

## **TITLE 13 PUBLIC SERVICES**

### Chapters:

- 13.02 Establishment of Water Works and Sewerage System
- 13.04 Rules of the Water Works
- 13.06 Rules of the Sewer System
- 13.08 Violation – Penalty
- 13.10 System Development Fees

## Chapter 13.02 Waterworks and Sewerage System

### Sections:

#### 13.02.010 Establishment of Water Works and Sewerage Systems

##### 13.02.010 Establishment of Water Works and Sewerage Systems

It is found, determined, and recited that the City of Dillon has the authority to acquire, purchase, construct, reconstruct, improve, and extend any undertaking constituting a combination of its water and sewer systems and all parts thereof and appurtenances thereto, including, but not limited to, the supply and distribution systems, reservoirs, dams, storm sewers, sanitary sewers, and sewage treatment and disposal works. It is found, determined, and recited that the City of Dillon has the authority to adopt ordinances to maintain and improve the systems and to charge equitable rates for connections and the use of the facilities and for the services directly or indirectly supplied. It is found, determined, and recited that the City has the authority to issue and sell bonds and to generally indebted the City for the improvements of these facilities.

Enc Ord 385 December 21, 1995

## Chapter 13.04 Rules of the Water Works

### Sections:

- 13.04.010 Billing—Areas designated
- 13.04.011 Definitions
- 13.04.015 Billing—Delinquency
- 13.04.017 Billing—Owners
- 13.04.018 Owner Defined
- 13.04.020 Recovery of Hookup Cost
- 13.04.022 Rate and Charge Revisions
- 13.04.040 Part of contract—Consumer duty to know
- 13.04.050 Application for service—Turn on and shut off
- 13.04.060 Meter—Required
- 13.04.061 Meter Pit Not Required
- 13.04.070 Meter—Consumer interference unlawful
- 13.04.080 Meter—Type
- 13.04.090 Turn off—Turn on—Fee
- 13.04.100 Unauthorized use of water prohibited
- 13.04.110 One connection required per building
- 13.04.111 Meters In Mobile Home Parks or Courts
- 13.04.120 Causes for termination of service
- 13.04.130 Service pipe—Standards
- 13.04.132 Public Policy
- 13.04.134 Cross Connections
- 13.04.136 Connection Required
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- 13.04.140 Use of water for building purposes—Application
- 13.04.150 Department shut-off authority
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- 13.04.170 Separate control required for each premises
- 13.04.180 Separate services restrictions
- 13.04.200 Tampering with system unlawful without permission
- 13.04.210 Meter—Consumer to protect
- 13.04.220 Meter—Fraud designated
- 13.04.255 Watering restrictions for summer irrigation
- 13.04.262 Enforcement of Grease Oil and Sand Interceptors Requirements
- 13.04.270 Use of water during fire restricted
- 13.04.280 Plumbing regulations for water department
- 13.04.290 Petition for Annexation
- 13.04.300 Notice of Requirement
- 13.04.351 Termination of Service

### 13.04.010 Billing—Areas Designated

All of the incorporated area of the City of Dillon will be billed on a monthly basis for water usage and sewer services.

Enc Ord 385 December 21, 1995 Amended Ord 387 August 22, 1995 Amended Ord 417 July 16, 2008

#### 13.04.011 Definitions-

Crawl Space- A place under a dwelling or building that is enclosed wholly or partially by a foundation and/or skirting.

Mobile home. The term “mobile home” means forms of housing known as “trailers”, “housetrailers”, or “trailer coaches” exceeding 8 feet in width or 45 feet in length, designed to be moved from one place to another by independent power connected to them, or any trailer, housetrailer, or trailer coach up to 8 feet in width or 45 feet in length used as a principal residence. Source 15-24-101 (1)(m), M.C.A.

Mobile home park. Mobile home park is defined by Montana law as a trailer court.

Mobile home space. A space for rental for placement of a mobile home on a premises which is not defined as a mobile home park.

Trailer court. Trailer court is defined by Montana law as a parcel of land upon which two or more spaces are available to the public and designated for occupancy by trailers or mobile homes for use as residences. Source 50-52-101 (7)(a)M.C.A.

Amended Ord #428 November 1, 2010

#### 13.04.015 Billing Delinquency

Water and/ or sewer bills will be mailed or otherwise communicated to consumers in all areas on the first day of each month. Actual meter reads will be done monthly.

All bills will become delinquent on the tenth day of the next month and written notice of delinquency will be mailed to the consumer. A fee to be set by resolution of the City Council shall be assessed against all delinquent accounts. If the water and/ or sewer bill is still unpaid ten days following the date on the written notice, a notice will be hand-delivered to the consumer advising the consumer that water service will be terminated the following day. A fee to be set by resolution of the City Council will be assessed against the account for the hand-delivered notice.

Enc Ord 385 December 21, 1995 Amended Ord 387 August 22, 1995 Amended Ord 417 July 16, 2008

#### Section 13.04.017 Billing – Owners

Owners of property served with water will be held liable for all water and/or sewer charges. Payments will be accepted from tenants, but the owner will not be relieved of responsibility to pay for the services if the tenant becomes delinquent.

Enc Ord 385 December 21, 1995; Amended Ord 428 December 01, 2010

#### Section 13.04.018 Owner – Defined

The owner of the property, for the purposes of the sections in this Chapter, is defined as the person, corporation, or other entity that owns the land. In the event that an owner and/or occupant of the property has subleased to a third person who is the water account user, both the land owner and the tenant as well as the subtenant will all be responsible jointly and severally for the payment of the water and sewer charges.

Enc Ord December 01, 2010, Ord 428

#### 13.04.020 Rates and Charges

- A. Metered Rate. The owners of each premise on which a water meter has been installed shall pay for the water consumed at a rate set by a resolution of the City Council after public hearing. This rate shall be detailed in a rate chart and shall be available on request to all water users.
- B. Unmetered Rate. The owners of each premise on which a water meter has not been installed shall pay for the water consumed at a flat rate set by a resolution of the City Council after public hearing.
- C. Deposit for Water Service. Every consumer of water must pay a deposit fee as set by the City Council after public hearing.
- D. Recovery of Hook Up Cost. The owners of any property shall be responsible for the costs of materials, equipment, tapping and installation of service lines from the main water lines of the city works to the user's place of use.

The cost of materials shall be reimbursed to the City in the amount of the invoice for the materials together with ten percent addition over the invoice amount. The labor of actual man hours of persons directly involved in the installation shall be reimbursed at the employee rate of pay and cost to the City.

The water shall not be turned on to the place of use until the cost has been reimbursed to the City.

Amended Ord 406 July 16, 2003

- E. Water Construction Fee. A monthly construction fee to be set by resolution of the City Council after public hearing will be assessed against each water connection on the water system.
- F. Water Construction Fee for Sewer Users only. Every sewer user not connected to the municipal water system must pay a monthly fee set by a resolution of the City Council after public hearing to pay for the system improvements for fire service.  
Enc Ord 385 December 21, 1995 Re Enc Ord 406 July 16, 2003

#### 13.04.022 Rate and Charge Revisions

- 1. If, at any time, the rates or charges for water prove to be insufficient to adequately maintain and improve the waterworks system the Mayor or the Director of Operations shall advise the Council and the water rates shall be revised by resolution of the City Council after public hearing.
- 2. The date of the council resolution setting any fee, rate, or charge shall be placed in the City of Dillon Ordinance Book as an adjunct to this Section, and reference to such resolution, date, number and fee rate and/ or charge shall be set forth in the Dillon Municipal Code at this Section until the same shall have been modified or repealed. Comment: This amendment provides that all water and sewer rates, fees, and charges shall be contained in the Dillon Municipal Code book at a specific place, and the identification by number and date of the resolution setting such fees shall be indicated with the fee, rate, or charge.  
Enc Ord 385 December 21, 1995 Amended Ord 417 July 16, 2008

13.04.040 Part of Contract - Consumer Duty to Know

The rules set forth in this ordinance are a part of the contract entered into by every consumer of City water and the failure to know the rules will not excuse anyone from the penalty of their infringement.

Enc Ord 385 December 21, 1995

13.04.050 Application for Service - Turn on and Shut off

Application for water to be used for any purpose shall be made at the water/sewer department upon a form provided by the City. This form must be signed by the owner or authorized agent of the owner of the property on which water is to be used. All orders for shutting water off must be made in writing, signed by the owner or the authorized agent of the owner of the property at which the water is to be shut off. When the water is ordered shut off from any premise all charges for the water used shall be immediately due and payable to the water/sewer department.

Enc Ord 385 December 21, 1995

13.04.060 Meter – Required

There shall be a water meter installed, upon the service pipe at the service location of each water consumer in an approved outside meter pit or vault, in the discretion of the Director of Operations. This meter is to be selected by the Utility Supervisor and installed under direction of the employees of the water department who shall select the place on the property where the meter shall be installed. The meter pit or vault, for the meter to be located in, must be installed at the consumer's expense at a location on the premises to be determined by the employees of the water/sewer department. The meter must be protected from freezing and other damage. The cost of the meter will be included in the hookup fee. The City shall not be liable in any manner should any alteration of the premises be required to repair, access, or change a water meter. Meters in commercial establishments may be installed in the building

Enc Ord 385 December 21, 1995;

Amended December 1, 2010 Ord. 428

13.04.061 Meter Pit Not Required for Any Water Meter for a 3/4 inch or Larger Pipe

Meters for 3/4 inch or larger pipe may be installed in a utility room in a place determined to be convenient by the Utilities Supervisor.

Enc Ord 428 December 01, 2010

13.04.070 Meter - Consumer Interference Unlawful

If any water consumer interferes with the installation of a meter or refuses to allow the installation of a meter at the place on the premises selected by the water department the water shall be turned off and shall not be turned on again until a water meter is installed as required and a fee as established by the City Council is paid for turning on the water. In addition the party interfering with the installation of the meter, or refusing to allow the installation of a meter may be punished as provided for a violation of this ordinance.

Enc Ord 385 December 21, 1995

13.04.080 Meter - Type

No meter shall be placed in service nor recognized as a standard meter within the City unless approved by the City water/sewer department.

Enc Ord 385 December 21, 1995

13.04.090 Shut off - Turn on - Fee

When the water has been shut off at the curb box it shall not be turned on by any person except an employee of the water/sewer department. If the water is turned on by anyone other than an employee of the City water/sewer department the water shall be immediately shut off and the property owner must pay a fee as established by the City Council before the water shall again be turned on. In addition the party turning the water on shall be in violation of this ordinance and may be punished as provided in this chapter.

Enc Ord 385 December 21, 1995

13.04.100 Unauthorized Use of Water Prohibited

No person, company, business, or corporation shall knowingly take or use or allow to be used any water without previously contracted for the same.

Enc Ord 385 December 21, 1995

13.04.110 One Connection per Building

No owner, agent or tenant or any other person or entity shall supply or permit to be supplied any water to two or more buildings through one connection to the main line unless specifically approved by the Director of Operations and in no case where different persons may be responsible for payment of the water and/or sewer charges. This provision does not prohibit the extension of the household water supply line to an unoccupied non-commercial garage on the premises with the home. If any building is receiving water service such as a detached garage and it is modified for human occupancy a water meter and shut off must be installed in the water service and both the water and sewer development fee must be paid.

Enc Ord 385 December 21, 1995;

Amended December 1, 2010 Ord 428

13.04.111 Meters in Mobile Home Parks or Courts

From and after the effective date of this ordinance it shall be unlawful for any mobile home to be connected to the city water system without a meter and meter pit being installed. Mobile homes that are located in place on the effective date of this ordinance are excluded from this provision. If any mobile home is moved off its space or tract and a new or substitution mobile home is placed in the space, prior to the water being connected, a meter pit will be installed for that water service connection at the expense of the owner of the trailer space.

Enc. Ord 428 December 01, 2010

13.04.017 Billing – Owners

Owners of property served with water will be held liable for all water and/or sewer charges. Payments will be accepted from tenants, but the owner will not be relieved of responsibility to pay for the services if the tenant becomes delinquent.

Enc. Ord 428 December 01, 2010

13.04.018 Owner Defined

The owner of the property, for the purposes of the sections in this Chapter, is defined as the person, corporation, or other entity that owns the land. In the event that an owner and/or occupant of the property has subleased to a third person who is the water account user, both the

land owner and the tenant as well as the subtenant will all be responsible jointly and severally for the payment of the water and sewer charges.

Enc. Ord 428 December 01, 2010

#### 13.04.120 Causes for Termination of Service

If undue waste is permitted, or if water is bypassed to another consumer, or in cases of deception, misrepresentation or abuse of the privilege of connecting with the water system, the supply of water will be turned off.

Enc Ord 385 December 21, 1995; Amended December 01, 2010, Ord 428

#### 13.04.122 Shut Off of Water Supply for Violation of System Ordinances or Rules

Should any water and/or sewer user fail to comply with any notice of deficiency or noncompliance with the water and/or sewer rules, or fail to pay for any services, provided or charges imposed by either the water or sewer department and fail to correct that deficiency or make the required payment of charges, and late fees after written notice as provided in Section 13.04.015 Billing Delinquency the city may shut off the water supply to the offending users facility.

Enc. Ord 428 December 01, 2010

#### 13.04.130 Service Pipe - Standards

The service pipe within and without the premises and through the entire length to the tap in the City water main, together with curb cock and box, must be laid, kept in repair and protected from freezing at the expense of the owner, who shall be responsible for all damage resulting from leaks and breaks and no claim shall be made against the City of Dillon on account of the breaking of any service pipe or apparatus, or for failure to supply water. When there is a leak in the street and it is doubtful whether the water is from a break in the City main, or from a private service pipe, employees of the water/sewer department will make all repairs, but if it is from the service pipe, the owner of the property, or agent, will be notified and must immediately take charge of the excavation, repair the leak, replace the street, and be responsible for all damages which may result. In case the owner or agent does not make repairs at once, the water/sewer department will proceed, and all bills for labor and materials will become a charge against said property, and shall be collected from the owner or agent, and at the end of the month, in case the bill is not paid, the enforcement of payment thereof will be performed in the same manner as for the non-payment of bills for water.

Enc Ord 385 December 21, 1995

#### 13.04.132 Public Policy

It is the policy of the City of Dillon to provide a healthy and safe water supply and to eliminate any potential threats of contamination or health threats to the municipal water system. In recognition of the municipal systems dependence on well water, it is also the policy of the City to eliminate threats to the aquifer whenever possible.

Enc Ord 378 November 3, 1994 Re Enc Ord 385 December 21, 1995

#### 13.04.134 Cross Connections

There shall not be any cross-connections between individual wells and pumps and the municipal water system.



Enc Ord 378 November 3, 1994 Re Enc Ord 385 December 21, 1995

13.04.136 Connection Required

- A. With the exception of paragraph (B) all water inside residences, places of business, public water for institutions, properties used for human occupancy or water for any commercial use, must be water from the municipal water system. All connections to the municipal water system shall be at the owner's expense.
- B. It is the intent of this ordinance to permit existing pumps and wells to be used until such time a well failure is experienced, at which time the property must be connected to the municipal water system.
- C. Wells and pumps for outside water, such as lawns, gardens, etc. may be retained.  
Enc Ord 378 November 3, 1994 Re Enc Ord 385 December 21, 1995 Amended Ord 387 August 22, 1995

13.04.137 Non-Compliance

Any person or entity not complying with this ordinance, shall be sent a notice of non-compliance and given a reasonable time, not to exceed sixty (60) days, to comply with the ordinance.  
Enc Ord 378 November 3, 1994 Re Enc Ord 385 December 21, 1995

13.04.139 Penalty

Any person or entity violating this ordinance shall be guilty of a misdemeanor and upon conviction, shall be subject to a fine not to exceed five hundred dollars (\$500.00).  
Enc Ord 378 November 3, 1994 Re Enc Ord 385 December 21, 1995 Amended Ord 417 July 16, 2008; Amended December 01, 2010, Ord 428

13.04.140 Use of Water for Construction Purposes

Contractors, builders or others needing water for construction purposes must make application to the water department prior to receiving water and the amount to be paid will be based on the established rates.  
Enc Ord 385 December 21, 1995

13.04.150 Department Shut off Authority

The water/sewer department reserves the right, at any time, without notice, to shut the water off in its mains for the purpose of making repairs or extensions or for any other purpose. No claim shall be made against the City of Dillon by reason of the breaking of any service pipe or from any other damage that may result from shutting off the water.  
Enc Ord 385 December 21, 1995

13.04.160 Right of Entry

The water/sewer department shall have access at all reasonable times to all buildings or premises to which water is being delivered from the City water mains for the purpose of inspecting the conditions of the pipes and fixtures and the manner in which water is used and shall also have the right to remove the meters from premises for examination and tests when necessary.  
Enc Ord 385 December 21, 1995

#### 13.04.170 Separate Control Required for Each Premise

After the adoption of Title 13 of the City ordinances the service pipes must be so arranged that the supply for each separate building or premise must be controlled by a separate curb stop and meter placed at a point designated by the water/sewer department.

Enc Ord 385 December 21, 1995

#### 13.04.180 Separate Services Restrictions

Where water is being supplied prior to the adoption of Title 13 of the City ordinances through one service to several buildings or premises, the City Council may either decline to furnish water until separate services are provided or may continue the supply on the condition that one person shall pay for all water on the same service.

Enc Ord 385 December 21, 1995

#### 13.04.200 Tampering with System Unlawful Without Permission

It is unlawful for any person to open, close, turn or interfere with, or to attach, or connect with any fire hydrant, curb cock or valves without permission from the water/sewer department, or to disturb or damage any pipe, machinery, tools or other property of the water/sewer department, or to throw any substance into any reservoir or water main, or to deface or injure any building belonging to or connected with said water system.

Enc Ord 385 December 21, 1995

#### 13.04.210 Meter—Consumer to Protect

Consumers supplied by meter shall take every reasonable precaution to protect same from injury or damage by frost or otherwise and shall be liable for injury to meters. If, from any cause, the meter fails to register correctly, the charge to the consumer shall be at the rate used for the corresponding period of the quarter previous, or if for any reason the rate for the corresponding period of the previous quarter cannot be justly applied, the rate shall be equitably adjusted by the water department. For the testing of each meter at the request of the property owner, his agent or lessee; if the meter is found defective, no charge will be made, but if the meter is found in good order or registering in favor of the consumer, a charge as established by the City Council will be made.

Enc Ord 385 December 21, 1995

#### 13.04.220 Meter—Fraud Designated

Every person who, with intent to injure or defraud;

- A. Breaks or defaces the seal of any meter; or
- B. Obstructs, alters, injures or prevents the action of any meter or instrument used to measure or register the quantity of water supplied to a consumer thereof; or
- C. Makes any connection by means of a pipe, or otherwise, with any main or pipe used for delivery of water to a consumer thereof, in such a manner as to take water from said main or pipe without its passage through the meter or other instrument provided for registering the amount or quantity consumed, or use any water so obtained; or
- D. Makes any connection or reconnection with such main or pipe, or turns off or on, or in any manner interferes with any valve, stop cock or other appliance connected therewith; or
- E. Prevents by the erection of any device or construction, or by any other means, free access to any meter or other instrument for measuring the amount of water consumed, or interferes

with, obstructs or prevents by any means the reading or inspection of such meter or instrument by any of the employees of the water/sewer department, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than fifty dollars nor more than five hundred.

Enc Ord 385 December 21, 1995; Amended Ord 425 May 4, 2010

#### 13.04.255 Restrictions for Summer Irrigation

- A. If any two of the following three persons, the Mayor, Director of Operations, and/or the chairman of the City Council Water and Sewer Committee, in their judgment determine the water supply of the City is seriously short for fires, health and the general operational functions of the City, they may make it unlawful for any person to water lawns, gardens, or use any outside water for any purpose whatsoever, except at the following hours and on the following days;
  - 1. The hours shall be from either five a.m. to eleven a.m., or five p.m. to eleven p.m. at the selection of the person, but such person may not water at both times.
  - 2. The houses with odd numbers shall water on the odd days of the calendar month.
  - 3. The houses with even numbers shall water on the even days of the calendar month.
- B. Such emergency water use shall be published in the Dillon Tribune Examiner and posted in three public places in the City.
- C. For any violation of subsection A of this section, upon conviction thereof, the violator shall be subject to the following fines and penalties:
  - 1. For the first violation, the violator will be issued a warning ticket;
  - 2. For the second violation, the violator will be subject to a fine of ten dollars;
  - 3. For the third violation, the violator will be subject to a fine of twenty-five dollars;
- D. Any person violating the restrictions as imposed by the City or who wastes water by letting it run in avenues, streets, alleys or roadways shall be guilty of a misdemeanor.

Enc Ord 385 December 21, 1995

#### 13.04.270 Use of Water During Fire Restricted

No person shall draw any water from the City main during a fire except for the extinguishing of a fire.

Enc Ord 385 December 21, 1995

#### 13.04.280 Plumbing Regulations

The following rules are laid down for the government of plumbers in work done in connection with the waterworks.

Rule 1. No person except employees of the City shall tap the distributing pipes.

Rule 2. All pipes placed in connection with the City waterworks and the pattern of all hydrants, curb stops, and other appurtenances that are proposed to be used shall be submitted to the inspection and subject to the approval of the City. The water pipe laid in trenches shall be laid not less than five and one-half feet below the surface of the ground and in such a manner as to prevent rupture by settlement. Only Type K copper pipe or polyethylene pipe conforming to the requirements of AWWA Specification C901 may be installed from the main to the curb stop.

All pipe and all cocks and fixtures must be of sufficient strength to sustain a hydraulic pressure of three hundred pounds to the square inch. All PVC pipe used in a main line must have an SDR18 or less rating. All work shall be done in the manner required by the City and shall be subject to its inspection or approval, and no work underground shall be covered up until so inspected and approved.

Rule 3. All rules of the State of Montana Department of Environmental Quality standards for water works must be complied with.

Rule 4. Permits for attachment will not be granted when the service pipe passes over or through premises which at the time or may thereafter become the property of persons other than the owners of the premises or be supplied by such attachments, and in case the building does not occupy the full width of the lot on which it is situated, the service pipe must either be laid under the building or in the lot clear of the building and within three feet of the side wall thereof. No service pipe will be permitted to be laid in a sewer trench or within eighteen inches of such trench.

Rule 5. There shall be a valve attached to every supply pipe at the point where it enters the building, so as to admit the water being shut off in frosty weather or in case of accident.

Rule 6. No plumber shall turn on the water at the curb stop, or allow any person in his employ to do so except with the permission of the water department.

#### 13.04.290 Petition for Annexation

The Water and Sewer Committee, or the City Council itself, is hereby authorized to make a finding that it is in the best interests of the City and in the best interest of designated persons obtaining water and or sewer services from municipal systems operated by the City of Dillon whose properties are outside the city limits that such properties be annexed to the City of Dillon.  
Amended Ord 405 April 16, 2003

#### 13.04.291

Upon such a finding being made and communicated to the Water Department, the Water Department will send a notice to such designated property owners notifying them they are required to petition the City of Dillon for annexation of their properties into the boundaries of the City of Dillon.

Enc Ord 385 December 21, 1995

#### 13.04.300 Notice of Requirement

A. When the determination requiring annexation is made the Water Department will notify each designated water and/or sewer user of the requirement of this ordinance that they petition for annexation of their properties to the City of Dillon. The city will send a written notice to the owner of the property by certified mail, accompanied by an appropriate form of Petition for Annexation.

B. The petition for annexation must be executed and returned to the city within sixty days of mailing from the city office

C. If the petition for annexation is not executed and returned within sixty days of mailing, the Water and Sewer department shall give a written shut off notice to be sent by Certified Mail to owners of properties outside the city limits and receiving city water and/or sewer service, and to tenants in applicable.

Enc Ord 385 December 21, 1995

Amended Ord 405 April 16, 2003

13.04.351 Termination of Service

- A. If 20 days after notice of pending shut off is given the owner of the property has not submitted a petition for annexation to the City of Dillon the water and/or sewer shall be shut off.
- B. The water and/ or sewer supply will not be restored until the petition for annexation is filed in the city offices.
- C. The water and/ or sewer services will not be reestablished until the required turn on fee has been paid.

Enc Ord 385 December 21, 1995

Amended Ord 405 April 16, 2003

Amended Ord 417 July 16, 2008

## Chapter 13.06 Rules of the Sewer System

### Sections:

- 13.06.010 Definitions
- 13.06.015 Billing—Areas designated
- 13.06.020 Sewer use required generally
- 13.06.025 Privies, septic tanks and cesspools prohibited
- 13.06.030 Sewer connection required
- 13.06.035 Lift Stations
- 13.06.040 Private wastewater use
- 13.06.050 Billing Delinquency
- 13.06.060 Billing—Owners
- 13.06.070 Determination of Sewer Use Fee
- 13.06.075 Sewer Construction Fee
- 13.06.080 Sewer users without water service
- 13.06.090 Multiple Family Housing
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- 13.06.130 Separate sewers required—Exception
- 13.06.140 Use of old building sewers
- 13.06.150 Cost responsibility
- 13.06.160 Compliance with codes required
- 13.06.170 Non-waste water prohibited in sewer
- 13.06.180 Inspection and testing before final connection
- 13.06.190 Excavation safety and restoration
- 13.06.200 Prohibited discharges designated
- 13.06.210 Limited substances designated
- 13.06.220 Pretreatment or rejection of discharges
- 13.06.230 Grease, oil and sand interceptors
- 13.06.240 Pretreatment facilities—Maintenance
- 13.06.250 Sampling and testing facilities
- 13.06.260 Determination of compliance—Information required
- 13.06.261 Grease Oil and Sand Interceptors
- 13.06.261 Grease Oil and Sand Interceptors Maintenance Plan & Report
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- 13.06.280 Special agreements permitted
- 13.06.290 Inspection—Authority
- 13.06.300 Inspection—Confidentiality
- 13.06.310 Indemnification of City
- 13.06.320 Right of entry
- 13.06.330 Vandalism
- 13.06.340 Violation—Penalty
- 13.06.350 Continuing violations—Penalty
- 13.06.360 Violation—Cost liability

### 13.06.010 Definitions

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

1. “Average Monthly Water Usage Amount” means the number of gallons of water, rounded up to the next one thousand (1,000) gallons of water used by the facility or person during the months of December, January, February, averaged over three (3) months. Comment: This is a new definition that explains the manner and method for computing the average monthly water usage amount as a basis for monthly sewer charges.  
Amended Ord 417 July 16, 2008
2. “Biochemical Oxygen Demand (BOD)” shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degrees Centigrade, expressed in milligrams per liter.
3. “Building Drain” shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the wall 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.
4. “Building Sewer” shall mean the extension from the building drain to the public sewer or other place of disposal, also called house connection.
5. “City” shall mean Dillon, Montana.
6. “Combined Sewer” shall mean a sewer intended to receive both wastewater and storm or surface water.
7. “Floatable Oil” is 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.
  - a. “Grease Trap” shall mean Grease, oil, and sand interceptor.
8. “Garbage” shall mean animal and vegetable waste resulting from the handling, preparation, cooking and serving of foods.
9. “Industrial User” shall mean: (a) any user which discharges more than the equivalent of 25,000 gallons per day (gpd) of sanitary wastes, or (b) any user which discharges wastewater to the treatment works which contains toxic pollutants 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 to injure or interfere with any sewage treatment process, or which constitutes a hazard in or has an adverse effect on the waters receiving any discharge from the treatment works.
10. “Infiltration” Water other than wastewater that enters a sewerage system (including sewer service connections) from the ground through such means as defective pipes, pipe joints, connections, or manholes. Infiltration does not include, and is distinguished from, inflow.
11. “Infiltration/inflow.” The total quantity of water from both infiltration and inflow without distinguishing the source.
12. “Inflow” Water other than wastewater that enters a sewerage system (including sewer service connections) from sources such as roof leaders, cellar drains, yard drains, area drains, foundation drains, drains from springs and swampy areas, manhole covers, cross connections between storm sewers and sanitary sewers, catch basins, cooling towers, storm waters,

surface runoff, street wash waters, or drainage. Inflow does not include, and is distinguished from, infiltration.

13. “Interceptor Sewer” A sewer whose primary purpose is to transport wastewaters from collector sewers to a treatment facility.
14. “Lateral Sewer” shall mean a sewer that discharges into another sewer and has no other common sewer tributary to it.
15. “Natural Outlet” shall mean any outlet, including storm sewers, and combined sewer overflows, into a watercourse pond, ditch, lake, or other body of surface or groundwater.
16. “Residential User” shall be defined as a user who occupies a singular place of domicile for his home and residence. A singular place of domicile means, one apartment, one trailer, one mobile home, one unit of any structure occupied by one family as a residence and home.
17. “Outfall Sewer” shall mean a sewer that receives wastewater from a collecting system or from a treatment plant and carries it to a final discharge point.
18. “Person” shall mean any individual, firm, company, association, society, corporation or group.
19. “ph” shall mean the logarithm of the reciprocal of the hydrogen ion concentration. The concentration is the weight of hydrogen ion, in grams, per liter of solution. Neutral water, for example, has a ph value of 7 and a hydrogen ion concentration of  $10^{-7}$ .
20. “Properly Shredded Garbage” shall mean 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  $\frac{1}{2}$  inch (1.27 centimeters) in any dimension.
21. “Public Sewer” shall mean a common sewer controlled by a governmental agency or public utility.
22. “Sanitary Sewer” shall mean a sewer that carries liquid and water-carried waste from residences, commercial buildings, industrial plants, and institutions together with minor quantities of ground, storm, and surface waters that are not admitted intentionally.
23. “Septic Tank” shall mean any properly sized water-tight receptacle which receives the discharge of sewage or wastewater and is designed and constructed to: retain solids, digest organic matter through a period of detention and allow liquids to discharge into the soil outside of the tank through a system of open joint piping or from a seepage pit meeting the requirements of the Uniform Plumbing Code.
24. “Septic Tank Wastes” shall mean that portion of the tank contents, including solids, liquids, and combinations thereof that is periodically pumped and disposed of.
25. “Sewage” is the spent water of a community.
26. “Sewage Collection System” Each, and all, of the common lateral sewers, within a publicly owned treatment system, which are primarily installed to receive wastewaters directly from facilities which convey wastewater from individual structures or from private property, and which include service connection “Y” fittings designed for connection with those facilities. The facilities which convey wastewater from individual structures, from private property to the public lateral sewer, or its equivalent, are specifically excluded from the definition, with the exception of pumping units, and pressurized lines, for individual structures or groups of structures when such units are owned and maintained by the City.
27. “Sewer” shall mean a pipe or conduit that carries wastewater or drainage water.
28. “Slug” shall mean 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 than five (5) times the average twenty-four (24) hour concentration or flows during normal operations and shall adversely affect the collection system and/or performance of the wastewater treatment works.

29. “Storm Drain” (sometimes termed “storm sewer”) shall mean a drain or sewer for conveying water, groundwater, subsurface water, or unpolluted water from any source.
30. “Suspended Solids” shall mean total suspended matter (TSS) 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.
31. “Unpolluted Water” is water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.
32. “Wastewater” shall mean 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.
33. “Wastewater facilities” shall mean the structures, equipment and processes required to collect, carry away, and treat domestic and industrial wastes and dispose of the effluent.
34. “Wastewater Treatment Works” shall mean an arrangement of devices and structures for treating wastewater, industrial waste and sludge. Sometimes used as synonymous with “waste treatment plant,” “wastewater treatment facility,” “wastewater treatment plant” or “water pollution control plant.”
35. “Watercourse” shall mean a natural or artificial channel for the passage of water either continuously or intermittently.  
Enc Ord 385 December 21, 1995

#### 13.06.015 Billing Areas Designated

Repealed Ord 417 July 16, 2008

#### 13.06.020 Sewer use Required Generally

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 City, or in any area under the jurisdiction of the City, any human or animal excrement, garbage, or any other objectionable waste.

Enc Ord 385 December 21, 1995

#### 13.06.025 Privies, Septic Tanks and Cesspools Prohibited

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.

Enc Ord 385 December 21, 1995 Amended Ord 401 May 21, 2003

1. Installation of Sealed Vault Facilities. Upon recommendation of a permit by the Water and Sewer Committee and approval of [City Council] of the City of Dillon, sealed vault facilities may be installed within the City of Dillon.
2. Criteria for Approval. Sealed vault facilities may be installed within the City of Dillon when the following criteria are satisfied.
  - a. in areas utilized by substantial numbers of the public upon frequent intervals, and

- b. in situations where the facility would not be subject to continuous supervision, and
  - c. where the provision of water, and/or sewer, and/or electrical utilities to the site, would be overly expensive when compared to the frequency of use, and
  - d. where the usage would be primarily seasonal and/or for provisions of services to a recreational gathering location, and
  - e. where public restroom facilities are not otherwise , and available within a reasonable distance, and
  - f. where the property owners or occupants of the area within 200 feet of the proposed site of the facility do not object within 15 days of their receipt of written notice of the application.
3. Notice of Application. The Director of Operations shall mail a written notice of any application to install a sealed vault facility, whether from an applicant not a part of the city government, or from a department of, or entity related to the city government to all persons residing within, or owning property within 200 feet of the proposed facility site, and not of the property boundary. The notice shall describe the character and appearance of the proposed facility, and notify the recipient of a date not less than 15 days after the mailing of the notice when that person may either file a written protest with the city, or appear before the Water and Sewer Committee to register their objection to the proposed installation of the facility.
  4. Overruling of Protest. If not more than 51 percent of the owners of properties, (not 51% of the property owned) within 200 feet of the proposed site of the facility register protests, and the City Council deems it in the public interest the protest may be overruled and the facility installed. Over ruling the protest requires 6 votes of the full council to be effective.
  5. Application to Existing Ordinances. Installation of facilities under Section 15.24.260 (c)(7) pursuant to permits obtained subsequent to the effective date of this ordinance is subject to the requirements of this ordinance.
  6. Facility Requirements. All facilities installed under this ordinance shall meet all requirements of construction and installation required by the State of Montana Department of Environmental Quality.  
Amended Ord 401 May 21, 2003

#### 13.06.030 Sewer Connection Required

The owners of all houses, buildings or properties 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 sewer, is required at the owner's expense to install suitable toilet facilities and to connect such facilities directly to the public sanitary sewer provided that said public sanitary sewer is within two hundred feet of the property line.

Enc Ord 385 December 21, 1995

#### 13.06.035 Lift Stations

When it is necessary to remove sewage to the wastewater treatment facility utilizing a lift station this lift station will be constructed by the developer and will remain the responsibility of the developer for the operation of the lift station unless otherwise assumed by the City Council.

Enc Ord 385 December 21, 1995

13.06.040 Private Wastewater Use

Where a public sanitary sewer is not available under the provisions of Section 13.06.030 of this Chapter, the building sewer shall be connected to a private wastewater disposal system (septic tank) that shall be approved by the Beaverhead County Sanitarian.

Enc Ord 385 December 21, 1995

13.06.050 Billing Delinquency

Enc Ord 385 December 21, 1995 Amended 387 August 22, 1996; Repealed Ord 417 July 16, 2008

13.06.060 Billing - Owners

Owners of property served with sewer service will be held liable for all sewer charges. Payments will be accepted from tenants, but the owner will not be relieved of responsibility if the tenant becomes delinquent.

Enc Ord 385 December 21, 1995

13.06.070 Determination of Sewer Use Fee

1. Sewer use fees will be determined on the number of gallons of water each consumer uses by averaging the amount of water used during the months of December, January and February to obtain the average monthly water usage amount. The average monthly water usage amount shall be rounded up to the next 1,000 gallons above the actual number of gallons in the average monthly usage number. Amended Ord 417 July 16, 2008
2. The consumer shall pay as a sewer base rate the amount of \$6.00 per month. The consumer shall pay the rate per 1,000 gallons of water used to determine the base monthly usage fixed by the City Council by resolution. The rates shall be available on request to all users.

Enc Ord 385 December 21, 1995 Amended 387 August 22, 1996 Amended Ord 417 July 16, 2008

13.06.075 Sewer Construction Fee

Sewer construction fees as set by resolution of the City Council after public hearing shall be assessed against every sewer user.

13.06.080 Sewer users Without Water Service

Every residential and commercial sewer user who is not connected to City water will be charged the base rate.

Enc Ord 385 December 21, 1995

13.06.090 Multiple Family Housing

Where there are multiple families living in one premise with only one water hookup to the premise all families will be charged the base rate.

Enc Ord 385 December 21, 1995

13.06.100 Part of contract - Consumer Duty to Know

The rules set forth in this ordinance are a part of the contract entered into by every consumer of City sewer service and the failure to know the rules will not excuse anyone from the penalty of their infringement.

Enc Ord 385 December 21, 1995

13.06.110 Application for service - Permit Required

No person(s) 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 City and paying the required fee as established by the City Council after public hearing.

Enc Ord 385 December 21, 1995

13.06.120 Unauthorized Use of Sewer Prohibited

No person, company, business, or corporation shall knowingly use the sewer system without previously contracted for the same.

Enc Ord 385 December 21, 1995

13.06.130 Separate Sewers Required - Exception

A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and when no private sewer is available or cannot be constructed to the rear building through an adjoining alley, court, yard, or driveway then the sewer from the front building may be extended to the rear building. The sewer department does not and will not assume any obligation or responsibility for damage caused by or resulting from this type of sewer connection.

Enc Ord 385 December 21, 1995

13.06.140 Use of Old Building Sewers

Old building sewers may be used in connection with new buildings only when they are found by the water/sewer department to meet all requirements of this ordinance.

Enc Ord 385 December 21, 1995

13.06.150 Cost Responsibility

All costs and expenses incidental to the installation and connection of a 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.

Enc Ord 385 December 21, 1995

13.06.160 Compliance with Codes Required

The size, slope, alignment, materials of construction of all sanitary sewers and the methods to be used in excavation, placing of pipe, jointing, testing, the connection of the building sewer into the public sewer and backfilling the trench shall conform to the requirements of the plumbing codes or other applicable rules and regulations of the City and the State of Montana.

Enc Ord 385 December 21, 1995

13.06.170 Non-waste Water Prohibited in Sewer

No person shall make a connection of roof down spouts, foundation drains, areaway drains, cellar sump pumps, or any other source of surface runoff or groundwater to a building sewer or building drain which is in turn connected directly or indirectly to a sanitary sewer unless such connection is approved by the City for purposes of disposal of polluted surface drainage.

Enc Ord 385 December 21, 1995

#### 13.06.180 Inspection and Testing Before Final Connection

The applicant for a building sewer permit shall notify the City water/sewer department when the building sewer is ready for inspection and connection to the main sewer line.

Enc Ord 385 December 21, 1995

#### 13.06.190 Excavation Safety and Restoration

All excavations for sewer installation shall 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 prescribed by the City.

Enc Ord 385 December 21, 1995

#### 13.06.200 Prohibited Discharges Designated

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

- A. Any gasoline, benzene, naphtha, fuel, oil, or other flammable or explosive liquid, solid or gas.
- B. 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 the municipal system, 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 or have an adverse effect on the waters receiving any discharge from the treatment works. Each user which discharges any toxic pollutants which cause an increase in the cost of managing the effluent or the sludge of the treatment works shall pay for such incurred costs.
- C. Any waters or wastes having a pH factor lower than 5.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the wastewater works.
- D. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the 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 fleshing, entrails, and paper dishes, cups, milk containers, etc., either whole or ground by garbage disposals.
- E. Septic tank wastes.

Enc Ord 385 December 21, 1995

#### 13.06.210 Limited Substances Designated

The following described substances, materials, waters, or waste shall be limited in discharges to municipal systems to concentrations or quantities which will not harm either the sewers, 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 City may set limitations lower than the limitations established in the regulations below if in its opinion such more severe limitations are necessary to meet the above objectives. In forming its opinion as to the acceptability, the City will give consideration to such factors as the quantity of 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, degree

of treatability of the waste in 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 City are as follows:

- A. Wastewater having a temperature higher than one hundred fifty degrees Fahrenheit (sixty-five degrees Celsius);
- B. Wastewater containing more than twenty-five milligrams per liter of petroleum oil, non-biodegradable cutting oils, or product of mineral origin;
- C. Wastewater from industrial plants containing floatable oils, fat or grease;
- D. Any garbage that has not been properly shredded. 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;
- E. Any waters or wastes containing arsenic, iron, chromium, copper, mercury, zinc, and similar objectionable or toxic substances to such a degree that any such material received in the composite wastewater at the wastewater treatment works exceeds the limits established by the City for such materials;
- F. Any waters or wastes containing odor-producing substances exceeding limits which may be established by the City;
- G. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the City in compliance with applicable state or federal regulations;
- H. Quantities of flow, concentration, or both which constitute a "slug" as defined in this chapter;
- I. Waters or wastes containing substances which are not amenable to treatment processes employed, or are amenable to treatment only to such a degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters;
- J. Any water or wastes, which, by interaction with other water or wastes in the public sewer system, release obnoxious gases, form suspended solids which interfere with the collection system, or create a condition deleterious to structures and treatment processes;
- K. Any water or wastes containing DDT, PBB, PCB or other carcinogenic compounds to such a degree that any such materials received in the composite wastewater at the wastewater treatment facility exceeds the limits established by the City for such materials.

Enc Ord 385 December 21, 1995

#### 13.06.220 Pretreatment or Rejection of Discharges

- A. 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 this chapter, and which in the judgment of the City 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 City 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 the existing taxes or sewer services charges under the provisions of this title.

- B. When considering the above alternative the City shall give consideration to the economic impact of each alternative on the discharge. 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 the Montana Department of Environmental Quality (DEQ).  
Enc Ord 385 December 21, 1995

#### 13.06.230 Grease, Oil and Sand Interceptors

- A. Grease, oil, and sand interceptors shall be provided when, in the opinion of the City, they are necessary for the proper handling of liquid 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 City and shall be located as to be readily and easily accessible for cleaning and inspection.
- B. In the maintaining of these interceptors the owner(s) shall be responsible for the proper removal and disposal by appropriate means of the captivated material and shall maintain records of the dates, and some means of disposal which are subject to review by the City. Any removal and hauling of the collected materials not performed by owner(s) personnel must be performed by currently licensed waste disposal firms. All interceptors must be reviewed and approved by the Montana Department of Environmental Quality (DEQ).  
Enc Ord 385 December 21, 1995

#### 13.06.240 Pretreatment Facilities - Maintenance

Where pretreatment or flow-equalizing facilities are provided or required for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner(s) at his expense.  
Enc Ord 385 December 21, 1995

#### 13.06.250 Sampling and Testing Facilities

When required by the City, the owner(s) of any property serviced by a building sewer carrying industrial waste or excess flows, DE, BOD or TSS shall install a suitable structure together with such necessary meters and other appurtenances in the building's 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 City. The structure shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.  
Enc Ord 385 December 21, 1995

#### 13.06.260 Determination of Compliance - Information Required

The City may require a user of sewer services to provide information needed to determine compliance with this chapter. These requirements may include:

- A. Wastewater discharge peak rate and volume over a specified time period;
- B. Chemical analyses of wastewaters;
- C. Information on raw materials, processes, and products affecting wastewater volume and quality;

- D. Quantity and disposition of specific liquid, sludge, oil, solvent, or other materials important to sewer use control;
- E. A plot plan of sewers of the user's property showing sewer and pretreatment facility location;
- F. Details of wastewater pretreatment facilities;
- G. Details of systems to prevent and control the losses of materials through spills to the municipal sewer.

Enc Ord 385 December 21, 1995

13.06.261 Grease Oil and Sand Interceptors

- A. Wastewaters discharge peak rate and volume over a specified time period;
- B. Chemical analyses of wastewaters;
- C. In order to provide a means of monitoring the dates and means of disposal required by preceding parts A & B of this section all persons in charge of facilities with Grease, Oil and/or Sand Interceptors will file with the Director of Operations of the city a copy of the records of the dates of removal and dates and type of disposal of the material removed from any Grease Oil, and/or sand interceptor.

13.06.261A Grease Oil and Sand Interceptors Maintenance Plan & Report

- A. All facilities connected to or using the municipal sewer system which have grease, oil and/or sand interceptors annually on the first business day of the month after the effective date of this ordinance the owner or operator of any facilities connected to or using the municipal sewer system which have grease, oil and/or sand interceptors are required to file with the Director of Operations of the City a planned schedule of grease oil and/or sand interceptor maintenance and cleaning actions for the remainder of the calendar year and annually during the first week of January of each year thereafter.
- B. The schedule shall, describe the frequency and estimated dates such maintenance and/or cleaning shall occur, and the type of cleaning and/or maintenance action that shall occur.
- C. The Director of Operations may require a particular form to be used for filing the plan. The plan can be amended at any time, if the frequency or type of maintenance and /or cleaning should not be necessary as frequently as estimated, or more often if required. All amendments to the plan must be filed with the Director of Operations.
- D. For the purpose of monitoring the cleaning requirements of Section 13.06.230 Grease, Oil and Sand Interceptors part B, duly authorized employees of the city may enter and inspect the facilities as provided in Section 13.06.290 Authority
- E. Each Grease, Oil, and Sand Interceptor within the City will be inspected by a city employee at least once a year.

Enc Ord 428 December 01, 2010

13.06.262 Enforcement of Grease Oil and Sand Interceptors Requirements-

Failure of the owner or person in charge of the facility to prepare and file the plan of maintenance and cleaning as required by section 13-06-261 of this code or failure to maintain and file the records of the cleaning and disposal of the of the captivated material as required by Section 13.06.020 B of this code shall be grounds for turning off the water to premises after the notice provided for in Section 13.04.015 Billing Delinquency



Enc Ord 428 December 01, 2010

13.06.270 Determination of Compliance - Standard Methods

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

Enc Ord 385 December 21, 1995

13.06.280 Special Agreements Permitted

No statement contained in this chapter 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.

Enc Ord 385 December 21, 1995

13.06.290 Inspection - Authority

The 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 pertinent to discharge to the community system in accordance with the provisions of this chapter.

Enc Ord 385 December 21, 1995

13.06.300 Inspection - Confidentiality

The duly authorized employees 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.

Enc Ord 385 December 21, 1995

13.06.310 Indemnification of City

While performing the necessary work on private properties referred to in this chapter, the 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 growing out of the gauging and sampling operation, except such may be caused by negligence or failure of the company to maintain safe conditions as required in this chapter.

Enc Ord 385 December 21, 1995

13.06.320 Right of Entry

The 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 of 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.

Enc Ord 385 December 21, 1995

13.06.330 Vandalism

A. No person(s) 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.

B. Any person(s) violating this section shall be subject to immediate arrest under charge of disorderly conduct.

Enc Ord 385 December 21, 1995

Chapter 13.08 Violation – Penalty

Sections:

13.08.010 Service Discontinued.

13.08.020 Penalty.

13.08.010 Service Discontinued

For any violation of the rules or ordinances pertaining to the use of water and/or sewer, the same may be turned off without notice and will not be turned on until the rules and regulations are compiled with and all bills for service are paid in full together with an additional fee as established by the City Council after public hearing. In addition, the offending person or persons may be prosecuted in addition thereto.

Enc Ord 385 December 21, 1995

13.08.020 Penalty

Any person or entity violating this ordinance shall be guilty of a misdemeanor and upon conviction, shall be subject to a fine of at least fifty dollars (\$50.00).

Enc Ord 385 December 21, 1995 Amended Ord 417 July 16, 2008

## Chapter 13.10 System Development Fees

### Sections

- 13.10.010 Creation of System Development Fee
- 13.10.020 Amount of Fee Established by Rate Hearing
- 13.10.130 Fees Equitably Based on Utilization of Systems
- 13.10.040 Separate System Development Fee Accounts
- 13.10.050 Time Obligation to Pay Fee Occurs
- 13.10.060 Creation of Separate Fee

### 13.10.010 Creation of System Development Fee.

The City of Dillon hereby creates and establishes a sewer system development fee and separate water system development fee. The concept of the development fees and the necessity to accrue capital to expand the water and sewer systems of the City of Dillon is found to be just, reasonable, and necessary for the continued sound development and expansion of the water distribution and sewer collection systems in the City of Dillon particularly into the future.  
Enc. Ord. # 406-1A June 16, 2004

### 13.10.020 Amount of Fee Established by Rate Hearing.

The system development fees created by this ordinance shall be determined, and established by the City Council after the appropriate notice and hearing according to the law governing the establishment of water and sewer rates and charges.  
Enc. Ord. # 406-1A June 16, 2004

### 13.10.030 Fees Equitably Based on Utilization of Systems

The amounts shall be reasonably based upon the quantity of water used or sewerage collected from the newly connected user.  
Enc. Ord. # 406-1A June 16, 2004

### 13.10.040 Separate System Development Fee Accounts.

All System Development Fees will be placed in a separate Water and Sewer Development account for the purpose of defraying future system expansions or major reconstruction of existing systems. No portion of either the water or the sewer System Development Fee will be deposited in the General Fund of the City or used in any way for the operation of the water and/or sewer systems.  
Enc. Ord. # 406-1A June 16, 2004

### 13.10.050 Time Obligation to Pay Development Fee Occurs.

The imposition of the System Development Fee shall come into effect upon any particular property when the structure newly obtaining either water or sewer service is connected to the City system. All development fees whether for use of the water supply or sanitary sewer collection systems of the City of Dillon shall be paid in full before any connection of any kind is made to either system, including any temporary construction connection.  
Enc. Ord. # 406-1A June 16, 2004  
Amended Ord 417 July 16, 2008

13.10.060 Creation of Separate Fee

This ordinance does not repeal or replace the presently existing water and/or sewer connection fees provided for in other ordinances, but creates an additional and different character of fee.  
Enc. Ord. # 406-1A June 16, 2004.

**Water and Sewer System Development Fee**

**Noble Street Sewer Project**

\$750,000 @4% for 20 years = \$4,545 monthly loan payment ÷ 1,716 lots = \$2.65 monthly debt service per lot x 12 months = \$31.80 annual debt service per lot. Debt service reflects the replacement value.

**Highway 41 Sewer Project**

\$156,000 @ 4% for 20 years = \$945 monthly loan payment ÷ 243 lots = \$3.89 monthly debt service per lot x 12 months = \$46.68 annual debt service per lot.

**Highway 41 Water Project**

\$234,000 @ 4% for 20 years = \$1,418 monthly loan payment ÷ 243 lots = \$5.84 monthly debt service per lot x 12 months = \$70.08 annual debt service per lot.

**Sewer System Development Fee** – Reflects the estimated cost of constructing wastewater treatment for 500 new connections. The projected cost of \$1,120,000 divided by 500 hook-ups = \$2,240 per connection @50% = \$1,120

Size	EDU's	Development Fee	Noble St.	Hwy 41	Development Fee + Noble =	Development Fee + Hwy 41 =
¾"	1	\$1,120	\$31.80	\$46.68	\$1,151.80	\$1,166.68
1"	1.78	\$1,994	\$56.61	\$83.09	\$2,050.61	\$2,077.09
1½"	4	\$4,480	\$127.20	\$186.72	\$4,607.20	\$4,666.72
2"	7.14	\$7,997	\$227.06	\$333.30	\$8,224.06	\$8,330.30
3"	16	\$17,920	\$508.80	\$746.88	\$18,428.80	\$18,666.88
4"	28.57	\$31,998	\$908.53	\$1,333.65	\$32,906.53	\$33,331.65
6"	64	\$71,680	\$2,035.20	\$2,987.52	\$73,715.20	\$74,667.52

**Water System Development Fee** – Reflects the estimated cost of constructing a water storage and distribution system for 500 new connections. The projected cost of \$725,000 divided by 500 hook-ups = \$1,450 per connection @ 50% = \$725

Size	EDU's	Development Fee	Noble St.	Hwy 41	Development Fee + Noble =	Development Fee + Hwy 41 =
¾"	1	\$725	0	\$70.08	\$725	\$795.08
1"	1.78	\$1,290	0	\$124.75	\$1,290	\$1,414.75
1½"	4	\$2,900	0	\$280.32	\$2,900	\$3,180.32
2"	7.14	\$5,177	0	\$500.38	\$5,177	\$5,677.38
3"	16	\$11,600	0	\$1,121.28	\$11,600	\$12,721.28
4"	28.57	\$20,713	0	\$2,002.19	\$20,713	\$22,715.19
6"	64	\$46,400	0	\$4,485.12	\$46,400	\$50,885.12

**Combined Sewer and Water Fee = \$1,845**

Enc. Ord. # 406-1A June 16, 2004