

ORDINANCE 2015 -02

AN ORDINANCE PROVIDING FOR THE ADOPTION OF RULES AND REGULATIONS GOVERNING THE TOWN OF BROADUS WASTEWATER UTILITY; THIS ORDINANCE SUPERSEDES ALL PRIOR RULES AND REGULATIONS REGARDING THE WASTEWATER UTILITY.

1.0 PERMIT FOR CONNECTION

No person shall uncover, make any connections with or opening into, extend, use, alter or disturb any wastewater main, connection, service line or any other part of the wastewater system without first obtaining a written permit from the Public Works Water/Wastewater Director. The connection fees will be charged for each connection to the sewer main. Connection fee rates must be paid at the Town Office prior to connection to the sewer main.

2.0 INSTALLATION OF LINES

The property owner at his/her own expense shall properly connect to the wastewater system. Separate sanitary sewer service lines shall be provided by property owner for each separate building. Sewer service lines shall be connected to the sewer main situated within the public right of way abutting the property to be served. In addition, whenever possible, the service lines shall be installed perpendicularly to the sewer main. In each case, a written description submitted by the property owner specifying the site arrangement, types of materials, used, and method of construction of service lines shall be attached to wastewater permit and shall be approved by the Department of Public Works prior to excavation or construction of facilities.

Upon completion of any wastewater service connection or line repairs and before installation or repairs and before any back filling is done, the Department of Public Works shall be notified and will inspect the installation. Failure to notify the Department of Public Works and obtaining the Department's written approval of the work completed prior to back filling shall subject the owner to re-excavation for inspection at his or her own expense and shall be punishable by fine of not less than one hundred dollars (\$100.00) or more than five hundred dollars (\$500.00).

Any party constructing extensions or installing or repairing sanitary sewer service lines causing damage to wastewater main will be required to immediately notify the Department of Public Works, and shall immediately repair the wastewater main at the sole expense. Any party who fails to immediately notify the Department of Public Works of such damage, and/or promptly make any necessary repairs to the satisfaction of said Department shall be in violation of this ordinance, which shall be punishable by a fine of not less than one hundred dollars (\$100.00) or more than five hundred dollars (\$500.00), in addition to paying the costs of any such repairs made.

3.0 SERVICE LINE SPECIFICATION

1. Materials: All house sewer service lines shall be constructed of Schedule 40 PVC.
2. Joints: Joints will be glued or gaskets will be used.
3. Connection: Connections to the main collection sewer shall either be at established pre-existing Y's or at a water tight saddle connection approved by the Department of Public Works. The property owner or the contractor doing the excavation will make the connection to the sewer.
4. Size of House Sewer: No house sewer shall be less than four (4") inches in diameter.
5. Grades for House Sewer: Unless otherwise authorized, all house sewers shall have a grade of not less than one-eighth (1/8) inch per foot. A grade of one-fourth (1/4) inch per foot shall be used whenever practical.
6. All material, fixtures, and backfilling work shall conform to the minimum standards of the Montana Plumbing Code.
7. Trenching and Back Filling: All excavations shall be open trench work unless otherwise authorized by the Department of Public Works and the Town Council. The foundation in the trench shall be formed to prevent any subsequent settlement of pipes. If the foundation is good, firm earth, the earth shall be pared or molded to give proper support to the lower third of each pipe. Bell holes shall be dug to provide ample space for pouring of

joints. Care must be exercised in back filling below the centerline of the pipe in order to give the proper support. Back filling shall not be done until final inspection is made by the Department of Public Works. Alley or street openings will be restored to original or improved condition at the expense of the real property owner repairing or installing the sewer.

8. Use of Private House Sewers: House sewers, or portions thereof, may be approved for use by the Department of Public Works. The Department of Public Works may require that private sewer system is excavated for the purpose of facilitating inspection. No cesspool or septic tank shall be connected to any portion of a house sewer that is also connected to the public sewer. Any and all abandoned service lines shall be capped at the main by the owner of the real property at the time of abandonment.

9. Any businesses that have a large amount of grease, lubricants, flammable fluids, such as but not limited to gas stations, repair shops, restaurants, must install and keep in effective continual operation a grease trap in which the Town has the right to inspect during normal business hours.

10. The real property owner and any contractor hired by him or her are responsible to the Town for any loss or damage that may directly or indirectly be caused by the installation, modification or repair of sewer service line to sewer main line.

11. Recreational Vehicles: All property owners are to report to the Public Works Department all recreational vehicles which are being hooked in to the sewer main line. The sewage from RV's is highly concentrated and the Town of Broadus has the right to monitor the number of RV's which are being allowed to use the town sewer system. No RV's shall be connected to the public sewer system without first paying any applicable connection or use fee charged by the Town, and all RV owners must obtain a written permit for such connection in advance (except in the case of short-terms connections made at established camp grounds). The Town of Broadus reserves the right to restrict the total number of RV's which may be connected to the public sewer system at any given time.

12. Any new hookups for RV's whether in camp ground, trailer park, or private property must apply for a permit from the Town Office and have approval prior to beginning construction.

4.0 OBSTRUCTION OF WASTEWATER SYSTEM

Solid or viscous substances in quantities or of such size capable of causing obstruction to the sewer, or 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, un-ground garbage, whole blood, paunch manure, hair and fleshing, entrails, and paper dishes, cups, milk containers, etc., shall not be disposed or otherwise allowed to enter into, the public sewer system. All property owners must obtain prior authority from the Department of Public Works before undertaking the removal of any such items or substances from any sewer service line or main line. The removal of any such items or substances that cause any obstructions or interferences in the public sewer system may be accomplished by the Department of Public Works when deemed necessary and the costs thereof shall be borne by the property owner who committed the violation.

5.0 PROHIBITED ACTS

It is prohibited for any party to do any of the following:

1. Discharge into any outlet or open ditch within the town or in any area under the jurisdiction of the town, any wastewater, industrial wastes, or the other polluted waters, except where suitable treatment has been provided in accordance with the provisions of this article.
2. Construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of wastewater, except provided in this ordinance.
3. Extend, permit, or cause to be extended, beyond the service boundaries of the town any public or private wastewater system that is either directly or indirectly connected with the wastewater system of the town.
4. Knowingly, purposely, or negligently break, damage, destroy or deface any structure, equipment or other appurtenance of the wastewater system.
5. Without authorization uncover, tamper with or attempt to repair any such structure, equipment, lines or other appurtenance of the wastewater system.

6. Connect roof spouts, foundations drains, areaway drains, cooling water drains or other sources of surface, run off, ground water or unpolluted water to a building sewer or building drain that is connected directly or indirectly to the wastewater system.
7. Allow any ground water, surface water, mud, gravel, sand, rock, septage or any similar material to enter the wastewater system.

6.0 TRUCKED WASTE

It is unlawful for any person to discharge septage or trucked waste into the Broadus Lagoon System without first obtaining permission from Public Works Department and paying applicable fees at the Town Office with the Town Clerk.

No RV (recreational vehicle) dumping directly into the lagoon is allowed.

7.0 INADMISSIBLE WASTES

Unless prior written authorization is provided by the Town Council, it is unlawful to discharge or cause to be discharged into the wastewater treatment system any industrial wastes, radioactive wastes, corrosive wastes, explosive mixtures, polluted waters, petroleum oils, mineral oils, non-biodegradable cutting oils, chemical wastes, toxic or poisonous substances, floatable fats, wax and grease, solid or viscous wastes such as but not limited to mud, sand, or gravel, or any other wastes or substances prohibited from being discharged into the wastewater system.

8.0 SPECIAL AGREEMENTS FOR UNUSUAL WASTEWATER TREATMENT

The Town council and any industrial concern may by written agreement not otherwise inconsistent with this ordinance provide that an industrial waste of unusual strength or character may be accepted by the town for treatment once applicable fees have been paid. Fees will be based on volume and strength and waste produced.

9.0 SEWER CHARGES

Charges will be billed on a monthly basis. Charges that remain due after thirty (30) days are considered past due. After sixty (60) days if the balance remains due the Town may stop sewer service to the property, and the Town Clerk shall give written notice in the event of termination of any such service. Charges for sewer service supplied by the Town shall be assessed to the owner or owners of the real property regardless of who may occupy said property. Duplicate bills will be sent to occupant of property by the Town Clerk upon notification by owners of property.

All RV's (recreational vehicles) will be charged the base rate for sewer whether they are parked in a trailer court or on private lot.

Grease related plugs in the sewer main will result in charges being assessed to the offending business or resident.

10.0 RATE STRUCTURE

Town of Broadus sewer rates for residential, commercial, and industrial customers within the town's service area shall be established at a rate based on the consumer's average water usage. Months that lawn and garden sprinkling occur will not be used in the average. In instances where water average usage is not obtainable the based rate will be figured by the Town of Broadus using another reasonable method.

The Town of Broadus shall have the right to change and readjust from time to time the rates and charges fixed for sewer services.

11.0 ILLEGAL USE OF SEWER SYSTEM

Any person, firm, or corporation residing either inside or outside of the corporate limits of the Town of Broadus, who shall willfully turn on the sewer line after the same shall have been shut off by or under the direction of the Town for nonpayment of water charges or sewer charges or who shall unlawfully make use of such sewer system shall be guilty of a misdemeanor (Montana Code 46-18-212).

Any party constructing extensions or installing or repairing sanitary sewer service lines causing damage to wastewater main will be required to immediately notify the Department of Public Works, and shall immediately repair the wastewater main at the sole expense. Any party who fails to immediately notify the Department of Public Works of such damage, and/or promptly make any necessary repairs to the satisfaction of said Department shall be in violation of this ordinance, which shall be punishable by a fine of not less than one hundred dollars (\$100.00) or more than five hundred dollars (\$500.00), in addition to paying the costs of any such repairs made.

12.0 SERVICE TO AREA OUTSIDE OF INCORPORATED TOWN LIMITS

Services will be provided outside the incorporated limits of the Town of Broadus on a per case basis and at the sole discretion of the Town Council. As a rule, no service will be provided outside town limits unless one of the following assurances is provided:

1. Consent to annexation as specified in MCA Sec. 7-13-4314 for annexation of property requesting service signed by all property owners, notarized, and filed using authorized consent forms provided by the Town.
2. A petition for annexation of the property and requesting service has been accepted and approved by the Broadus Town Council and any other governing body as required by law.

13.0 ANNEXATION OF PRIVATE WASTEWATER FACILITIES BY THE TOWN OF BROADUS

All private wastewater facilities, including, but not limited to, lift stations and service lines must be constructed so as to meet the minimum requirements under State Law and Regulations and any wastewater ordinances enacted by the Town. In the event that the private wastewater facilities are not in compliance with State Law and Regulations or the provisions herein, the Town, in its discretion, may disconnect service or decline annexation of said wastewater facilities until said facilities are brought into compliance with State Law and Regulations and ordinances of the Town.

14.0 MINIMUM REQUIREMENTS FOR AUTO WASH RACK

Every private or public wash rack and/or floor or slab used for cleaning machinery or machine parts shall be adequately protected against storm or surface water and shall not drain or discharge into an interceptor (clarifier) of an approved design for this use. Such design must provide for settlement of all solids in a reservoir, sump pit or other holding device, so designed that no water will enter the public sewer until such time as all solids have had an opportunity to settle out and not enter the public sewer system.

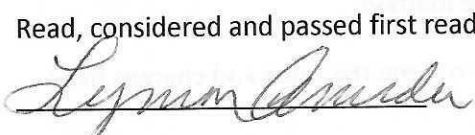
15.0 PENALTY

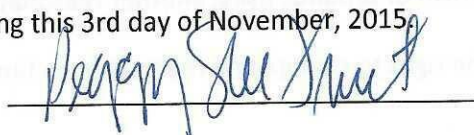
Every person convicted of a violation of any of the provisions of this Ordinance thereof, for first offense be punished by a fine of not less than fifty (\$50.00) dollars and not more than five hundred dollars (\$500.00), or by imprisonment not to exceed thirty (30) days or both; for second offense, a fine not less than one hundred dollars (\$100.00) or more than five hundred dollars (\$500.00), or by imprisonment not to exceed thirty (30) days, or both; upon third or subsequent conviction not less than five hundred dollars (\$500.00), or by imprisonment not to exceed thirty days or both.

16.0 EFFECTIVE DATE

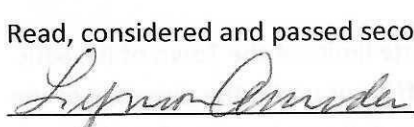
This ordinance shall become effective thirty (30) days after its passage on second reading.


Read, considered and passed first reading this 3rd day of November, 2015.


Milton L Amsden, Mayor


Attest

Read, considered and passed second reading this 1st day of December, 2015.


Milton L Amsden, Mayor


Attest

Effective this 1st day of January, 2016 at 12:00 a.m.

