

Table of Contents

Title 13

PUBLIC SERVICES

Chapters:

I. SANITARY SEWER SYSTEM

13.04 Administration

- 13.04.010 Division of water and sewer
- 13.04.020 Authority of city council
- 13.04.030 Officers and agents; powers and duties
- 13.04.040 Officers and agents; right of access

13.08 Connection Permits and Fees

- 13.08.010 Connection; required
- 13.08.020 Permit; requirements
- 13.08.030 Permit; inspections
- 13.08.040 Permit; violation
- 13.08.050 Tapping fee

13.12 Sewer Regulations

- 13.12.010 Tap regulations
- 13.12.020 Installation of sewer taps and service lines
- 13.12.030 Repair of service lines
- 13.12.040 Sewer main specifications
- 13.12.050 Storm drains, infiltration and septic tanks

13.16 Sewer Rentals

- 13.16.010 Rental schedule
- 13.16.020 Liability for charges
- 13.16.030 Unpaid charges; lien
- 13.16.040 Vacant buildings; notice of discontinuance required

13.18 Wastewater Treatment

- 13.18.010 Purpose
- 13.18.020 Determining the total annual cost of operation and maintenance
- 13.18.030 Determining each user's wastewater contribution percentage
- 13.18.040 Determining a surcharge system for users with excess BOD and SS
- 13.18.050 Determining each user's wastewater service charge
- 13.18.060 Wastewater facilities replacement fund
- 13.18.070 Payment of the user's wastewater service charge and penalties
- 13.18.080 Review of each user's wastewater service charge
- 13.18.090 Notification
- 13.18.100 Wastes prohibited from being discharged to the wastewater treatment system
- 13.18.110 Prohibition of clear water connections
- 13.18.120 Proper design and construction of new sewers and connections
- 13.18.130 Penalty

13.19 Industrial Wastewater Pretreatment Program

Article I General Provisions

- 13.19.010 Purpose; policy
- 13.19.020 Definitions
- 13.19.030 Abbreviations

Article II Discharge Requirements

- 13.19.040 General discharge prohibitions
- 13.19.050 Federal Categorical Pretreatment Standards
- 13.19.060 Modification of Federal Categorical Pretreatment Standards
- 13.19.070 Effluent discharge limits
- 13.19.080 State requirements
- 13.19.090 City's right of revision
- 13.19.100 Excessive discharge
- 13.19.110 Accidental discharges; protection required
- 13.19.120 Accidental discharge; written notice
- 13.19.130 Accidental discharge; notice to employees
- 13.19.135 Plan to control slug discharges

Article III Fees

- 13.19.140 Purpose
- 13.19.150 Charges; fees

Article IV Administration and Permits

- 13.19.160 Wastewater dischargers; compliance required
- 13.19.170 Permit; required
- 13.19.180 Permit; application
- 13.19.190 Permit; modifications
- 13.19.200 Permit; conditions
- 13.19.210 Permit; duration
- 13.19.220 Permit; transfer
- 13.19.230 Reporting requirements; compliance date report
- 13.19.240 Reporting requirements; periodic compliance reports
- 13.19.250 Monitoring facilities
- 13.19.260 Inspection and sampling
- 13.19.270 Pretreatment
- 13.19.280 Confidential information

Article V Enforcement

- 13.19.290 Harmful contributions; suspension of service
- 13.19.300 Permit revocation
- 13.19.310 Notification of violation
- 13.19.320 Show cause hearing; notification
- 13.19.330 Show cause hearing; conduct
- 13.19.340 Show cause hearing; oath and record required
- 13.19.350 Show cause hearing; orders and directives
- 13.19.360 Legal action

Article VI Violation; penalties

- 13.19.370 Civil and criminal penalties designated
- 13.19.380 Falsifying information prohibited; penalty

13.20 Out-of-City Sewer Facilities

- 13.20.010 Extensions
- 13.20.020 Discontinuance of service

13.24 Violation; Penalty

- 13.24.010 Designated

II. WATER WORKS

13.28 Administration

- 13.28.010 Division of water and sewer
- 13.28.020 Authority of city council
- 13.28.030 Officers and agents; powers and duties
- 13.28.040 Officers and agents; right of access

13.30 Water Activity Enterprise

- 13.30.010 Establishment of enterprise
- 13.30.020 Governing body
- 13.30.030 Maintenance of enterprise status
- 13.30.040 Issuance of bonds
- 13.30.050 Water activity enterprise fees and charges
- 13.30.060 Water activity enterprise annual budget
- 13.30.070 Water revenue fund established
- 13.30.080 Ratification and approval of prior actions
- 13.30.090 Repealer

13.32 Tap Permits and Capital Investment Fees

- 13.32.010 Tap permit; application
- 13.32.020 Permit; Capital Investment fees
- 13.32.030 Tap and service line inspections
- 13.32.040 Violation; penalty

13.36 Water Regulations

- 13.36.010 Tap regulations
- 13.36.015 Minimum elevation of taps from water tank
- 13.36.020 Installation of service lines
- 13.36.030 Repair and maintenance of service lines
- 13.36.040 Water main specifications
- 13.36.050 Service line regulations
- 13.36.060 Dedication of water main
- 13.36.070 Wasting of water
- 13.36.080 Bulk water sales

13.40 Water Meters

- 13.40.010 Installation; required
- 13.40.030 Property of city
- 13.40.040 Actions by and charges to property owner
- 13.40.050 Location
- 13.40.060 Number to be installed
- 13.40.070 Repairs by city
- 13.40.080 Repairs and changes by property owner
- 13.40.090 Monthly reading
- 13.40.100 Estimated charges
- 13.40.110 Tampering or interfering with meters

- 13.40.120 Winterizing
- 13.40.130 Right of entry
- 13.44 Out-of-City Water Facilities**
 - 13.44.010 Extensions
 - 13.44.020 Discontinuance of service
- 13.48 Water Rates**
 - 13.48.010 Rate schedule
 - 13.48.015 Senior citizen's discount
 - 13.48.020 Liability for charges
 - 13.48.022 Deposit; purpose
 - 13.48.024 Deposit; amount
 - 13.48.026 Deposit; required
 - 13.48.028 Use of deposit fee
 - 13.48.029 Interest paid on deposits
 - 13.48.030 Shutoff; for repair, maintenance and emergency
 - 13.48.040 Shutoff; in vacant buildings; notice to city required
 - 13.48.050 Unpaid water charges; lien on property
- 13.52 Pollution or Contamination**
 - 13.52.010 Polluting water supply
 - 13.52.020 Inspection
 - 13.52.030 Abatement notice
 - 13.52.040 Abatement by city
- 13.56 Violation; Penalty**
 - 13.56.010 Designated

I. Sanitary Sewer System

Chapter 13.04

Administration

Sections:

- 13.04.010 Division of water and sewer
- 13.04.020 Authority of city council
- 13.04.030 Officers and agents; powers and duties
- 13.04.040 Officers and agents; right of access

13.04.010 Division of water and sewer.

The division of water and sewer in and for the city shall have charge of the city sanitary sewer system as a division of the department of municipal public utilities, pursuant to the provisions of Article III, Section 2, subsection 3 of the Charter for the city. (Ord. 888 §1(part), 2000; Ord. 566 Art. 1 §1, 1980)

13.04.020 Authority of city council.

The city council shall have power and authority to make such rules, regulations and orders other than contained in this article as it deems necessary for the best conduct of the division of water and sewer. (Ord. 888 §1(part), 2000; Ord. 566 Art. 1 §2, 1980)

13.04.030 Officers and agents; powers and duties.

The city manager may appoint such officers or agents as deemed necessary to superintend or supervise the sanitary sewer system and to enforce all city ordinances, rules, regulations and specifications necessary for proper operation of the system. Officers and agents may be regular officers of the city (except councilmembers) and all regular employees charged with the enforcement of this article. (Ord. 888 §1(part), 2000; Ord. 566 Art. 1 §3, 1980)

13.04.040 Officers and agents; right of access.

All officers of the city and the lawful employees of the city shall have access and are authorized in the discharge of their duties to enter into and upon any and all premises or rights-of-way at any time, night or day, when it may be necessary to ascertain the location or condition of any pipes or appurtenances attached to or appertaining to the sanitary sewer system, or for any purposes that may be deemed necessary for the preservation of the sanitary sewer system or the protection of the revenues of the city derived therefrom. In the event of a nonemergency, the city shall attempt to notify the occupant prior to accessing private property which is not subject to a utility easement or right-of-way. (Ord. 888 §1(part), 2000; Ord. 566 Art. 1 §6, 1980)

Chapter 13.08

Connection Permits and Fees

Sections:

- 13.08.010 Connection; required
- 13.08.020 Permit; requirements
- 13.08.030 Permit; inspections
- 13.08.040 Permit; violation
- 13.08.050 Tapping fee

13.08.010 Connection; required.

Every building, dwelling, trailer home, mobile home or any other structure that exists within the city limits shall be connected to the sanitary sewer system of the city. In the event an existing septic system leach field fails, the septic system must be eliminated, and the property must be connected to the city sewer system. In that case, the septic tank must be either removed or cleaned free of septage and filled with sand, gravel or rock. Should the city sewer system not exist to serve the property, it is the responsibility of the property owner to extend the sewer main to their property line according to city specifications as per Section 13.12.040. (Ord. 888 §1(part), 2000; Ord. 566 Art. 2 §1, 1980)

13.08.020 Permit; requirements.

No person, firm or corporation shall be allowed to connect any premises to the sanitary sewer system of the city without first filing an application and obtaining a permit therefor from the building department, and having paid the established tapping fee. When granted, such permit shall be signed by such officer in his or her official capacity, shall set forth the usage of the person for whose benefit such permit shall be granted, the size of the sewer service and type of material, and as near as may be, the point at which such tapping is to be done, the place to which the sewer is to be thus conducted, the location at the property line and the contemplated use thereby. The permit described in this section shall be issued only to a qualified and licensed plumber. All tap permits shall be paid in full within sixty (60) days of the date of the application therefor or the application shall be voided. All tap applications will be voided unless the structure or structures for which the application is made are commenced within one (1) year of the date of the issuance of the permit. In the event construction has not commenced within a period of one (1) year, the application and the permit will be voided and the tap fee returned to the applicant. (Ord. 888 §1(part), 2000; Ord. 566 Art. 2 §2, 1980)

13.08.030 Permit; inspections.

All work done under the authority of the permit described in Section 13.08.020 shall be inspected and approved by the person in charge of the sewer department or such other designated person or persons. (Ord. 888 §1(part), 2000; Ord. 566 Art. 2 §5, 1980)

13.08.040 Permit; violation.

Any person having a sewer permit who connects any lines or fixtures to the city sanitary sewer system other than as provided by the permit is guilty of a misdemeanor. (Ord. 888 §1(part), 2000; Ord. 566 Art. 2 §8, 1980)

13.08.050 Tapping fee.

The fees for tapping sanitary sewer mains of the city sanitary sewer system shall be as described and in the amount set forth in Section 13.32.020. (Ord. 888 §1(part), 2000; Ord. 566 Art. 2 §3, 1980)

Chapter 13.12

Sewer Regulations

Sections:

- 13.12.010 Tap regulations
- 13.12.020 Installation of sewer taps and service lines
- 13.12.030 Repair of service lines
- 13.12.040 Sewer main specifications
- 13.12.050 Storm drains, infiltration and septic tanks

13.12.010 Tap regulations.

All taps made are subject to city ordinances regulating the cutting, breaking, digging up, undermining, tunneling or otherwise altering the surfacing of any street, alley, road or highway within the corporate limits of the city as per the provisions of the necessary street cut permit and city specifications. Sewer service in lines extending into streets, alleys and other public rights-of-way shall not be less than four (4) inches in diameter and shall be P.V.C. pipe and fittings rated a minimum of S.D.R. 35 as per city specifications. Sewer service lines and water service lines must comply with Colorado State Board of Health requirements relative to separation in trenches. (Ord. 888 §1(part), 2000; Ord. 566 Art. 2 §4, 1980)

13.12.020 Installation of sewer taps and service lines.

The sewer service tap on the city main will be installed by a locally licensed plumber or utility contractor under the supervision of the city. All new developments will have sewers installed as per design specifications listed under Section 13.36.020C and as per the International Plumbing Code as adopted by the city. Installation and the expense of installation of service lines shall be the responsibility of the property owner. (Ord. 967 §1, 2007; Ord. 888 §1(part), 2000)

13.12.030 Repair of service lines.

The owner of any premises which are connected to the city sanitary sewer system shall keep all service lines tight and free from infiltration, leakage, root intrusion or blockages. Any leakage, infiltration or blockages shall be corrected immediately upon written notice from an officer or agent of the city as to prevent damage to the city sewer system. In the event the owner does not comply

with the written notice, the water supply to the premises shall be disconnected by the city and shall remain disconnected until the owner has complied with the notice. All costs of disconnecting water and repairing sewer service lines shall be paid by the owner. (Ord. 888 §1(part), 2000; Ord. 566 Art. 2 §7, 1980)

13.12.040 Sewer main specifications.

A. All extensions of sewer mains, both within and without the corporate limits of the city, shall be constructed according to the specifications of the city at the expense of the person desiring such extension. Detailed engineering plans and specifications shall be submitted to the city engineer for approval. All work and materials must be guaranteed from defects for one (1) year from the date of dedication into the city system. All of the work shall be done under the supervision of a licensed plumber, except when sewer mains are constructed by the city or by qualified contractors under contract with the city. No sewer mains shall be constructed except in a dedicated right-of-way or utility easement. Such dedication, if other than a dedicated street, must be approved by the city prior to the connection of the sewer main with the city sewerage system.

B. All sewer mains hereafter constructed must be dedicated to the city free and clear of all liens and encumbrances. In the event a dedication of a sewer main is delayed during the payment of an encumbrance thereon, the city shall retain jurisdiction over the main in determining extensions thereto and taps thereon. (Ord. 888 §1(part), 2000; Ord. 566 Art. 2 §9, 1980)

13.12.050 Storm drains, infiltration and septic tanks.

A. No roof drains, under drains, French drains or any other type of stormwater drains shall be connected to the sanitary sewer system.

B. The maximum allowable infiltration in all sewer main extensions and sewer service lines shall not exceed five hundred (500) gallons per inch diameter per mile per day.

C. No sewer service line shall be connected to any portion of a septic system. The sewer service line shall be run continuous from the sewer main to the structure. In the event the proposed service line intercepts an existing septic tank, the septic tank shall be cleaned to the bottom and filled with compacted sand, gravel or rock. (Ord. 888 §1(part), 2000; Ord. 566 Art. 2 §10, 1980)

Chapter 13.16

Sewer Rentals

Sections:

- 13.16.010 Rental schedule
- 13.16.020 Liability for charges
- 13.16.030 Unpaid charges; lien
- 13.16.040 Vacant buildings; notice of discontinuance required

13.16.010 Rental schedule.

The following sewer rentals shall be charged by the city and are payable on or before the twentieth day of each month. The rentals shall be charged for the use of the sanitary sewer system of the city and for all property or premises connected therewith.

A. Residential units. Each residential unit shall pay nineteen dollars and fifty cents (\$19.50) per month. Each individual apartment and trailer shall be considered a single residential unit.

B. Commercial business. Commercial structures shall pay nineteen dollars and fifty cents (\$19.50) per month minimum, plus ninety-five cents (\$0.95) per one thousand (1,000) gallons of water used over twelve thousand (12,000) gallons minimum, as determined from water meter readings.

C. Septage tank waste charges in-county is ninety-eight one-hundredth dollar (\$0.098) per gallon, and out-of-county is one hundred ninety-six one-hundredth dollar (\$0.196) per gallon.

D. Grease trap waste received in March to September is one hundred ninety-six one-hundredth dollar (\$0.196) per gallon and received in October to February is three hundred ninety one-hundredth dollar (\$0.390) per gallon. The city does not accept grease trap waste from out of county.

E. The rates provided for above shall become effective January 1, 2011.

F. Annually in conjunction with the preparation of the budget, there shall be an examination of user fees for water, sewer and refuse to ensure that the fees are set at a rate designed to make their respective funds self-sufficient. (Ord. 1012 §2, 2010; Ord. 1000 §2, 2009; Ord. 986 §2, 2009; Ord. 980 §3, 2008; Ord. 973 §2, 2007; Ord. 966 §2, 2007; Ord. 930 §1, 2003; Ord. 916 §2, 2003; Ord. 907 §2, 2001; Ord. 888 §1(part), 2000; Ord. 840 §§1-3, 1996; Ord. 808 §§1, 2, 3; Ord. 696 §5, 1987; Ord. 669 §1, 1986; Ord. 653 §1, 1984; Ord. 631 §2 (part), 1983; Ord. 618 §1, 1982; Ord. 566 Art. 3 §1, 1980)

13.16.020 Liability for charges.

The owner or owners of any premises, building or buildings shall be liable to the city for all sewer rents charged in connection with the premises, building or buildings, and in case of any increase, the landlord, owner or owners thereof shall at once pay or cause to be paid such increase. All sewer rental charges shall be added to and made a part of the water bill and shall be paid in the same manner and subject to the same rules and regulations as are now or hereafter may be provided for payment of water, sewer and refuse charges. (Ord. 888 §1(part), 2000; Ord. 566 Art. 3 §2, 1980)

13.16.030 Unpaid charges; lien.

A. All sewer rental charges shall also constitute a lien upon any lots, land, building or premises served by the sanitary sewer system as soon as they accrue and shall remain a lien until paid. Customers shall receive notice and an administrative hearing during which they may contest such charges before said charges are certified to the county clerk and recorder or the county treasurer for collection and before water is discontinued to the property. In the event a charge found to be legitimate after said hearing remains unpaid, the service may be discontinued by shutting off the

water supply to the premises, and the city clerk may certify the charge or charges to the county treasurer, and the charge or charges shall become a recorded lien on the real property so served by the sewer connection and shall be collected as though they were a part of the taxes assessed against the property, together with the cost of collection. Upon receipt of said certified charges, the county treasurer shall proceed to collect the amounts so assessed against the property affected thereby in the same manner as the collection of general property taxes and redemption thereof. Said liens shall be the equivalent of tax liens and shall have priority over all other liens regardless of the date of such liens. All laws of the state for assessment and collection of general taxes, including the laws for the sale of property for taxes and redemption of the same, shall apply.

B. As an alternative to certifying the lien to the county treasurer, the city clerk may file a statement of lien in the real property records of the county clerk and recorder as described in Section 13.48.050. (Ord. 888 §1(part), 2000; Ord. 694 §4, 1987; Ord. 566 Art. 3 §3, 1980)

13.16.040 Vacant buildings; notice of discontinuance required.

The sewer rental charges shall continue at the occupied rate unless notification is given to the city billing department that the premises are vacant and that the water service has been discontinued. (Ord. 888 §1(part), 2000; Ord. 566 Art. 3 §4, 1980)

Chapter 13.18

Wastewater Treatment

Sections:

- 13.18.010 Purpose
- 13.18.020 Determining the total annual cost of operation and maintenance
- 13.18.030 Determining each user's wastewater contributions percentage
- 13.18.040 Determining a surcharge system for users with excess BOD and SS
- 13.18.050 Determining each user's wastewater service charge
- 13.18.060 Wastewater facilities replacement fund
- 13.18.070 Payment of the user's wastewater service charge and penalties
- 13.18.080 Review of each user's wastewater service charge
- 13.18.090 Notification
- 13.18.100 Wastes prohibited from being discharged to the wastewater treatment system
- 13.18.110 Prohibition of clear water connections
- 13.18.120 Proper design and construction of new sewers and connections
- 13.18.130 Penalty

13.18.010 Purpose.

The purpose of this chapter shall be to generate sufficient revenue to pay all costs for the operation and maintenance of the complete wastewater system. The costs shall be distributed to all users of the wastewater system in proportion to each user's contribution to the total loading of the treatment works. Factors such as strength (BOD and SS), volume and delivery flow rate characteristics shall be considered and included as the basis for the user's contribution to ensure a proportional distribution of

operation and maintenance costs to each user (or user class). (Ord. 888 §1(part), 2000; Ord. 600 §1, 1982)

13.18.020 Determining the total annual cost of operation and maintenance.

The city, or its engineer, shall determine the total annual costs of operation and maintenance of the wastewater system which are necessary to maintain the capacity and performance, during the service life of the treatment works, for which such works were designed and constructed. The total annual cost of operation and maintenance shall include but need not be limited to labor, repairs, equipment replacement, maintenance, necessary modifications, power, sampling, laboratory tests and a reasonable contingency fund. (Ord. 888 §1(part), 2000; Ord. 600 §2, 1982)

13.18.030 Determining each user's wastewater contribution percentage.

A. The city, or its engineer, shall determine each user's average daily volume of wastewater which has been discharged to the wastewater system, which shall then be divided by the average daily volume of all wastewater discharged to the wastewater system, to determine each user's volume contribution percentage. The amount used as the total average daily volume of wastewater shall exclude infiltration and inflow. The city, or its engineer, shall determine each user's average daily poundage of five-day twenty-degree Centigrade biochemical oxygen demand (BOD) which has been discharged to the wastewater system, which shall then be divided by the average daily poundage of all five-day BOD discharged to the wastewater system to determine each user's BOD contribution percentage.

B. The city, or its engineer, shall determine each user's average suspended solids (SS) poundage which has been discharged to the wastewater system, which shall then be divided by the average daily poundage of all suspended solids discharged to the wastewater system, to determine the user's suspended solids contribution percentage. Each user's volume contribution percentage, BOD contribution percentage and suspended solids contribution percentage shall be multiplied by the annual operation and maintenance costs for wastewater treatment of the total volume flow, of the total five-day twenty-degree Centigrade BOD of the suspended solids, respectively. (Ord. 888 §1(part), 2000; Ord. 600 §3, 1982)

13.18.040 Determining a surcharge system for users with excess BOD and SS.

The city, or its engineer, will determine the average suspended solids (SS) and biochemical oxygen demand (BOD) daily loadings for the average residential user. The city, or its engineer, will assess a surcharge rate for all nonresidential users discharging wastes with BOD and SS strengths greater than the average residential user. Such users will be assessed a surcharge sufficient to cover the costs of treating such users' above normal strength wastes. Normal strength wastes are considered to be two hundred (200) parts per million BOD and one hundred seventy-five (175) parts per million SS. The surcharge rate structure for such above normal strength waste dischargers is in Appendix A, attached to the ordinance codified in this chapter. (Ord. 888 §1(part), 2000; Ord. 600 §4, 1982)

13.18.050 Determining each user's wastewater service charge.

Each nonresidential user's wastewater treatment cost contributions as determined in Sections 13.18.030 and 13.18.040 shall be added together to determine such user's annual wastewater service

charge. Residential users may be considered to be one (1) class of user, and an equitable service charge may be determined for each user based upon an estimate of the total wastewater contribution of this class of user. The governing body may classify industrial, commercial and other nonresidential establishments as a residential user, provided that the wastes from these establishments are equivalent to the wastes from the average residential user with respect to volume, suspended solids and BOD. Each user's wastewater treatment cost contribution will be assessed in accordance with the rate schedule in Appendix B, attached to the ordinance codified in this chapter. (Ord. 888 §1(part), 2000; Ord. 600 §5, 1992)

13.18.060 Wastewater facilities replacement fund.

A reserve fund called the wastewater facilities replacement fund is established within the wastewater utility fund for the purpose of providing sufficient funds to be expended for obtaining and installing equipment, accessories and appurtenances during the useful life (twenty [20] years) of the wastewater treatment facilities necessary to maintain the capacity and performance for which such facilities are designed and constructed (see Appendix C, attached to the ordinance codified in this chapter). (Ord. 888 §1(part), 2000; Ord. 600 §6, 1982)

13.18.070 Payment of the user's wastewater service charge and penalties.

The city shall submit an annual statement to the user for the user's annual wastewater service charge, or one-twelfth ($1/12$) of the user's annual wastewater service charge may be included with the monthly water and/or wastewater utility billing. The city shall add a penalty of ten dollars (\$10.00) per month if the payment is not received by the city within fifteen (15) days. Should any user fail to pay the user wastewater service charge and penalty within three (3) months of the due date, the city may stop the wastewater service to the property. (Ord. 888 §1(part), 2000; Ord. 600 §7, 1982)

13.18.080 Review of each user's wastewater service charge.

The city shall review the total annual cost of operation and maintenance as well as each user's wastewater contribution percentage not less often than every two (2) years and will revise the system as necessary to assure equity of the service charge system established herein and to assure that sufficient funds are obtained to adequately operate and maintain the wastewater treatment works. If a significant user, such as an industry, has completed in-plant modifications which would change that user's wastewater contribution percentage, the user can present at a regularly scheduled meeting of the governing body such factual information, and the city shall then determine if the user's wastewater contribution percentage is to be changed. The city shall notify the user of its findings as soon as possible. (Ord. 888 §1(part), 2000; Ord. 600 §8, 1982)

13.18.090 Notification.

Each user will be notified, at least annually, in conjunction with a regular bill, of the rate and that portion of the user charges which are attributable to wastewater treatment services. (Ord. 888 §1(part), 2000; Ord. 600 §9, 1982)

13.18.100 Wastes prohibited from being discharged to the wastewater treatment system.

A. The discharge of any waters containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to contaminate the sludge of any municipal systems, or 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 or have an adverse effect on the waters receiving any discharge from the treatment works, is prohibited.

B. Each user which discharges any toxic pollutants which cause an increase in the cost of managing the effluent or the sludge of the city treatment works shall pay for such increased costs.

C. Title 13 of this code contains additional requirements covering the use of the city's public sewers. (Ord. 888 §1(part), 2000; Ord. 600 §10, 1982)

13.18.110 Prohibition of clear water connections.

No person shall make connection of roof downspouts, 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. (Ord. 888 §1(part), 2000; Ord. 600 §11, 1982)

13.18.120 Proper design and construction of new sewers and connections.

A. The size, slope, alignment, materials of construction of all sanitary sewers and sewer connections, 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 codes or other applicable rules and regulations of the city and the state. 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.

B. Title 13 of this code contains additional requirements covering the use of the city's public sewers. (Ord. 888 §1(part), 2000; Ord. 600 §12, 1982)

13.18.130 Penalty.

Any person or persons, firm or corporation violating any of the terms of this chapter or who shall tamper with or damage, injure, break or remove any portion of any manhole, or any other part of the sanitary sewer system, or who shall cause to be deposited in said sanitary sewer system any substance which shall clog or impair the operation of said sanitary sewer system, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in a sum not to exceed three hundred dollars (\$300.00). Each day that such a violation continues shall constitute a separate offense. (Ord. 888 §1(part), 2000; Ord. 600 §13, 1982)

Chapter 13.19

Industrial Wastewater Pretreatment Program

Sections:

Article I. General Provisions

- 13.19.010 Purpose; policy
- 13.19.020 Definitions
- 13.19.030 Abbreviations

Article II. Discharge Requirements

- 13.19.040 General discharge prohibitions
- 13.19.050 Federal Categorical Pretreatment Standards
- 13.19.060 Modification of Federal Categorical Pretreatment Standards
- 13.19.070 Effluent discharge limits
- 13.19.080 State requirements
- 13.19.090 City's right of revision
- 13.19.100 Excessive discharge
- 13.19.110 Accidental discharges; protection required
- 13.19.120 Accidental discharges; written notice
- 13.19.130 Accidental discharges; notice to employees
- 13.19.135 Plan to control slug discharges

Article III. Fees

- 13.19.140 Purpose
- 13.19.150 Charges; fees

Article IV. Administration and Permits

- 13.19.160 Wastewater dischargers; Compliance required
- 13.19.170 Permit; required
- 13.19.180 Permit; application
- 13.19.190 Permit; modifications
- 13.19.200 Permit; conditions
- 13.19.210 Permit; duration
- 13.19.220 Permit; transfer
- 13.19.230 Reporting requirements; compliance date report
- 13.19.240 Reporting requirements; periodic compliance reports
- 13.19.250 Monitoring facilities
- 13.19.260 Inspection and sampling
- 13.19.270 Pretreatment
- 13.19.280 Confidential information

Article V. Enforcement

- 13.19.290 Harmful contributions; suspension of service
- 13.19.300 Permit revocation
- 13.19.310 Notification of violation
- 13.19.320 Show cause hearing; notification
- 13.19.330 Show cause hearing; conduct

- 13.19.340 Show cause hearing; oath and record required
- 13.19.350 Show cause hearing; orders and directives
- 13.19.360 Legal action

Article VI. Violation and Penalties

- 13.19.370 Civil and criminal penalties designated
- 13.19.380 Falsifying information prohibited; penalty

Article I. General Provisions

13.19.010 Purpose; policy.

A. This chapter sets forth uniform requirements for direct and indirect contributors into the wastewater collection and treatment system for the city and enables the city to comply with all applicable state and federal laws required by the Clean Water Act of 1977 and the General Pretreatment Regulations (40 CFR, Part 403).

B. The objectives of this chapter are:

1. To prevent the introduction of pollutants into the municipality wastewater system which will interfere with the operation of the system or contaminate the resulting sludge;
2. To prevent the introduction of pollutants into the municipal wastewater system which will pass through the system, inadequately treated, into receiving waters or the atmosphere or otherwise be incompatible with the system;
3. To improve the opportunity to recycle and reclaim wastewaters and sludges from the system; and
4. To provide for equitable distribution of the cost of the municipal wastewater system.

C. This chapter provides for the regulation of direct and indirect contributors to the municipal wastewater system through the issuance of permits to certain nondomestic users and through enforcement of general requirements for the other users, authorizes monitoring and enforcement activities, requires user reporting, assumes that existing customer's capacity will not be preempted, and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

D. This chapter shall apply to the city and to persons outside the city who are, by contract or agreement with the city, users of the city POTW. This chapter is a supplement to Ordinance No. 566 as amended and codified in this title as Chapters 13.04, 13.08, 13.12, 13.20 and 13.24. Except as otherwise provided herein, the superintendent of the city POTW shall administer, implement and enforce the provisions of this chapter. (Ord. 638 §1.1, 1984)

13.19.020 Definitions.

Unless the context specifically indicates otherwise, the following terms and phrases, as used in this chapter, shall have the meanings hereinafter designated:

1. *Act* or *the Act* means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251, *et seq.*

2. *Approval Authority* means the Director in an NPDES state with an approved state pretreatment program and the Administrator of the EPA in a non-NPDES state or NPDES state without an approved state pretreatment program.

3. *Authorized representative of industrial user* means an authorized representative of an industrial user may be: (a) a principal executive officer of at least the level of vice president, if the industrial user is a corporation; (b) a general partner or proprietor if the industrial user is a partnership or proprietorship, respectively; or (c) a duly authorized representative of the individual designated above as such representative is responsible for the overall operation of the facilities from which the indirect discharge originates.

4. *Biochemical oxygen demand (BOD)* means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure, five (5) days at twenty degree (20°) Centigrade expressed in terms of weight and concentration (milligrams per liter (mg/l)).

5. *Building sewer* means a sewer conveying wastewater from the premises of a user to the POTW.

6. *Categorical standards* means National Categorical Pretreatment Standards or Pretreatment Standard.

7. *City* means the city of Craig or the city council of Craig.

8. *Cooling water* means the water discharged from any use such as air conditioning, cooling or refrigeration, or to which the only pollutant added is heat.

9. *Control authority* means the term *control authority* shall refer to the *approval authority* defined hereinabove; or the superintendent if the city has an approved pretreatment program under the provisions of 40 CFR, 403.11.

10. *Direct discharge* means the discharge of treated or untreated wastewater directly to the waters of the State.

11. *Environmental Protection Agency or EPA* means the U.S. Environmental Protection Agency, or where appropriate the term may also be used as a designation for the Administrator or other duly authorized official of said agency.

12. *Grab sample* means a sample which is taken from a waste stream on a one-time basis with no regard to the flow in the waste stream and without consideration of time.

13. Holding tank waste means any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks and vacuum-pump tank trucks.

14. Indirect discharge means the discharge or the introduction of nondomestic pollutants from any source regulated under section 307(b) or (c) of the Act (33 U.S.A. 1317), into the POTW (including holding tank waste discharged into the system).

15. Industrial user means a source of indirect discharge which does not constitute a "discharge of pollution" under regulations issued pursuant to section 402, of the Act (33 U.S.C. 1342).

16. Interference means the inhibition or disruption of the POTW treatment processes or operations which contributes to a violation of any requirement of the city's NPDES permit. The term includes prevention of sewage sludge use or disposal by the POTW in accordance with section 405 of the Act (33 U.S.C. 1345), or any criteria, guidelines or regulations developed pursuant to the Solid Waste Disposal Act (SWDA) applicable to the method of disposal or use employed by the POTW.

17. National Categorical Pretreatment Standard or Pretreatment standard means any regulation containing pollutant discharge limits promulgated by the EPA in accordance with sections 307(b) and (c) of the Act (33 U.S.C. 1347) which applies to a specific category of industrial users.

18. National Prohibitive Discharge Standard or Prohibitive discharge standard means any regulation developed under the authority of 307(b) of the Act and 40 CFR, Section 403.5.

19. a. New source means any building structure, facility or installation from which there is or may be a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under Section 307(C) of the act which will be applicable to such source if such standards are thereafter promulgated in accordance with that section; provided that:

i. The building, structure, facility or installation is constructed at a site where no other source is located; or

ii. The building structure, facility or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or

iii. The production of wastewater generating processes of the building, structure, facility or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source should be considered.

b. Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility or installation meeting the criteria of subparagraphs ii and iii of this subdivision, but otherwise alters, replaces or adds to existing process or production equipment.

c. Construction of a new source as defined under this subsection has commenced if the owner or operator has:

i. Begun or caused to begin as part of a continuous onsite construction program:

a) Any placement, assembly or installation of facilities or equipment, or

b) Significant site preparation work including clearing, excavation or removal of existing buildings, structures or facilities which is necessary for the placement, assembly or installation of new source facilities or equipment; or

ii. Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts or feasibility, engineering and design studies do not constitute a contractual obligation under this subsection.

20. *National Pollution Discharge Elimination System or NPDES permit* means a permit issued pursuant to section 402 of the Act (33 U.S.C. 1342).

21. *Person* means any individual, partnership, copartnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity, or their legal representatives, agents or assigns. The masculine gender shall include the feminine, and the singular shall include the plural where indicated by the context.

22. *pH* means the logarithm (base 10) of the reciprocal of the concentration of hydrogen ions expressed in grams per liter of solution.

23. *Pollution* means the manmade or man-induced alteration of the chemical, physical, biological and radiological integrity of water.

24. *Pollutant* means any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt and industrial, municipal and agricultural waste discharged into water.

25. *Pretreatment or treatment* means the reduction of the amount of pollutants, the elimination of pollutants or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration can be obtained by physical, chemical or biological processes, or process changes by other means, except as prohibited by 40 CFR Section 403.6(d).

26. *Pretreatment requirements* means any substantive or procedural requirement related to pretreatment, other than a National Pretreatment Standard imposed on an industrial user.

27. *Publicly owned pretreatment works (POTW)* means a treatment works as defined by section 212 of the Act (33 U.S.C. 1292), which is owned in this instance by the city. This definition includes any sewers that convey wastewater to the POTW treatment plant, but does not

include pipes, sewers or other conveyances not connected to a facility providing treatment. For the purposes of this chapter, *POTW* shall also include any sewers that convey wastewaters to the POTW from persons outside the city who are, by contract or agreement with the city, users of the city's POTW.

28. *POTW treatment plant* means that portion of the POTW designed to provide treatment to wastewater.

29. *Shall* is mandatory; *may* is permissive.

30. *Significant industrial user* means any industrial user of the city's wastewater disposal subject to Categorical Pretreatment Standards; or (a) any other industrial user that discharges an average of twenty-five thousand (25,000) gallons per day or more process wastewater to the city's treatment plant (excluding sanitary, noncontact cooling and boiler blowdown wastewater); (b) contributes a process wastestream which makes up five percent (5%) or more of the average dry weather hydraulic or organic capacity of the city's treatment plant; or (c) is designated as such by the control authority on the basis that the industrial user, either singly or in combination with other contributing industries, has a reasonable potential for adversely affecting the city's operation or for violating any pretreatment standard or requirement.

31. *State* means the state of Colorado.

32. *Standard Industrial Classification (SIC)* means a classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1972.

33. *Stormwater* means any flow occurring during or following any form of natural precipitation and resulting therefrom.

34. *Suspended solids* means the total suspended matter that floats on the surface of, or is suspended in, water, wastewater or other liquids, and which is removable by laboratory filtering.

35. *Superintendent* means the person designated by the city to supervise the operation of the publicly owned treatment works and who is charged with certain duties and responsibilities by this article, or his or her duly authorized representative.

36. *Toxic pollutant* means any pollutant or combination of pollutants listed as toxic in regulations promulgated by the Administrator of the Environmental Protection Agency under the provision of CWA 307(a) or other Acts.

37. *User* means any person who contributes, causes or permits the contribution of wastewater into the city's POTW.

38. *Wastewater* means the liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities and institutions, together with what may be present, whether treated or untreated, which is contributed into or permitted to enter the POTW.

39. *Waters of the state* means all streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through or border upon the state or any portion thereof.

40. *Wastewater contribution permit* means a permit as set forth in Sections 13.19.170 through 13.19.220. (Ord. 779 §3, 1991; Ord. 687 §4, 1987; Ord. 638 §1.2, 1984)

13.19.030 Abbreviations.

The following abbreviations shall have the designated meanings:

BOD	biochemical oxygen demand
CFR	Code of Federal Regulations
EPA	Environmental Protection Agency
l	liter
mg	Milligrams
mg/l	Milligrams per liter
NPDES	National Pollutant Discharge Elimination System
POTW	Publicly owned treatment works
SIC	Standard Industrial Classification
SWDA	Solid Waste Disposal Act, 42 U.S.C. 6901, <i>et seq.</i>
USC	United States Code
TSS	Total suspended solids.

(Ord. 638 §1.3, 1984)

Article II. Discharge Requirements

13.19.040 General discharge prohibitions.

A. No user shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater which will interfere with the operation or performance of the POTW. These general prohibitions apply to all such users of a POTW whether or not the user is subject to National Categorical Pretreatment Standards or any other national, state or local pretreatment standards or requirements. A user may not contribute the following substances to any POTW:

1. Any liquids, solids or gases which by reason of their nature or quantity are or may be sufficient, either alone or by interaction with other substances, to create a fire or explosion hazard in the POTW, including but not limited to, wastestreams with a closed cup flashpoint of less than sixty degrees (60°) Centigrade (140°F) using the test methods specified in 40 CFR 261.21. At no time shall two (2) successive readings on an explosion hazard meter, at the point of discharge into the system (or any point in the system), be more than five percent (5%) nor any single reading over ten percent (10%) of the Lower Explosive Limit (LEL) of the meter. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides,

sulfides and any other substance which the city, the state or EPA has notified the user is a fire hazard or a hazard to the system;

2. Solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities such as, but not limited to: grease, garbage with particles greater than one-half (½) inch in any dimension, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, gas, tar, asphalt residues, residues from refining, or processing of fuel or lubricating oil, mud, or glass grinding or polishing wastes;

3. Any wastewater having a pH less than 5.0, unless the POTW is specifically designed to accommodate such wastewater, or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment and/or personnel of the POTW;

4. Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a toxic effect in the receiving waters of the POTW, or to exceed the limitation set forth in a Categorical Pretreatment Standard. A toxic pollutant shall include, but not be limited to, any pollutant identified pursuant to Section 307(a) of the Act;

5. Any noxious or malodorous liquids, gases or solids which either singly or by interaction with other wastes are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for maintenance and repair;

6. Any substance which may cause the POTW's effluent or any other product of the POTW such as residues, sludges or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines or regulations developed under section 405 of the Act; any criteria, guidelines or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act or state criteria applicable to the sludge management method being used;

7. Any substance which will cause the POTW to violate its NPDES and/or State Disposal System Permit or the receiving water quality standards;

8. Any wastewater with objectionable color not removed in the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions;

9. Any water having a temperature which will inhibit biological activity in the POTW treatment plant resulting in interference, but in no case wastewater with a temperature at the introduction into the POTW which exceeds forty degrees (40°) Centigrade (104°F) unless the POTW treatment plant is designed to accommodate such temperature;

10. Any pollutants, including oxygen-demanding pollutants (BOD, etc.), released at a flow rate and/or pollutant concentration which a user knows or has reason to know will cause interference to the POTW. In no case shall a slug load have a flow rate or contain concentration or

qualities of pollutants that exceed for any time period longer than fifteen (15) minutes more than five (5) times the average twenty-four-hour concentration, qualities or flow during normal operation;

11. Any wastewater containing 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;

12. Any wastewater which causes a hazard to human life or creates a public nuisance;

13. Pollutants which result in the presence of toxic gases, vapors or fumes with the POTW in a quantity that may cause acute worker health and safety problems.

B. When the superintendent determines that a user(s) is contributing to the POTW any of the above enumerated substances in such amounts as to interfere with the operation of the POTW, the superintendent shall: (1) advise the user(s) of the impact of the contribution on the POTW; and (2) develop effluent limitation(s) for such user(s) to correct the interference with the POTW. (Ord. 779 §§4, 5, 1991; Ord. 638 §2.1, 1984)

13.19.050 Federal Categorical Pretreatment Standards.

Upon the promulgation of the Federal Categorical Pretreatment Standards for a particular industrial subcategory, the federal standard, if more stringent than limitations imposed under this chapter for sources in that subcategory, shall immediately supersede the limitations imposed under this chapter. The superintendent shall notify all affected users of the applicable reporting requirements under 40 CFR Section 403.12. (Ord. 638 §2.2, 1984)

13.19.060 Modification of Federal Categorical Pretreatment Standards.

Where the city's wastewater treatment system achieves consistent removal of pollutants limited by Federal Pretreatment Standards, the city may apply to the approval authority for modification of specific limits in the Federal Pretreatment Standards. *Consistent removal* means reduction in the amount of a pollutant or alteration of the nature of the pollutant by the wastewater treatment system to a less toxic or harmless state in the effluent which is achieved by the system in ninety-five percent (95%) of the samples taken when measured according to the procedures set forth in Section 403.7(c)(2), Title 40 CFR Part 403, "General Pretreatment Regulations for Existing and New Sources of Pollution," promulgated pursuant to the Act. The city may then modify pollutant discharge limits in the Federal Pretreatment Standards if the requirements contained in 40 CFR Part 403, Section 403.7, are fulfilled and prior approval from the approval authority is obtained. (Ord. 638 §2.3, 1984)

13.19.070 Effluent discharge limits.

The following wastewater treatment plant effluent discharge limits shall be used for developing and regulating local industrial user discharge levels. Adverse effects on the plant's biotreatment mass and/or sludge disposal method will also serve as a basis for regulation.

<u>Regulated Pollutant</u>	<u>Former WWTP Effluent Discharge Limit</u>	<u>Amended WWTP Effluent Discharge Limit</u>	<u>Stream Standard</u>	<u>Upstream Background</u>
As, acute, total	687 ug/l	743 ug/l	50 ug/l	1.3 ug/l
Cd, acute, dissolved	----	34.1	5.04	3.0
Cd, acute, total	7.5	138	10.0	1.0
Cd, ¹ chronic, dissolved	----	1.35	1.35	3.0
Cd, chronic, total	----	138	10.0	1.0
Cr III, acute, total	324	762	50.0	0.0
Cr VI, acute, dissolved	----	24.4	16.0	0.0
Cr VI, acute, total	----	762	50.0	0.0
Cr VI, chronic, dissolved	----	167	11.0	0.0
Cr VI, chronic, total	----	1,524	100	0.0
Cu, acute, dissolved	----	257 ug/l	21.9 ug/l	5.33 ug/l
Cu, chronic, dissolved	----	142	14.3	5.33
Cu, chronic, total	10.0	2,880	200	11.9
Fe, chronic, dissolved	278	1,254	300	93.4
Fe, chronic, total	21,191	10,644	1,000	323
Pb, acute, total	231	632	50.0	9.17
Pb, chronic, dissolved	----	12.6	5.34	4.83
Pb, chronic, total	----	1,394	100	9017
Mn, chronic, dissolved	44.1	388	50.0	26.2
Mn, chronic, total	13,055	14,165	1,000	75.8
Hg, ² chronic, total	.25	.01	.01	1.87
Ni, acute, dissolved	----	16,564	1,090	3.71
Ni, chronic, dissolved	----	1,670	113	3.71
Ni, chronic, total	1,027	2,887	200	11.4
Se, acute, total	133	138	10.0	1.0
Ag, ³ acute, dissolved	----	2.98 ug/l	2.98 ug/l	
Ag, ⁴ acute, total	3.6	50.0	50.0	
Ag, ⁵ chronic, dissolved	----	.11	.11	
Zn, acute, dissolved	----	3,670	261	21.7 ug/l
Zn, chronic, dissolved	----	377	45	21.7
Zn, chronic, total	311	29,902	2,000	41.2

¹ Upstream background exceeds stream standard.

² Upstream background exceeds stream standard.

³ No upstream data is available for silver so stream standard will be used for upstream concentration.

⁴ No upstream data is available for silver so stream standard will be used for upstream concentration.

⁵ No upstream data is available for silver so stream standard will be used for upstream concentration.

Sample calculation for determining amended effluent discharge limit:

$$M2 = \frac{M3Q3 - M1Q1}{Q2}$$

- M2 = upstream effluent discharge limit
- M1 = upstream background
- M3 = stream standard
- Q1 = upstream low flow
- Q2 = average daily effluent plant flow (design capacity)
- Q3 = combined downstream flow (Q1 + Q2)

$$\text{Arsenic (As) } M2 = \frac{(50)(37.35) - (1.3)(34.9)}{2.45}$$

$$M2 = 743.7 \text{ ug/l}$$

To calculate discharge limits from a specific industrial facility, the city will utilize current EPA and Colorado Department of Health guidelines. (Ord. 779 §6, 1991)

13.19.080 State requirements.

State requirements and limitations on discharges shall apply in any case where they are more stringent than federal requirements and limitations or those in this chapter. (Ord. 638 §2.6, 1984)

13.19.090 City's right of revision.

The city reserves the right to establish by ordinance more stringent limitations or requirements on discharges to the wastewater disposal system if deemed necessary to comply with the objectives presented in Section 13.19.010. (Ord. 638 §2.6, 1984)

13.19.100 Excessive discharge.

No user shall ever increase the use of process water or, in any way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in the Federal Categorical Pretreatment Standards, or in any other pollutant-specific limitation developed by the city or state. (Comment: Dilution may be an acceptable means of complying with some of the prohibitions set forth in Section 13.19.040, e.g., the pH prohibition.) (Ord. 638 §2.7, 1984)

13.19.110 Accidental discharges; protection required.

Each user shall provide protection from accidental discharge of prohibited materials or other substances regulated by this chapter. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner's or user's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the city for review, and shall be approved by the city before construction of the facility. All existing users

shall complete such a plan by January 1, 1985. No user who commences contribution to the POTW after the effective date of the ordinance codified in this chapter shall be permitted to introduce pollutants into the system until accidental discharge procedures have been approved by the city. Review and approval of such plans and operating procedures shall not relieve the industrial user from the responsibility to modify the user's facility as necessary to meet the requirements of this chapter. In the case of an accidental discharge, it is the responsibility of the user to immediately telephone and notify the POTW of the incident. The notification shall include location of discharge, type of waste, concentration and volume, and corrective actions. (Ord. 638 §2.8(part), 1984)

13.19.120 Accidental discharge; written notice.

Within five (5) days following an accidental discharge, the user shall submit to the superintendent a detailed written report describing the cause of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage or other liability which may be incurred as a result of damage to the POTW, fish kills or any other damage to person or property; nor shall such notification relieve the user of any fines, civil penalties or other liability which may be imposed by this article or other applicable law. (Ord. 638 §2.8(part), 1984)

13.19.130 Accidental discharge; notice to employees.

A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees whom to call in the event of a dangerous discharge. Employers shall ensure that all employees who may cause or suffer such a dangerous discharge to occur are advised of the emergency notification procedure. (Ord. 638 §2.8(part), 1984)

13.19.135 Plan to control slug discharges.

The city shall evaluate, at least once every two (2) years, whether each significant industrial user needs a plan to control slug discharges. For purposes of this section, a slug discharge is any nonroutine, episodic discharge, including but not limited to an accidental spill or a noncustomary batch discharge. The results of such activities shall be available to the approval authority upon request. If the city decides that a slug control plan is needed, the plan shall contain, at a minimum, the following elements:

1. Description of discharge practices, including nonroutine batch discharges;
2. Description of stored chemicals;
3. Procedures for immediately notifying the city of slug discharges, including any discharge that would violate a prohibition under 40 CFR 403.5(b), with procedures for follow-up written notification within five (5) days; and
4. If necessary, procedures to prevent adverse impact from accidental spills, including inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site run-off, worker training, building of containment structure or equipment, measures for containing toxic organic pollutants (including solvents), and/or measures and equipment for emergency response. (Ord. 799 §7, 1991)

Article III. Fees

13.19.140 Purpose.

It is the purpose of this chapter to provide for the recovery of costs from users of the city's wastewater disposal system for the implementation of the program established herein. The applicable charges or fees shall be set forth in the city's schedule of charges and fees. (Ord. 638 §3.1), 1984)

13.19.150 Charges; fees.

A. The city may adopt charges and fees which may include:

1. Fees for reimbursement of costs of setting up and operating the city's pretreatment program;
2. Fees for monitoring, inspections and surveillance procedures;
3. Fees for reviewing accidental discharge procedures and construction;
4. Fees for permit applications;
5. Fees for filing appeals;
6. Fees for consistent removal (by the city) of pollutants otherwise subject to Federal Pretreatment Standards; and
7. Other fees as the city may deem necessary to carry out the requirements contained herein.

B. These fees relate solely to the matters covered by this chapter and are separate from all other fees chargeable by the city. (Ord. 638 §3.2, 1984)

Article IV. Administration and Permits

13.19.160 Wastewater dischargers; compliance required.

It is unlawful to discharge without a city permit to any natural outlet within the city or in any area under the jurisdiction of the city, and/or to the POTW any wastewater except as authorized by the superintendent in accordance with the provisions of this chapter. Hauled wastes are not acceptable in the city's sewer system and treatment plant unless specifically authorized by the superintendent in accordance with the provisions of this chapter. (ord. 687 §5, 1987; Ord. 638 §4.1, 1984)

13.19.170 Permit; required.

All significant users proposing to connect to or to contribute to the POTW shall obtain a Wastewater Discharge Permit before connecting to or contributing to the POTW. No permit shall be issued with a duration of more than two (2) years. (Ord. 779 §8, 1991; Ord. 638 §4.2.1, 1984)

13.19.180 Permit; application.

A. Users required to obtain a wastewater contribution permit shall complete and file with the city an application in the form prescribed by the city, and accompanied by a fee of twenty-five dollars (\$25.00). Existing users shall apply for a wastewater contribution permit within thirty (30) days after the effective date of the ordinance codified in this chapter, and proposed new users shall apply at least thirty (30) days prior to connecting to or contributing to the POTW. In support of the application, the user shall submit, in units and terms appropriate for evaluation, the following information:

1. Name, address and location (if different from the address);
2. SIC number according to the Standard Industrial Classification Manual, Bureau of the Budget, 1972, as amended;
3. Wastewater constituents and characteristics including, but not limited to, those mentioned in Article II as determined by a reliable analytical laboratory; sampling and analysis shall be performed in accordance with procedures established by the EPA pursuant to section 304(g) of the Act and contained in 40 CFR, Part 136, as amended;
4. Time and duration of contribution;
5. Average daily and thirty-minute peak wastewater flow rates, including daily, monthly and seasonal variations if any;
6. Site plans, floor plans, mechanical and plumbing plans and details to show all sewers, sewer connections and appurtenances by the size, location and elevation;
7. Description of activities, facilities and plant processes on the premises including all materials which are or could be discharged;
8. Where known, the nature and concentration of any pollutants in the discharge which are limited by any city, state or federal pretreatment standards, and a statement regarding whether or not the pretreatment standards are being met on a consistent basis and, if not, whether additional operation and maintenance (O & M) and/or additional pretreatment is required for the user to meet applicable pretreatment standards;
9. If additional pretreatment and/or operation and maintenance will be required to meet the pretreatment standards, the shortest schedule by which the user will provide such additional pretreatment. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard. The following conditions shall apply to this schedule:
 - a. The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (e.g., hiring an engineer, completing preliminary plans, completing final plans, executing contracts for major components, commencing construction, completing construction, etc.).

b. No increment referred to in subparagraph a shall exceed nine (9) months.

c. Not later than fourteen (14) days following each date in the schedule and the final date for compliance, the user shall submit a progress report to the superintendent including, as a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment of progress, the reason for delay, and the steps being taken by the user to return the construction to the schedule established. In no event shall more than nine (9) months elapse between such progress reports to the superintendent.

10. Each product produced by type, amount, process or processes and rate of production;

11. Type and amount of raw materials processed (average and maximum per day);

12. Number and type of employees, and hours of operation of plant and proposed or actual hours of operation of pretreatment system;

13. Any other information as may be deemed by the city to be necessary to evaluate the permit application.

B. The city will evaluate the data furnished by the user and may require additional information. After evaluation and acceptance of the data furnished, the city may issue a wastewater contribution permit subject to terms and conditions provided herein. (Ord. 638 §4.2.2, 1984)

13.19.190 Permit; modifications.

Within nine (9) months of the promulgation of a National Categorical Pretreatment Standard, the wastewater contribution permit of users subject to such standard shall be revised to require compliance with such standard within the time frame prescribed by such standard. Where a user, subject to a National Categorical Pretreatment Standard, has not previously submitted an application for a wastewater contribution permit as required by Section 13.19.180, the user shall apply for a wastewater contribution permit within one hundred eighty (180) days after the promulgation of the applicable National Categorical Pretreatment Standard. In addition, the user with an existing wastewater contribution permit shall submit to the superintendent within one hundred eighty (180) days after the promulgation of an applicable Federal Categorical Pretreatment Standard the information required by subdivisions 8 and 9 and subsection A of Section 13.19.180. (Ord. 638 §4.2.3, 1984)

13.19.200 Permit; conditions.

Wastewater discharge permits shall be expressly subject to all provisions of this chapter and all other applicable regulations, user charges and fees established by the city. Permits may contain the following:

A. The unit charge or schedule of user charges and fees for the wastewater to be discharged to a community sewer;

B. Limits on the average and maximum wastewater constituents and characteristics;

C. Limits on average and maximum rate and time of discharge or requirements for flow regulations and equalization;

D. Requirements for installation and maintenance of inspection and sampling facilities;

E. Specifications for monitoring programs which may include sampling locations, frequency of sampling, number, types and standards for tests and reporting schedule;

F. Compliance schedules;

G. Requirements for submission of technical reports or discharge reports (see Sections 13.19.230 and 13.19.240);

H. Requirements for maintaining and retaining plant records relating to wastewater discharge as specified by the city, and affording city access thereto;

I. Requirements for notification of the city of any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater constituents being introduced into the wastewater treatment system;

J. Requirements for notification of slug discharges as per Section 13.19.300; and

K. Other conditions as deemed appropriate by the city to ensure compliance with this chapter. (Ord. 638 §4.2.4, 1984)

13.19.210 Permit; duration.

Permits shall be issued for a specified time period, not to exceed five (5) years. A permit may be issued for a period less than a year or may be stated to expire on a specific date. The user shall apply for permit reissuance a minimum of thirty (30) days prior to the expiration of the user's existing permit. The terms and conditions of the permit may be subject to modification by the city during the term of the permit as limitations or requirements as identified in Article II are modified or other just cause exists. The user shall be informed of any proposed changes in his or her permit at least thirty (30) days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance. (Ord. 638 §4.2.5, 1984)

13.19.220 Permit; transfer.

Wastewater discharge permits are issued to a specific user for a specific operation. A wastewater discharge permit shall not be reassigned, transferred or sold to a new owner, new user, different premises or a new or changed operation without the approval of the city. Any succeeding owner or user shall also comply with the terms and conditions of the existing permit. (Ord. 638 §4.2.6, 1984)

13.19.230 Reporting requirements; Compliance date report.

Within thirty (30) days following the date for final compliance with applicable pretreatment standards or, in the case of a new source, following commencement of the introduction of wastewater into the POTW, any user subject to pretreatment standards and requirements shall submit to the

superintendent a report indicating the nature and concentration of all pollutants in the discharge from the regulated process which are limited by pretreatment standards and requirements and the average and maximum daily flow for these process units in the user facility which are limited by such pretreatment standards or requirements. The report shall state whether the applicable pretreatment standards or requirements are being met on a consistent basis and, if not, what additional operation and maintenance and/or pretreatment is necessary to bring the user into compliance with the applicable pretreatment standards or requirements. This statement shall be signed by an authorized representative of the industrial user, and certified to by a qualified professional. (Ord. 638 §4.3.1, 1984)

13.19.240 Reporting requirements; periodic compliance reports.

A. Any significant industrial user shall submit to the superintendent during the months of June and December, unless required more frequently in the Pretreatment Standard or by the superintendent, a report indicating the nature, volumes and concentrations of pollutants in the effluent which are limited by such Pretreatment Standard. Such reports shall be based on sampling and analysis performed by the user in the period covered by the report, and performed in accordance with the techniques described in 40 CFR, Part 136 and amendments thereto. This sampling and analysis may be performed by the Control Authority in lieu of being performed by the user.

B. Dilution to meet pretreatment standards or requirements is prohibited. The superintendent may impose mass limitations on users to meet applicable pretreatment standards or requirements or in other cases where imposition of mass limitations is appropriate. In such cases, the report required by subsection A of this section shall indicate the mass of pollutants regulated by pretreatment standards in the effluent of the user. These reports shall contain the results of sampling and analysis of the discharge, including the flow and the nature and concentration, or production and mass where requested by the superintendent, of pollutants contained therein which are limited by the applicable pretreatment standards. The frequency of monitoring shall be prescribed by the city. All analysis shall be performed in accordance with procedures established by the administrator pursuant to Section 304(c) of the Act and contained in 40 CFR, Part 136 and amendments thereto or with any other test procedures approved by the administrator. Sampling shall be performed in accordance with the techniques approved by the administrator. (Comment: Where 40 CFR, Part 136 does not include a sampling or analytical technique for the pollutant in question, sampling and analysis shall be performed in accordance with the procedures set forth in the EPA publication, "Sampling and Analysis Procedures for Screening of Industrial Effluents for Priority Pollutants," April 1977, and amendments thereto, or with any other sampling and analytical procedures approved by the administrator. (Ord. 779 §9, 1991; Ord. 687 §6, 1987; Ord. 638 §4.3.2, 1984)

13.19.250 Monitoring facilities.

A. The city shall require to be provided and operated at the user's own expense monitoring facilities to allow inspection, sampling and flow measurements of the building sewer and/or internal drainage systems. The monitoring facility should normally be situated on the user's premises, but the city may, when such a location would be impractical or cause undue hardship on the user, allow the facility to be constructed in the public street or sidewalk area and located so that it will not be obstructed by landscaping or parked vehicles.

B. There shall be ample room in or near such sampling manhole or facility to allow accurate sampling and preparation of samples for analysis. The facility, sampling and measuring equipment shall be maintained at all times in a safe and proper operating condition at the expense of the user.

C. Whether constructed on public or private property, the sampling and monitoring facilities shall be provided in accordance with the city's requirements and all applicable local construction standards and specifications. Construction shall be completed within ninety (90) days following written notification by the city. (Ord. 638 §4.4, 1984)

13.19.260 Inspection and sampling.

A. The city shall randomly sample and analyze the effluent from industrial users and conduct surveillance activities in order to identify, independent of information supplied by the industrial users, occasional and continuing noncompliance with pretreatment standards. The city shall inspect and sample the effluent from each significant industrial user at least once a year.

B. The city shall inspect the facilities of any user to ascertain whether the purpose of this chapter is being met and all requirements are being complied with. Persons or occupants of premises where wastewater is created or discharged shall allow the city or its representative ready access at all reasonable times to all parts of the premises for the purposes of inspection, sampling, records examination or in the performance of any of their duties. The city, approval authority (where the NPDES state is the approval authority), and EPA shall have the right to set up on the user's property such devices as are necessary to conduct sampling, inspection, compliance monitoring and/or metering operations. Where a user has security measures in force which would require proper identification and clearance before entry into its premises, the user shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, personnel from the city, approval authority and EPA will be permitted to enter without delay for the purposes of performing their specific responsibilities. (Ord. 799 §10, 1991; Ord. 638 §4.5, 1984)

13.19.270 Pretreatment.

A. Users shall provide necessary wastewater treatment as required to comply with this chapter and shall achieve compliance with all Federal Categorical Pretreatment Standards within the time limitations as specified by the Federal Pretreatment Regulations. Any facilities required to pretreat wastewater to a level acceptable to the city shall be provided, operated and maintained at the user's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the city for review, and shall be acceptable to the city before construction of the facility. The review of such plans and operating procedures will in no way relieve the user from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the city under the provisions of this chapter. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the city prior to the user's initiation of the changes.

B. The city shall annually publish in the Northwest Colorado Daily Press newspaper a list of the users which were not in compliance with any pretreatment requirements or standards at least once during the twelve (12) previous months. The notification shall also summarize any enforcement actions taken against the user(s) during the same twelve (12) months.

C. All records relating to compliance with pretreatment standards shall be made available to officials of the EPA or approval authority upon request. (Ord. 638 §4.6, 1984)

13.19.280 Confidential information.

A. Information and data on a user obtained from reports, questionnaires, permit applications, permits and monitoring programs and from inspections shall be available to the public or other governmental agency without restriction unless the user specifically requests and is able to demonstrate to the satisfaction of the city that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets of the user.

B. When requested by the person furnishing a report, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public but shall be made available upon written request to governmental agencies for uses related to this chapter, the National Pollutant Discharge Elimination System (NPDES) permit, State Disposal System permit and/or the pretreatment programs; provided, however, that such portions of a report shall be available for use by the state or any state agency in judicial review or enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics will not be recognized as confidential information.

C. Information accepted by the city as confidential shall not be transmitted to any governmental agency or to the general public by the city until and unless a ten-day notification is given to the user. (Ord. 638 §4.7, 1984)

Article V. Enforcement

13.19.290 Harmful contributions; suspension of service.

A. The city may suspend the wastewater treatment service and/or a wastewater contribution permit when such suspension is necessary, in the opinion of the city, in order to stop an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health or welfare of persons or to the environment, causes interference to the POTW or causes the city to violate any condition of its NPDES permit.

B. Any person notified of a suspension of the wastewater treatment service and/or the wastewater contribution permit shall immediately stop or eliminate the contribution. In the event of a failure of the person to comply voluntarily with the suspension order, the city shall take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW system or endangerment to any individuals. The city shall reinstate the wastewater contribution permit and/or the wastewater treatment service upon proof of the elimination of the noncomplying discharge. A detailed written statement submitted by the user describing the causes of the harmful contribution and the measures taken to prevent any future occurrence shall be submitted to the city within ten (10) days of the date of occurrence. (Ord. 638 §5.1, 1984)

13.19.300 Permit revocation.

Any user in significant noncompliance with this chapter or applicable state and federal regulations is subject to permit revocation in accordance with the procedures set forth in this chapter. Each year the city shall publish a list of all users in significant noncompliance in a daily newspaper published in the city. An industrial user is in significant noncompliance if its violation meets one (1) or more of the following criteria:

1. Chronic violations of wastewater discharge limits, defined herein as those in which sixty-six percent (66%) or more of all the measurements taken during a six-month period exceed (by any magnitude) the daily maximum limit or the average limit for the same pollutant parameter;
2. Technical Review Criteria (TRC) violations, defined herein as those in which thirty-three percent (33%) or more of all the measurements for each pollutant parameter taken during a six-month period equal or exceed the product of the daily maximum limit or the average limit multiplied by the applicable TRC (TRC=1.4 for BOD, TSS, fats, oil and grease, and 1.2 for all other pollutants except pH);
3. Any other violation of a pretreatment effluent limit (daily maximum or longer-term average) that the control authority determines has caused, alone or in combination with other discharges, interference or pass-through (including endangering the health of POTW personnel or the general public);
4. Any discharge of a pollutant that has caused imminent endangerment to human health, welfare or to the environment or has resulted in the POTW's exercise of its emergency authority to halt or prevent such a discharge;
5. Failure to meet, within ninety (90) days after the schedule date, a compliance schedule milestone contained in a local control mechanism or enforcement order for starting construction, completing construction or attaining final compliance;
6. Failure to provide, within thirty (30) days after the due date, required reports such as baseline monitoring reports, ninety-day compliance reports, periodic self-monitoring reports and reports on compliance with compliance schedules;
7. Failure to accurately report the wastewater constituents, volumes and concentrations, and characteristics of discharge; failure to accurately report significant changes in operations or wastewater constituents and characteristics; or failure to accurately report noncompliance;
8. Refusal of reasonable access to the user's premises for the purpose of inspection or monitoring;
9. Violation of the conditions of the permit; or
10. Any other violation or group of violations which the control authority determines will adversely affect the operation or implementation of the local pretreatment program. (Ord. 779 §11, 1991)

13.19.310 Notification of violation.

Whenever the city finds that any user has violated or is violating this chapter, wastewater contribution permit or any prohibition, limitation or requirements contained herein, the city may serve upon such person a written notice stating the nature of the violation. Within thirty (30) days of the date of the notice, a plan for the satisfactory correction thereof shall be submitted to the city by the user. (Ord. 638 §5.3, 1984)

13.19.320 Show cause hearing; notification.

The city may order any user who causes or allows an unauthorized discharge to enter the POTW to show cause before the city council why the proposed enforcement action should not be taken. A notice shall be served on the user specifying the time and place of a hearing to be held by the city council regarding the violation, the reasons why the action is to be taken, the proposed enforcement action, and directing the user to show cause before the city council why the proposed enforcement action should not be taken. The notice of the hearing shall be served personally or by registered or certified mail (return receipt requested) at least ten (10) days before the hearing. Service may be made on any agent or officer of a corporation. (Ord. 638 §5.4.1, 1984)

13.19.330 Show cause hearing; conduct.

The city council may itself conduct the hearing and take the evidence, or may designate any of its members or any officer or employee of the city to:

A. Issue in the name of the city council notices of hearings requesting the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in such hearings;

B. Take the evidence; and

C. Transmit a report of the evidence and hearing, including transcripts and other evidence, together with recommendations to the city council for action thereon. (Ord. 638 §5.4.2, 1984)

13.19.340 Show cause hearing; oath and record required.

At any hearing held pursuant to this chapter, testimony taken must be under oath and recorded electronically. The transcript, so recorded, will be made available to any member of the public or any party to the hearing upon payment of the usual charges thereof. (Ord. 638 §5.4.3, 1984)

13.19.350 Show cause hearing; orders and directives.

After the city council has reviewed the evidence, it may issue an order to the user responsible for the discharge directing that, following a specified time period, the sewer service be discontinued unless adequate treatment facilities, devices or other related appurtenances shall have been installed or existing treatment facilities, devices or other related appurtenances are properly operated. Further orders and directives as are necessary and appropriate may be issued. (Ord. 638 §5.4.4, 1984)

13.19.360 Legal action.

If any person discharges sewage, industrial wastes or other wastes into the city's wastewater disposal system contrary to the provisions of this chapter, federal or state pretreatment requirements, or any order of the city, the city attorney may commence an action for appropriate legal and/or equitable relief in the district court of this county. (Ord. 747 §4(part), 1989; Ord. 638 §5.5, 1984)

Article VI. Violation; penalties

13.19.370 Civil and criminal penalties designated.

Any user who is found to have violated an order of the city council or who willfully or negligently fails to comply with any provision of this chapter and the orders, rules, regulations and permits issued hereunder, shall be guilty of a misdemeanor and shall be punished by a fine of not less than one thousand dollars (\$1,000.00). In addition to the fine, such user may be punished by imprisonment not to exceed one hundred eighty (180) days. Each day on which a violation shall occur or continue shall be deemed a separate and distinct offense. The city may also recover reasonable attorney's fees, court costs, court reporters' fees and other expenses of litigation by appropriate suit at law against the person found to have violated this chapter or the orders, rules, regulations and permits issued hereunder. (Ord. 747 §4(part), 1989; Ord. §6.1, 1984)

13.19.380 Falsifying information prohibited; penalty.

Any person who knowingly makes any false statements, representation or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to this chapter, shall, upon conviction, be punished by a fine of not more than three hundred dollars (\$300.00) or by imprisonment for not more than ninety (90) days, or by both. (Ord. 638 §6.2, 1984)

Chapter 13.20

Out-of-City Sewer Facilities

Sections:

- 13.20.010 Extensions
- 13.20.020 Discontinuance of service

13.20.010 Extensions.

A. All sanitary sewer main and sewer service lines extended beyond the corporate limits of the city shall be constructed in accordance with city specifications and subject to city inspection. Prior to construction of the extensions, formal approval from the city council must be obtained in writing.

B. Sanitary sewer mains shall be constructed in dedicated streets, alleys or rights-of-way. The total cost of all extensions shall be borne by the person or persons requesting the extension. (Ord. 888 §1(part), 2000; Ord. 566 Art. 4 §1, 1980)

13.20.020 Discontinuance of service.

The city reserves the right to discontinue out-of-city sewer service to any user at any time such discontinuance is deemed necessary for the public health and safety of the residents of the city. (Ord. 888 §1(part), 2000; Ord. 566 Art. 4 §2, 1980)

Chapter 13.24

Violation; Penalty

Sections:

13.24.010 Designated

13.24.010 Designated

Any person or persons, firm or corporation violating any of the terms of this article or who tampers with or damages, injures, breaks or removes any portion of any manhole, or any other part of the sanitary sewer system, or who causes to be deposited in the sanitary sewer system any substance which clogs or impairs the operation of the sanitary sewer system, is guilty of a misdemeanor, and upon conviction shall be fined in a sum not to exceed three hundred dollars (\$300.00). Each day that such a violation continues constitutes a separate offense. (Ord. 566 Art. 5 §2, 1980)

II. WATER WORKS

Chapter 13.28

Administration

Sections:

- 13.28.010 Division of water and sewer
- 13.28.020 Authority of city council
- 13.28.030 Officers and agents; powers and duties.
- 13.28.040 Officers and agents; right of access

13.28.010 Division of water and sewer.

The division of water and sewer in and for the city shall have charge of the city water department as a division of the department of municipal public utilities, pursuant to the provisions of Article III, Section 2, subsection 3 of the Charter for the city. (Ord. 887 §1(part), 2000; Ord. 565 Art. 1 §1, 1980)

13.28.020 Authority of city council.

The city council shall have power and authority to make such rules and regulations and orders other than contained in this article as it deems necessary for the best conduct of the division of water and sewer. (Ord. 887 §1(part), 2000; Ord. 565 Art. 1 §2, 1980)

13.28.030 Officers and agents; powers and duties.

The city manager may appoint such officers or agents deemed necessary to superintend or supervise the water department and to enforce all city ordinances, specifications, rules and regulations. Officers and agents may be regular officers of the city (except councilmembers) and all regular employees charged with the enforcement of this article. (Ord. 887 §1(part), 2000; Ord. 565 Art. 1 §3, 1980)

13.28.040 Officers and agents; right of access.

All officers or agents of the city and the lawful employees of the city shall have access and are authorized in the discharge of their duties to enter into and upon any and all premises or rights-of-way at any time, night or day, when it may be necessary to ascertain the location or condition of pipes or appurtenances attached to or appertaining to the water works, to shut off or turn on water or for any purposes deemed necessary for the preservation of the water works or the protection of the revenues of the city derived therefrom. In the event of a nonemergency, the city shall attempt to notify the occupant prior to accessing private property which is not subject to a utility easement or right-of-way. (Ord. 887 §1(part), 2000; Ord. 565 Art. 1 §6, 1980)

Chapter 13.30

Water Activity Enterprise

Sections:

- 13.30.010 Establishment of enterprise
- 13.30.020 Governing body
- 13.30.030 Maintenance of enterprise status
- 13.30.040 Issuance of bonds
- 13.30.050 Water activity enterprise fees and charges
- 13.30.060 Water activity enterprise annual budget
- 13.30.070 Water revenue fund established
- 13.30.080 Ratification and approval of prior actions
- 13.30.090 Repealer

13.30.010 Establishment of Enterprise.

There is hereby established, pursuant to the terms and provisions of the Water Activity Law, Title 37, Article 45.1, C.R.S., the "City of Craig Water Activity Enterprise" (the "enterprise"). The enterprise shall consist of the system which is the business represented by all of the city's water and wastewater facilities and properties, now owned or hereafter acquired, whether situated within or without the city boundaries, including all present or future improvements, extensions, enlargements,

betterments, replacements or additions thereof or thereto. The enterprise shall have all of the authority, powers, rights, obligations and duties as may be provided or permitted by the Water Activity Law and the Colorado Constitution, and as may be further prescribed by ordinance or resolution of the city. (Ord. 890 §1, 2000)

13.30.020 Governing body.

The governing body of the enterprise (the "governing body") shall be the city council of the city, and shall be subject to all of the applicable laws, rules and regulations pertaining to the city council. Whenever the city council is in session, the governing body shall also be deemed to be in session. It shall not be necessary for the governing body to meet separately from the regular and special meetings of the city council, nor shall it be necessary for the governing body to specifically announce or acknowledge that actions taken thereby are taken by the governing body of the enterprise. The governing body may conduct its affairs in the same manner and subject to the same laws which apply to the city council for the same or similar matters; provided that in accordance with Section 37-45.1-104(2), C.R.S., the governing body may authorize the issuance of bonds by adoption of a resolution. (Ord. 890 §1, 2000)

13.30.030 Maintenance of enterprise status.

The enterprise shall at all times and in all ways conduct its affairs so as to continue to qualify as a "water activity enterprise" within the meaning of Section 37-45.1-102, C.R.S., and as an "enterprise" within the meaning of Article X, Section 20, Colorado Constitution. Specifically, but not by way of limitation, the enterprise is not authorized, and shall not, receive ten percent (10%) or more of its annual revenue in grants from all Colorado state and local governments combined. (Ord. 890 §1, 2000)

13.30.040 Issuance of bonds.

The enterprise is authorized to issue bonds, notes or other obligations payable from the revenues derived or to be derived from the system, in accordance with the Water Activity Law. The city council may also authorize the issuance of such bonds, notes or other obligations in accordance with the laws of the state, and in so doing shall be deemed to be acting as both the governing body and the city council. (Ord. 890 §1, 2000)

13.30.050 Water activity enterprise fees and charges.

The fees adopted by the city council for and on behalf of the enterprise shall include the following rates, fees and charges:

- A. Minimum and sufficient water rates and wastewater rates;
- B. Plant investment fees; and

C. Other fees and charges as the city council deems necessary to cover the cost of inspection, testing fees for engineering design review, operations, maintenance and extensions of the system. (Ord. 892 §1, 2000; Ord. 890 §1, 2000)

13.30.060 Water activity enterprise annual budget.

The city council shall adopt an annual budget for the enterprise, separate from the city's general fund budget. (Ord. 890 §1, 2000)

13.30.070 Water revenue fund established.

A. There is hereby established an enterprise fund, to be known as the "water revenue fund," in which shall be deposited all revenues from water and wastewater billing and other revenues related to the system. All funds received from the water and wastewater rates shall be used only for the operation, maintenance, debt service, replacement of and additions to the system. All amounts on hand in such fund shall be invested by the city council in investments proper for public funds.

B. The enterprise may pledge all or any portion of the water revenue fund, including revenues anticipated to be collected, to the payment of principal, interest, premium, if any, and reserves for revenue bonds or any other obligations lawfully issued or otherwise contracted for by the enterprise for the payment or other financing of costs of the system, or for the purpose of refunding any obligations issued or otherwise contracted for such purpose. (Ord. 890 §1, 2000)

13.30.080 Ratification and approval of prior actions.

All actions heretofore taken by the officers of the city and the members of the city council, not inconsistent with the provisions of this chapter, relating to the operation or creation of the enterprise, are hereby ratified, approved and confirmed. (Ord. 890 §1, 2000)

13.30.090 Repealer.

All orders, bylaws, ordinances and resolutions of the city, or parts thereof, inconsistent or in conflict with this chapter, are hereby repealed to the extent only of such inconsistency or conflict. (Ord. 890 §1, 2000)

Chapter 13.32

Tap Permits and Capital Investment Fees

Sections:

- 13.32.010 Tap permit; application
- 13.32.020 Permit; Capital Investment fees
- 13.32.030 Tap and service line inspections
- 13.32.040 Violation; penalty

13.32.010 Tap permit; application.

A. Prior to issuing a tap permit, an application shall be made to the building department for a permit to tap the water mains forming a part of the city water works system. If granted, such permit shall be signed by such officer or officers in their official capacity and shall set forth the

usage of the person for whose benefit such permit shall be granted, the size of the tap for the discharge of the water from the mains to the service lines, size and type of service, and as near as may be, the point at which such tapping is to be done, the place to which the water is to be thus conducted, the location of the curb stop, and the contemplated use of the water thereby. All tap permits shall be paid in full within sixty (60) days of the date of the application therefor or said application shall be voided. All tap applications will be voided unless the structure or structures for which said application is made are commenced within one (1) year of the date of the issuance of the permit. In the event construction has not so commenced within a period of one (1) year, the application and the permit will be voided.

B. Each individual building having city water and/or sewer shall be required to be individually tapped and metered on the city's system. The size of the tap shall be determined by the building department in accordance with the International Plumbing Code. Accessory buildings, as defined by subsection 16.01.160 of this code, may be served by the water and/or sewer tap for the primary building. An accessory building must be on the same lot as the primary building before extending shared services from the primary building. The property owner must remove any internal lot lines through the replat process as set forth in Title 16 of this code prior to extending service to an accessory building on a different lot.

C. Capital Investment fees paid by the applicant after the enactment of the ordinance codified herein shall be retained by the city and applied as a credit towards the Capital Investment fees for a subsequent application for a permit at the same location. If the Capital Investment fees have increased, the owner will be responsible to pay the difference between the new Capital Investment fees and the amount previously paid.

D. Capital Investment fees paid in full prior to the enactment of the ordinance codified herein shall be considered to be fully paid despite any increase in Capital Investment fees in the future. The paid Capital Investment fees rights shall transfer with the property upon sale. (Ord. 980 §1, 2008; Ord. 967 §1, 2007; Ord. 913 §1, 2002; Ord. 887 §1(part), 2000; Ord. 683 §3, 1987; Ord. 577 §1, 1981; Ord. 565 Art. 2 §1, 1980)

13.32.020 Permit; Capital Investment fees.

A. At the time of issuance of the permit described in Section 13.32.010, there shall be paid to the city, for each permit for taps for either sewer or water within the corporate limits of the city, the following Capital Investment fees:

<i>Water Tap Size (in inches)</i>	<i>Water CIF</i>	<i>Wastewater CIF</i>
1	\$ 4,270	\$ 2,390
1½	8,540	4,780
2	13,660	7,650
3	27,330	15,300
4	42,700	23,900
6	85,400	47,800

1. The fee for out-of-city water and sewer taps shall be double the prices listed for water and double the price listed for sewer.

2. All new service lines for single-family residential water service shall be constructed with one (1) inch K-copper unless an alternative material is approved by the city engineer.

B. Miscellaneous fees.

New service fee	\$ 5.00
Connect fee	30.00
Disconnect fee	30.00
After hours connect fee	50.00
Turn-off/nonpay fee	60.00
Late payment fee	15.00
Returned check fee	25.00

C. The city reserves the right to refuse any taps or extensions of city water mains or service mains for out-of-city use of water. (Ord. 980 §1, 2008; Ord. 887 §1(part), 2000; Ord. 601 Art. 2, 1982; Ord. 565 Art. 2 §2, 1980)

13.32.030 Tap and service line inspections.

All work done under the authority of the permit described in Section 13.32.010 shall be inspected and approved by the person in charge of the water department or such other designated person or persons. (Ord. 887 §1(part), 2000; Ord. 565 Art. 2 §4, 1980)

13.32.040 Violation; penalty.

Any person or persons, firm or corporation violating any terms of this chapter or who shall tamper with, turn water on or allow water to be utilized without the permission of the utility billing department or damage any water meter or appurtenances, curb stop, hydrant, valve or any portion of the city water system shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in a sum not to exceed three hundred dollars (\$300.00). Each day that such violation continues shall constitute a separate offense. (Ord. 887 §1(part), 2000; Ord. 601 Art. 3 §1, 1982)

Chapter 13.36

Water Regulations

Sections:

- 13.36.010 Tap regulations
- 13.36.015 Minimum elevation of taps from water tank
- 13.36.020 Installation of service lines

- 13.36.030 Repair and maintenance of service lines
- 13.36.040 Water main specifications
- 13.36.050 Service line regulations
- 13.36.060 Dedication of water main
- 13.36.070 Wasting of water
- 13.36.080 Bulk water sales

13.36.010 Tap regulations.

Water service lines, from the water main to the water meter, shall be constructed of type "K" copper up to two (2) inches in diameter; service lines and fire lines larger than two (2) inches will be constructed of C900 Class 200 PVC or, when necessary, C-52 ductile iron wrapped in plastic, and all taps shall comply with city specifications. Water service lines and sewer service lines must comply with Colorado State Board of Health requirements relative to separation in trenches and all provisions of this chapter. (Ord. 887 §1(part), 2000; Ord. 565 Art. 2 §3, 1980)

13.36.015 Minimum elevation of taps from water tank.

Except for lots in existing subdivisions within or outside the city, the following criteria will be placed upon all new water taps both within and outside of the city system:

A. Taps more than sixty-five (65) feet below the bottom of the water tank that serves the area will be considered "standard" taps and shall have a minimum one-inch interior diameter tap, or larger if required by the Uniform Plumbing Code. This elevation will provide minimum pressure, and the property owner may, at his or her expense, provide a pressure booster. The sixty-five-foot difference in elevation is measured from the bottom of the water tank serving the property and the first floor elevation of the building or residence being served.

B. Taps that are between the sixty-five (65) feet to thirty-five (35) feet elevation below the bottom of the tank serving the building or residence will be considered "special" taps and will require the following:

1. The tap and service line will be a minimum of one-and-one-half-inch interior diameter, or larger if required by the Uniform Plumbing Code.
2. The sewer tap will remain at the level of a standard one-inch tap fee for a residence.
3. A one-inch meter will be installed and the owner of the building or residence being served shall install a pressure booster pump which will be included in the building permit requirements.
4. No tap shall be allowed until a deed restriction is recorded by the property owner disclosing such booster pump requirement.
5. The pressure pump will be considered a part of the building or residential plumbing system and will be the responsibility of the property owner to maintain.
6. If the elevation is forty-six (46) feet or less from the bottom of the water tank serving the property, a backflow prevention device will be required as per the Uniform Plumbing Code.

The city will be responsible for providing only the static pressure that is created by this elevation (from 15.17 psi to 28.16 psi), which shall be measured from the bottom of the water tank serving the property in question to the first floor elevation of the building or residence.

C. Taps above the elevation of thirty-five (35) feet below the bottom of the tank serving the area will not be allowed. (Ord. 936 §1, 2004; Ord. 900 §1, 2001)

13.36.020 Installation of service lines.

A. On all existing developed and vacant lots, the city will own and be responsible for maintenance of the water service lines from the tap on the main to and including the curb stop. The property owner shall own and be responsible for maintenance of the riser box and service line from the curb stop into the premise.

B. For water service lines to existing developed and vacant lots, the city will be responsible for installation of the line to and including the curb stop. The property owner is responsible to arrange for a private licensed contractor to excavate the installation, which includes digging the hole to specification prior to installation and then compacting/filling the hole to specification after installation. The property owner will be responsible for the costs of the installation of the service line performed by the city and for the excavation costs, including street cut costs. The tap fees do not include any of these costs and are a separate fee. The property owner shall contact the city water department to schedule the installation of the service line as described above, which installation shall be done by the city within six (6) weeks of the request.

C. All new subdivision developments will have the water and sewer mains installed to city specifications by the owner/developer. All residential water service lines will be tapped a minimum of one (1) inch and stubbed into the lot not more than two (2) feet inside the property line. The curb-stop riser box shall be flush with the ground level and a visible marker painted fluorescent orange placed next to it to protect it from damage. A letter "W" shall be stamped on the curb directly in front of the curb-stop riser box. The sewer will be tapped and run to the same distance inside the property with a metal marker indicating the end of the line, and a letter "S" stamped on the curb directly in front of the tap. The marker should be a solid metal rod made of iron, approximately two (2) feet long, one-half (½) inch or greater in diameter, painted fluorescent orange or red and buried not more than six (6) inches below the surface. All of the expenses for these installations will be the responsibility of the developer. For all new subdivisions, tap permits will be issued; however, tap fees will not be paid until the lots are sold and building commences as per Section 13.32.010. The installation of the water service line from the water main to the curb stop shall be established in the public right-of-way. The curb-stop valve shall be located two (2) feet inside the property line.

D. The city building official or his or her designee shall inspect all service lines installed by the property owner or developer in accordance with the uniform plumbing code as adopted by the city. (Ord. 887 §1(part), 2000; Ord. 820 §1, 1995)

13.36.030 Repair and maintenance of service lines.

For existing buildings all existing water service lines from the city water main to and including the curb-stop valve shall be maintained by the city at the city's expense. The curb-stop riser box along with the service line to the water meter shall be the responsibility of the property owner. Bent,

broken or otherwise inaccessible service riser boxes, etc. will be the responsibility of the property owner to bring up to code as per the subsections listed below:

1. Repair by the property owner. It is unlawful for the owner or occupant of any premises for which a water connection to the city water system is made to fail to keep the water service line, water meter and all other appurtenances free from leaks and damage as to prevent freezing and the waste of water. In the event of leakage, breakage or freezing, or if the service line and appurtenances are not serviceable and/or constructed to current city codes, the service line and appurtenances will be repaired to specifications of the city upon written notice from an officer or agent of the city. The curb-stop riser box must be serviceable (clear of obstructions and able to access the curb-stop valve) and accessible (not buried, bent, broken, etc.). All repair work must be inspected, prior to burial, by a qualified member of the water department.

2. Repair by the city. If the owner of the property fails to make such repairs within the time specified in the notice, the city may disconnect the service line or proceed to cause such repairs to be made. All costs of disconnecting and/or repairing the service line shall be paid by the owner of the premises served by the service line and shall be a lien on such property or premises until paid. Such charges may be collected in accordance with Chapter 13.48. (Ord. 887 §1(part), 2000; Ord. 820 §1, 1995; Ord. 565 Art. 2 §6, 1980)

13.36.040 Water main specifications.

All extensions of water mains, both within and without the corporate limits of the city, shall be constructed according to the specifications of the city at the expense of the person desiring such extension. Detailed engineering plans and specifications shall be submitted to the city engineer for approval. All work and material must be guaranteed from defects for one (1) year from the date of dedication into the city system. The minimum size of mains shall be eight (8) inches in diameter; however, the city may elect to pay for oversizing of any proposed water or sewer main to be added to the existing water or sewer system. All of the work shall be done under the supervision of a licensed plumber, except when water mains are constructed by the city or by qualified contractors under contract with the city. No water main, valve, fitting, connection or fire hydrant shall be constructed except in a dedicated street, dedicated right-of-way or utility easement. Such dedication, if other than a dedicated street, must be approved by the city prior to the connection of the water main with the city water system. (Ord. 887 §1(part), 2000; Ord. 565 Art. 2 §7, 1980)

13.36.050 Service line regulations.

All service line installations shall comply with the following:

A. All service lines entering a building or structure shall have a minimum cover of six (6) feet. Where service lines are installed in concrete floors, footings or walls, a proper wall sleeve shall be provided.

B. There shall be no cross-connection between the potable water supply provided by the water department and any other water source.

C. Backflow devices shall be installed as specified in the uniform plumbing code of the city and city specifications. All backflow devices must be inspected annually by a state certified cross-connection control tester.

D. Every single-family residence shall have a separate service from the main to the dwelling.

E. All service lines and appurtenances must comply with the provisions of the plumbing code as per Chapter 15.16 of this code and with city specifications.

F. All new service lines for single-family residential water service shall be constructed of minimum one-inch K-copper unless an alternative material is approved by the city engineer. Any pre-existing three-quarter-inch service line for any existing developed or vacant lot will not be required to be upsized to a one-inch line unless the property owner chooses to do so.

G. Although there is no established maximum length of service lines, extremely long service lines may in some cases result in water quality falling below state and federal standards. Therefore, the city engineer shall evaluate service line applications for lines over two hundred (200) feet in length, evaluating the length of line, the level of chlorine in the water main serving the property, the probable level of water use at the residence or business and any other factors necessary to determine water quality. Detailed plans for service lines over two hundred (200) feet long shall be submitted to the city engineer for approval. The city engineer will evaluate these plans to determine if water quality standards will likely be met. Even when approved, if inadequate residual chlorine levels are detected by the city in the future, the city may require the owner, future owner or successor-in-interest to install and maintain at his or her expense a chlorination injector system or other approved system which resolves the inadequate chlorine residual problem and meets state and federal regulations. The city has the right to periodically test water in the house or business for residual chlorine levels. If, upon testing, chlorine residual levels are found to be inadequate, resulting in the city having to publish notice of violation under the applicable water quality laws or regulations, the city shall also have the right to permanently discontinue service. (Ord. 942 §2, 2004; Ord. 887 §1(part), 2000; Ord. 565 Art. 2 §8, 1980)

13.36.060 Dedication of water main.

All water mains hereafter constructed must be dedicated to the city free and clear of all liens and encumbrances. In the event a dedication of a water main is delayed during the payment of an encumbrance thereon, the city shall retain jurisdiction over the main in determining extensions thereto and taps thereon. (Ord. 887 §1(part), 2000; Ord. 565 Art. 2 §9, 1980)

13.36.070 Wasting of water.

It is unlawful for any person to place a lawn sprinkler, hose or other sprinkling or irrigating device on his or her premises at such place or in such manner that the same sprinkler throws or allows excessive water to run or collect on any street, alley or sidewalk. (Ord. 887 §1(part), 2000; Ord. 565 Art. 2 §10, 1980)

13.36.080 Bulk water sales.

The city may continue to supply bulk water sales stations for persons who reside outside of the city's water system or who wish to purchase bulk water for some other reason. The city will charge a fee for this water so that it is completely self-sufficient and will not affect in any way the regular water system customer's rates. The water dispensing stations will remain open and fees will be set at the discretion of the city. The city is not responsible for water quality after the water leaves the city water system. Contamination from tanks, reservoirs, hoses or any other source is the responsibility of the customer to prevent or avoid. (Ord. 887 §1(part), 2000)

Chapter 13.40

Water Meters

Sections:

- 13.40.010 Installation; required
- 13.40.030 Property of city
- 13.40.040 Actions by and charges to property owner
- 13.40.050 Location
- 13.40.060 Number to be installed
- 13.40.070 Repairs by city
- 13.40.080 Repairs and changes by property owner
- 13.40.090 Monthly reading
- 13.40.100 Estimate charges
- 13.40.110 Tampering or interfering with meters
- 13.40.120 Winterizing
- 13.40.130 Right of entry

13.40.010 Installation; required.

Every water user shall be required to have a meter installed in accordance with Section 13.40.060. All meters installed and connected to the city water system shall be purchased through the water department to ensure proper standardization. (Ord. 887 §1(part), 2000; Ord. 565 Art. 3 §1, 1980)

13.40.030 Property of city.

Water meters installed or used in connection with the city water system shall be and remain the property of the city. (Ord. 887 §1(part), 2000; Ord. 565 Art. 3 §3, 1980)

13.40.040 Actions by and charges to property owner.

A. The property owner is responsible for the initial cost of the meter and meter appurtenances. The property owner will have the meter installed by a licensed plumber in accordance with city standards and the provisions of this code. Any subsequent removal and relocation of the water meter and meter and meter appurtenances shall be the responsibility of the property owner; all of the above provisions for initial installations will apply.

B. The property owner shall be responsible for the condition of the water meter and water meter appurtenances. Damages to said equipment shall be the responsibility of the property owner unless caused directly by the city or an employee. The property owner is responsible for the condition and configuration of the plumbing going into and out of the water meter to assure that the meter is serviceable and accessible at all times.

C. This provision shall not apply to replacements or removals by the city for the purpose of inspection, repair, adjustment or any other purpose necessary for the proper operation of the water system as per Section 13.40.070. (Ord. 887 §1(part), 2000; Ord. 565 Art. 3 §4, 1980)

13.40.050 Location.

Except as otherwise provided in this chapter, all water meters installed to measure and record the amount of water furnished by the city shall be located and installed inside the boundary line of the premises and in the basement, utility room or other frostproof room or building on the premises. All water meters must be installed in the horizontal position. All water meters and meter appurtenances must be serviceable and accessible at all times. The city shall determine the location and method of installing water meters. Water meter pits are highly discouraged under all circumstances. Any property owner who has cause to install a meter pit must meet design criteria set by the city engineer. All expenses for the installation of any water meter pit shall be paid by the property owner. (Ord. 887 §1(part), 2000; Ord. 565 Art. 3 §5, 1980)

13.40.060 Number to be installed.

One (1) meter shall be installed on each service line through which water is withdrawn from the city main. Where the property consists of apartments or business and commercial rental units, the entire premises may be served through one (1) service line and one (1) meter. Individually owned units consisting of condominiums, townhouses and similar type housing complexes shall be separately metered. Where school structures within the city are located upon one (1) tract of land, the entire premises may be served through one (1) service line and one (1) master meter and, if the same are being served through several service lines and separate meters, the city may bill the school district for water consumed at such locations by adding the separate meter readings for each school building and by billing the school district for water used as shown by the sum of such readings. (Ord. 887 §1(part), 2000; Ord. 565 Art. 3 §6, 1980)

13.40.070 Repairs by city.

The city may remove, repair, calibrate, adjust or replace any water meter or water meter appurtenance in order to assure the proper operation and maintenance of the water system. The city shall maintain the radio read unit (MXU) in proper working order. (Ord. 887 §1(part), 2000; Ord. 565 Art. 3 §7, 1980)

13.40.080 Repairs and changes by property owner.

The owner of premises upon which a water meter is located, at his or her own expense and in a manner satisfactory to the city, will be required to repair, replace, reconstruct or relocate the water pipes and plumbing fixtures so that all water furnished to and used within the boundaries of the

property passes through and is measured and recorded by the meter. (Ord. 887 §1(part), 2000; Ord. 565 Art. 3 §8, 1980)

13.40.090 Monthly readings.

The city shall read the water meters once a month, where practicable, and a proper record of the water consumption through the meter will be kept by the utility billing department. Should the water meter not be readable for any reason, this shall not be deemed to be a waiver of the obligations of payment upon the part of the owner or occupant of said premises. (Ord. 887 §1(part), 2000; Ord. 565 Art. 3 §9, 1980)

13.40.100 Estimated charges.

Where a water meter is broken or defective or for any other reason does not correctly measure and record all the water used on any premises, or where the proper reading is not recorded as required by the city, or a city employee is unable to read the meter, the charge for water used on such premises during that period shall be estimated. At such time as the actual reading of an operating water meter may be determined, proper adjustment of the water bill shall be made reflecting the actual water usage. (Ord. 887 §1(part), 2000; Ord. 565 Art. 3 §10, 1980)

13.40.110 Tampering or interfering with meters.

It is unlawful for any person to deface, injure, loosen, take apart, break the meter seal, bypass or otherwise tamper with any water meter or water meter appurtenance. It is unlawful for any person to tap the water service line prior to the water meter for any reason or to attempt in any other manner whatsoever to interfere with the correct reading or the ability to read such meter of the total amount of water furnished to the property. (Ord. 887 §1(part), 2000; Ord. 565 Art. 3 §11, 1980)

13.40.120 Winterizing.

All water meters connected to the city water system must be protected from freezing by the property owner as per Section 13.40.040. Should the property owner vacate the premises, the owner or licensed plumber may break the meter seal and disconnect the water meter for proper drainage and winterization. The property owner or plumber must notify the city that the seal has been broken within twenty-four (24) hours of disconnecting the meter. Upon reactivation of water service, the plumber or property owner shall notify the city within twenty-four (24) hours. The water department shall then reestablish the meter seal according to policy. (Ord. 887 §1(part), 2000)

13.40.130 Right of entry.

Employees of the city shall have the right to enter upon and return from property upon which a water meter is located at any time during reasonable working hours for the purpose of reading, inspecting, testing, repairing, adjusting, relocating, removing or replacing the meter. (Ord. 887 §1(part), 2000; Ord. 565 Art. 3 §12, 1980)

Chapter 13.44

Out-of-City Water Facilities

Sections:

- 13.44.010 Extensions
- 13.44.020 Discontinuance of service

13.44.010 Extensions.

A. All water mains and water service lines extended beyond the corporate limits of the city shall be constructed in accordance with city specifications and subject to city inspection. Prior to construction of the extensions, formal approval from the city council must be obtained in writing.

B. Water mains shall be constructed in dedicated streets, alleys, easements or rights-of-way. The total cost of all extensions, including main lines, service lines, curb stops and riser boxes, shall be borne by the person or persons requesting the extension. (Ord. 887 §1(part), 2000; Ord. 565 Art. 5 §2, 1980)

13.44.020 Discontinuance of service.

The city reserves the right to discontinue out-of-city water service to any customer at any time the water needs of the residents of the city require the use of such water. (Ord. 887 §1(part), 2000; Ord. 565 Art. 5 §2, 1980)

Chapter 13.48

Water Rates

Sections:

- 13.48.010 Rate schedule
- 13.48.015 Senior citizen's discount
- 13.48.020 Liability for charges
- 13.48.022 Deposit; purpose
- 13.48.024 Deposit; amount
- 13.48.026 Deposit; required
- 13.48.028 Use of deposit fee
- 13.48.029 Interest paid on deposits
- 13.48.030 Shutoff; for repair, maintenance and emergency
- 13.48.040 Shutoff; in vacant buildings; notice to city required
- 13.48.050 Unpaid water charges; lien on property

13.48.010 Rate schedule.

The following water rates shall be charged by the city and are payable on or before the twentieth day of each month. These fees shall be assessed for each residential dwelling unit with service and each commercial or industrial unit with service.

1. Within the corporate limits of the city: twenty-two dollars (\$22.00) monthly service fee per dwelling unit, two dollars and forty five cents (\$2.45) per one thousand (1,000) gallons of water used.

2. Outside the corporate limits of the city: forty-two dollars (\$42.00) monthly service fee per dwelling unit, two dollars and forty-five cents (\$2.45) per one thousand (1,000) gallons of water used.

3. Water dispensed at the bulk water stations will be at the rate of six dollars and eighty cents (\$6.80) per one thousand (1,000) gallons.

4. The monthly rates provided for above shall become effective January 1, 2011. (Ord. 1012 §1, 2010; Ord. 1000 §1, 2009; Ord. 986 §1, 2008; Ord. 980 §2, 2008; Ord. 973 §1, 2007; Ord. 966 §1, 2007; Ord. 960 §1, 2006; Ord. 916 §1, 2003; Ord. 907 §1, 2001; Ord. 887 §1(part), 2000; Ord. 857 §1, 1997; Ord. 696 §6, 1987; Ord. 631 §§1 and 2(part), 1983; Ord. 618 §2, 1982; Ord. 565 Art. 4 §1, 1980)

13.48.015 Senior citizen's discount.

There will be provided to senior citizens, age sixty-two (62) or older, a discount of one dollar (\$1.00) per month, on their water bill. To be eligible for said discount, the recipient must enroll in the senior citizen discount program on the forms provided by the city. Only one (1) discount per enrollee will be provided. Said discount will be effective as of January 1, 1983. (Ord. 887 §1(part), 2000; Ord. 618 §3, 1982)

13.48.020 Liability for charges.

The owner or owners of any premises or building or buildings shall be liable to the city for all charges for water used in connection with the premises, building or buildings, and, in case of any increase, the landlord, owner or owners thereof shall at once pay or cause to be paid such increase. Upon failure to pay the water charge on any such premises, building or buildings or any part thereof as in this article required, the water shall be shut off from the whole of such premises, building or buildings, as herein provided. The owner or tenant shall be responsible to pay the turn-off/nonpay fee as set forth in Section 13.32.020B. If the owner of any property requires the tenant to pay the water bill, an accounting fee shall be charged for each change in occupancy. Where the tenant has signed a contract with the city for utility services, the city shall first attempt to collect outstanding charges from the tenant. If the tenant does not pay the charges in a timely manner, the owner of the property is responsible for payment of the charges. The city may refuse to provide water service for that particular property until such charges are paid. In addition, the city may place a lien against the property as described in Section 13.48.050. (Ord. 887 §1(part), 2000; Ord. 565 Art. 4 §2, 1980)

13.48.022 Deposit; purpose.

Due to the transitory nature of a certain portion of the population, the city council determines that to ensure that payment for utility services is collected and to maintain the financial well-being of those utility funds, a utility deposit is required. (Ord. 887 §1(part), 2000; Ord. 668 §1, 1986)

13.48.024 Deposit; amount.

The amount of the deposit required will be one hundred dollars (\$100.00), payable at the time a new service is started. However, at the option of the customer, they may pay fifty percent (50%) at the time they start service and fifty percent (50%) within thirty (30) days of the deposit fee. Failure to pay the remaining fifty percent (50%) fee will result in immediate discontinuance of utility services. This deposit covers water, sewer and refuse services to the customer. (Ord. 887 §1(part), 2000; Ord. 668 §2, 1980)

13.48.026 Deposit; required.

A utility deposit shall be required of all individually metered utility accounts after March 15, 1986. Utility accounts are those individual homes or residential units and commercial businesses that are receiving city water, sewer and refuse service. New utility accounts are those accounts which have not previously had utility services with the city. Deposits shall also be required of those utility customers who have not kept their utility bills current for the previous twelve (12) months, and who change their account to a new location. (Ord. 887 §1(part), 2000; Ord. 668 §3, 1986)

13.48.028 Use of deposit fee.

Prior to returning the deposit fee to the depositor, the city treasurer or his or her designate shall determine if there are any outstanding charges for utility services. If outstanding charges do exist, the deposit fee will be utilized to pay those charges in the following order: refuse, sewer and water. The remainder of the deposit, if any, along with any interest earned, shall then be returned to the depositor. A deposit shall be returned to any account after twelve (12) consecutive months of satisfactory payment of utility bills with all interest accrued. (Ord. 887 §1(part), 2000; Ord. 668 §4, 1986)

13.48.029 Interest paid on deposits.

The finance department shall deposit such deposits in an interest bearing account. Interest earned on deposits shall be paid to depositors when their deposit is returned to them. (Ord. 887 §1(part), 2000; Ord. 668 §5, 1986)

13.48.030 Shutoff; for repair, maintenance and emergency.

The city reserves the right to cause water to be shut off from any and all water mains when deemed necessary for repairing the main or water works, making connections or extensions to the same, or for the purpose of cleaning the same, or to shut off any main or mains when it is deemed necessary in case of fire or for other cause. (Ord. 887 §1(part), 2000; Ord. 565 Art. 3 §3, 1980)

13.48.040 Shutoff; in vacant buildings; notice to city required.

A. Whenever any building or premises is vacated, it shall be the duty of the owner or owners, or agent or agents thereof, to cause the water to be shut off and to notify the city clerk in writing of such fact, and unless such notice is given, all such buildings or premises shall be deemed to be occupied, and the city clerk shall collect water charges thereon the same as if the premises were occupied.

B. Whenever the water is shut off as provided in this section, the owner or owners of the premises shall pay a connect fee and a reconnect fee as provided in Section 13.32.020B.

C. Whenever any building is removed or a service line is discontinued, the existing service line shall be disconnected at the main under the supervision of the water department. The cost of disconnecting the main shall be borne by the owner. (Ord. 887 §1(part), 2000; Ord. 565 Art. 4 §4, 1980)

13.48.050 Unpaid water charges; lien on property.

All water charges shall also constitute a lien upon any lots, land, building or premises served by the water system as soon as they accrue and shall remain a lien until paid. Customers shall receive notice and an administrative hearing during which they may contest such charges before the charges are certified to the county clerk and recorder or the county treasurer for collection and before water is discontinued to the property. In the event a charge found to be legitimate after said hearing remains unpaid, the service may be discontinued by shutting off the water supply to the premises, and the city clerk may certify the charge or charges to the county treasurer, and the charge or charges shall become a recorded lien on the real property so served by the water connection and shall be collected in the manner as though they were a part of the taxes assessed against the property, together with the cost of collection. Upon receipt of said certified charges, the county treasurer shall proceed to collect the amounts so assessed against the property affected thereby in the same manner as the collection of general property taxes and redemption thereof. Said liens shall be the equivalent of tax liens and shall have priority over all other liens regardless of the date of such liens. All laws of the state for the assessment and collection of general taxes and redemption of the same shall apply.

As an alternative to certifying the lien to the county treasurer, the city clerk may file a statement of lien in the real property records of the county clerk and recorder, which will operate as a perpetual lien against the property served by the city utility services for which payment is owed. The owner of such property, or any successor owner, must pay the amount of such lien and any additional charges which had later accrued prior to the release of such lien from the property by the city clerk. (Ord. 887 §1(part), 2000; Ord. 694 §5, 1987; Ord. 565 Art. 4 §5, 1980)

Chapter 13.52

Pollution or Contamination

Sections:

- 13.52.010 Polluting water supply
- 13.52.020 Inspection

- 13.52.030 Abatement notice
- 13.52.040 Abatement by city

13.52.010 Polluting water supply.

It is unlawful for any person in any manner to pollute or contaminate the waters of the Yampa River or Fortification Creek or their tributaries for a distance of five (5) miles above the intake to the city water plant, or to have, keep or maintain at, along or near the banks of the streams for a distance of five (5) miles above the intake to the city water plant any buildings, privy, pen, yard or corral for stock or to have, keep or conduct any business near the streams as set forth in this section which will contaminate or pollute the waters of the streams or render the same either dangerous or unfit for domestic use. (Ord. 565 Art. 6 §1, 1980)

13.52.020 Inspection.

All officers of the city and the lawful employees of the city are authorized in the discharge of their duties to enter into and upon all premises or rights-of-way for a distance of five (5) miles above the intake to the city water plant along the banks of Yampa River and Fortification Creek at any time to ascertain if any of the premises are responsible for the pollution or contamination of the streams described in this section for the protection and preservation of the public health and safety of the users of the city water supply system. (Ord. 565 Art. 6 §2, 1980)

13.52.030 Abatement notice.

In addition to the penalties provided by Section 13.56.010, the owner, occupant or person in control of any premises which are found to be contributing to the pollution or contamination of the city water supply system within a distance of five (5) miles above the intake to the city water plant may, at the discretion of the city, be given a ten-day notice in writing to abate and remove the condition contributing to the pollution or contamination of the water supply system. The notice shall be delivered to the owner or occupant of the premises personally and shall advise the owner or occupant to abate the condition within ten (10) days of the date of service of the notice. (Ord. 565 Art. 6 §3, 1980)

13.52.040 Abatement by city.

If the owner or occupant of any premises upon whom notice is served as provided for by Section 13.52.030 does not abate or remove the condition described in the notice within the ten-day period provided, then the city may, at its discretion, in lieu of obtaining a court injunction, proceed to abate the condition causing the pollution or contamination of the stream or streams and shall charge the owner, occupant or person in possession of the premises with all of the cost of the abatement or removal. (Ord. 565 Art. 6 §4, 1980)

Chapter 13.56

Violation; Penalty

Sections:

13.56.010 Designated

13.56.010 Designated.

Any person or persons, firm or corporation violating any of the terms of this article or who tampers with or damages any meter, curb stop, hydrant, valve or any portion of the city water system is guilty of a misdemeanor, and upon conviction shall be fined in a sum not to exceed three hundred dollars (\$300.00). Each day that such violation continues shall constitute a separate offense. (Ord. 565 Art. 7 §2, 1980)