

CHAPTER 114 -- Sewers and Drainage

114.010. Definitions. Unless the context specifically indicates otherwise, the meaning of terms used in this Chapter shall be as follows:

1. 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 (20) degrees centigrade, expressed in milligrams per liter.

2. Building drain. The part of the lowest horizontal piping of a drainage system which receives the discharge from sanitary sewage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet outside the inner face of the building wall.

3. Building sewer. The extension from the building drain to the public sewer or other place of disposal.

4. Combined sewer. A sewer receiving both surface runoff and sewage.

5. Garbage. Solid waste from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.

6. Industrial wastes. The liquid wastes from industrial manufacturing processes, trade, or business as distinct from sanitary sewage.

7. Natural outlet. Any outlet into a watercourse, pond, ditch, lake, or other body of surface or ground waters.

8. On-site sewage disposal systems. Any and all sewage disposal facilities situated on a single piece of property and serving only facilities on that property.

9. Person. Any individual, firm, company, association, society, corporation, or group.

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

11. Properly shredded garbage. The wastes from the preparation, cooking, and dispensing of foods 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 (1/2) inch in any dimension.

12. Public sanitary sewer. A sewer in which all owners of abutting properties have equal rights, and which is controlled by public authority.

13. Sanitary sewage. The liquid or water-carried waste discharged from the sanitary conveniences of dwellings, including apartment houses and hotels, office buildings, factories, institutions, etc.

14. Sanitary sewer. A sewer which carries sewage and to which storm, surface, and ground water are not intentionally admitted.

15. Sewage. A combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and storm waters not intentionally admitted that may be present.

16. Sewage treatment plant. Any arrangement of devices and structures used for treating sewage.

17. Sewage works. All facilities for collecting, pumping, treating, and disposing of sewage.

18. Sewer. A pipe or conduit for carrying sewage.

19. Shall. Shall is mandatory; May is permissive.

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

21. Storm drain (sometimes termed storm sewer). A sewer which carries storm and surface water and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling air.

22. Superintendent. The superintendent of sewage works and/or of water pollution control of the City of Holts Summit, or his authorized deputy, agent, or representative.

23. 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.

24. Watercourse. A channel in which a flow of water occurs, either continuously or intermittently.

114.020. Use of public sewer required. 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 Holts Summit, or in any area under the jurisdiction of the City, any human or animal excrement, garbage, or other objectionable waste.

114.030. Discharge of polluted waste prohibited. It shall be unlawful to discharge to any natural outlet within the City of Holts Summit, 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.

114.040. Construction of septic tanks, etc., unlawful; connection to public sewer required.

1. 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.

2. 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 a public sanitary sewer of the City, is hereby required at his 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 sixty (60) days after date of official notice to do so, provided that said public sewer is available within one hundred fifty (150) feet of the property line of the residence, unless the Sewer Superintendent of the City determines that such connection to the public sewer system is unfeasible from an engineering standpoint or constitutes an unreasonable economic burden under the circumstances. Nothing in this section, however, shall excuse any person from complying with or from liability for violations of federal, state, or local water pollution and sewage laws and regulations.

3. All on-site sewage systems shall comply with the Missouri Department of Natural Resources Rules and Regulations set forth by the Department of Health Rules 19 CSR 20-3.060 (minimum construction standards for on-site sewage disposal systems) including laws 701.25 through 701.59 thereof.

114.050. On-site sewage disposal. Where a public sanitary sewer is not available under the provisions of Section 114.040 the building sewer shall be connected to an on-site sewage disposal system complying with the provisions of this Chapter.

114.060. Permit required; fee. Before commencement of construction of an on-site sewage disposal system, the owner shall first obtain a written permit signed by the superintendent. 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. A permit and inspection fee of fifty dollars (\$50.00) shall be paid to the City at the time the application is filed.

114.070. Inspection of installation to be made before covering. An operation permit for an on-site sewage disposal system shall not become effective until the installation is

completed to the satisfaction of the superintendent. He shall be allowed to inspect the work at any state of construction and, in any event, the applicant for the permit shall notify the superintendent when the work is ready for final inspection, and before any underground portions are covered. The request for an inspection shall be made not less than twenty-four (24) hours in advance of the inspection.

114.080. Installation shall comply with recommendations. The type, capacities, location, and layout of an on-site sewage disposal system shall comply with all applicable laws and recommendations of the Department of Health of the State of Missouri. No permit shall be issued for any on-site 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 shall be permitted to discharge to any natural outlet.

114.090. Connection required upon availability of sewer. At such time as a public sewer becomes available to a property served by an on-site sewage disposal system, as provided in Section 114.050, a direct connection shall be made to the public sewer in compliance with this Chapter, and any on-site sewage disposal facilities shall be abandoned and filled with suitable material unless the on-site sewage disposal facility is made a part of the public sewer system.

114.100. Sanitary maintenance of on-site sewage facilities by owner. The owner shall operate and maintain the on-site sewage disposal facilities in a sanitary manner at all times, at no expense to the City.

114.110. Statements not to interfere with additional requirements. No statement contained in this Chapter shall be construed to interfere with any additional requirements that may be imposed by other applicable law.

114.120. Closing of on-site disposal system. When a public sewer becomes available within one hundred fifty (150) feet of the property line, the building sewer shall be connected to said sewer within sixty (60) days and the on-site sewage disposal system shall be cleaned of sludge and filled with clean bank-run gravel or dirt unless the on-site sewage disposal facility is made a part of the public sewer system, unless such connection is determined to be unfeasible or unreasonable as provided in Section 114.090.

114.130. Permit required for building sewers and connections.

1. No person, except persons otherwise authorized by the Superintendent, shall uncover, make any connections with, make any opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Superintendent.

2. The owner or general agent of a building, lot or premises where a violation of any provision of this Chapter has been committed or shall exist, or the owner, general agent, lessee, or tenant of any part of the building or premises on which such a violation has occurred, shall be subject to a fine of not less than ten dollars (\$10.00) nor more than five hundred dollars (\$500.00), unless the offense be willful, on conviction thereof the offender shall

pay a fine of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00).

3. Any connection to the public sewer system made in violation of this chapter shall be immediately disconnected upon notice to the property owner or may be disconnected or blocked by the superintendent until a permit is obtained.

114.140. Classes of building sewer permits; fees. There shall be two (2) classes of building sewer permits allowing hook-up to public sanitary sewers:

1. For residential and commercial service; and
2. For service to establishments producing industrial wastes.

In either case, the owner or his 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 superintendent. A permit and inspection fee of fifty dollars (\$50.00) for a residential or commercial building sewer permit and one hundred dollars (\$100.00) for an industrial building sewer permit shall be paid to the City at the time the application is filed.

114.150. Installation and connection costs to be borne by owner. All costs and expenses 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.

114.160. Separate sewer for each building; exception. 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, driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

114.170. Requirements for old building sewers. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the superintendent, to meet all requirements of this Chapter.

114.180. Construction of sewer to conform to building and plumbing codes. The size, slope, alignment, material 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 application thereof, the material 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.

114.190. Elevation of building sewer. 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.

114.200. Surface runoff and groundwater prohibited from draining into sanitary sewer. 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.

114.210. Standards for connection into public sewer. The connection of the building sewer into 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 superintendent before installation.

114.220. Connection to be made under supervision of superintendent. The applicant for the building sewer permit shall notify the superintendent when the building sewer is ready for inspection and connection to the public sanitary sewer. Such notification shall be made not less than twenty-four (24) hours prior to the inspection. The connection shall be made under the supervision of the superintendent or his representative.

114.230. Excavations to be guarded and restored. All excavations for building sewer installations 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.

114.240. Waters prohibited from being discharged into sanitary sewer. No person shall discharge or cause to be discharged any storm water, 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.

114.250. Discharge into storm sewers. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined or storm sewers, or to a natural outlet approved by the superintendent. Industrial cooling water or unpolluted process waters may be discharged, on approval of the superintendent, to a storm sewer, combined sewer, or natural outlet.

114.260. Substances prohibited from all public sewers. No person shall discharge or cause to be discharged any of the following described waters or wastes into any public sanitary 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, constituting a hazard to humans or animals, creating a public nuisance, or creating any hazard in the receiving waters of the sewage treatment plant including but not limited to cyanide in excess of one-tenth (0.1) mg/l as CN in the wastes as discharged to the public sanitary sewer.

3. Any waters or wastes having a pH lower than five and five-tenths (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, woods, unground garbage, whole blood, paunch manure, hair and fleshing, entrails, and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

5. Any waters or wastes having:

a. A five-day BOD greater than six hundred (600) milligrams per liter, or

b. Containing more than three hundred fifty (350) milligrams per liter of suspended solids, or

c. Having an average daily flow greater than two (2) percent of the average sewage flow of the City, shall be subject to the review of the superintendent.

6. Where necessary in the opinion of the superintendent, the owner shall provide at his expense such preliminary treatment as may be necessary to:

a. Reduce biochemical oxygen demand to six hundred (600) milligrams per liter, or

b. Reduce the suspended solids to three hundred fifty (350) milligrams per liter, or

c. Control the quantities and rates of discharge of such waters or wastes.

7. Plans, specifications, and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the superintendent and no construction of such facilities shall be commenced until said approvals are obtained in writing.

(Revised: Ord. 522)

114.270. Additional prohibited substances. 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 that such wastes can harm either the sewers, sewage treatment process, or equipment, having an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the superintendent will give consideration to such facts 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 (150) degrees Fahrenheit (sixty-five (65) degrees centigrade).

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 (32) and one hundred fifty (150) degrees Fahrenheit (zero and six-five (65) degrees centigrade).

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 (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 the 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 superintendent in compliance with applicable state or federal regulations.

8. Any waters or wastes having a pH in excess of nine and five-tenths (9.5).

9. Materials which exert or cause:

a. Unusual concentrations of inert, suspended solids (such as, but not limited to, Fuller's earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).

b. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).

c. Unusual BOD (biochemical 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 waters 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 amendable 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.

114.280. Remedies for prohibited discharges into sewers.

1. 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 Sections 114.260 and 114.270 of this Chapter and which in the judgment of the superintendent may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the superintendent may:

a. Reject the wastes;

b. Require pretreatment to an acceptable condition for discharge to the public sanitary sewers;

c. Require control over the quantities and rates of discharge;
and/or

d. Require payment to cover the added costs of handling and treating wastes not covered by existing taxes or sewer charges under the provisions of Section 114.280(2) of this Chapter.

2. If the superintendent 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.

114.290. Interceptors; specifications. Grease, oil, and sand interceptors shall be provided 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 and shall be located as to be readily and easily accessible for cleaning and inspection. Minimum capacity of a grease or oil trap shall be seven hundred fifty (750) gallons. Minimum capacity of a sand trap shall be one thousand (1,000) gallons.

114.300. Maintenance requirements for preliminary treatment facilities. Where preliminary treatment or 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 expense.

114.310. Requirements for manhole and meters, etc. When required by the superintendent, 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. The manhole shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.

114.320. Standards for analyses; sampling techniques. All measurements, tests, and analyses of the characteristics of water and wastes to which reference is made in this Chapter 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 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 of life, limb, and property. (The particular analyses involved will determine whether a twenty-four hour composite of all outfalls of a premises 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 hour composites of all outfalls whereas pHs are determined from periodic grab samples.)

114.330. Agreements between City and industry concerning acceptance of unusual wastes. No statement contained in this Chapter shall be construed as preventing any special agreement or arrangement between the City and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the City for treatment, subject to payment, therefor, by the industrial concern.

114.340. Destruction or damage to system, a violation. Without the prior written consent of the superintendent, no person shall break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment that is part of the sewage works.

114.350. Powers and authority of inspectors. The superintendent 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 Chapter. The superintendent or his representatives shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper, or other industries beyond that point having direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

114.360. City employees to observe safety rules. While performing the necessary work on private properties referred to in Section 114.370, the superintendent or duly authorized employees of the City shall observe all safety rules applicable to the premises established by the owner, and the owner shall be held harmless for injury or death to the City employees, and the City shall indemnify the owner 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 owner and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the owner to maintain safe conditions as required in Section 114.310.

114.370. Easement permitting entry for inspection, etc. 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 purpose of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewer 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.

114.380. Pump station specifications. Any pump station for which the owner is requesting the City to assume responsibility, must be built according to the specifications of the City, the Ten State Standards for sewer construction attached to Ord. #984, and approved by the Sewer Superintendent.

1. Individual pumps.

A. The City will not accept for public dedication, nor agree to maintain or operate, any sewage pump station which, at the time the request is made for the City to operate, maintain, or take over such pump station, serves less than four (4) separate businesses or residences.

B. The City may bear the reasonable cost of the installation of an individual pump only if the pump is required per the plans and specifications of a new municipal sewer system constructed by the City of Holts Summit, but under no circumstance will the City purchase or maintain an individual pump serving only one residence.

C. Individual sewer pumps currently serving less than four separate businesses or residences under the maintenance and operation of the City as of January 1, 2005, will be maintained and operated until the pump is determined by the Sewer Superintendent to be beyond repair. Once the determination is made in writing, the owner of the residence must replace the individual pump and assume the responsibility for the maintenance and operation thereof.

114.390. Superintendent of sewage works. There is hereby created the position of superintendent of sewage works and water pollution control of the City of Holts Summit, Missouri, who shall be appointed by the Board of Aldermen. The superintendent shall be responsible for administering the provisions and requirements of this Subchapter and shall have all the duties, responsibilities, and authority granted to the superintendent under this Subchapter. The superintendent shall work closely with the Board of Aldermen of the City of Holts Summit, Missouri, and shall also assist in carrying out their duties and responsibilities including, but not limited to, performing or contracting for the performance of repair, maintenance and construction of sewers, lagoons, and treatment facilities in the City of Holts Summit, Missouri. The superintendent shall be entitled to receive compensation as may be provided for from time to time by the Board of Aldermen by ordinance.

114.400. Violation of chapter.

1. Any person found to be violating any provision of this Subchapter except shall be served by the City with written notice stating the nature of the violation and providing a reasonable time limit, not to exceed ninety (90) days, for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

2. Any person who shall continue any violation beyond the time limit provided for in Subsection 1 above or who violates the provisions of this Subsection, shall be guilty of a misdemeanor and, on conviction thereof, shall be fined in an amount not exceeding Five Hundred Dollars (\$500.00) for each violation. Each twenty-four (24) hour period in which any such violation shall continue shall be deemed a separate offense.

3. Any person violating any of the provisions of this Chapter shall become liable to the City for any expense, loss, or damage occasioned by the City by reason of such violation.

(Approved to add Chapter 114 to City Code Book by Ordinance No. 2389 on 2014-03-10)