SEWER ORDINANCE NO. 33

AN ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, PRIVATE SEWAGE DISPOSAL, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, THE DISCHARGE OF WATERS AND WASTE INTO THE PUBLIC SEWER SYSTEM, THE LICENSING OF PLUMBING; AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF, IN THE CITY OF BASEHOR, COUNTY OF LEAVENWORTH, STATE OF KANSAS.

BE IT ORDAINED AND ENACTED BY THE COUNCIL OF THE CITY OF BASEHOR, STATE OF KANSAS, AS FOLLOWS:

ARTICLE I

Definitions

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

Section 101. "Sewage Works" shall mean all facilities for collecting, pumping, treating, and disposing of sewage.

Section 102. "Superintendent" shall mean the Superintendent of Sewage Works of the City of Basehor, or his authorized deputy, agent, or representative.

Section 103. "Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground and surface waters as may be present.

Section 104. "Sewer" shall mean a pipe or conduit for carrying sewage.

Section 105. "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

Section 106. "Combined Sewers," meaning sewers receiving both surface run-off and sewage, are not permitted.

Section 107. "Sanitary sewer" shall mean a sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.

Section 108. "Storm Sewer" or "Storm Drain" shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and polluted industrial wastes.

Section 109. "Sewage Treatment Plant" shall mean any arrangement of devices and structures used for treating sewage.

Section 110. "Industrial Wastes" shall mean the liquid wastes from industrial processes as distinct from sanitary sewage.

Section 111. "Garbage" shall mean solid wastes from the preparation, cooking, and dispensing of food, and from the handling, storage and sale of produce.

Section 112. "Properly Shredded Garbage" shall mean the wastes from the preparation, cooking and dispensing of food that have been shredded to such degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particles greater than $\frac{1}{2}$ inch in any dimension.

Section 113. "Building Drain" shall mean 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 5 feet outside the inner face of the building wall.

Section 114. "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.

Section 115. "Suspended Solids" shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquids; and which are removable by laboratory filtering.

Section 116. "Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.

Section 117. "Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

Section 118. "Person" shall mean any individual, firm, company, association, society, corporation, or group.

Section 119. "Shall" is mandatory, "May" is permissive.

ARTICLE II

Use of Public Sewers Required.

Section 201. It shall be unlawful for any person to place, deposit, or permit to be deposited in an insanitary manner upon public or private property within the City of Basehor, or in any area under the jurisdiction of said City, any human or animal excrement, garbage, or other objectionable waste.

Section 202. It shall be unlawful to discharge to any natural outlet within the City of Basehor, or in any area under the jurisdiction of said City, any sanitary sewage, industrial wastes, or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.

Section 203. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage. However, an exception

may be made by the City Council that a properly constructed septic tank and laterals will be permitted under unusual circumstances unless such should not be used because of sanitation or other reasons provided that such property must be connected to the sewer as soon as sewer is available.

Section 204. The owner of all houses, buildings or properties used for human occupancy, employment, recreation, or other purpose, situated within the City and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary sewer of the City is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this ordinance, within 180 days after date of official notice to do so.

ARTICLE III.

Section 301. No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Superintendent.

Section 302. There shall be two (2) classes of building sewer permits: (1) for residential and commercial use, and (2) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the City. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Superintendent. A permit and inspection fee of $3.00 (three dollars) for a residential or commercial building sewer permit and $5.00 (five dollars) for an industrial building sewer permit shall be paid to the City Treasurer at the time the application is filed.

Section 303. All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the City from any loss of damage that may directly or indirectly be occasioned by the installation of the building sewer.

Section 304. A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court yard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

Section 305. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Superintendent, to meet all requirements of this ordinance.

Section 306. The building sewer shall be cast from soil pipe, ASTM specification (A74-42) or equal. Joints shall be tight and waterproof. If installed in filled or unstable ground, the building sewer shall be of cast iron soil pipe, except that non-metallic material may be accepted if laid on a stable concrete bed or cradle as approved by the Superintendent.

Section 307. The size and slope of the building sewer shall be subject to the approval of the Superintendent, but in no event shall the diameter be less than four (4) inches. The slope of the 6-inch pipe shall be not less than one-eighth (1/8) inch per foot. If 4-inch pipe is allowed, ¼ inch per foot slope should be the minimum for that size connection.

Section 308. Whenever possible the building sewer shall be brought to the building at an elevation below the basement floor. No building sewer shall be laid parallel to or within three (3) feet of any bearing wall, which might thereby be weakened. The depth shall be sufficient to afford protection from frost. The building sewer shall be laid at uniform grade and in straight alignment insofar as possible. Changes in direction shall be made only with properly curved pipe and fittings, including cleanout fittings.

Section 309. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such drain, shall be lifted by approved artificial means and charged to the building sewer. The use of any pumping equipment, for which cross-connections with a public water supply system are needed, is prohibited.

Section 310. All excavations required for the installation of a building sewer shall be open trench unless otherwise approved by the Superintendent. Pipe laying and backfill shall be performed in accordance with ASTM specification (C12-19) except that no backfill shall be placed until the work has been inspected.

Section 311. All joints and connections shall be made gastight and watertight.

Cast iron pipe joints shall be firmly packed with oakum or hemp and filled with molten lead, Federal Specification (QQ-L-156), not less than one (1) inch deep. Lead shall be run in one pouring and calked tight. No paint, varnish, or other coatings shall be permitted on the jointing material until after the joint has been tested and approved.

All joints in vitrified clay pipe or between such pipe and metals shall be made with approved hotpoured or cold formed asphaltic jointing material as specified below. Clay pipe may have factory applied joint meeting ASTM specification (C-425).

Material for hot-poured joints shall not soften sufficiently to destroy the effectiveness of the joint when subjected to a temperature of one hundred sixty (160° F.) degrees Fahrenheit, nor be soluble in any of the wastes carried by the drainage system. The joint shall first be caulked tight with jute, hemp, or similar approved material.

See sewer system specifications for jointing compounds and other pertinent information if either hot poured or cold asphaltic materials were specified. Other jointing materials and methods may be used only if approved by the Division of Sanitation, Kansas State Board of Health.

Section 312. The connection of the building sewer into the public sewer shall be made at the "Y" branch, if such branch is available at a suitable location. If the public sewer is twelve (12) inches in diameter or less, and no properly located "Y" branch is available, the owner shall at his expense install a "Y" branch in the public sewer at the location specified by the Superintendent. If installation is made within 180 days from date of notice to connect, the City shall furnish "Y" for such connection without charge. Special fittings may be used for the connection only when approved by the Superintendent.

Section 313. 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 shall be made under the supervision of the Superintendent or his representative.

Section 314. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the City.

ARTICLE IV

Use of the Public Sewers

Section 401. No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, sub-surface drainage, cooling water or unpolluted industrial process waters to any sanitary sewers.

Section 402. Storm water and all other unpolluted drainage shall be discharged to storm sewers, or to a natural outlet approved by the Superintendent. Industrial cooling water or unpolluted process waters may be discharged, upon approval of the Superintendent, to a storm sewer, or natural outlet.

Section 403. Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:

(a) Any liquid or vapor having a temperature higher than 150 degrees F.

(b) Any water or waste which may contain more than (100) parts per million by weight of fat, oil, or grease.

(c) Any gasoline, benezene, naptha, fuel oil, or other flammable or explosive liquid, soild or gas.

(d) Any garbage that has not been properly shredded.

(e) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch, manure, or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works.

(f) Any waters or wastes having a pH lower than (5.5) or higher than (9.0) or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.

(g) Any water or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any hazard in the receiving waters of the sewage treatment plant.

(h) Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant or that may degrade the quality of the treated sewage.

(i) Any noxious or malodorous gas or substance capable of creating a public nuisance.

Section 404. 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 grease in excessive amounts, or any flammable wastes, sand, and other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Superintendent, and shall be located as to be readily and easily accessible for cleaning and inspection.

Section 405. Where installed, all grease, oil, and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times.

ARTICLE V.

Protection from Damage

Section 501. No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance, or equipment, which is a part of the municipal sewer works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

ARTICLE VI.

Powers and Authority of Inspectors

Section 601. The Superintendent and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter upon all properties for the purposes of inspection, observation, measurement, sampling, and testing, in accordance with the provisions of this ordinance.

ARTICLE VII.

Plumbing License

Section 701. Anyone engaging in or desiring to engage in the business of plumbing in the City of Basehor, shall before obtaining a permit, procure a license from the City Clerk of the City of Basehor, which license shall expire on the first day of the month issued after the year in which issued. No license shall be transferred from one person to another.

Section 702. Before a plumbing license is issued, the applicant shall file with the City Clerk a Surety bond in the amount of One Thousand Dollars ($1,000.00) which shall require the approval of the City Council. The condition of said

Bond to be that the principal therein will comply with all ordinances of the City relating to and regulating plumbing.

Section 703. The Bond shall also hold and save the City of Basehor harmless from any and all damages to persons or property resulting from or growing out of any opening or excavation of any sort made, or from any operation made within the City of Basehor.

Section 704. The fee for plumbing license shall be Ten Dollars ($10.00).

ARTICLE VIII.

Penalties

Section 801. Any person found to be violating any provision of this ordinance except Section 501 shall be served by the City with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall within the period of time stated in such notice, permanently cease all violations.

Section 802. Any person who shall continue any violation beyond the time limit provided for in Section 801 shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in an amount not exceeding two hundred dollars ($200.00) or be imprisoned not to exceed three (3) months, or be both so fined and imprisoned for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

Section 803. Any person violating any of the provisions of this ordinance shall become liable to the City for any expense, loss, or damage occasioned the City by reason of such violation.

ARTICLE IX.

Validity

Section 901. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 902. The invalidity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

ARTICLE X.

Ordinance in Force

Section 1001. This ordinance shall be in full force and effect from and after its passage approval, recording, and publication as provided by law.

Passed and adopted this 9th day of April, 1970.

Approved this 9th day of April, 1970.

J. A. Meyer Mayor

ATTEST:

City Clerk Charles H. Newman