34.61 STORMWATER DRAINAGE UTILITY ESTABLISHED. It is found and determined to be necessary and conducive to the protection of the public health, safety, welfare and convenience that a stormwater drainage utility is created for all of the City of Windsor Heights, Iowa and for the purpose authorized by Section 384.84(1) Code of Iowa; that is to establish and collect rates for a stormwater drainage system.

34.62 RATE CATEGORIES. The billings rates, which shall become effective with the effective date of this ordinance, are divided into categories. Categories are as follows:

- Residential: Single Family Residential, Duplex Family Dwelling Units used for residential, i.e. non-commercial, purposes.
- Commercial: Triplex and Multi-Family Dwelling Units (including Condominiums, apartment units, and townhomes), Commercial and Industrial Uses:
- Small: Commercial (including not-for-profit Commercial Users) with less than a 75,000 square foot impervious coverage area.
- Medium: Commercial (including not-for-profit Commercial Users) with more than 75,000 and less than a 150,000 square foot impervious coverage area.
- Large: Commercial (including not-for-profit Commercial Users) with more than a 150,000 square foot impervious coverage area and less than a 250,000 square foot impervious coverage area.
- Major: Commercial (including not-for-profit Commercial Users) with more than a 250,000 square foot impervious coverage area.

Triplex and Multi-Family Dwelling units shall pay the applicable commercial rate, but the residential rate shall not be imposed on individual dwelling units.

Square footage is determined by adding the square footage of both contiguous and non-contiguous impervious coverage areas together to measure the total square footage of impervious coverage areas on the property.

34.63 RATES. The billings rates for the categories as defined in section 34.62, shall become effective with the effective date of this ordinance, are divided into categories.

Category:	Monthly rate:
Residential	\$3.50
Commercial-Small	\$17.50
Commercial-Medium	\$31.50
Commercial-Large	\$56.00
Commercial-Major	\$84.00

34.64 Use of Fund. The money paid and collected pursuant to this subchapter shall be held by the City in a special fund to be expended only for the purpose of constructing, operating, managing, repairing and maintaining all kinds of conduits, drains, stormwater detention devices, flow impediments, ponds, ditches, sloughs, filter strips, rip-raps, erosion control devices and any other things and activities useful to the proper control management, collection, drainage and disposition of stormwater in the City of Windsor Heights, Iowa.

34.65 Governing Board. The governing board of the Stormwater Drainage Utility is the City Council of the City of Windsor Heights, Iowa. The Stormwater Drainage Utility shall be under the direction, management and control of the city administrator who shall function as its director. In that capacity, the director shall supervise the day-to-day operation of the Stormwater Drainage Utility, shall enforce this ordinance and the provisions of all ordinances and regulations adopted pursuant to this ordinance and shall carry out the policy directives of the city council acting in its role as governing body of the Stormwater Drainage Utility.