

REGULATION OF THE SANITARY SEWER DISTRICT OF WAUKEE, IOWA, PROVISIONS FOR SEWER RENTAL AND REGULATION CONNECTIONS WITH THE CITY SANITARY SEWER SYSTEM.

§204.1 **Purpose.** The purpose of this ordinance is to collect from all of the users of the city sewer system the cost in whole or in part of constructing and maintaining the main sewers and sewage treatment facility in proportion to the service provided to each use and to establish the procedure and regulations to be followed in making private connections to the public sanitary sewers of this city in order to protect the public health, safety and welfare.

§204.2 **Rules, Part of Contract.** The following rules and regulations shall be considered a part of the contract with every person who is a user of the municipal sanitary sewer system of the City of Waukee, Iowa, and every such person who uses same shall be considered as having expressed his agreement to be bound thereby.

§204.3 **Definitions.** For use with the ordinance the following terms are hereby defined:

- A. The term "sewer system" includes main sewers, sewage pumping stations, treatment and disposal plants, lateral sewers, drainage conduits or channels and sewer connections in public streets for private property.
- B. The term "public sewer" is a common sanitary sewer directly controlled by public authority.
- C. The term "private sewer" is a sanitary building drain and sewer privately owned and not directly controlled by public authority.
- D. The term "sanitary sewer" is a pipe that carries sewage and excludes storm, surface and ground water.
- E. The term "building drain" is that part of the lowest piping of a drainage system that receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, which begins three feet outside the building wall.
- F. The term "building sewer" is that part of the horizontal piping of a drainage system that extends from the end of the building drain, receiving the discharge of the building drain and conveying it to a public sanitary sewer, private sanitary sewer, individual sewage disposal system or other point of disposal.
- G. The term "sewage" is any liquid waste containing animal or vegetable matter in suspension or solution, and may include liquids containing chemicals in solution.

H. The term "person" means any individual person, partnership, corporation or other association.

§204.4 **Who Shall Pay Rent.** Every person, firm or corporation whose premises now or hereafter are directly or indirectly served by a connection to the City sewer system shall pay rent to the city at the rate of and manner provided in Section 204.5 hereof.

§204.5 **Rate and Manner of Payment.** The rate shall be:

Effective July 1, 2016, the base charge will be \$12.50 for the first 1,000 gallons and water usage in excess of the minimum (1,000 gallons) will be \$9.45 per 1,000 gallons per month.

The rate shall be paid at the time payment of the water bill is due and under the same conditions beginning with the next payment after connection to the sewer system is made.

February 17, 2003 – Ordinance 2402
December 19, 2005 – Ordinance 2566
April 6, 2009 – Ordinance 2640
June 27, 2011 – Ordinance 2698
May 5, 2014 – Ordinance 2761
April 6, 2015 – Ordinance 2779
April 4, 2016 – Ordinance 2802

§204.6 **Property Lien and Suspending Service for Non Payment of Rent.** The amount of rent charged shall constitute a lien upon that property served by the sewer system and that amount shall be collected in the same manner as other taxes, if payment is not made when due. Water or sewage service or both, to the property for which rent has not been paid may be suspended until that payment is made.

§204.7 **Enforcement.** The sewer inspector shall supervise the installation of private sewers and their connections with public sewers in this city and enforce all regulations pertaining thereto in accordance with this ordinance. This ordinance shall apply to all replacements of existing sewers as well as new sewers.

§204.8 **Adoption of State Plumbing Code.** The installation of any private sewer and its connection with a public sewer shall comply fully with all pertinent and applicable provisions, whether regulatory, procedural or enforcement provisions, of the State of Iowa Plumbing code as set forth in the Code of Iowa as amended and all amendments hereinafter made thereto, published by the State of Iowa, which are hereby adopted. An official copy of said Plumbing Code as adopted and a certified copy of this ordinance is on file in the office of the City Clerk for public inspection.

§204.9 **License Required.** Any installation of a private sewer and its connection to a public sewer shall be made by a plumber who has deposited with the City Clerk a surety and maintenance bond in an amount equal to one hundred percent (100%) of the contract price of the work to be done, but in no event less than \$500. Said surety and maintenance bond to remain in full force and effect for a period of two years subsequent to the date the work was completed and approved by the City sewer inspector.

This surety and maintenance bond is to be held as surety that the said plumber will fulfill the following conditions, to-wit:

- A. That all sewer work performed by the plumber or under his supervision shall be performed in accordance with the provisions of the ordinance of the City of Waukee, Iowa.
- B. That he will pay all fines and penalties properly imposed upon him for violations of this ordinance and any other ordinances pertaining hereto.
- C. That the City shall be held free from any liability sustained by reason of neglect or incompetence of such plumber or other person working under his supervision.
- D. That the plumber and sureties on his surety and maintenance bond agree to maintain said sewer work in good repair for not less than two years from and after the date of completion of said sewer work and approval by the City sewer inspector.

§204.10 **Insurance, Legal Responsibility and Public Safety.** Any plumber doing any work subject to the provisions of this ordinance shall secure and maintain such insurance from an insurance company authorized to write casualty insurance in the State of Iowa as will protect himself, subcontractors, property owners and the City of Waukee, Iowa, from claims for bodily injury, death or property damage which may arise from operations in connection with any and all work being done that is subject to the provisions of this ordinance.

The plumber shall not commence any work subject to the provisions of this ordinance until he has obtained all insurance required under this paragraph and shall have filed certificate of insurance or a certified copy of the insurance policy with the City Clerk.

Each insurance policy shall contain a clause providing that it shall not be canceled by the insurance company without ten (10) days written notice to the City of Waukee, Iowa, of intention to cancel.

The amounts of such insurance shall be not less than the following, to-wit:

- A. Workmen's Compensation and Employer's Liability Insurance shall be secured and maintained as required by the State of Iowa and if such insurance is not required by the State of Iowa such insurance shall be secured and

maintained in an amount the same as the minimum requirements of the State of Iowa.

B. Public Liability, Bodily Injury, and Property Damage:

- (1) Injury or death of one person \$ 100,000.00
- (2) Injury to more than one person in a single accident \$ 300,000.00
- (3) Property Damage \$ 25,000.00

C. Automobile and Truck Public Liability, Bodily Injury, and Property Damage:

- (1) Injury or death of one person \$ 100,000.00
- (2) Injury to more than one person in a single accident \$ 300,000.00
- (3) Property Damage \$ 25,000.00

D. When excavation, trenching, or tunneling is involved, the property damage liability coverage under the Comprehensive General Liability Policy shall specifically provide coverage for damage to underground property.

§204.11 **Mandatory Connections.** The owners of all residences and business establishments intended or used for human habitation, occupancy or use that are within the sewer district created by this ordinance and whose premises now or hereafter are directly or indirectly served by the public sewer system, shall and must connect their sewage facilities to the public sewer system within and not later than twelve (12) months subsequent to the date that the City has approved and accepted said public sewer system which directly or indirectly serves the said premises and all of such owners shall within the afore described time install sanitary toilet facilities if such establishments are not presently so served. Provided, however, this section shall not apply to playgrounds or parks, and buildings thereon which are not regularly inhabited, and which are remote and not serviceable by gravity flow sewer, which may be served by septic tank, holding tank, or other sewage disposal facility approved by the Council; and provided further that private development with established functional waste water lagoon treatment system shall have five (5) years subsequent to the date that the City has approved and accepted a public sewer system which directly or indirectly serves the said premises or until an expansion of said private development or until said lagoon requires replacement, expansion or modification, whichever first occurs, in which to connect said development to the public sewer system.

February 6, 1995 – Ordinance No. 2197

June 19, 1995 – Ordinance No. 2204

§204.12 **Permit.** Before any person shall open, uncover, or in any manner make a connection with or modify any part of the public sewers, he must obtain a written permit from the City Clerk. The application for the permit shall be filed with the City Clerk on blanks furnished by him. The application shall be in a form duly approved by resolution of the City Council from time to time and shall include a legal description of the property, the name of the property owner, the

amount and date of any prior assessment for construction of a public sewers, a general description of the material to be used and the manner of construction, the line of the building sewer and the place of connection, if known, the intended use of the sewer and the name and address of the person who will do the work and such other matters as may be determined by the City Council. The City Clerk shall issue the permit, bearing his and the Mayor's signature and the time and date of issuance, if the proposed work meets all the requirements of this ordinance and if all fees required under this ordinance have been paid. Work under any permit must be begun within six months after it is issued.

§204.13 **Revocation of Permit.** The sewer inspector may at any time revoke the permit for any violation of this ordinance and require that the work be stopped. The plumber or owner may appeal such action to the City Council at the next regular meeting of the City Council.

§204.14 **Fee for Permit and Connection with the Public Sewer System.** Before any permit is issued and any connection to the public sewer system authorized, the person who makes the application shall pay to the City Clerk a fee to be set by resolution of the council of the City of Waukee which shall cover the cost of issuing the permit, supervising, regulating and inspecting the work, and making necessary engineering studies.

[October 8, 1985]

§204.15 **Special Fee.** If the property to be connected to a public sewer has not been assessed for any part of the costs of construction of the public sewer, or has been assessed only as an unimproved lot, the owner shall pay a special fee to the City Clerk of for the use of the public sewers before the permit is issued. The amount of this fee shall be an equitable portion of the cost of the public sewers in relation to the benefits received by the property, but in no event less than the sum of \$250 for each direct benefit factor, and shall be determined by the sewer inspector subject to approval, modification or revocation by the City Council at its next regular meeting.

Subsection A repealed; October, 17, 2005 – Ordinance 2539

§204.16 **Separate Connections.** In no case shall a joint sewer be allowed where the property abuts on a street, alley or easement in which there is a public sewer. Other buildings, in adjacent areas, which are required to be connected shall be separately and independently connected to the public sewers unless the City Council in a duly adopted resolution specifically permits joint connections, in accordance with plans approved by the Council.

§204.17 **Quality of Pipe and Foundation.** Building sewer pipes shall be of material and quality provided for in the Standard Construction Specifications of the City of Waukee, Iowa, as may be adopted by the City of Waukee and placed on file in the office of the Clerk. Sewer pipes shall be laid on a smooth bottom with bell holes cut in the bottom of the trench so that the length between the bells has a perfect bearing on the ground. Joints between the bell and the spigot shall be water tight, gas tight and root proof. All sewer pipes must be laid in such a manner as to prevent rupture by settlement or freezing.

[December 9, 1986]

§204.18 **Grade.** All sewer pipes shall be laid with a uniform grade from the building to the public sewer and no offsetting will be allowed without written permission of the City

Council.

§204.19 **Excavations.** Excavations to do work under this ordinance shall be dug so as to occasion the least possible inconvenience to the public and to provide for passage of water along the gutter. All such excavations shall have proper barricades at all times, and warning lights placed from one-half hour before sunset and one-half hour after sunrise. In refilling the excavation, the earth must be laid in layers and each layer tamped thoroughly to prevent settlement, and, this work and any street, sidewalk, pavement or other public property that is affected, must be restored to as good a condition as it was previous to the excavation. The excavator must maintain the affected area in good repair to the satisfaction of the city council for two years after refilling. No excavation shall be made within six feet of any laid water pipe while the ground is frozen, and no water or sewer pipe shall be exposed to frost, except by special written permission of the City Council.

August 1, 1994 – Ordinance No. 2186

§204.20. **Making Connections.** Any connection with a public sewer must be made under the direct supervision of the sewer inspector or his authorized assistant. The connection shall be made at the property line with that part of the sewer already extending to the property line, if any. If there is no sewer connection extending from the public sewer to the property line, the sewer inspector shall supervise a measurement for the location of the "Y" branch in the public sewer. Excavations shall be made at the point designated by the sewer inspector and if no "Y" branch is found within a reasonable distance, then the plumber shall connect directly with the public sewer at that point. The sewer inspector may give permission in writing to property owners to make a connection at other points if the property owner has shown good reason for the change.

§204.21 **Unlawful Discharge.**

- A. All storm, surface and ground water connections, including foundation drainage to the sanitary sewer system are prohibited.
- B. No owner or occupant of any new structure shall discharge or permit to be discharged into the sanitary sewers any substance which will clog the pipes, produce explosive mixtures, destroy or materially damage the pipes or other joints, or interfere with the sewage disposal process.
- C. No owner or occupant of any existing building or structures shall discharge or permit to be discharged into the sanitary sewers any surface water or other substances which will clog the pipes, produce explosive mixtures, destroy or materially damage the pipes or other joints, or interfere unduly with the sewage disposal process.

§204.22 **Inspection and Approval.** All private sewers and their connections with the public sewer must be inspected and approved in writing by the sewer inspector before they are covered and the sewer inspector shall make a record of his approval on the application form kept in the city clerk's record. If the sewer inspector refused to approve the work, the plumber or owner must proceed immediately to correct the work so that it will meet with such approval. Every person who uses or intends to use the public sewers shall permit the sewer inspector or his authorized

assistant to enter the premises to inspect or make necessary alterations or repairs at all reasonable hours and on proof of authority.

§204.23 **Breaks in Service.** The City of Waukee, Iowa, shall not be held responsible by reason of the breaking, plugging, or restriction of any service pipe, public sewer, private sewer, building drain, building sewer or failure in the sewer system.

§204.24 **Abandoned Service Pipes.** All private sewer lines that may become useless because of laying of larger or other such lines, or because sewage will no longer flow through them, must be permanently closed off at the connection with the public sewer at the expense of the owner of the premises, and so reported to the sewer inspector. No plumber, or owner of property shall disconnect or remove sewer facilities from any premises served by the public sewer, or alter the same in such a way as to make the service connection unnecessary for the premises, without permanently closing off the connection at the public sewer and reporting the same to the sewer inspector.

§204.25 **Completion by the City.** Should any excavation be left open or partly refilled for twenty-four (24) hours after the private sewer is installed and connected with the public sewer, or should the work be improperly done, the sewer inspector shall have the right to finish or correct the work, and the City Council shall assess the cost to the property owner or the plumber. If the plumber is assessed, he must pay the costs before he can receive another permit, and the plumber's bond required by this ordinance shall be security for the assessment. If the property owner is assessed, such assessment shall be collected with and in the same manner as general property taxes.