

DAGGETT COUNTY ORDINANCE No. 03-12

AN ORDINANCE OF DAGGETT COUNTY PROVIDING FOR WATER,  
SEWER AND GARBAGE (PUBLIC UTILITIES) FOR THE DUTCH JOHN  
COMMUNITY OF DAGGETT COUNTY

TITLE 10

Chapters:

10.02 APPLICATION FOR SEWER AND WATER SERVICE- PAYMENT

10.04 UTILITY BILLINGS

10.06 ILLEGAL TAMPERING OR CONNECTION TO THE WATER OR SEWER  
SYSTEM

10.08 TEMPORARY TERMINATION OF WATER SERVICE

10.10 REGULATION OF SEWER USE

10.12 EQUITABLE SEWER CHARGES FOR SEWER SYSTEM

10.14 MAINTENANCE OF USERS' UTILITY SERVICE LINES

10.16 EFFECTIVE DATE

E 021423 B 0058 P 0474  
Date 5-AUG-2003 4:32pm  
Fee: ~~10.00 Check~~  
RANAE WILDE, Recorder  
Filed By CL  
For DAGGETT COUNTY  
DAGGETT COUNTY

**DAGGETT COUNTY ORDINANCE No. 03-12**

**AN ORDINANCE OF DAGGETT COUNTY PROVIDING FOR WATER,  
SEWER AND GARBAGE (PUBLIC UTILITIES) FOR THE DUTCH JOHN  
COMMUNITY OF DAGGETT COUNTY**

**Title 10**

**Chapter 10.02 APPLICATION FOR SEWER AND WATER SERVICE – PAYMENT**

**Section 10.02.01 Application For Service.**

A. Each person desiring to purchase sewer or water service from the County shall make written application therefore upon forms approved by the County.

B. Applications for connections to the Daggett County sewer and water systems shall be approved only when main water and sewer lines capable of providing acceptable water and sewer service to the property requesting such service is immediately available in such a way that the property requesting such service can be served there from in conformance with all Daggett County utility specifications and requirements. When main water and sewer lines must be extended for the purpose of providing acceptable water and sewer connections for property development, such extensions of main lines shall run the entire distance of the property line of the property being developed so as to provide for future extensions of main utility lines to adjacent properties. Costs of extensions of main utility lines shall be borne by the developer and all extensions of main utility lines shall be approved by Daggett County prior to the extensions being made and shall be inspected and accepted by Daggett County prior to the County assuming ownership of such extensions. The above provisions shall not restrict Daggett County from making utility main line extensions as part of its overall utility expansion plan as approved by the County Commission.

C. Applications approved and sold for water and sewer connections shall be valid for a period not to exceed one hundred eighty (180) days from the date that the connection has been approved by the County. Connections not installed within one hundred eighty (180) days from that date shall become voided and the moneys received by Daggett County for the sale of such connections shall be refunded to the connection applicant immediately.

D. Fees for water and sewer connections and monthly water and sewer rates shall be established by a Daggett County Resolution.

E. A "connection" shall be defined as when a water service line or sewer service line has been extended from the Daggett County main line to the property line fronting the structure desiring water or sewer service in such a manner that the structure is able to receive such service through the service line.

**Section 10.02.02 Customer Deposits.**

A. Utility users who are not the owners of the premises on which utility service is being supplied shall pay to the County for deposit with the County Clerk an amount sufficient to cover

the cost of utility rates which may accumulate. The amount of the deposit shall be set by minute entry in a Daggett County Commission meeting..

B. Prior to providing utility service to any property of which the utility user occupying the premises on the property is not the owner of the property itself, Daggett County shall require the owner of the property to complete and submit to the County an owner's payment guarantee form which will guarantee to the County payment of any and all water, sewer or garbage billings billed by the County for such services to the property. If the owner specifies in the owner's payment guarantee form that all utility billings are to be sent to the owner, no deposit for utility services to the property shall be required. If the owner specifies in the owner's payment guarantee form that all utility billings are to be sent to the user occupying the premises on the property, and if the owner will be responsible for any delinquent accounts, a deposit of fifty (50) dollars shall be deposited with the County Clerk prior to the utility service being provided. If the owner fails to properly complete and submit to the County the owner's payment guarantee form or if the owner refuses to accept responsibility for any delinquent accounts for utility services, utility services to the property will only be made after a deposit fee of one hundred (100) dollars has been deposited with the County Clerk.

The County Clerk shall issue a receipt of deposit for all deposits made. The amount deposited shall be refunded to the consumer; provided, that no payments for utility services have become delinquent during a twelve (12) month period of service or when services are terminated. The amount refunded shall not include interest.

D. All bills for utility services must be paid promptly without reference to the deposit. Whenever any consumer of utility services shall have failed to pay for the utility services rendered to such premises, the money deposited or any part thereof may be applied to payment of such delinquent bill by the County Clerk.

### **Section 10.02.03 Separate Utility Service Lines Required For Each Developed Parcel Of Property.**

Culinary water service lines and sewer service lines must be so arranged that there is water service and sewer service to each developed residence or business even if they are on one parcel of land and that each water service line be controlled by a separate meter placed within and near the line of the street curb. Nothing in this section shall restrict a property owner from having more than one sewer and / or water service line on one developed parcel of property.

## **Chapter 10.04 UTILITY BILLINGS**

### **Section 10.04.01 Monthly Billings - Partial Payments.**

A. The Utility Department of the county, under the direction of the County Clerk, shall provide for a monthly water meter reading recording the amount of water consumed during one (1) month of usage for each account and shall cause that the billing be prepared and forwarded by mail to each and every account. Such billing shall reflect the amount of water consumed during the previous month for usage and the associated charges for such water service. In addition to charges for monthly water service, the billing shall also reflect charges for garbage collection service and sewer service for the previous month of service to the user.

B. Partial Payment. If a utility user makes a partial payment to the County of the total amount billed for any one (1) month utility service was rendered, such payment shall be first credited to payment for garbage collection service, then to sewer service and finally to water service.

#### **Section 10.04.02 Winter Billings For Water Usage.**

When water meter reading would cause freezing or breakage of meters and water lines during winter months, billings for water service during said months will be based on the minimum allowed usage. Billing for water usage during each of these months, which is, in fact, above the minimum allowed per month, shall be reflected on the first water billing after the meters have been properly read and recorded.

#### **Section 10.04.03 Billings For Inaccessible Or Inoperable Meters.**

When a water meter is found to be inaccessible for monthly reading or when the meter is found to be inoperable, billings for water usage shall be based on the same month's reading one (1) year previous or if billing records are not available, the billing shall be based on the prior month's reading. Adjustment to the subsequent month's billing shall be based on the actual recorded meter reading taken.

#### **Section 10.04.04 Billings For Water Usage Associated With Leaks.**

A. During months when meters are read and recorded on a monthly basis, water users shall be responsible to pay all fees associated with all culinary water metered.

B. When a leak occurs on the user's service line during the winter months when meters are not read, partial credit will be given for the culinary water metered yet not used due to the leak. Credit will be calculated as follows:

1. By using the minimum billing per month times the number of months the meter was not read; and
2. By crediting the user's account for the cost of fifty (50) percent of the total gallons metered over the minimum monthly usage as established by the County commission.

#### **Section 10.04.05 Delinquent Accounts.**

If payment for utility services provided by the County is not received by the last day of the month in which bill is sent the amount billed to the user then becomes delinquent. A twenty dollar (\$20) delinquent fee plus a one and one-half (1-1/2) percent delinquent charge shall be added to all delinquent accounts for each month of delinquency. If payment is not received by the last day of the month after the bill has become delinquent the utility department will then send a notice to the utility user indicating that the bill has become 30 days delinquent and that the user has ten (10) calendar days from the date that the delinquency notice was sent to pay in full to the County the delinquent amount and all delinquent charges. If such amount is not paid, water

service will be disconnected by Daggett County to that property. The same shall not be turned on again until all arrears have been paid in full for services furnished and an additional payment of forty (\$40) dollars has been paid to the County Clerk for the County to resume such services to the property.

#### **Section 10.04.06 Testing Of Meters.**

If a water user requests that Daggett County conduct a performance test of his meter, testing its accuracy for measuring water flow, the County shall honor such request and perform the necessary testing. However, if such test reveals that the meter is recording the flow of water through the meter accurately, the owner shall be required to pay to Daggett County a payment of forty (\$40) dollars for the costs associated with the testing. If the meter is found to inaccurately record water flow, the meter shall be replaced promptly by Daggett County and the user shall not be required to pay for any costs associated with the testing of the inaccurate meter.

#### **Section 10.04.07 Accessibility Of Water Meters.**

A. All water meters within Dutch John and all water meters as part of the Dutch John Water System shall be readily accessible and visible in order to facilitate meter reading, repair and maintenance including water meters located on private property. It shall be the duty of the owner of the property and also the duty of the occupant to maintain the meter so that it is accessible and visible.

B. Whenever a water meter is not readily accessible and visible for the purposes of reading the meter or repairing or maintaining the same, Daggett County shall notify the property owner and the occupant that the meter is not accessible and/or visible. Such notice shall be in writing, addressed to the owner at the address shown on the utility account of the County and to the occupant at the address where the meter is located. The notice shall indicate the reasons the meter is not accessible and/or visible and shall direct that all obstructions be removed within fifteen (15) calendar days from the date of notice. If the obstructions are not removed within the fifteen (15) calendar day period, Daggett County may take such action as is needed to remove the obstruction. If Daggett County acts to remove the obstruction, an itemized statement of all expenses incurred including labor costs of Daggett County employees in removal of the obstruction shall be prepared and mailed to the owner and occupant as provided herein and shall be thereafter included as part of the monthly utility bill. Such statement shall include a notification that failure to pay the statement amount within thirty (30) days from the date of notice will result in water service being discontinued. Discontinuance of water service shall be done in accordance with Section 10.04.05 of this chapter.

C. Appeals. The County Commission shall serve as a Board of Appeals to consider any application of any person aggrieved by a decision that a water meter is inaccessible and/or not visible for the purposes of reading, repairing or maintaining the same. Such appeal must be filed in the office of the Daggett County Clerk within fifteen (15) days of the date of the notice from Daggett County that the water meter is inaccessible or not visible. The County Commission shall then consider the appeal and the decision of the County Commission shall be final. If the decision of the County Commission is that the meter is not readily accessible and/or visible, any obstruction shall be removed within such time as the County Commission shall designate, which

shall not be less than fifteen (15) days. Notice of the decision of the County Commission to comply with such decision shall be sent to the owner and occupant as provided herein. If the obstruction is not removed within the time specified, the County may act to remove the same and shall then follow the procedures as provided with respect to notification and discontinuance of water services.

## **Chapter 10.06 ILLEGAL TAMPERING OR CONNECTION TO THE WATER OR SEWER SYSTEM**

### **Section 10.06.01 Prohibition.**

It is unlawful for any contractor, plumber or any other person to cut into or tamper with any sewerline or waterline or any of the appurtenances thereof, or install any new or additional service connections to the Daggett County sewer or water system without first obtaining a permit from Daggett County to do so. Then such connection to the sewer or waterline shall be made only in the manner and in accordance with the directions and regulations of Daggett County.

## **Chapter 10.08 TEMPORARY TERMINATION OF WATER SERVICE**

### **Section 10.08.01 County Rights.**

Daggett County reserves the right at any time, without notice, to shut off the water from its mains for the purpose of making repairs or extensions or for other purposes necessary to maintain efficient water service. No claim shall be made against the County by reason of any breakage whatsoever or for any damage that may result from the shutting off of water for repairing, laying or relaying mains, hydrants or other connections, or for any other reason whatsoever.

## **REGULATION OF SEWER USE**

### **Sections:**

10.10.01 Definitions.

10.10.02 Unlawful deposit of excrement, garbage or other objectionable waste.

- 10.10.03 Discharge of sewage to natural outlet.
- 10.10.04 Construction or maintenance of privies, septic tanks or cesspools.
- 10.10.05 Use of public sewers required.
- 10.10.06 Private wastewater disposal.
- 10.10.07 Permit--Required.
- 10.10.08 Permit--Classes--Application--Fees.
- 10.10.09 Building sewers--Installation and connection--Cost and expenses--Owner's responsibility--Indemnification of County.
- 10.10.10 Building sewers--Single connections for multiple buildings.
- 10.10.11 Use of old building sewers for new buildings.
- 10.10.12 Construction standards.
- 10.10.13 Elevation of connection.
- 10.10.14 Connection of sources of surface runoff.
- 10.10.15 Building sewers--Connection to public sewers--Procedures and materials.
- 10.10.16 Connection and testing--Supervision and inspection.
- 10.10.17 Building sewer installation--Excavations.
- 10.10.18 Use of the public sewers--Discharge restrictions and requirements.
- 10.10.19 Vandalism of facilities.
- 10.10.20 Powers, authority and responsibilities of inspectors.
- 10.10.21 Hearing Board.
- 10.10.22 Violation--Penalty.

**Section 10.10.01 Definitions.**

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

"Biochemical oxygen demand (BOD)" means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty (20) degrees centigrade, expressed in milligrams per liter.

"Building drain" means that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet outside of the inner face of the building wall.

"Building sewer" means the extension from the building drain to the public sewer or other place of disposal, also called house connection.

"County" means the County of Daggett, or its County Commission, or its authorized representatives.

"Combined sewer" means sewer intended to receive both wastewater and storm or surface water.

"Easement" means an acquired legal right for the specific use of land owned by others.

"Floatable oil" means oil, fat or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable fat if it is properly pretreated and the wastewater does not interfere with the collection system.

"Garbage" means the animal and vegetable waste resulting from the handling, preparation, cooking and serving of foods.

"Hearing board" means that board appointed according to provision of Section 10.10.21.

"Industrial wastes" means the wastewater from industrial processes, trade or business, as distinct from domestic or sanitary wastes.

"May" is permissive (see "Shall").

"Natural outlet" means any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake or other body of surface or groundwater.

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

"Ph" means the logarithm of the reciprocal of the hydrogen-ion concentration. The concentration is the weight of hydrogen ions, in grams, per liter of solution. Neutral water, for example, has a Ph value of seven (7) and a hydrogen-ion concentration of  $10^{-7}$ .

"Properly shredded garbage" means the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch (1.27 centimeters) in any dimension.

"Public sewer" means a common sewer controlled by a governmental agency or public utility.

"Sanitary sewer" means a sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions, together with minor quantities of ground, storm and surface waters that are not admitted intentionally.

"Sewage" means the spent water of community. The preferred term is "wastewater."

"Sewer" means a pipe or conduit that carries wastewater or drainage water.

"Shall" is mandatory (see "May").

"Slug" means any discharge of water or wastewater which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation and shall adversely affect the collection system and/or performance of the wastewater treatment works.

"Storm drain" (sometimes termed "storm sewer") means a drain or sewer for conveying water, groundwater, subsurface water, or unpolluted water from any source.

"Superintendent" means the Superintendent of Wastewater Collection and/or Treatment System, or his authorized deputy, agent or representative.

"Suspended solids" means total suspended matter that either floats on the surface of, or is in suspension in water, wastewater or other liquids, and that is removable by laboratory filtering as prescribed in the "Standard Methods for the Examination of Water and Wastewater" and referred to as nonfilterable residue.

"Unpolluted water" means water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.

"Wastewater" means the spent water of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions, together with any groundwater, surface water and stormwater that may be present.

"Wastewater facilities" means the structures, equipment, and processes required to collect, carry away, and treat domestic and industrial wastes and dispose of the effluent.

"Wastewater treatment works" means an arrangement of devices and structures for treating wastewater, industrial wastes and sludge, sometimes used as synonymous with "waste treatment plant" or "wastewater treatment plant" or "waste pollution control plant."



"Watercourse" means a natural or artificial channel for the passage of water either continuously or intermittently.

**Section 10.10.02 Unlawful Deposit Of Excrement, Garbage Or Other Objectionable Waste.**

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

**Section 10.10.03 Discharge Of Sewage To Natural Outlet.**

It is unlawful to discharge to any natural outlet within the county, or in any area under the jurisdiction of the county, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this chapter.

**Section 10.10.04 Construction Or Maintenance Oof Privies, Septic Tanks Or Cesspools.**

Except as hereinafter provided, it is unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of wastewater.

**Section 10.10.05 Use Of Public Sewers Required.**

The owner(s) of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated within the county and abutting on any street, alley or right-of-way in which there is now located or may in the future be located a public sanitary or combined sewer of the Daggett County sewer system is required at the owner(s) expense to install suitable toilet facilities therein. and to connect such facilities directly with the proper public sewer in accordance with the provisions of this chapter, within sixty (60) days after date of official notice to do so; provided, that the public sewer is within three hundred (300) feet of the property line.

**Section 10.10.06 Private Wastewater Disposal.**

A. Where a public sanitary or combined sewer is not available under the provisions of Section 10.10.05, the building sewer shall be connected to a private wastewater disposal system complying with the provisions of the Utah Code of Wastewater Disposal Regulations, Parts IV and V.

B. At such time as a public sewer becomes available to a property served by a private wastewater disposal system, as provided in Section 10.10.05, a direct connection shall be made to the public sewer within sixty (60) days in compliance with this chapter, and any septic tanks.

cesspools and similar private wastewater disposal facilities shall be cleaned of sludge and filled with suitable material.

**Section 10.10.07 Permit Required.**

No unauthorized person(s) shall uncover, make any connection with or opening into; use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Superintendent.

**Section 10.10.08 Permit – Classes – Application - Fees.**

There shall be two (2) classes of building sewer permits:

- A. For residential and commercial service; and
- B. For service to establishments producing industrial wastes.

In either case, the owner(s) or his agent shall make application on a special form furnished by the County. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the Superintendent. A permit and inspection fee as determined by a Daggett County Resolution for a residential, commercial or industrial building sewer permit shall be paid to the County at the time the application is filed.

**Section 10.10.09 Building Sewers - Installation And Connection - Cost And Expenses - Owner's Responsibility - Indemnification Of County.**

All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner(s). The owner(s) shall indemnify the County from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

**Section 10.10.10 Building Sewers - Single Connections For Multiple Buildings.**

A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley; courtyard or driveway; the building sewer from the front building may be extended to the rear building the whole considered as one building sewer. but the County does not and will not assume any obligation or responsibility for damage caused by or resulting from any such connection aforementioned.

**Section 10.10.11 Use Of Old Building Sewers For New Buildings.**

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

**Section 10.10.12 Construction Standards.**

The size, slope, alignment, materials of construction of all sanitary sewers, including building sewers, and the methods to be used in excavating, placing the pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the County. In the absence of suitable code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the ASTM and WPCF Manual of Practice No. 9 shall apply.

**Section 10.10.13 Elevation Of Connection.**

Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

**Section 10.10.14 Connection Of Sources Of Surface Runoff.**

No person(s) shall make connection of roof downspouts, 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 unless such connection is approved by the County for purposes of disposal of polluted surface drainage.

**Section 10.10.15 Building Sewers - Connection To Public Sewers - Procedures And Materials.**

The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the County, or the procedures set forth in appropriate specifications of the ASTM and WPCF Manual of Practice No. 9. All such connections shall be made gastight and watertight and verified by proper testing. Any deviation from the prescribed procedures and materials must be approved by the County before installation.

**Section 10.10.16 Connection And Testing - Supervision And Inspection.**

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

**Section 10.10.17 Building Sewer Installation - Excavations.**

All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the county.

#### **Section 10.10.18 Use Of The Public Sewers - Discharge Restrictions And Requirements.**

A. No person(s) shall discharge or cause to be discharged any unpolluted waters such as stormwater, surface water, groundwater, roof runoff, subsurface drainage, or cooling water to any sewer, except stormwater runoff from limited areas, which stormwater may be polluted at times, may be discharged to the sanitary sewer by permission of the Superintendent.

B. Stormwater other than that exempted under subsection A of this section and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the Superintendent and other regulatory agencies. Unpolluted industrial cooling water or process waters may be discharged, on approval of the Superintendent, to a storm sewer, combined sewer or natural outlet.

C. No person(s) shall discharge or cause to be discharged any of the following described water or wastes to any public sewer:

1. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas;

2. 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 system, 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;

3. Any waters or wastes having a Ph lower than five and one-half (5.5), or having any corrosive property capable of causing damage or hazard to structures, equipment and personnel of the wastewater works;

4. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the wastewater facilities such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastic, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

D. The following described substances, materials, waters or wastes shall be limited in discharges to municipal systems to concentrations or quantities which will not harm either the sewers, wastewater treatment process or equipment, will not have an adverse effect on the receiving stream, or will not otherwise endanger lives, limb, public property, or constitute a nuisance. The Superintendent may set limitations lower than the limitations established in the following regulations if in his opinion such more severe limitations are necessary to meet the preceding objectives. In forming his opinion as to the acceptability, the Superintendent will give consideration to such factors as the quantity of subject waste in relation to flows and velocities in the sewers, materials of construction in the sewers, the wastewater treatment process employed, capacity of the wastewater treatment plant, degree of treat ability of the waste in the wastewater treatment plant, and other pertinent factors. The limitations or restrictions on materials or

characteristics of waste or wastewaters discharged to the sanitary sewer which shall not be violated without approval of the Superintendent are as follows:

1. Wastewater having a temperature higher than one hundred fifty (150) degrees Fahrenheit (sixty five (65) degrees Celsius);
  2. Wastewater containing more than twenty-five (25) milligrams per liter of petroleum oil, nonbiodegradable cutting oils, or products of mineral oil origin;
  3. Wastewater from industrial plants containing floatable oils, fat or grease;
  4. Any garbage that has not been properly shredded (see Section 10.10.01). Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments, or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers;
  5. Any waters or wastes containing iron, chromium, copper, zinc and similar objectionable or toxic substances to such degree that any such material received in the composite wastewater at the wastewater treatment works exceeds the limits established by the Superintendent for such materials;
  6. Any waters or wastes containing odor-producing substances exceeding limits which may be established by the Superintendent;
  7. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Superintendent in compliance with applicable state or federal regulations;
  8. "Quantities of flow, concentration, or both, which constitute a slug" as defined in Section 13.28.010;
  9. Waters or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed, or are amenable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters;
  10. Any water or wastes which, by interaction with other water or wastes in the public sewer system, release obnoxious gases, form suspended solids which interfere with the collection system, or create a condition deleterious to structures and treatment processes.
- E. 1. If any water or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in subsection D of this section, and which in the judgment of the Superintendent, may have a deleterious effect upon the wastewater facilities, processes, equipment or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Superintendent may:
- a. Reject the wastes;
  - b. Require pretreatment to an acceptable condition for discharge to the public sewers;
  - c. Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of subsection J of this section.
2. When considering the preceding alternatives, the Superintendent shall give consideration to the economic impact of each alternative on the discharger. If the Superintendent permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to review and approval of the Superintendent.
- F. Grease, oil and sand interceptors shall be provided when, in the opinion of the Superintendent, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts as specified in subsection D(3) of this section, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters of dwelling units. All interceptors shall be of a type and capacity approved

by the Superintendent, and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors, the owner(s) shall be responsible for the proper removal and disposal by appropriate means of the captivated material and shall maintain records of the dates and means of disposal, which are subject to review by the Superintendent. Any removal and hauling of the collected materials not performed by the owner(s) personnel must be performed by currently licensed waste disposal firms.

G. Where pretreatment or flow-equalizing facilities are provided or required for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner(s) at his expense.

H. When required by the Superintendent, the owner(s) of any property serviced by a building sewer carrying industrial wastes shall install a suitable structure together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes. Such structures, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Superintendent. The structure shall be installed by the owner at his expense, and shall be maintained by him so far as to be safe and accessible at all times.

I. The Superintendent may require a user of sewer services to provide information needed to determine compliance with this chapter. These requirements may include:

1. Wastewaters discharge peak rate and volume over a specified time period;
2. Chemical analysis of wastewaters;
3. Information on raw materials, processes and products affecting wastewater volume and quality;
4. Quantity and disposition of specific liquid, sludge, oil, solvent or other materials important to sewer use control;
5. A plot plan of sewers of the user's property showing sewer and pretreatment facility location;
6. Details of wastewater pretreatment facilities;
7. Details of systems to prevent and control the losses of materials through spills to the municipal sewer.

J. All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this chapter shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association. Sampling methods, location, times, durations and frequencies are to be determined on an individual basis subject to approval by the Superintendent.

K. No statement contained in this section shall be construed as preventing any special agreement or arrangement between Daggett County and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by Daggett County for treatment.

#### **Section 10.10.19 Vandalism Of Facilities.**

No person(s) shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the wastewater facilities. Any person(s) violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

**Section 10.10.20 Powers, Authority And Responsibilities Of Inspectors.**

A. The Superintendent and other duly authorized employees of Daggett County bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing pertinent to discharge to the community system in accordance with the provisions of this chapter.

B. The Superintendent or other duly authorized employees are authorized to obtain information concerning industrial processes which have a direct bearing on the kind and source of discharge to the wastewater collection system. The industry may withhold information considered confidential. The industry may establish that the revelation to the public of the information in question might result in an advantage to competitors.

C. While performing the necessary work on private properties referred to in subsection A of this section, the Superintendent or duly authorized employees of Daggett County shall observe all safety rules applicable to the premises established by the company, and the company shall be held harmless for injury or death to the Daggett County employees, and Daggett County shall indemnify the company against loss or damage to its property by Daggett County employees and against liability claims and demands for personal injury or property damage asserted against the company growing out of the gauging and sampling operation, except as may be caused by negligence or failure of the company to maintain safe conditions as required in Section 10.10.18(H).

D. The Superintendent and other duly authorized employees of Daggett County bearing proper credentials and identification shall be permitted to enter all private properties through which Daggett County holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the wastewater facilities lying within the easement. All entry and subsequent work, if any, on the easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

**Section 10.10.21 Hearing Board.**

A. A Hearing Board shall be appointed as needed for arbitration of differences between the Superintendent and sewer users on matters concerning interpretation and execution of the provisions of this chapter by the Superintendent. The cost of arbitration will be divided equally between Daggett County and the sewer user.

B. The hearing board shall be made up of the Daggett County Commission or shall be a board appointed by the commission.

**Section 10.10.22 Violation - Penalty.**

A. Any person found to be violating any provisions of this chapter except Section 10.10.19 shall be served by Daggett County with written notice stating the nature of the violation and providing a reasonable time limit for satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

B. Any person who continues any violation beyond the time limit provided for in subsection A of this section shall be guilty of a misdemeanor, and on conviction thereof shall be fined in the

amount not exceeding one thousand (\$1000) dollars for each residential violation and an amount not to exceed five thousand (\$5000) for each business violation. Each day in which any such violation continues shall be deemed a separate offense.

C. Any person violating any of the provisions of this chapter shall become liable to Daggett County for any expense, loss or damage occasioned Daggett County by reason of such violation.

D. The owners of all houses, buildings or properties, as defined in Section 10.10.05 (Use of public sewers required), who are not in compliance with the provisions of Sections 10.10.02 through 10.10.05 shall, after being served by notice of noncompliance within the time frame as provided in Section 10.10.05, be required to pay monthly sewer service fees as established by resolution of the Daggett County Commission.

### CHAPTER 10.12 EQUITABLE SEWER CHARGES FOR SEWER SYSTEM

#### Section 10.12 01 Determining Each Users' Waste Water Charge

The waste water charge for each user, residential, commercial, or industrial shall be determined by a Daggett County Resolution.

### CHAPTER 10.14 MAINTENANCE OF USERS' UTILITY SERVICE LINE

#### Section 10.14.01 Responsibility.

A. All utility users shall be responsible for the maintenance of utility service lines extending from the County's main transmission line.

B. "Utility service" shall be defined as follows:

1. "Sewer utility service lines" shall be such service lines extending from the County's main sewer transmission line to the user's premises.

2. "Water utility service lines" shall be such service lines extending from the water meter to the user's premises.

### CHAPTER 10.16 EFFECTIVE DATE.

#### Section 10.16.01 Effective Date of Resolution.

A. This Ordinance shall become effective immediately upon adoption and posting.

Passed, adopted and ordered posted this 4<sup>th</sup> day of August, 2003.

Commissioner Collett  
Commissioner Reed

    X     Aye  
    X     Aye

         Nay  
         Nay



Commissioner Jacobsen ( ABSENT ) \_\_\_\_\_ Aye \_\_\_\_\_ Nay

*Chad L. Reed*

Chad L. Reed, Acting Commission Chair

ATTEST:

COUNTY

*Vicky McKee*  
Vicky McKee, County Clerk

I certify that a copy of this ordinance was duly posted on the 5<sup>th</sup> day of August, 2003, on the front door of the Daggett County Offices in Manila, Utah and certify that this ordinance was posted in three public places within Daggett County on or before the 5<sup>th</sup> day of August, 2003.

*Sara Lamb*