

TITLE VII. UTILITIES

CHAPTER 700: UTILITY REGULATIONS

SECTION 700.010: DEFINITIONS

The following words and phrases when used in this Section shall, for the purpose of this Chapter, have the meanings respectively ascribed to them in this Section except when the context otherwise requires:

CUSTOMER: The person in whose name a utility service is provided.

DIVERT: To change the intended course or path of electricity, water, gas, telephone, cable television or other utility service without the authorization or consent of the utility.

PERSON: Any individual, partnership, firm, association or corporation.

RE-CONNECTION: The commencement of utility service other than by the utility company, to a customer or other person after service has been discontinued by the utility.

TAMPER: To rearrange, damage, injure, destroy, alter, interfere with or otherwise prevent from performing normal or customary function.

UTILITY SERVICE: The provision of electricity, water, gas, telephone, cable television, sewer, or other utility service. (Ord. No. 5.900, 11-6-89)

SECTION 700.020: UNLAWFUL ACTS

It shall be unlawful for any person to commit, authorize, solicit, aid, abet, or attempt any of the following acts:

1. Divert, or cause to be diverted, utility service by any means whatsoever.
2. Make, or cause to be made, any connection or reconnection with property owned or used by the utility to provide utility service without the authorization or consent of the utility.
3. Prevent any utility meter, or other device used in determining the charge for utility service, from accurately performing its measuring function by tampering or by any other means.
4. Tamper with any property owned or used by the utility company to provide utility service.
5. Use or receive the direct benefit of all, or a portion, of the utility service with knowledge of, or reason to believe that, the diversion, tampering, or unauthorized connection existed at the time of the use, or that the use or receipt, was without the authorization or consent of the utility.
6. Advertise, manufacture, distribute, sell, use, rent or offer for sale, rental or use any device of any description, or any plan or kit, designed to obtain utility service, in violation of this Section.

7. Obtain utility service by means of false representations, or fraudulent or deceptive actions, designed to avoid the payment of any outstanding lawful charges for any utility service.
8. Avoid the lawful charges, in whole or in part, for any utility service, by the use of any fraudulent or deceptive scheme, device, means, method, or by failure to pay current user usage fees. (Ord. No. 5.900, 11-6-89)

SECTION 700.030: PRESUMPTION OF VIOLATION

There is a rebuttable presumption that there is a violation of this Section if, on the premises controlled by the customer or by the person using or receiving the direct benefit of utility service, there is either, or both of the following:

1. Any instrument, apparatus or device primarily designed to be used to obtain utility service without paying the full lawful charge therefore.
2. Any utility equipment that has been altered, tampered with or bypassed so as to cause no measurement or inaccurate measurement of utility service. (Ord. No. 5.900, 11-6-89)

CHAPTER 705: PUBLIC AND PRIVATE SEWERS

ARTICLE I. GENERAL PROVISIONS

SECTION 705.010: DEFINITIONS

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

BOD (denoting Biochemical Oxygen Demand): The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty degrees (20°) C, expressed in milligrams per liter.

BUILDING DRAIN: That part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.

BUILDING SEWER: The extension from the building drain to the public sewer or other place of disposal.

COMBINED SEWER: A sewer receiving both surface run-off and sewage.

GARBAGE: Solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.

INDUSTRIAL WASTES: The liquid wastes from industrial manufacturing processes, trade, or business as distinct from sanitary sewage.

NATURAL OUTLET: Any outlet into a watercourse, pond, ditch, lake, or other body of surface or groundwater.

PERSON: Any individual, firm, company, association, society, corporation or group.

pH: The logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

PROPERLY SHREDED GARBAGE: 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 one-half (½) **inch** (1.27 centimeters) in any dimension.

PUBLIC SEWER: A sewer in which all owners of abutting properties have equal rights, and which is controlled by public authority.

SANITARY SEWER: A sewer which carries sewage and to which storm, surface, and groundwaters are not intentionally admitted.

SEWAGE: 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.

SEWAGE TREATMENT PLANT: Any arrangement of devices and structures used for treating sewage.

SEWAGE WORKS: All facilities for collecting, pumping, treating and disposing of sewage.

SEWER: A pipe or conduit for carrying sewage.

SHALL: Is mandatory; *MAY:* Is permissive.

SLUG: Any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation.

STORM DRAIN (sometimes termed "Storm Sewer"): A sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

~~*SUPERINTENDENT:* The Superintendent of Sewage Works and/or of Water Pollution Control of the City of Greenwood, or his/her authorized deputy, agent, or representative.~~

SUSPENDED SOLIDS: 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.

WATERCOURSE: A channel in which a flow of water occurs, either continuously or intermittently. (Ord. No. 5.100 Art. I, 9-14-81; **Ord. No. 2014-2878, 10/28/14**)

SECTION 705.020: USE OF PUBLIC SEWERS REQUIRED—PENALTY FOR UNLAWFUL ACTS

- A. It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the City of Greenwood, or in any area under the jurisdiction of said City, any human or animal excrement, garbage, or other objectionable waste.
- B. It shall be unlawful to discharge to any natural outlet within the City of Greenwood, or in any area under the jurisdiction of said City, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Article.
- C. Except as hereinafter provided, it 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.
- D. The owner of all houses, buildings, or properties used for human employment, recreation, or other purposes, situated within the City and abutting on any street, alley, or right of way in which there is now located or may in the future be located a public sanitary or combined sewer of the City, is hereby required at his/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 ninety (90) days after date of official notice to do so, provided that said public sewer is within one hundred (100) feet or 30.5 meters of the property line.
- E. *Penalty.* Violation of this Section shall be punished as provided in Section 100.050 of this Code. (Ord. No. 5.100 Art. II, 9-14-81)

SECTION 705.030: REGULATIONS FOR PRIVATE SEWAGE DISPOSAL SYSTEMS

- A. Where a public sanitary or combined sewer is not available under the provisions of Section 705.020 Subsection (D), the building sewer shall be connected to a private sewage disposal system complying with the provisions of this Section.
- B. Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the ~~Superintendent.~~ **Director of Public Works.** The application for such permit shall be made on a form furnished by the City, which the applicant shall supplement by any plans, specifications, and other information as are deemed necessary by the ~~Superintendent.~~ **Director of Public Works.** A permit and inspection fee of ~~fifty dollars (\$50.00)~~ **one hundred dollars (\$100.00)** shall be paid to the City at the time the application is filed.
- C. A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the ~~Superintendent.~~ **Director of Public Works.** He/she shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the ~~Superintendent.~~ **Director of Public Works** when the work is ready for final inspection and before any underground portions are covered. The inspection shall be made within eight (8) hours of the receipt of notice by the ~~Superintendent.~~ **Director of Public Works.**
- D. The type, capacities, location, and layout of a private sewage disposal system shall comply with all recommendations of the ~~Department of Public Health of the State of Missouri~~ **Missouri Department of Health and Senior Services and the Department of Natural Resources.** 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 fifteen thousand (15,000) square feet. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

- E. Within ninety (90) days of such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Subsection (D) of Section 705.020 hereof, a direct connection shall be made to the public sewer in compliance with this Article, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned and filled with suitable material.
- F. The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the City.
- G. No statement contained in this Section shall be construed to interfere with any additional requirements that may be imposed by the ~~Health Officer~~ Missouri Department of Health and Senior Services and the Department of Natural Resources. (Ord. No. 5.100 Art. III, 9-14-81; Ord. No. 2002-12-09-04 §1, 12-9-02; Ord. No. 2014-2878, 10/28/14)

SECTION 705.040: BUILDING SEWERS AND CONNECTIONS—PERMITS

A. Permit, Fees And Deposits.

1. Permit fees.

- a. No unauthorized 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 Director of Public Works. No connection shall hereafter be made to any sewer or portion of the sewage system until a written permit has been obtained for each house or building to be connected. Application for said permit shall be made to the City ~~of Greenwood Collector, or to such other person as the Board of Aldermen may designate,~~ by the occupant or owner of the premises to be served. The permit fee shall be three thousand dollars (\$3,000.00) for each connection to be deposited and used for the benefit of Greenwood sewers.
- b. Any property served by a private sewage disposal system directed to connect to a public sewer as provided for in Subsection (E) of Section 705.030 shall apply for a permit and remit one hundred fifty dollars (\$150.00) for said permit. Any application for permit received by the City of Greenwood after the ninety (90) day provision as prescribed for in Subsection (E) of Section 705.030 shall remit a fee of one thousand dollars (\$1,000.00) as stated in Subsection (A)(1)(a) above.

2. Inspection fees. There shall be a fee of fifty dollars (\$50.00) for each inspection necessary.

3. Sewer service deposits.

- a. The City shall require the applicant to place on deposit with the City a security deposit as established below as a guarantee of payment for sewer services used whereas such amounts of money placed on deposit as defined shall secure the City from significant financial losses resulting from the non-payment of sewer bills.
- b. Effective upon the passage and adoption of this Section by the Board of Aldermen, the requirement to place a security deposit for sewer service shall apply to all new accounts. Sewer service shall not be granted until such time that a deposit is made.

- c. The amount of the sewer service deposit is seventy-five dollars (\$75.00) if the property owner is the applicant and paying for the sewer service. If the applicant is ~~an occupant~~ a tenant and the ~~occupant~~ tenant is paying for the sewer service, the sewer service deposit is one hundred twenty-five dollars (\$125.00).
- d. All security deposits shall remain with the City until the termination of said sewer service and said deposits shall not bear interest.
- e. *Application of deposit to delinquent sewer bills.*
 - ~~(1) In the event that a sewer account becomes delinquent, the deposit may be applied against the account and the service shall be disconnected.~~
 - ~~(2) In the case of disconnection, service will not be re-established until a new deposit is posted and the account paid in full.~~
 - ~~(3) Should the deposit in part exceed the delinquency outstanding against all sewer charges then due, the property owner or tenant shall pay the City the difference between the sewer service deposit amount and the amount used to pay the delinquency amount in order to continue sewer service. However, if the property owner or occupant intend to terminate service pursuant to Section 705.040(A)(3)(f) below, then the remaining balance of the deposit will be refunded to the property owner or occupant.~~
 - ~~(4) Sewer service will not be re-established until such time as a new deposit is posted and the account balance paid in full.~~
- f. *Refund of deposit upon sewer service termination.*
 - (1) When the property owner or ~~occupant~~ tenant intends to vacate a property where sewer service has been established, it is the property owner's or ~~occupant's~~ tenant's responsibility to notify the City ~~Collector or other person designated by the Board of Aldermen of the need for a final meter reading and final bill.~~
 - (2) Upon notice of sewer service termination, all charges for service shall be due.
 - (3) The amount of the final utility bill will be deducted from the security deposit on reserve, to the extent that sewer service bill is due, and any remaining deposit will be returned to the property owner or ~~occupant~~ tenant.
 - (4) Any and all charges on the final bill that exceed the deposit on reserve shall be the responsibility of the property owner or ~~occupant~~ tenant for payment.
 - (5) The right to the deposit may not be assigned or delivered to any other person, and the ~~right~~ right of refund is limited to the person making the deposit or to his or her heirs or fiduciaries.
 - (6) Nothing in this Section is to be construed as restricting service disconnection for non-payment of any sewer account.

4. Upon issuance of a written permit, such applicant shall have the right to connect to the sanitary sewerage system, provided however, that all fees and deposits shall be paid and all work shall be done pursuant to the restrictions and regulations hereinafter stated.
5. There shall be two (2) classes of building sewer permits:
 - a. For residential and commercial service, and
 - b. For service to establishments producing industrial wastes.

In either case, the owner or his/her agent shall make application on a special form furnished by the City. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Public Works Director or other person designated by the Board of Aldermen.

B. *Expenses and Bond.*

1. All costs and expenses incident to the installation and connection of the building sewer shall be borne by the applicant. 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. Before any permit referred to in this Section shall be issued for a private sewer connection the applicant or the licensed contractor to be installing applicant's connection shall have deposited with the City Clerk his/her bond as follows:
 - a. Cash bond in the amount of one hundred fifty dollars (\$150.00) per connection, or
 - b. A permit bond, in a form acceptable to the Board of Aldermen, satisfactorily warranting performance in compliance with the provisions of this Article in an amount not less than one thousand dollars (\$1,000.00).
2. In the event applicant or contractor posts a cash bond, said bond shall be returned to depositor upon final approval by the Building Inspector and deduction therefrom of any costs incurred by the City in conforming said installation to the provisions of this Article.

C. *Installations.*

1. Work may be done by property owners, however, any work or installation upon City property, or rights of way shall be done only by licensed plumbers and all connections to City sewer lines shall be done only by licensed plumbers.
2. All installations must comply with the International Association of Plumbing and Mechanical Officials Uniform Plumbing Code and all E.P.A. and H.U.D. regulations, and all future revisions thereof.
3. The Building Inspector or Board of Aldermen is hereby authorized to promulgate rules or regulations and specifications for the installation of private sewerage lines and connections to City sewerage lines and further to promulgate rules, regulations and specifications governing pavement or street cuts and excavations and the refilling of the same, and to provide for the safety and convenience of the public. Said rules, regulations and specifications shall be reduced to writing and approved by the Board, and a copy thereof shall be filed in the office of the City Clerk.

4. No installations shall be covered until inspected and approved by the City ~~Sewer~~ Inspector. Requests for sewer inspection must be made at least twenty-four (24) hours in advance, unless other arrangements have been made with the ~~Sewer~~ Inspector.
5. All contractors must possess a valid occupational license issued by the City of Greenwood.
6. A separate and independent building sewer shall be provided for every building; except where one (1) building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court yard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one (1) building sewer.
7. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the ~~Superintendent~~ **Director of Public Works**, to meet all requirements of this Article.
8. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer at the property owner's expense.

D. *Other Connections.*

1. It shall be unlawful to make, or cause to be made, a connection of any roof drain, exterior foundation drain, areaway drain, or other source of surface runoff or groundwater drain which will permit, allow, or cause any storm or surface water to enter, directly or indirectly, the sanitary sewerage system.
2. It shall be unlawful to connect or to cause to be connected to the sanitary sewerage system any septic tank, cesspool or sewage tank.

E. *Excavations to be Marked.* Every person who shall in any manner render or cause to be dangerous any street, sidewalk, or public place, by the making of an excavation or street cut shall, ~~from sunset to sunrise~~, place such barriers and/or lights around such dangerous area as will prevent persons, animals, or vehicles from falling into said excavations, and shall take such other precautions as may be reasonably required by the ~~Building Inspector~~ **Director of Public Works**.

F. *Violation.*

1. Where any unlawful connection as defined in Subsection (D) of this Section is known to exist, such connection shall be deemed a public nuisance and such unlawful connections shall be broken and their use discontinued within ten (10) days after date of notification to break such connection is given.
2. Any person, persons, firm, association, or agent thereof, who shall neglect, fail, or refuse to comply with any of the provisions of this Section shall be deemed guilty of a misdemeanor and upon conviction shall be fined in the sum not less than ten dollars (\$10.00) and not more than five hundred dollars (\$500.00). Each day that such an offense continues shall be deemed a separate and distinct offense.

3. In addition thereto, any such person, persons, firm, association, or agent thereof causing or permitting said violation shall be subject to occupational license and/or sewer permit revocation.
4. Any person found to be violating the provisions of this Section shall be served by the City with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations. (Ord. No. 5.100 Art. IV, 9-14-81; Ord. No. 5.100D §§1-5(A), 12-17-90; Ord. No. 95-02-03 §705.040, 2-6-95; Ord. No. 98-02-02-01 §1, 2-2-98; Ord. No. 2002-12-09-04 §2, 12-9-02; Ord. No. 2004-03-22-03 §1, 3-22-04; Ord. No. 2012-06-26-03 (Bill No. 2672) §1, 6-26-12; **Ord. No. 2014-2878, 10/28/14**)

SECTION 705.050: TAMPERING WITH SEWAGE WORKS

No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is part of the Sewage Works. (Ord. No. 5.100 Art. V, 9-14-81)

SECTION 705.060: USE AND UTILIZATION OF PUBLIC SEWERS

- A. No person shall discharge or cause to be discharged any storm water, surface water, groundwater run-off, subsurface drainage, including interior and exterior foundation drains, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.
- B. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as ~~combined sewers or~~ storm sewers, or to a natural outlet approved by the ~~Superintendent, Director of Public Works. Industrial cooling water or unpolluted process waters may be discharged on approval of the Superintendent, to a storm sewer, combined sewer, or natural outlet.~~
- C. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:
 1. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.
 2. Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant, including but not limited to cyanides in excess of two (2) mg/l as CN in the wastes as discharged to the public sewer.
 3. Any waters or wastes having a pH lower than 5.5, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the Sewage Works.
 4. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the Sewage Works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and

paper dishes, cups, mild containers, etc., either whole or ground by garbage grinders.

5. Any waters or wastes having (1) a five (5) day BOD greater than three hundred (300) parts per million by weight, or (2) containing more than three hundred fifty (350) parts per million by weight of suspended solids, or (3) having an average daily flow greater than two percent (2%) of the average sewage flow of the City, shall be subject to the review of the ~~Superintendent.~~ **Director of Public Works.** Where necessary ~~in the opinion of the Superintendent,~~ the owner shall provide, at his/her expense, such preliminary treatment as may be necessary to (1) reduce the biochemical oxygen demand to three hundred (300) parts per million by weight, or (2) reduce the suspended solids to three hundred fifty (350) parts per million by weight, or (3) control the quantities and rates of discharge of such waters or wastes. Plans, specifications, and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the ~~Superintendent~~ **Director of Public Works.** and no construction of such facilities shall be commenced until said approval are obtained in writing.
- D. No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the ~~Superintendent-Director of Public Works.~~ that such wastes can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming his/her opinion as to the acceptability of these waters, the ~~Superintendent~~ **Director of Public Works.** will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The substances prohibited are:
1. Any liquid or vapor having a temperature higher than one hundred fifty degrees Fahrenheit (150°F) (65°C).
 2. Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two degrees (32°F) and one hundred fifty degrees Fahrenheit (150°F) (0 and 65°C).
 3. Any garbage that has **not** been properly shredded ~~The by~~ installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower (0.76 hp metric) or greater ~~shall be subject to the review and approval of the Superintendent.~~
 4. Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.
 5. Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement. ~~to such degree that any such material received in the composite sewage at the Sewage Treatment Works exceeds the limits established by the Superintendent for such materials.~~
 6. Any waters or wastes containing phenols or other taste-or-odor-producing substances, in such concentrations exceeding limits ~~which may be established by the Superintendent as necessary,~~ after treatment of the composite sewage, to meet the requirements of State, Federal or other public agencies of jurisdiction for such discharge to the receiving waters.

7. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits ~~not established by the Superintendent~~ in compliance with applicable State or Federal regulations.
 8. Any waters or wastes having a pH in excess of 9.5.
 9. Materials which exert or cause:
 - a. Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride or sodium sulfate).
 - b. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
 - c. Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the Sewage Treatment Works.
 - d. Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.
 10. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
- E. If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Subsection (D) of this Section, and which in the judgment of the ~~Superintendent, Director of Public Works~~, may have a deleterious effect upon the Sewage Works, processes, equipment or receiving waters, or which otherwise create a hazard to life to constitute a public nuisance, the ~~Superintendent Director of Public Works~~. may:
1. Reject the wastes,
 2. Require pretreatment to an acceptable condition for discharge to the public sewers,
 3. Require control over the quantities and rates of discharge, and/or
 4. ~~Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of Subsection (J) of this Section.~~

If the ~~Superintendent Director of Public Works~~ 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 Superintendent~~, and subject to the requirements of all applicable codes, ordinances and laws.

- F. Grease, oil, and sand interceptors shall be provided when in the opinion of the ~~Superintendent, Director of Public Works~~. they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the ~~Superintendent, Director of Public Works~~. and shall be located as to be readily and easily accessible for cleaning and inspection.

- G. Where preliminary treatment of flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his/her expense.
- H. When required by the ~~Superintendent~~, **Director of Public Works**, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the ~~Superintendent~~, **Director of Public Works**. The manhole shall be installed by the owner at his/her expense, and shall be maintained by him/her so as to be safe and accessible at all times.
- I. All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this Section 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, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the Sewage Works and to determine the existence of hazards to life, limb, and property. (The particular analyses involved will determine whether a twenty-four (24) hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from twenty-four (24) hour composites of all outfalls whereas pH's are determined from periodic grab samples).
- J. No statement contained in this Section shall be construed as preventing any special agreement or arrangement between the City and any industrial concern whereby an industrial waste of unusual strength character may be accepted by the City for treatment, subject to payment therefore, by the industrial concern. (Ord. No. 5.100 Art. VI, 9-14-81; **Ord. No. 2014-2878, 10/28/14**)

SECTION 705.070: POWERS AND AUTHORITY OF INSPECTORS—RIGHT OF ENTRY

- A. The ~~Superintendent~~ **Director of Public Works**, and other 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 in accordance with the provisions of this Article. The ~~Superintendent~~ **Director of Public Works**, or his/her representatives shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper, or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.
- B. While performing the necessary work on private properties referred to in Subsection (A) above, the ~~Superintendent or~~ 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 and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Section 705.060(H).

- C. The ~~Superintendent and other~~ duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all private properties through which the City holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the Sewage Works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved. (Ord. No. 5.100 Art. VII, 9-14-81 ~~Ord. No. 2014-2878, 10/28/14;~~)

ARTICLE II. SEWER USE CHARGE

SECTION 705.075: COLLECTION OF SEWER CHARGES—PURPOSE

It is determined and declared necessary and conducive to the protection of the public health, safety, welfare and convenience of the City to collect charges from all users who contribute wastewater to the City's treatment works. Such expenses shall be charged to and shall constitute a debt incurred by the owner of the property as identified in the records of the Jackson County Assessor's office. The proceeds of such charges so derived will be used for the purpose of operating, maintaining and retiring the debt for such public wastewater treatment works. (Ord. No. 97-04-07-07 §1, 5-5-97; Ord. No. 2005-03-14-02 §1, 3-14-05)

SECTION 705.077: DEFINITIONS

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

BOD (denoting Biochemical Oxygen Demand): The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty degrees celsius (20°C), expressed in milligrams per liter (mg/l).

COMMERCIAL USER: Any non-residential user whose discharge into the sewage facilities originates from a structure or premises in which commercial activities are taking place.

INDUSTRIAL USER: Any non-residential user whose discharge into the sewage facilities originates from a structure or premises in which industrial activities are taking place.

NORMAL DOMESTIC WASTEWATER: Wastewater that has a BOD concentration of not more than 250 mg/l and a suspended solids concentration of not more than 300 mg/l.

OPERATION AND MAINTENANCE: All expenditures during the useful life of the treatment works for materials, labor, utilities, and other items which are necessary for managing and maintaining the sewage works to achieve the capacity and performance for which such works were designed and constructed.

REPLACEMENT: Expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designed and constructed. The term "operation and maintenance" includes replacement.

RESIDENTIAL CONTRIBUTOR: Any contributor to the City's treatment works whose lot, parcel of real estate, or building is used for domestic dwelling purposes only.

SHALL: Is mandatory; *MAY:* Is permissive.

SS (denoting Suspended Solids): The 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.

TREATMENT WORKS: Any devices and systems for the storage, treatment, recycling, and reclamation of municipal sewage, domestic sewage, or liquid industrial wastes. These include interceptor sewers, outfall sewers, sewage collection systems, individual systems, pumping, power, and other equipment and their appurtenances; extensions, improvements, remodeling, additions and alterations thereof; elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; and any works, including site acquisition of land that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment; or any other method or system for preventing, abating, reducing, storing, treating, separating, or disposing of municipal waste or industrial waste, including waste in combined storm water and sanitary sewer systems.

USEFUL LIFE: The estimated period during which the treatment works will be operated.

USER CHARGE: The total wastewater service charge which is levied in a proportional and adequate manner for the cost of debt service, operation, maintenance, and replacement of the wastewater conveyance and treatment works.

WATER METER: A water volume measuring and recording device, furnished and/or installed by the City of Greenwood or furnished and/or installed by a user and approved by the City of Greenwood. (Ord. No. 97-04-07-07 §1, 5-5-97; Ord. No. 2008-04-14-01 §1, 4-14-08)

SECTION 705.078: USER CHARGE—OPERATION, MAINTENANCE AND REPLACEMENT ACCOUNT

- A. The user charge system shall generate adequate annual revenues to pay the costs of annual operation and maintenance including replacement and cost associated with debt retirement of bonded capital associated with financing the treatment works which the City may by ordinance designate to be paid by the user charge system. That portion of the total user charge which is designated for operation and maintenance including replacement of the treatment works shall be established by this Article.
- B. ~~That portion of the total user charge collected which is designated for the operation and maintenance including replacement purposes as established in Section 705.079, shall be deposited in a separate non-lapsing fund known as the Operation, Maintenance, and Replacement Fund and will be kept in an account as follows:~~
 1. ~~The Operation, Maintenance and Replacement Account shall be an account designated for the specific purpose of defraying operation, maintenance, and replacement costs of the treatment works. Deposits in the Operation, Maintenance, and Replacement Account shall be made annually from the operation and maintenance revenue.~~
- C. ~~Fiscal year end balances in the Operation, Maintenance, and Replacement Account shall be carried over to the same account in each subsequent fiscal year, and shall be used for no other purposes than~~

~~those designated for this account. Monies which have been transferred from other sources to meet temporary shortages in the Operation, Maintenance, and Replacement Fund shall be returned to their respective accounts upon appropriate adjustment of the user charge rates for operation, maintenance, and replacement. The user charge rate(s) shall be adjusted such that the transferred monies will be returned to their respective accounts within the fiscal year following the fiscal year in which the monies were borrowed. (Ord. No. 97-04-07-07 §1, 5-5-97)~~

SECTION 705.079: SEWER USE CHARGES

- A. Sewer user charges are based on water use data available from ~~Public Water Supply District No. 12 of Jackson County~~ the water district that provides service and are the best estimate of the extent to which a property owner has used the sewer treatment and collection system. The quantity of sewage discharge into the public sewer system shall be assumed as equal to the quantity of water consumed and shall be measured by the water meter measuring the entire flow to the premises, except for separately metered water systems serving appliances or facilities that are not in any manner connected to the public sewer system.
- B. For residential customers, the City uses winter month (December, January and February) water use averages as the basis for sewer use charges All discharges to the sewer system have a water source. Because winter usage generally excludes outside water use, it is a reasonable estimate of sewer use. For new residential customers for which there is not a winter month water use history, the sewer bill will be the minimum billing amount, pursuant to Subsection (D) below, until such time as the winter month water use history is established.
- C. For commercial and industrial customers, the City uses actual water usage as the basis for sewer use charges.
- D. The monthly sewer use charges for all users shall be as follows:

Amount of water usage (in gallons)	Sewer use charge
1-4,225	\$22.00 (minimum charge)
4,226-40,000	\$5.20 per 1,000 gallons
40,001 or more	\$1.30 per 1,000 gallons

In addition to the above charges, a sewer service connection fee of seventeen dollars (\$17.00) per month shall be charged and collected on each sewer connection within the sewer system of the City in order to defray in part the cost of making available facilities and works now or in the future necessary for sewage treatment and for rendering bills for service. Such charge will be made regardless of whether or not any sewage or waste is actually discharged to the City sewer during the billing period.

- E. For those contributors which contribute wastewater, the strength of which is greater than normal domestic sewage, a surcharge in addition to the normal user charge may be collected. The surcharge for operation and maintenance including replacement is:

Surcharges shall be calculated as outlined in the service contract between the Little Blue Valley Sewer District (Middle Big Creek Subdistrict) and the City of Greenwood, Missouri, dated September 15, 1995. At this time, no surcharges apply.

- F. Any user which discharges any toxic pollutants which cause an increase in the cost of managing the effluent or the sludge from the City's wastewater treatment, or any user which discharges any substance which singly or by interaction with other substances causes identifiable increases in the cost of operation, maintenance or replacement of the treatment works, shall pay for such increased costs. The charge to each user shall be as determined by the responsible City personnel and approved by the Board of Aldermen.
- G. The user charge rates established in this Article apply to all users of the City's wastewater system, regardless of the user's location. (Ord. No. 97-04-07-07 §1, 5-5-97; Ord. No. 2003-12-22-04 §1, 12-22-03; Ord. No. 2004-12-13-01 §1, 12-13-04; Ord. No. 2007-02-26-04 §1, 2-26-07; Ord. No. 2007-06-25-05 §1, 6-25-07; Ord. No. 2008-04-14-01 §2, 4-14-08; Ord. No. 2011-10-25-10 §1, 10-25-11; ~~Ord. No. 2013-06-27-01, 6/27/13; Ord. No. 2014-2878, 10/28/14~~)

SECTION 705.080: SEWER USE CHARGE COLLECTION—PENALTY

- A. All users shall be billed monthly. For commercial and industrial users, the monthly bill shall reflect the previous month's water usage. Billings for each month shall be made within twenty-one (21) days after the end of that month. Payments are due when billings are made. Any payment not received within twenty-one (21) days of the bill date shall be delinquent.
- B. Accounts which are past due will be assessed a late charge of ~~one and one half percent (1.5%) ten percent (10%)~~ per month.
- C. Upon determination of delinquency by the City and after written request of any such delinquent account has gone unanswered by a delinquent owner, ~~the City Attorney shall bring suit in any court of proper jurisdiction for recovery of such delinquency plus interest and costs for such action.~~ The Accounting/Utility Supervisor may:
 1. ~~Director the water district to shut off the water until such time as arrangements are made to bring the account current pursuant to RSMo 250.236, or~~
 2. ~~Direct the Jackson County6 Assessor to place a special assessment on the Real Estate tax bill.~~
- D. Sewer service may be discontinued by the City for any of the following reasons:
 1. Non-payment of any sewer bill due and owing (i.e., delinquent bill), provided however, that the City shall only disconnect ~~sewer water~~ service if the charges have been in arrears for more than three (3) months and after the City has sent notice to the customer ~~by certified mail~~;
 2. Failure to protect and maintain the service pipe or fixtures or plumbing fixtures and drainage system on the customer's property in a condition satisfactory to the department;
 3. Molesting or tampering, by the customer or by others with the knowledge of the customer, with any meter, meter seal, drainage system, piping or any other device controlling or regulating the customer's sewage flow;
 4. Failure to provide the City's employees free and reasonable access to the premises served or for obstructing the way of ingress to the meter or other appliances controlling or regulating the customer's sewage flow.
- E. When sewer service to a customer has been discontinued for any of the reasons enumerated in Subsection (D), service will be renewed only after the circumstances which caused the service to be

discontinued are corrected. The City may charge a disconnect/reconnect surcharge in the amount of one hundred dollars (\$100.00) which, in addition to all other delinquent amounts, must be satisfied before sewer service will be reconnected. (Ord. No. 5.100 Art. VIII, 9-14-81; Ord. No. 5.100-A §1, 5-17-82; Ord. No. 5.100-C §1, 7-7-86; Ord. No. 5.100E §1, 10-5-92; Ord. No. 96-10-10-04, 11-4-96; Ord. No. 97-04-07-07 §1, 5-5-97; Ord. No. 2007-06-11-03 §1, 6-11-07; Ord. No. 2007-06-25-05 §2, 6-25-07; Ord. No. 2007-11-26-02 §1, 11-26-07; Ord. No. 2008-04-14-01 §3, 4-14-08; **Ord. No. 2014-2878, 10/28/14**)

SECTION 705.081: ADJUSTMENTS TO SEWER BILL

- A. A customer may request a modification of the monthly sewer use charge, if the request is made to the City's ~~Utility Clerk~~ **Accounting/Utility Supervisor** by the fifth (5th) day of the month ~~(or the next business day if the fifth (5th) day of the month is a Saturday, Sunday or legal holiday)~~. A bill waiver request shall be made on forms provided by the City's ~~Utility Clerk~~ **Accounting/Utility Supervisor** and the ~~City Utility Clerk~~ **Accounting/Utility Supervisor** is authorized to require reasonable information supporting the request, ~~such as documentation of other utility or service shutoffs.~~
- B. All applications will be investigated by the ~~Utility Clerk~~ **Accounting/Utility Supervisor** or other authorized City employee who shall review the application, **report** and any other supporting documentation and ~~render a written decision~~ **make a decision** as to whether the evidence was sufficient to cause the ~~Utility Clerk~~ **Accounting/Utility Supervisor** to reasonably believe the customer's charges for a specific month did not accurately reflect the amount of services effectively provided to the customer. ~~because of mechanical failure (including, without limitation, leaking toilets, leaking faucets, broken pipes, vandalism or underground service line leaks) or billing error. No adjustment shall be authorized if the customer knew or should have known of the mechanical failure and failed to act to correct it in a timely manner. Modifications may be made due to an extended absence from the household.~~ Nothing in this Section shall prevent the ~~Utility Clerk~~, **Accounting/Utility Supervisor** or the ~~Utility Clerk's~~ designee, from immediately correcting billing errors when such errors are not in dispute.
- ~~C. If water from a leak does not go into the sanitary sewer system, the procedure for adjusting the sewer bill is as follows:~~
- ~~1. Complete a sewer bill adjustment application form as provided by the Utility Clerk.~~
 - ~~2. Provide proof of leak and the repair through receipts from a plumber or for parts. (This requirement may be waived if repairs are verifiable.)~~
 - ~~3. The Utility Clerk or other authorized employee of the City may conduct a site visit to confirm the location of the leak and verify that the water would not have gone through the sewer system and that the repairs were made and completed.~~
 - ~~4. If an adjustment is deemed appropriate, the sewer portion of the bill will be reduced accordingly.~~
 - ~~5. Examples of leaks that do not go into the sewer system are leaks underground or in walls, frozen and burst pipes, faulty water heaters, vandalism to plumbing that is documented in a Police report and on a case by case basis, unexplained water loss.~~

- ~~D. Sewer adjustments are not given when water is used for irrigation purposes or pressure washing. To avoid a sewer charge in these circumstances and for agricultural activities, a separate irrigation meter must be installed. The cost of the irrigation meter will be born by the customer.~~
- C. The Accounting/Utility Supervisor shall be authorized to make adjustments to sewer accounts consistent with Accounting Policies related to:**
- 1. Deposits**
 - 2. Special Assessments**
 - 3. NSF Check & NSF Fees**
 - 4. Reconnection Fees**
 - 5. Payments inadvertently applied to wrong account**
 - 6. Reverse Penalties**
 - 7. Reverse Refunds**
 - 8. State of Missouri as unclaimed cash to clear the account to a zero balance and apply that balance to the liability account used to record the check payable to the state.**
 - 9. Recalculation of winter average.**
 - 10. Such adjustments as the Board of Alderman may request upon their approval.**
- D. The Accounting/Utility Supervisor shall be authorized to remove uncollectible accounts from customer utility records as bad debt.** (Ord. No. 2008-04-14-01 §4, 4-14-08; Ord. No. 2014-2878, 10/28/14)

SECTION 705.082: CITY TO REVIEW ANNUALLY–NOTIFICATION

- A. The City shall review the user charge system annually and revise user charge rates as necessary to ensure that the system generates adequate revenues to pay the costs of operation and maintenance including replacement.
- ~~B. The City will notify each user at least annually, in conjunction with a regular bill, of the rate being charged for operation and maintenance, including replacement of the treatment works.~~ (Ord. No. 97-04-07-07 §1, 5-5-97; Ord. No. 2008-04-14-01 §5, 4-14-08; Ord. No. 2014-2878, 10/28/14)

ARTICLE III. PRESSURE SEWER SYSTEMS

SECTION 705.090: REGULATIONS FOR PRESSURE SEWER SYSTEMS

- A. The terms of this Section shall pertain to all Pressure Sewer Systems utilizing privately owned septic tanks for the temporary storage of solid wastes.
- B. This City ~~and/or a representative of the City Health Officer~~ shall cause each septic tank connected to the Pressure Sewer System and used for the storage of solid wastes to be inspected no less than once per year in order to monitor the level of sludge and to prevent damage to the Pressure Sewer System.
- D. At any such time as the City ~~and/or the representative of the City Health Officer~~ shall determine that the sludge level in any septic tank connected to the Pressure Sewer System has reached a level exceeding one-third ($\frac{1}{3}$) of the capacity of such tank, the City ~~and/or the representative of the City Health Officer~~ shall notify the owner of the property upon which such tank is located. Within

fifteen (15) days thereafter the notified property owner shall cause such tank to be pumped, removing the sludge from such tank, and shall notify the City ~~and/or the representative of the City Health Officer~~ that such removal has in fact been accomplished.

- E. In the event that any such property owner should fail to have the tank pumped within the above prescribed period the City shall have the right to disconnect such property from the Pressure Sewer System in order to protect the health and welfare of the remaining property owners served by such system and in order to protect the general health, safety and welfare of the citizens of the City of Greenwood, Missouri. In the event of such a disconnection the property so disconnected shall not be re-connected until such time as the septic tank has been pumped and the property owner has provided proof to the City ~~and/or the representative of the City Health Officer~~ that such action has been done. Such re-connection shall be at the expense of the property owner.
- F. *Penalty.* Any violation of this Section shall be construed and is hereby deemed to be a misdemeanor, and anyone violating same shall be punished by a fine not to exceed five hundred dollars (\$500.00). (Ord. No. 5.604 §§1-6, 3-7-83; ~~Ord. No. 2014-2878, 10/28/14~~)