

**Chapter 13.08****SEWER SERVICE SYSTEM****Sections:**

<b>13.08.010</b>	<b>Definitions.</b>
<b>13.08.020</b>	<b>Prohibited acts.</b>
<b>13.08.030</b>	<b>Private sewage disposal systems.</b>
<b>13.08.040</b>	<b>Installation and connections.</b>
<b>13.08.050</b>	<b>Prohibited waters and substances.</b>
<b>13.08.060</b>	<b>Abandoned connections.</b>
<b>13.08.070</b>	<b>Inspections.</b>
<b>13.08.080</b>	<b>Violation—Penalty.</b>

**13.08.010 Definitions.**

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

“BOD” (denoting biochemical oxygen demand) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at twenty (20) degrees C, expressed in milligrams per liter.

“Building drain” means that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet outside the inner face of the building wall.

“Building sewer” means the extension from the building drain to the public sewer or other place of disposal.

“Combined sewer” means a sewer receiving both surface runoff and sewage.

“Garbage” means solid wastes from the domestic and commercial preparation, cooking

and dispensing of food, and from the handling, storage and sale of produce.

“Industrial wastes” means the liquid wastes from industrial manufacturing processes, trade, or business as distinct from sanitary sewage.

“Natural outlet” means any outlet into a watercourse, pond, ditch, lake, or other body of surface or groundwater.

“Person” means any individual, firm, company, association, society, corporation, or group.

“pH” means the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

“Properly shredded garbage” means 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 inch in any dimension.

“Public sewer” means a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

“Sanitary sewer” means a sewer which carries sewage and to which stormwaters, surface waters, and groundwaters are not intentionally admitted.

“Sewage” means a combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such groundwaters, surface waters, and stormwaters as may be present.

“Sewage treatment plant” means any arrangement of devices and structures used for treating sewage.

“Sewage works” means all facilities for collecting, pumping, treating and disposing of sewage.

“Sewer” means a pipe or conduit for carrying sewage.

“Shall” is mandatory; “may” is permissive.

“Slug” means 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 times the average twenty-four (24) hour concentration or flows during normal operation.

“Storm drain” sometimes termed “storm sewer” means a sewer which carries storm and surface waters and drainage, but excluded sewage and industrial wastes, other than unpolluted cooling water.

“Inspector” means the Building Inspector of the City of Larned, or authorized deputy, agent, or representative.

“Suspended solids” means 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” means a channel in which a flow of water occurs, either continuously or intermittently. (Ord. 1128 § 1, 1983)

#### **13.08.020 Prohibited acts.**

A. It is unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the City of Larned, or in any area under the jurisdiction of the City, any human or animal excrement, garbage or other objectionable waste.

B. It is unlawful to discharge to any natural outlet within the City of Larned, or in any area under the jurisdiction of the City, any

sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this chapter.

C. Except as hereinafter provided, it is unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of 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 required at the owner's 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 chapter, within ninety (90) days after date of official notice to do so; provided, that the public sewer is within one hundred (100) feet of the property line. (Ord. 1128 § 2, 1983)

#### **13.08.030 Private sewage disposal systems.**

A. Where a public sanitary or combined sewer is not available under the provisions of Section 13.08.020(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 plumbing permit signed by the Inspector. 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

13.08.030

information as are deemed necessary by the Inspector. A permit and inspection fee shall be paid to the City.

C. A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Inspector. The Inspector shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the Inspector when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within twenty-four (24) hours of the receipt of notice by the Inspector.

D. The type, capacities, location, and layout of a private sewage disposal system shall comply with all recommendations of the Kansas Department of Health and Environment. 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 ten thousand (10,000) square feet. No septic tank shall be permitted to discharge to any natural outlet.

E. At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in subsections A through D of this section, a direct connection shall be made to the public sewer in compliance with this chapter, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned and filled with suitable material.

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 Kansas Department of Health and Environment.

H. When a public sewer becomes available, the building sewer shall be connected to said sewer within sixty (60) days and the private sewage disposal system shall be cleaned of sludge and filled with clean gravel or dirt. (Ord. 1128 § 3, 1983)

#### **13.08.040 Installation and connections.**

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 Inspector.

B. All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

C. 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 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 building sewer.

D. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Inspector to meet all requirements of this chapter.

E. The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the

trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the City. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. Manual of Practice No. 9 shall apply.

F. 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.

G. No person shall make connection of roof downspouts, interior and exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.

H. The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the City, or the procedures set forth in appropriate specifications of the A.S.T.M. and the W.P.C.F. Manual of Practice No. 9. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Inspector before installation.

I. The applicant for the building sewer permit shall notify the Inspector when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Inspector or his representative.

J. All excavations for building sewer installation shall be adequately guarded with

barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the City.

K. City sewer services shall not be extended beyond the City limits of the City of Larned unless required by law or expressly authorized by the governing body of the City of Larned upon a finding that such service extension is not contrary to or is permitted by the laws of the State of Kansas and the ordinances of the City of Larned, that such service extension meets sound financial and economic standards and that such service extension is compatible with the mission and planning goals of the City of Larned.

Any such sewer service extension beyond the City limits of Larned shall be contingent upon each affected real estate owner(s) entering into a written agreement with the City of Larned which conditions the delivery or extension of sewer services to the owner's real estate on consent of the owner(s) to future annexation of the affected real estate, and the consent of the owner(s) to special assessments that may be imposed upon the affected property for the purpose of paying the cost of constructing infrastructure for such sewer services. The written agreement provided for by this section shall also contain the agreement of the owner(s) to comply with all ordinances of the City pertaining to sewer services.

Pursuant to KSA 12-534, the written agreement provided for by this section shall be filed with the office of the Register of Deeds of Pawnee County, Kansas, within thirty (30) days of execution by all parties, and shall be deemed to be a sufficient consent to annexation under KSA 12-520 and amendments thereto by the owner(s) and any succes-

13.08.040

sors in interest. (Ord. 1427 § 1, 2005; Ord. 1128 § 4, 1983)

**13.08.050 Prohibited waters and substances.**

A. No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, including interior and exterior foundation drains, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.

B. Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the Inspector. Industrial cooling water or unpolluted process waters may be discharged on approval of the Inspector 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 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, grease, paunch manure, hair and fleshings, entrails and paper dishes, cups, mild containers, etc., either whole or ground by garbage grinders.

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 Inspector 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 an opinion as to the acceptability of these wastes, the Inspector will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials or 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 (150) degrees F.

2. Any water or wastes 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 (32) and one hundred fifty (150) degrees F.

3. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower or greater shall be subject to the review and approval of the Inspector.

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 Inspector 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 Director 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 established by the Inspector in compliance with applicable State or federal regulations.