

## CHAPTER 15 UTILITIES

- Article 1. General Provisions
- Article 2. Water
- Article 3. Electricity
- Article 4. Sewers
- Article 5. Solid Waste
- Article 6. Water Conservation

---

### ARTICLE 1. GENERAL PROVISIONS

- 15-101. DEFINITION. For purposes of this article utility services shall include water, electrical, sewer, solid waste (refuse) and other utility services provided by the city. (Code 2014)
- 15-102. DELINQUENT ACCOUNTS. Unless otherwise provided, water, electric, sewer, solid waste (refuse) or other utility service shall be terminated for nonpayment of service fees or charges in accordance with sections 15-103:104. (Code 2014)
- 15-103. NOTICE; HEARING. (a) If a utility bill has not been paid on or before the due date as provided in this chapter, a delinquency and termination notice shall be issued by the city clerk within five days after the delinquency occurs and mailed to the customer at his or her last known address. A copy also shall be mailed to the occupant of the premises if the occupant and the customer are not the same person.
- (b) The notice shall state:
- (1) The amount due, plus delinquency charge;
  - (2) Notice that service will be terminated if the amount due is not paid before the 21st of each month unless the 21st falls on a Saturday, Sunday or legal holiday, in which event such notice will give the consumer until the close of the next business day in which to pay the charges;
  - (3) Notice that the customer has the right to a hearing before the designated hearing officer;
  - (4) Notice that the request for a hearing must be in writing and filed with the city clerk no later than the 3rd Monday of the month by 4:00 p.m.
- (c) Upon receipt of a request for hearing, the city clerk shall advise the customer that the City Council will review their request on the 3rd Monday of the month at 7:00 p.m. at the regular Council meeting. (Code 2014)
- 15-104. SAME; FINDING. Following the hearing, if the hearing officer shall find that service should not be terminated, then notice of such finding shall be presented to the city clerk. If the officer finds that service should be terminated, an order shall be issued terminating service five days after the date of the order. The customer shall be notified either in person or by mailing a letter to his or her last known address by certified mail, return receipt requested. However, if the order is made at the hearing

in the presence of the customer, then no further notice need be given. The hearing officer has a right, for good cause, to grant an extension, not to exceed 10 days, for the termination of such service. (Code 2014)

15-105. CONNECTION FEE FOR SERVICE. (repealed and replaced by Ordinance 479-2015)

A. CONNECTION FEE

1. A non-refundable connection fee of \$50.00 total shall be charged at the time a customer requests and is granted water, sewer, solid waste, or any combination thereof. The full amount of the connection fee shall be paid to the City Clerk before any service connection shall be made.
2. If a customer requests a temporary suspension to any utility, a \$25.00 fee will be required to reinstate the utility.
3. No connection or reinstatement shall be made for any customer who owes an unpaid balance to the city for prior or existing service at any location.

B. TRANSFER AND TRANSFER FEE

1. Should an existing customer move to another address in the City's service area, utilities may be established at the new address without paying the full connection fee provided the following are met:
  - a. The customer cannot have been disconnected due to failure to pay during the past 24 months;
  - b. The customer must have a good payment record which is defined as no more than one late payment in a 12 month period;
2. A transfer fee of \$25.00 will be required to transfer the utilities.
3. Connection fees cannot be transferred from one customer to another.
4. Service at the previous address must be closed out or transferred within 60 days. If the prior service is still in effect after 60 days, full connection fees will be assessed to the new address account.

15-106.

DELINQUENT ACCOUNTS; REFUSAL OF SERVICE; TERMINATION OF SERVICE; LIEN AGAINST PROPERTY. (a) In the event that any person, except the United States or the state of Kansas, shall fail to pay the fees or charges for such utility services(s), utility service shall be terminated as provided in sections 15-102:104. The governing body may refuse the delivery of utility service(s), as permitted by law, until such time as the fees and charges are paid in full.

(b) If at the time of application for utility service the applicant has an outstanding balance or unpaid fees or charges for utility services provided by the city, the application shall not be accepted until all fees or charges are paid in full.

(c) If utility service is furnished to leased premises on the application and request of the lessor of the premises, then all billings for utilities furnished to such leased premises shall be made directly to the lessor, and the lessor shall be fully liable for the cost of service furnished.

(Code 2014)

## ARTICLE 2. WATER

- 15-201. MAINTENANCE SUPERVISOR OF WATER AND SEWAGE. The general management, care, control and supervision of the city water system shall be in the maintenance supervisor. (Code 2014)
- 15-202. REGULATIONS. The furnishing of water to customers by the city through its waterworks system shall be governed by the regulations set out in this article. (Code 2014)
- 15-203. SERVICE NOT GUARANTEED. The city does not guarantee the delivery of water through any of its mains and connecting services at any time except only when its mains, pumping machinery, power service connection are in good working order, and the supply of water is sufficient for the usual demand of its consumers. (Ord. 398; Code 2014)
- 15-204. SERVICE CONNECTIONS REQUIRED. (a) The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purpose, situated within the city abutting on any street, alley, or right-of-way in which there is now located or may in the future be located near public water mains, is hereby required at his or her own expense to make connection to such public water main.  
(b) Before any connection is made to the city's water system an application must be made in writing to the city clerk by the owner of the premises, or his or her authorized representative, for a permit to make such connection. (Code 2014)
- 15-205. APPLICATION FOR SERVICE. (a) Any person, firm or corporation desiring a connection with the municipal water system shall apply in writing to the city clerk, on a form furnished by the city for that purpose, for a permit to make the connection.  
(b) The application shall:  
(1) Contain an exact description including street address of the property to be served;  
(2) State the size of tap required;  
(3) State the size and kind of service pipe to be used;  
(4) State the full name of the owner of the premises to be served;  
(5) State the purpose for which the water is to be used;  
(6) State any other pertinent information required by the city clerk;  
(7) Be signed by the owner or occupant of the premises to be served, or his or her authorized agent.  
(c) Each application for a connection permit shall be accompanied by payment of fees and/or costs specified in section 15-207. (Code 2014)
- 15-206. CITY TO MAKE CONNECTIONS. All taps shall be given, street excavations made, corporation cocks inserted, pipes installed from main to curb, and the curb cock installed in a meter box to which the service pipe is to be connected by city employees only. (Code 2014)

- 15-207. CONNECTION FEES. The water service connection fee schedule is as follows:  
(a) The consumer shall pay to the city the sum of \$750 for a 5/8 meter inside the city limits and the sum of \$5500 for building or service outside the city limits.  
(b) Whenever a consumer requests the water meter be moved to another area on their property, the consumer shall pay all the cost of materials plus a labor charge of \$50 per hour. Fifty percent of the estimated cost must be paid where work begins, with the balance due within 30 days after the work is complete. For meters and fitting in excess of one inch, the consumer shall pay \$750 plus the current market price for the water meter.  
(Ord. 446-2010; Code 2014)
- 15-208. CURB COCKS. There shall be a curb cock in every service line attached to the city main, the same to be placed within the meter box. Curb cocks shall be supplied with strong and suitable "T" handles. (Code 2014)
- 15-209. CHECK VALVES. Check valves are required on all connections to steam boilers or on any other connection deemed necessary by the maintenance supervisor. Safety and relief valves shall be placed on all boilers or other steam apparatus connected with the water system where the steam pressure may be raised in excess of 40 pounds per square inch. (Code 2014)
- 15-210. UNAUTHORIZED SERVICE. It shall be unlawful for any person, firm, or corporation, other than duly authorized city officials or employees to turn water on or off at the water meter or curb cock shut off, with a key or in any other manner, without first obtaining written permission from the mayor or the governing body.  
(Code 2014)
- 15-211. METERS. (a) All water furnished to customers shall be metered.  
(b) All meters are city owned and shall be kept in repair and working condition without cost to the consumer, except as provided in subsection (c).  
(c) Consumers shall be responsible and liable to the city for any damage or alteration to water meters on their premises except normal wear and tear. No consumer shall repair, remove, tamper, break or interfere with the operation of any meter or any part of a meter. The city shall collect from the consumer the cost of repairing such meters.  
(Ord. 398; Code 2014)
- 15-212. SAME; TESTING. Meters shall be tested before being set and at any other time thereafter when they appear to be measuring incorrectly. If a test is requested by the consumer and the meter is found to be accurate within two percent, the meter will be deemed correct and a charge of \$10.00 will be made to the customer.  
(Ord. 398; Code 2014)
- 15-213. TAMPERING WITH METER. It shall be unlawful for any person to break the seal of any meter, to alter the register or mechanism of any meter, or to make any outlet or connection in any manner so that water supplied by the city may be used or wasted without being metered. It shall be unlawful for any person except an authorized employee of the water department to turn any curb cock on or off.  
(Code 2014)

- 15-214. LEAKS PROHIBITED; PENALTY. No allowances shall be made for water used or lost through leaks, carelessness, neglect or otherwise after the same has pass through the meter. However, every customer shall have the right to appeal to the city from water bill or meter reading which he or she may consider excessive. (Code 2014)
- 15-215. DISCONNECTION, RECONNECTION CHARGE. The governing body shall establish, by ordinance, a water service disconnection and reconnection charge. Whenever the city receives a request from a customer for termination of water service the disconnection charge shall be added to the customer's final bill. Any service disconnected for nonpayment of delinquent bill shall be reconnected only upon payment of the delinquent bill, interest penalty thereon, and the reconnection charge. (Code 2014)
- 15-216. UTILITY DEPOSIT. At the time of making application for water service, the property owner or customer shall make a cash deposit in the amount and manner specified in section 15-105 to secure payment of accrued bills or bills due on discontinuance of service. (Code 2014)
- 15-217. INTERRUPT SERVICE. The city reserves the right to interrupt water service for the purpose of making repairs or extensions to water lines or equipment. (Code 2014)
- 15-218. PROHIBITED ACTS. It shall be a violation of this article for any unauthorized person to:
- (a) Perform any work upon the pipes or appurtenances of the city's waterworks system beyond a private property line unless such person is employed by the city;
  - (b) Make any connections with any extension of the supply pipes of any consumer without written permission to do so having been first obtained from the governing body;
  - (c) Remove, handle or otherwise molest or disturb any meter, meter lid, cutoff, or any other appurtenances to the water system of the city.
- (Code 2014)
- 15-219. WASTING WATER. Water users shall prevent unnecessary waste of water and shall keep sprinklers, hydrants, faucets and all apparatus, including the service line leading from the property to the meter in good condition at their expense. (Code 2014)
- 15-220. RIGHT OF ACCESS. Authorized employees of the city may enter upon any premises at reasonable hours for the purpose of reading the meter or servicing or inspecting meters or water lines. (Code 2014)
- 15-221. RATES. The following rates shall be assessed to each consumer receiving water services from the city:
- (a) Household or dwelling, business and not-profit organization rate within the city limits: For each monthly period, a minimum charge of \$18.56 for up to the first 1,000 gallons of water and a charge of \$7.48 for each additional 1,000 gallons or fraction thereof shall be assessed.

(b) Multi-unit dwelling rate: For each monthly period, all owners of multi-unit dwelling, including but not limited to apartments, duplexes and trailer courts, served by one water meter shall be charged a minimum of \$18.56 per occupied unit in the dwelling and a charge of \$7.48 for each additional 1,000 gallons over and above the 1,000 gallons minimum per occupied unit, shall be assessed. The owner shall notify the city water office on or before the fifteenth of each month that their multi-unit dwelling is less than full capacity.

(c) Household or dwelling, business and non-profit organization rate outside the city limits: For each monthly period a minimum charge of \$20.30 for up to the first 1,000 gallons of water and a charge of \$10.20 for each additional 1,000 gallons or fractions thereof, shall be assessed.

(d) For water dispensed and sold at the bulk water station, a charge of \$.75 for approximately 60 gallons shall be assessed.

The governing body may establish rates for other types of water service by contract between the parties, as necessary.  
(Ord. 446-2010; Code 2014)

15-222. PAYMENT OF BILLS. All water bills for the previous month's water service shall be paid on or before the 10th day of the month following the service. For any billing not paid when due a late charge of ten dollars (\$10) will be added to the bill.  
(Ord. 398-B 2005; Code 2014)

15-223. DELINQUENT ACCOUNTS; NOTICE; HEARING; FINDING; LIABILITY. Water service shall be terminated for nonpayment of service fees or charges as provided in sections 15-102:104. A reconnection fee of \$50 will be charged.  
(Code 2014)

15-224. USE DURING FIRE. No person owning or occupying premises connected to the municipal water system shall use or allow to be used during a fire any water from the water system except for the purpose of extinguishing the fire. Upon the sounding of a fire alarm it shall be the duty of every such person to see that all water services are tightly closed and that no water is used except in extraordinary cases of emergency during the fire. (Code 2014)

15-225. CROSS-CONNECTIONS PROHIBITED. No person shall establish or permit to be established or maintain or permit to be maintained, any cross connection whereby a private, auxiliary, or emergency water supply other than the regular public water supply of the city may enter the supply and distributing system of the city unless specifically approved by the Kansas Department of Health and Environment and the governing body. (Code 2014)

15-226. SAME; PROTECTIVE BACKFLOW DEVICES REQUIRED. Approved devices to protect against backflow or backsiphonage shall be installed at all fixtures and equipment where backflow and/or backsiphonage may occur and where there is a hazard to the potable water supply in that polluted water or other contaminating materials may enter into the public water supply. Any situation in which a heavy withdrawal of water, such as a sudden break in the main or water being used from a fire hydrant, may cause a negative pressure to develop which could lead to backsiphonage of polluted water into the system shall be improper and must be protected by approved backflow preventive valves and systems as determined by the maintenance supervisor. (Code 2014)

15-227. SAME; INSPECTION. The city maintenance supervisor or other designee of the governing body shall have the right of entry into any building or premises in the city as frequently as necessary in his or her judgment in order to ensure that plumbing has been installed in accordance with the laws of the city so as to prevent the possibility of pollution of the water supply of the city. (Code 2014)

15-228. SAME; PROTECTION FROM CONTAMINANTS. Pursuant to the city's constitutional home rule authority and K.S.A. 65-163a, the city by its maintenance supervisor may refuse to deliver water through pipes and mains to any premises where a condition exists which might lead to the contamination of the public water supply system and it may continue to refuse the delivery of water to the premises until that condition is remedied. In addition, the city maintenance supervisor may terminate water service to any property where the cross connections or backsiphonage condition creates, in the judgment of the maintenance supervisor, an emergency danger of contamination to the public water supply. (Code 2014)



**ARTICLE 3. ELECTRICITY**  
(Reserved)

## ARTICLE 4. SEWERS

15-401. DEFINITIONS. Unless the context clearly indicates otherwise, the meaning of words and terms as used in this article shall be as follows:

(a) 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 walls of the building and conveys it to the building sewer, beginning five feet outside the innerface of the building wall.

(b) Building Sewer - shall mean the extension from the building drain to the public sewer or other place of disposal.

(c) B.O.D. (denoting Biochemical Oxygen Demand) - shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20 degrees centigrade, expressed in parts per million by weight.

(d) PH - shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

(e) Individual Domestic - means any single family residence, commercial business, office, institution, school, church or public entity having an individual direct or indirect connection to the wastewater facilities of the city and on individual city or private water service meter, or connection to any such water service.

(f) Industrial - means any industrial business engaged in the manufacturing or processing of one or more products, and in which wastewaters are produced from such manufacturing or processing and said wastewaters are discharged directly or indirectly to the wastewater facilities of the city.

(g) Multi-domestic - means any multi-family residence, apartment or mobile home and any commercial business, office, institution, school, church or public entity having a direct or indirect connection to the wastewater facilities of the city and not having an individual water service meter but is served with city or private metered water by the owner of the property on which it is located.

(h) Inspector - shall mean the authorized deputy, agent or representative of the city, usually from the maintenance department.

(i) Sewage - shall mean a combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such ground, surface, and storm waters as may be present.

(j) Sewer - shall mean a pipe or conduit for carrying sewage.

(k) Public Sewer - shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

(l) Combined Sewers - shall mean sewers receiving both surface runoff and sewage, are not permitted.

(m) Sanitary Sewer - shall mean a sewer which carries sewage and to which storm, surface, and groundwaters are not intentionally admitted.

(n) Storm Sewer or Storm Drain - shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and polluted industrial wastes.

(o) Sewage Treatment Plant - shall mean any arrangement of devices and structures used for treating sewage.

(p) Suspended Solids - shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.

(q) User - means any person as defined in section 1-102, including an institution, governmental agency or political subdivision producing wastewater requiring processing and treatment to remove pollutants and having premises connected to the wastewater facilities.

(r) Wastewater - means sewage, the combination of liquids and water carried wastes from residences, commercial and industrial buildings, institutions, governmental agencies, together with any ground, surface or storm water that may be present.

(s) Normal wastewater. - The strength of normal wastewater shall be considered within the following ranges:

(1) A five day biochemical oxygen demand of 300 milligrams per liter or less;

(2) A suspended solid concentration of 350 milligrams or less;

(3) Hydrogen ion concentration of 5.0 to 9.0.

(Ord. 405-2005; Code 2014)

15-402. **SEWER CONNECTION REQUIRED.** The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purpose, 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 of the city, is hereby required at his or her expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this article, within 90 days after date of official notice to do so, provided that said public sewer is within 140 feet of the property line. (Ord. 405-2005; Code 2014)

15-403. **PERMIT; CONNECTION FEE.** (a) No person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the city.

(b) There shall be a \$100 connection fee plus the cost of the sewer tap payable at the time of making application for the permit.

(Ord. 405-2005; Code 2014)

15-404. **APPLICATION.** Any person desiring to make a connection to the city sewer system shall apply in writing to the city clerk who shall forward the application to the utility inspector. The application shall contain:

(a) The legal description of the property to be connected;

(b) The name and address of the owner or owners of the property;

(c) The kind of property to be connected (residential, commercial or industrial);

(d) The point of proposed connection to the city sewer line.

(Ord. 405-2005; Code 2014)

15-405. **COSTS.** All costs and expenses incident to the installation and connection of the building sewer shall be paid 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. (Ord. 405-2005; Code 2014)

15-406. **SEWER CONNECTION.** The 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. Where no properly located "Y" branch is available, the connection shall be

made in the manner approved by the utility inspector and at a location designated by the inspector. (Ord. 405-2005; Code 2014)

- 15-407. SEWER FOR EACH BUILDING. 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 no private sewer is available or can be constructed, in a feasible manner, to the rear building. In such case, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer. (Ord. 405-2005; Code 2014)
- 15-408(1) SAME; SPECIFICATIONS. The building sewer shall be constructed of *Schedule 40 plastic pipe* or an approved plastic pipe. Any plastic pipe to be installed on any building sewer shall not be approved by the city until the owner has furnished descriptive literature and typical sample section of the plastic pipe proposed for installation, to the city for inspection and review. All joints on all pipe installed shall be tight and waterproof. Any part of the building sewer that is located within 10 feet of a water service pipe or city water main shall be *encased in concrete with approved joints*. No building sewer shall be installed within three feet of existing gas lines. (Ord. 405-2005; Code 2014)
- 15-408(2) SAME. The size and slope of the building sewer to be installed shall be subject to the approval of the city inspector, but in no event shall the diameter of the pipe be less than four inches. The slope at which a six inch pipe is to be laid shall be not less than 1/8 inch per foot and for four inch pipe, not less than 1/4 inch per foot. Any grades for the pipe, which are proposed for installation at grades less than these specified, shall be approved by the city inspector prior to placement. (Ord. 405-2005; Code 2014)
- 15-408(3) SAME. Whenever possible the building sewer shall be brought to the building at an elevation below the basement floor. No building sewer shall be laid parallel to or within three feet of any bearing wall, which might thereby be weakened. The depth shall be sufficient to afford protection from frost. The building sewer shall be laid at a uniform grade and in straight alignment insofar as possible. Changes in direction shall be made only with approved curved pipe and fittings, including cleanout fittings. (Ord. 405-2005; Code 2014)
- 15-408(4) SAME. At buildings in which the 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. The use of any pumping equipment for which cross-connections with a public water supply system are needed, is prohibited. The total costs of pumping equipment and pumping equipment operational costs shall be those of the owner. (Ord. 405-2005; Code 2014)
- 15-408(5) SAME. No building sewer shall be laid across a cesspool, septic tank or vault until the cesspool, septic tank or vault has been well cleaned and filled with an approved earth or sand fill, then thoroughly tamped and water settled. Cast iron pipe may be used across cesspools or septic tanks, if proper bedding and support for the sewer pipe is acquired. (Ord. 405-2005; Code 2014)

- 15-408(6) SAME. All excavation required for the installation of the building sewer shall be open trench work unless otherwise approved by the city. Pipe laying and backfill shall be performed in accordance with ASTM specifications C12-19, except that no backfill shall be placed until the work has been inspected and approved. (Ord. 405-2005; Code 2014)
- 15-408(7) SAME. All joints in the building sewers shall be made watertight. If recommended by the city inspector, a water pressure test shall be made on the completed sewer to insure a compliance with this requirement, requiring that the building sewer withstand an internal water pressure of 5 psi., without leakage.  
Joints for all plastic pipe used in building sewers shall be the slip type joints or solvent weld type, approved by the city.  
Joints between any two different types of pipes shall be made with lead, asphaltic jointing materials or concrete, as approved by the city. All joints shall be watertight and constructed to insure minimum root penetration and to the satisfaction of the city. (Ord. 405-2005; Code 2014)
- 15-409. SEWER EXCAVATIONS: DAMAGES. All excavations for buildings sewers shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, curb and gutters, sidewalks, parkways and other public property removed or damaged during the installation of the building sewer, shall be repaired or replaced in a manner acceptable to the city and at the total expense of the owner. It is further agreed that any parties involved in any excavating or installation work for sewer installations as above set out, will hold the city harmless from any and all damages to persons or property resulting from or growing out of any opening or excavation or any negligent act or from any operation made within the city. (Ord. 405-2005; Code 2014)
- 15-410. FAILURE TO CONNECT. (a) If any person as defined in section 1-102 shall fail to connect any dwelling or building with the sewer system after being notified, the city may cause such buildings to be connected with the sewer system as authorized by K.S.A. 12-631.  
(b) The cost and expense, including inspection fees, shall be assessed against the property. Until such assessments shall have been collected and paid to the city, the cost of making such connection may be paid from the general fund or through the issuance of no fund warrants. (Ord. 405-2005; Code 2014)
- 15-411. PRIVY UNLAWFUL. 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 except as provided in this article. (Ord. 405-2005; Code 2014)
- 15-412. PRIVATE SEWER SYSTEM. Where a public sanitary sewer is not available under the provisions of section 15-402 the building sewer shall be connected to a private sewage disposal system complying with the provisions of sections 15-411 to 15-416. (Code 2014)
- 15-413. SAME; PERMIT. Before commencing construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the utility inspector. The application shall be accompanied by any plans, specifications or

other information deemed necessary by the utility inspector. A permit and inspection fee of \$25 shall be paid to the city at the time the application is filed.  
(Code 2014)

15-414. SAME; INSPECTION. The utility inspector or his or her authorized representative shall be allowed to inspect the work at any stage of construction and the applicant shall notify the maintenance supervisor when the work is ready for final inspection or before any underground portions are covered. The inspection shall be made within 48 hours of the receipt of notice by the superintendent.  
(Code 2014)

15-415. SAME; DISCHARGE. (a) The type, capacities, location, and layout of the private sewage disposal system shall comply with all recommendations and requirements of the Water Pollution Control Section of the Kansas State Department of Health. No permit shall be issued for any private sewage disposal system employing subsurface soil absorption facilities where the area of the lot is less than one acre. No septic tank or cesspool shall be permitted to discharge to any public sewer or natural outlet.  
(b) At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in section 15-402, a direct connection shall be made to the public sewer in compliance with this article, and any septic tank, cesspool, and similar private sewage disposal facilities shall be abandoned and filled with suitable and acceptable materials.  
(Code 2014)

15-416. SAME; ADDITIONAL REQUIREMENTS. No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the city or county health officer. (Code 2014)

15-417. DISPOSAL OF SEWAGE. It shall be unlawful for any person to deposit or discharge from any source whatsoever any sewage or human excrement upon any public or private grounds within the city, or to permit the contents of any privy, vault or septic tank to be deposited or discharged upon the surface of any grounds. Any unauthorized or unapproved privy vault, septic tank or other means or places for the disposal of sewage, excrement and polluted water may be abated as a public nuisance upon the order of the city or county board of health in accordance with the laws of Kansas. (K.S.A. 12-1617e; 12-1617g; Ord. 405-2005; Code 2014)

15-418. DAMAGE TO SEWERS. It shall be unlawful for any unauthorized person to maliciously, willfully, or negligently break, damage, destroy, uncover, deface or tamper with any sewer, structure, appurtenance, or equipment which is part of the municipal sewer system. (Ord. 405-2005; Code 2014)

15-419. NATURAL OUTLET. It shall be unlawful to discharge to any natural outlet within the city or in any area under the jurisdiction of the city any sanitary sewage, industrial wastes or other polluted waters except where suitable treatment has been provided in accordance with the provisions of this article.  
(Ord. 405-2005; Code 2014)

- 15-420.       **STANDARDS.** The size, slope, alignment, materials, excavation, placing of pipe, jointing, testing and backfilling shall all conform to the requirements of the building and plumbing codes or other applicable rules and regulations of the city. (Ord. 405-2005; Code 2014)
- 15-421.       **OLD BUILDING SEWERS.** Old building sewers may be used in connection with new buildings only when they are found, on examination and tested by the utility inspector, to meet all requirements of this article. (Ord. 405-2005; Code 2014)
- 15-422.       **MUD, GREASE TRAPS.** All garages, filling stations, milk plants or other commercial or industrial plants connected to the public sewer shall construct and maintain proper and sufficient interceptors or traps to prevent the discharge of any sand, mud, sediment, litter, waste or any substance harmful to the effective operation and maintenance of the city sewer system, into the building sewer. (Ord. 405-2005; Code 2014)
- 15-423.       **ROOF, FOUNDATION DRAINS.** (a) It shall be unlawful to connect downspouts from any roof area, drains from any building foundation, paved areas, yards or open courts into any city sanitary sewer.  
(b) All discharges prohibited in subsection (a) may be discharged into the public gutter or storm drains or open drainage ditches provided such discharge does not create a nuisance. (Ord. 405-2005; Code 2014)
- 15-424.       **PROHIBITED DISCHARGES.** No person shall discharge any of the following waters or wastes to any public sewer:  
(a) Liquid or vapor having a temperature higher than 150 degrees Fahrenheit;  
(b) Water or waste which may contain more than 100 parts per million, by weight, of fat, oil or grease;  
(c) Gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas;  
(d) Garbage that has not been properly shredded;  
(e) Ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works;  
(f) Waters or wastes having a ph lower than 5.5 or higher than 9.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works;  
(g) Waters or wastes containing a toxic poisonous substance in sufficient quantity to injury or interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any hazard in the receiving waters of the sewage treatment plant;  
(h) Water or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant;  
(i) Noxious or malodorous gas or substance capable of creating a public nuisance. (Ord. 405-2005; Code 2014)

- 15-425. DELINQUENT ACCOUNTS; LIEN AGAINST PROPERTY; OTHER REMEDIES.  
(a) In the event any person, except the United States and the state of Kansas, shall fail to pay the user charges when due, water service shall be terminated as provided in sections 15:102:104.  
(b) All other remedies regarding delinquent accounts, and exceptions thereto, contained in section 15-106 shall apply to sewer service fees, charges and services. (Ord. 405-2005; Code 2014)
- 15-426. SEWER SERVICE CHARGE. The monthly charge for sewer service shall be adopted by the governing body and adjusted as necessary to account for inflation, costs, technology improvements and plant upgrades, increased usage and building projects. (Ord. 405-2005; Code 2014)
- 15-427. LICENSE REQUIRED. Anyone engaged in or desiring to engage in the business of making sewer connections or engaged in or desiring to engage in the business of making excavation for sewer service lines in the City of Carbondale, shall before obtaining a permit, procure a license from the City Clerk of the City of Carbondale, which license shall expire on the first day of January after the year in which it is issued. No licenses shall be transferred from one person to another. Any such license shall be revocable by the governing body for violation of this article. (Ord. 405B-2005; Code 2014)
- 15-428. LICENSED PLUMBERS. No city license to make connection with the public sewer shall be issued for such work to be done by other than a licensed plumber. (Ord. 405B-2005; Code 2014)
- 15-429. LICENSE FEE. The annual fee for such licenses shall be the sum of Twenty-Five Dollars (\$25.00) for each license issued. If one person desires to engage in the business of making sewer connections and the making of excavations for sewer service lines, two licenses shall be issued and the fee for each shall be Twenty-Five Dollars (\$25.00). (Ord. 405B-2005; Code 2014)
- 15-430. INSURANCE REQUIRED. Before a sewer connection license shall be issued, applicant shall file with the city clerk a certificate of liability insurance issued by a corporation authorized to do business within the State of Kansas providing public liability insurance covering all operations and persons associated with the applicant. Such policy shall provide not less than \$500,000 (five hundred thousand) single limit liability for each occurrence and \$1,000,000 (one million) single limit liability for each policy year. Such policy shall not contain any deductible provision for more than \$500 and such policy shall not be cancelled or terminated until at least 10 days after a notice of cancellation of the insurance policy is received by the city clerk from the applicant. (Ord. 405B-2005; Code 2014)



- 15-431. PENALTY. Any person or persons, firm or corporation violating any of the provisions found in sections 15-429 to 15-432 shall upon conviction be fined an amount not to exceed Five Hundred (\$500.00) or be imprisoned not to exceed three (3) months, or be both fined and imprisoned. Each day that a violation is continued shall be considered a separate and distinct violation and may be prosecuted as such. (Ord. 405B-2005; Code 2014)
- 15-432. RATES. That the rates below shall be applied to each residential and multiple family dwellings per unit in the dwelling customers receiving sewage service for the purpose of operation, maintenance, replacement, revenue bond retirement (if any), general improvement, modification and billing for the city sewage collection and treatment system and shall be based on the average of metered water use for the months of December, January and February. The rate so determined shall be applied to the subsequent 12 month period and shall be revised annually. New service customers with no historical water use record shall pay the base charge until a water use history is established.  
That the rates below shall be applied to each commercial; church; fraternal organization; nonprofit organization; the United States Post Office; Carbondale Attendance Center customers receiving sewage service for the same purposes and shall be based on the actual monthly water consumption. Any business customers who have increased consumption of 100% of the average in certain months can request the clerk to average the bill on a yearly basis and be assessed at that rate until the next annual review.  
(Ord. 463-2012; Code 2014)
- 15-433 BILLING. The city shall notify each user annually in conjunction with a regular bill of the rate being charged for operation, maintenance, replacement, and debt service for wastewater treatment.  
(Ord. 463-2012; Code 2014)
- 15-434. USER CHARGE SYSTEM; REVIEW. The city shall conduct an 'in-house' review of the user charge system at least every 2 years and review user charge rates as necessary to ensure the system generates adequate revenues to pay the costs of operation, maintenance, and replacement costs among users. An independent review shall be conducted at least every five years.  
(Ord. 463-2012; Code 2014)
- 15-435. ACCOUNT; REPLACEMENT NEEDS. The city shall establish an account designated for the specific purpose of insuring replacement needs over the useful life of the treatment works (equipment replacement account). Deposits to this account shall be made at least annually from the operation, maintenance and replacement revenue in the account, the city may elect to modify this annual deposit, after consultation with the Kansas Department of Health and Environment.  
(Ord. 463-2012; Code 2103)
- 15-436. SEWER RATES.  
(a) Residential  
(1) Base rate of \$18 for the first 1,000 gallons;  
(2) \$2.07 for each additional 1,000 gallons.

- (b) Multiple Family Dwellings per unit in the dwelling
    - (1) Base rate of \$18 for per unit dwelling;
    - (2) \$2.07 for each additional 1,000 gallons over number of units times 1000 gallons.
    - (3) Vista View Apartments operated by the Carbondale Housing Authority are exempt from this charge.
  
  - (c) Commercial; Churches, Fraternal Organizations; Non profit ; Organizations; the United States Post Office
    - (1) Base rate of \$23 for the first 1, 000 gallons;
    - (2) \$2.57 for each additional 1,000 gallons.
  
  - (d) Fire Department
    - (1) Base rate of \$18, no charge for additional gallons.
  
  - (e) Santa Fe Trail's Carbondale Attendance Center
    - (1) Base Rate/Monthly user fee of \$250 for the first 1,000 gallons;
    - (2) \$2.00 for every additional 1,000 gallons.
- (Ord. 463-2012; Code 2014)

15-437. BILLING. Said fees shall be payable monthly at the office of the City of Carbondale, Kansas in the amounts set out above and billed by the City.  
(Ord. 463-2012; Code 2014)

15-438. PENALTY. Any person, firm or corporation violating provisions, 15-433:438 of this article may result in the termination of city water service to the offending service recipient and or may, upon conviction thereof, be fined in a sum not to exceed Five Hundred Dollars (\$500.00).  
(Ord. 463-2012; Code 2103)