

## CHAPTER 95

# SANITARY SEWER SYSTEM

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**95.01 PURPOSE.** The purpose of the chapters of this Code of Ordinances pertaining to Sanitary Sewers is to establish rules and regulations governing the treatment and disposal of sanitary sewage within the City in order to protect the public health, safety, and welfare.

**95.02 DEFINITIONS.** For use in these chapters, unless the context specifically indicates otherwise, the following terms are defined:

1. "B.O.D." (denoting Biochemical Oxygen Demand) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty degrees (20°) C, expressed in milligrams per liter or parts per million.
2. "Building drain" means that part of the lowest horizontal piping of a building 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 (1.5 meters) outside the inner face of the building wall.
3. "Building sewer" means that part of the horizontal piping from the building wall to its connection with the main sewer or the primary treatment portion of an on-site wastewater treatment and disposal system conveying the drainage of one building site.
4. "Combined sewer" means a sewer receiving both surface run-off and sewage.
5. "Customer" means any person responsible for the production of domestic, commercial, or industrial waste which is directly or indirectly discharged into the public sewer system.
6. "Garbage" means solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage, and sale of produce.
7. "Industrial wastes" means the liquid wastes from industrial manufacturing processes, trade, or business as distinct from sanitary sewage.
8. "Inspector" means the person duly authorized by the Council to inspect and approve the installation of building sewers and their connections to the public sewer system; and to inspect such sewage as may be discharged therefrom.
9. "Natural outlet" means any outlet into a watercourse, pond, ditch, lake, or other body of surface or groundwater.
10. "On-site wastewater treatment and disposal system" means all equipment and devices necessary for proper conduction, collection, storage, treatment, and disposal

of wastewater from four or fewer dwelling units or other facilities serving the equivalent of fifteen persons (1500 gpd) or less.

11. "pH" means the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.
12. "Public sewer" means a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.
13. "Sanitary sewage" means sewage discharging from the sanitary conveniences of dwellings (including apartment houses and hotels), office buildings, factories, or institutions, and free from storm, surface water, and industrial waste.
14. "Sanitary sewer" means a sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.
15. "Sewage" means a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and storm waters as may be present.
16. "Sewage treatment plant" means any arrangement of devices and structures used for treating sewage.
17. "Sewage works" or "sewage system" means all facilities for collecting, pumping, treating, and disposing of sewage.
18. "Sewer" means a pipe or conduit for carrying sewage.
19. "Sewer service charges" means any and all charges, rates or fees levied against and payable by customers, as consideration for the servicing of said customers by said sewer system.
20. "Slug" means any discharge of water, sewage, or industrial waste 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 24-hour concentration or flows during normal operation.
21. "Storm drain" or "storm sewer" means a sewer which carries storm and surface waters and drainage but excludes sewage and industrial wastes, other than unpolluted cooling water.
22. "Superintendent" means the Superintendent of sewage works and/or of water pollution control of the City or any authorized deputy, agent, or representative.
23. "Suspended solids" means solids that either float on the surface of, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.
24. "Watercourse" means a channel in which a flow of water occurs, either continuously or intermittently.

**95.03 SUPERINTENDENT.** The Superintendent shall exercise the following powers and duties:

*(Code of Iowa, Sec. 372.13[4])*

1. Operation and Maintenance. Operate and maintain the City sewage system.
2. Inspection and Tests. Conduct necessary inspections and tests to assure compliance with the provisions of these Sanitary Sewer chapters.

3. Records. Maintain a complete and accurate record of all sewers, sewage connections and manholes constructed showing the location and grades thereof.

**95.04 PROHIBITED ACTS.** No person shall do, or allow, any of the following:

1. Damage Sewer System. Maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance or equipment which is a part of the sewer system.

*(Code of Iowa, Sec. 716.1)*

2. Surface Run-off or Groundwater. Connect a roof downspout, sump pump, exterior foundation drain, areaway drain, or other source of surface run-off or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.

3. Manholes. Open or enter any manhole of the sewer system, except by authority of the Superintendent.

4. Objectionable Wastes. Place or deposit in any unsanitary manner on public or private property within the City, or in any area under the jurisdiction of the City, any human or animal excrement, garbage, or other objectionable waste.

5. Septic Tanks. Construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage except as provided in these chapters.

*(Code of Iowa, Sec. 364.12[3f])*

6. Untreated Discharge. Discharge to any natural outlet within the City, or in any area under its jurisdiction, any sanitary sewage, industrial wastes, or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of these chapters.

*(Code of Iowa, Sec. 364.12[3f])*

**95.05 SEWER CONNECTION REQUIRED.** The owners of any houses, buildings, or properties used for human occupancy, employment, recreation or other purposes, situated within the City and abutting on any street, alley or right-of-way in which there is now located, or may in the future be located, a public sanitary or combined sewer, are hereby required to install, at such owner's expense, suitable toilet facilities therein and a building sewer connecting such facilities directly with the proper public sewer, and to maintain the same all in accordance with the provisions of these Sanitary Sewer chapters, such compliance to be completed within thirty (30) days after date of official notice from the City to do so provided that said public sewer is located within two hundred (200) feet (61 meters) of the property line of such owner and is of such design as to receive and convey by gravity such sewage as may be conveyed to it. Billing for sanitary sewer service will begin the date of official notice to connect to the public sewer.

*(Code of Iowa, Sec. 364.12[3f])*

*(IAC, 567-69.1[3])*

**95.06 SERVICE OUTSIDE THE CITY.** The owners of property outside the corporate limits of the City so situated that it may be served by the City sewer system may apply to the Council for permission to connect to the public sewer upon the terms and conditions stipulated by resolution of the Council.

*(Code of Iowa, Sec. 364.4[2 & 3])*

**95.07 RIGHT OF ENTRY.** The Superintendent and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing in accordance with the provisions of these Sanitary Sewer chapters. The Superintendent or representatives shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper, or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

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

**95.09 SPECIAL PENALTIES.** The following special penalty provisions shall apply to violations of these Sanitary Sewer chapters:

1. Notice of Violation. Any person found to be violating any provision of these chapters except subsections 1, 3, and 4 of Section 95.04, 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.
2. Continuing Violations. Any person who shall continue any violation beyond the time limit provided for in subsection 1 hereof shall be in violation of this Code of Ordinances. Each day in which any such violation shall continue shall be deemed a separate offense.
3. Liability Imposed. Any person violating any of the provisions of these chapters shall become liable to the City for any expense, loss, or damage occasioned the City by reason of such violation.

## CHAPTER 96

# BUILDING SEWERS AND CONNECTIONS

96.01 Permit  
96.02 Permit Fee and Connection Charge  
96.03 Plumber Required  
96.04 Excavations  
96.05 Connection Requirements

96.06 Interceptors Required  
96.07 Sewer Tap  
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96.09 Property Owner's Responsibility  
96.10 Abatement of Violations

**96.01 PERMIT.** No unauthorized person 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 City. The application for the permit shall set forth the location and description of the property to be connected with the sewer system and the purpose for which the sewer is to be used, and shall be supplemented by any plans, specifications, or other information considered pertinent. The permit shall require the owner to complete construction and connection of the building sewer to the public sewer within sixty (60) days after the issuance of the permit, except that when a property owner makes sufficient showing that due to conditions beyond the owner's control or peculiar hardship, such time period is inequitable or unfair, an extension of time within which to comply with the provisions herein may be granted. Any sewer connection permit may be revoked at any time for a violation of these chapters.

**96.02 PERMIT FEE.** The person who makes the application shall pay a fee in an amount set by resolution of the Council to the Clerk to cover the cost of issuing the permit and supervising, regulating, and inspecting the work.

**96.03 PLUMBER REQUIRED.** All installations of building sewers and connections to the public sewer shall be made by a State licensed plumber.

**96.04 EXCAVATIONS.** All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the City. Pipe laying and backfill shall be performed in accordance with A.S.T.M. Specification C-12, except that no backfill shall be placed until the work has been inspected. The excavations shall be made in accordance with the provisions of Chapter 135 where applicable.

**96.05 CONNECTION REQUIREMENTS.** Any connection with a public sanitary sewer must be made under the direct supervision of the Superintendent and in accordance with the following:

1. **Old Building Sewers.** Old building sewers may be used in connection with new buildings only when they are found, on examination and test conducted by the owner and observed by the Superintendent, to meet all requirements of this chapter.
2. **Separate Building Sewers.** A separate and independent building sewer shall be provided for every occupied 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. In such cases the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

3. Installation. The installation and connection of the building sewer to the public sewer shall conform to the requirements of the *State Plumbing Code*, applicable rules and regulations of the City, or the procedures set forth in A.S.T.M. Specification C-12. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Superintendent before installation.
4. Water Lines. When possible, building sewers should be laid at least ten (10) feet horizontally from a water service. The horizontal separation may be less, provided the water service line is located at one side and at least twelve (12) inches above the top of the building sewer.
5. Size. Building sewers shall be sized for the peak expected sewage flow from the building with a minimum building sewer size of four (4) inches.
6. Alignment and Grade. All building sewers shall be laid to a straight line to meet the following:
  - A. Recommended grade at one-fourth (1/4) inch per foot.
  - B. Minimum grade of one-eighth (1/8) inch per foot.
  - C. Minimum velocity of 2.00 feet per second with the sewer half full.
  - D. Any deviation in alignment or grade shall be made only with the written approval of the Superintendent and shall be made only with approved fittings.
7. Depth. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. The depth of cover above the sewer shall be sufficient to afford protection from frost.
8. Sewage Lifts. 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 discharged to the building sewer.
9. Pipe Specifications. Building sewer pipe shall be free from flaws, splits, or breaks. Materials shall be as specified in the *State Plumbing Code* except that the building sewer pipe, from the property line to the public sewer, shall comply with the current edition of one of the following:
  - A. Clay sewer pipe – A.S.T.M. C-700 (extra strength).
  - B. Extra heavy cast iron soil pipe – A.S.T.M. A-74.
  - C. Ductile iron water pipe – A.W.W.A. C-151.
  - D. P.V.C. – SDR26 – A.S.T.M. D-3034.
10. Bearing Walls. No building sewer shall be laid parallel to, or within three (3) feet of any bearing wall, which might thereby be weakened.
11. Jointing. Fittings, type of joint and jointing material shall be compatible with the type of pipe used, subject to the approval of the Superintendent. Solvent-welded joints are not permitted.
12. Unstable Soil. No sewer connection shall be laid so that it is exposed when crossing any watercourse. Where an old watercourse must of necessity be crossed or where there is any danger of undermining or settlement, cast iron soil pipe or vitrified clay sewer pipe thoroughly encased in concrete shall be required for such crossings.

Such encasement shall extend at least six (6) inches on all sides of the pipe. The cast iron pipe or encased clay pipe shall rest on firm, solid material at either end.

13. Preparation of Basement or Crawl Space. No connection for any residence, business or other structure with any sanitary sewer shall be made unless the basement floor is poured, or in the case of a building with a slab or crawl space, unless the ground floor is installed with the area adjacent to the foundation of such building cleared of debris and backfilled. The backfill shall be well compacted and graded so that the drainage is away from the foundation. Prior to the time the basement floor is poured, or the first floor is installed in buildings without basements, the sewer shall be plugged and the plug shall be sealed by the Superintendent. Any accumulation of water in any excavation or basement during construction and prior to connection to the sanitary sewer shall be removed by means other than draining into the sanitary sewer.

**96.06 INTERCEPTORS REQUIRED.** Grease, oil, sludge and sand interceptors shall be provided by gas and service stations, convenience stores, car washes, garages, and other facilities when, in the opinion of the Superintendent, they are necessary for the proper handling of such wastes that contain grease in excessive amounts or any flammable waste, sand or other harmful ingredients. Such interceptors shall not be required for private living quarters or dwelling units. When required, such interceptors shall be installed in accordance with the following:

1. Design and Location. All interceptors shall be of a type and capacity as specified in the *State Plumbing Code*, to be approved by the Superintendent, and shall be located so as to be readily and easily accessible for cleaning and inspection.
2. Construction Standards. The interceptors shall be constructed of impervious material capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight and equipped with easily removable covers that shall be gastight and watertight.
3. Maintenance. All such interceptors shall be maintained by the owner at the owner's expense and shall be kept in continuously efficient operations at all times.

**96.07 SEWER TAP.** 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 no suitably located "Y" branch is available, the connection shall be made by installing a cast iron tapping saddle on the public sewer in a manner and at a location approved by the Superintendent. The saddle shall be installed with its centerline on a radial line of the public sewer and at a 45-degree angle with the vertical axis of the public sewer. The saddle shall not extend past the inner surface of the pipe and the connection shall be made secure and watertight by encasement in concrete. At no time shall a building sewer be constructed so as to enter a manhole unless special written permission is received from the Superintendent and in accordance with the Superintendent's direction if such connection is approved. No connection shall be made without first applying for and receiving a permit pursuant to Section 96.01.

**96.08 INSPECTION REQUIRED.** All connections with the sanitary sewer system before being covered shall be inspected and approved, in writing, by the Superintendent. As soon as all pipe work from the public sewer to inside the building has been completed, and before any backfilling is done, the Superintendent shall be notified and the Superintendent shall inspect and test the work as to workmanship and material; no sewer pipe laid under ground shall be covered or trenches filled until after the sewer has been so inspected and approved. If the

Superintendent refuses to approve the work, the plumber or owner must proceed immediately to correct the work.

**96.09 PROPERTY OWNER'S RESPONSIBILITY.** All costs and expenses incident to the installation, connection, and maintenance of the building sewer shall be borne by the owner. The owner shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

**96.10 ABATEMENT OF VIOLATIONS.** Construction or maintenance of building sewer lines whether located upon the private property of any owner or in the public right-of-way, which construction or maintenance is in violation of any of the requirements of this chapter, shall be corrected, at the owner's expense, within thirty (30) days after date of official notice from the Council of such violation. If not made within such time the Council shall, in addition to the other penalties herein provided, have the right to finish and correct the work and assess the cost thereof to the property owner. Such assessment shall be collected with and in the same manner as general property taxes.

*(Code of Iowa, Sec. 364.12[3])*



## CHAPTER 97

# USE OF PUBLIC SEWERS

97.01 Storm Water

97.02 Surface Waters Exception

97.03 Prohibited Discharges

97.04 Restricted Discharges

97.05 Restricted Discharges; Powers

97.06 Special Facilities

97.07 Control Manholes

97.08 Testing of Wastes

**97.01 STORM WATER.** No person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof run-off, sub-surface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer. Storm water 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. Industrial cooling water or unpolluted process waters may be discharged on approval of the Superintendent, to a storm sewer, combined sewer, or natural outlet.

**97.02 SURFACE WATERS EXCEPTION.** Special permits for discharging surface waters to a public sanitary sewer may be issued by the Council upon recommendation of the Superintendent where such discharge is deemed necessary or advisable for purposes of flushing, but any permit so issued shall be subject to revocation at any time when deemed to be the best interests of the sewer system.

**97.03 PROHIBITED DISCHARGES.** No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

1. Flammable or Explosive Material. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.
2. Toxic or Poisonous Materials. Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant, including but not limited to cyanides in excess of two (2) milligrams per liter as CN in the wastes as discharged to the public sewer.
3. Corrosive Wastes. Any waters or wastes having a pH lower than 5.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
4. Solid or Viscous Substances. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, 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.
5. Excessive B.O.D., Solids or Flow. Any waters or wastes having (a) a five-day biochemical oxygen demand greater than 300 parts per million by weight, or (b) containing more than 350 parts per million by weight of suspended solids, or (c) having an average daily flow greater than two percent of the average sewage flow of

the City, shall be subject to the review of the Superintendent. Where necessary in the opinion of the Superintendent, the owner shall provide, at the owner's expense, such preliminary treatment as may be necessary to (a) reduce the biochemical oxygen demand to 300 parts per million by weight, or (b) reduce the suspended solids to 350 parts per million by weight, or (c) control the quantities and rates of discharge of such waters or wastes. Plans, specifications, and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the Superintendent and no construction of such facilities shall be commenced until said approvals are obtained in writing.

**97.04 RESTRICTED DISCHARGES.** No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the Superintendent that such wastes can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving stream or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming an opinion as to the acceptability of these wastes, the Superintendent will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The substances restricted are:

1. High Temperature. Any liquid or vapor having a temperature higher than one hundred fifty degrees (150°) F (65° C).
2. Fat, Oil, Grease. Any water or waste containing fats, wax, grease or oils, whether emulsified or not, in excess of 100 milligrams per liter or 600 milligrams per liter of dispersed or other soluble matter.
3. Viscous Substances. Water or wastes containing substances which may solidify or become viscous at temperatures between 32° F and 150° F (0° to 65° C).
4. Garbage. Any garbage that has not been properly shredded, that is, to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch in any dimension.
5. Acids. Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solution whether neutralized or not.
6. Toxic or Objectionable Wastes. Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Superintendent for such materials.
7. Odor or Taste. Any waters or wastes containing phenols or other taste or odor producing substances, in such concentrations exceeding limits which may be established by the Superintendent as necessary, after treatment of the composite sewage, to meet the requirements of State, Federal, or other public agencies of jurisdiction for such discharge to the receiving waters.
8. Radioactive Wastes. 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.
9. Excess Alkalinity. Any waters or wastes having a pH in excess of 9.5.

10. Unusual Wastes. Materials which exert or cause:
  - A. Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).
  - B. Excessive discoloration (such as, but not limited to dye wastes and vegetable tanning solutions).
  - C. Unusual B.O.D., chemical oxygen demand or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
  - D. Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.
11. Noxious or Malodorous Gases. Any noxious or malodorous gas or other substance which either singly or by interaction with other wastes is capable of creating a public nuisance or hazard to life or of preventing entry into sewers for their maintenance and repair.
12. Damaging Substances. Any waters, wastes, materials or substances which react with water or wastes in the sewer system to release noxious gases, develop color of undesirable intensity, form suspended solids in objectionable concentration or create any other condition deleterious to structures and treatment processes.
13. Untreatable Wastes. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

**97.05 RESTRICTED DISCHARGES – POWERS.** If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 97.04 and which in the judgment of the Superintendent may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Superintendent may:

1. Rejection. Reject the wastes by requiring disconnection from the public sewage system;
2. Pretreatment. Require pretreatment to an acceptable condition for discharge to the public sewers;
3. Controls Imposed. Require control over the quantities and rates of discharge; and/or
4. Special Charges. 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 Chapter 99.

**97.06 SPECIAL FACILITIES.** If the Superintendent permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Superintendent and subject to the requirements of all applicable codes, ordinances, and laws. Where preliminary treatment or flow-equalizing

facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at the owner's expense.

**97.07 CONTROL MANHOLES.** When required by the Superintendent, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Superintendent. The manhole shall be installed by the owner at the owner's expense, and shall be maintained by the owner so as to be safe and accessible at all times.

**97.08 TESTING OF WASTES.** 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, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb, and property. (The particular analyses involved will determine whether a 24-hour composite of all outfalls of a premises is appropriate or whether a grab sample or samples should be taken. Normally, but not always, B.O.D. and suspended solids analyses are obtained from 24-hour composites of all outfalls whereas pH's are determined from periodic grab samples).

## CHAPTER 98

# ON-SITE WASTEWATER SYSTEMS

98.01 When Prohibited  
98.02 When Required  
98.03 Compliance with Regulations  
98.04 Permit Required  
98.05 Discharge Restrictions

98.06 Maintenance of System  
98.07 Systems Abandoned  
98.08 Disposal of Septage  
98.09 Minimum Lot Area

**98.01 WHEN PROHIBITED.** Except as otherwise provided in this chapter, it is unlawful to construct or maintain any on-site wastewater treatment and disposal system or other facility intended or used for the disposal of sewage.

*(Code of Iowa, Sec. 364.12[3f])*

**98.02 WHEN REQUIRED.** When a public sanitary sewer is not available under the provisions of Section 95.05, every building wherein persons reside, congregate or are employed shall be provided with an approved on-site wastewater treatment and disposal system complying with the provisions of this chapter.

*(IAC, 567-69.1[3])*

**98.03 COMPLIANCE WITH REGULATIONS.** The type, capacity, location, and layout of a private on-site wastewater treatment and disposal system shall comply with the specifications and requirements set forth by the Iowa Administrative Code 567, Chapter 69, and with such additional requirements as are prescribed by the regulations of the County Board of Health.

*(IAC, 567-69.1[3 & 4])*

**98.04 PERMIT REQUIRED.** No person shall install or alter an on-site wastewater treatment and disposal system without first obtaining a permit from the County Board of Health.

**98.05 DISCHARGE RESTRICTIONS.** It is unlawful to discharge any wastewater from an on-site wastewater treatment and disposal system (except under an NPDES permit) to any ditch, stream, pond, lake, natural or artificial waterway, drain tile or to the surface of the ground.

*(IAC, 567-69.1[3])*

**98.06 MAINTENANCE OF SYSTEM.** The owner of an on-site wastewater treatment and disposal system shall operate and maintain the system in a sanitary manner at all times and at no expense to the City.

**98.07 SYSTEMS ABANDONED.** At such time as a public sewer becomes available to a property served by an on-site wastewater treatment and disposal system, as provided in Section 95.05, a direct connection shall be made to the public sewer in compliance with these Sanitary Sewer chapters and the on-site wastewater treatment and disposal system shall be abandoned and filled with suitable material.

*(Code of Iowa, Sec. 364.12[3f])*

**98.08 DISPOSAL OF SEPTAGE.** No person shall dispose of septage from an on-site treatment system at any location except an approved disposal site.

**98.09 MINIMUM LOT AREA.** No permit shall be issued for any on-site wastewater treatment and disposal system employing sub-surface soil absorption facilities where the area of the lot is less than 5,000 square feet.

## CHAPTER 99

# SEWER SERVICE CHARGES

99.01 Purpose

99.02 Definitions

99.03 Fund Accounting

99.04 User Charges

99.05 Payment of Bills

99.06 Lien for Nonpayment

99.07 Periodic Review and Notice

99.08 Inconsistent Agreements

**99.01 PURPOSE.** It is determined and declared to be necessary and conducive to the protection of the public health, safety, welfare, and convenience of the City to collect charges from all users who contribute wastewater to the City's treatment works. The proceeds of such charges so derived will be used for the purpose of operating, maintaining, and retiring the debt for such public wastewater treatment works.

**99.02 DEFINITIONS.** Unless the context specifically indicates otherwise, the meaning of terms used in this chapter is as follows:

1. "Normal domestic wastewater" means wastewater that has a B.O.D. concentration of not more than 200 mg/l and a suspended solids concentration of not more than 235 mg/l.
2. "Operation and maintenance" means all expenditures during the useful life of the treatment works for materials, labor, utilities, and other items which are necessary for managing and maintaining the treatment works to achieve the capacity and performance for which such works were designed and constructed.
3. "Replacement" means expenditures for obtaining and installing equipment, accessories or appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designed and constructed. The term "operation and maintenance" includes replacement.
4. "Residential customer" means any customer whose lot, parcel of real estate, or building is used for domestic dwelling purposes only.
5. "Treatment works" means any devices and systems for the storage, treatment, recycling, and reclamation of municipal sewage, domestic sewage, or liquid industrial wastes. These include intercepting sewers, outfall sewers, sewage collection systems, pumping, power and other equipment and their appurtenances; extensions, improvement, remodeling, additions and alterations thereof; elements essential to provide a recycled supply such as standby treatment units and clear well facilities; and any works, including site acquisition of the land that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment (including land for composting sludge, temporary storage of such compost, and land used for the storage of treated wastewater in land treatment systems before land application); or any other method or system for preventing, abating, reducing, storing, treating, separating or disposing of municipal waste or industrial waste, including waste in combined storm water and sanitary sewer systems.
6. "Useful life" means the estimated period during which a treatment works will be operated.

7. “User charge” means that portion of the total wastewater service charge which is levied in a proportional and adequate manner for the cost of operation, maintenance, and replacement of the treatment works and retirement of debt service.
8. “Water meter” means a water volume measuring and recording device, furnished and/or installed by the City or furnished and/or installed by a user and approved by the City.

### **99.03 FUND ACCOUNTING.**

1. Use of Funds. The user charge system shall generate adequate annual revenues to pay costs of annual operation and maintenance including replacement and costs associated with debt retirement of bonded capital associated with financing the treatment works which the City may by ordinance designate to be paid by the user charge system. That portion of the total user charge which is designated for operation and maintenance including replacement of the treatment works, shall be established by this chapter.
2. Accounts Established. That portion of the total user charge collected which is designated for operation and maintenance including replacement purposes, as established in this chapter, shall be deposited in a separate non-lapsing fund known as the Operation, Maintenance and Replacement Fund and will be kept in two primary accounts as follows:
  - A. Operation and Maintenance Account. An account designated for the specific purpose of defraying operation and maintenance costs (excluding replacement) of the treatment works.
  - B. Replacement Account. An account designated for the specific purpose of ensuring replacement needs over the useful life of the treatment works. Deposits in the Replacement Account shall be made annually from the operation, maintenance, and replacement revenue in the amount of \$10,000.00.
3. Year-End Balances. Fiscal year-end balances in the Operation and Maintenance Account and the Replacement Account shall be carried over to the same accounts in the subsequent fiscal year, and shall be used for no other purposes than those designated for these accounts. Moneys which have been transferred from other sources to meet temporary shortages in the Operation, Maintenance, and Replacement Fund shall be returned to their respective accounts upon appropriate adjustment of the user charge rates for operation, maintenance, and replacement. The user charge rate shall be adjusted such that the transferred moneys will be returned to their respective accounts within the fiscal year following the fiscal year in which the moneys were borrowed.

### **99.04 USER CHARGES.**

1. Each user shall pay for the services provided by the City based on said user’s use of the treatment works as determined by water meters acceptable to the City. If a residential customer is not connected to the City water system, said customer shall place an acceptable meter on the water supply.
2. For residential customers, monthly user charges will be based on the water usage during the current month. For industrial and commercial customers, user charges shall be based on water used during the current month. If a commercial or



industrial customer has a consumptive use of water, or in some other manner uses water which is not returned to the wastewater collection system, the user charge for that customer may be based on a wastewater meter or separate water meter installed and maintained at the customer's expense, and in a manner acceptable to the City. Any industrial or commercial user whose wastewater strength exceeds the normal domestic wastewater limits shall have said user's flow multiplied by the ratio of the B.O.D. concentration divided by 200 mg/l. This adjusted flow will be used to determine said user's charge.

3. Each customer shall pay user rates as follows:
  - a. Each contributor shall pay \$7.11 per 1,000 gallons.
  - b. \$1.20 per 1,000 gallons of which the revenues generated shall be placed into Fund 611-Sewer Increase Fund to be used for upgrades to the current sewer plant or for purpose of assisting paying general obligation sewer bonds. Revenues allocated to Fund 611 may not be used or borrowed against except by a Resolution passed by a minimum of 75% of the City Council.
  - c. \$1.59 per 1,000 gallons of which the revenues generated shall be placed into Fund 612-Sewer Trunk Fund. Revenues allocated to Fund 612 are restricted in use to pay only the current Sewer Revenue Bonds associated with the South Trunk Sewer Project. Any revenues generated over the scheduled debt payment for each fiscal year shall be placed into Fund 613-Sewer Sinking Fund as required by the State Revolving Fund Loan and held until such Bonds are paid in full.
4. Any user which discharges any toxic pollutants which should cause an increase in the cost of managing the effluent or the sludge from the City's treatment works or any user which discharges any substance which singly or by interaction with other substances causes identifiable increases in the cost of operation, maintenance, or replacement of the treatment works shall pay for such increased costs. The charge to each such user shall be as determined by the responsible plant operating personnel and approved by the Council.
5. The user charge rates established in this chapter apply to all users, regardless of their location in the City.

**99.05 PAYMENT OF BILLS.** All sewer user charges are due and payable under the same terms and conditions provided for payment of a combined service account as contained in Section 92.04 of this Code of Ordinances. Sewer service may be discontinued in accordance with the provisions contained in Section 92.05 if the combined service account becomes delinquent, and the provisions contained in Section 92.08 relating to lien notices shall also apply in the event of a delinquent account.

**99.06 LIEN FOR NONPAYMENT.** Except as provided for in Section 92.07 of this Code of Ordinances, the owner of the premises served and any lessee or tenant thereof shall be jointly and severally liable for sewer service charges to the premises. Sewer service charges remaining unpaid and delinquent shall constitute a lien upon the premises served and shall be certified to the County Treasurer for collection in the same manner as property taxes.

*(Code of Iowa, Sec. 384.84[1])*

**99.07 PERIODIC REVIEW AND NOTICE.**

1. The City shall review the user charge system at least every two (2) years and revise user charge rates as necessary to ensure that the system generates adequate revenues to pay the costs of operation and maintenance including replacement and that the system continues to provide for the proportional distribution of operation and maintenance including replacement costs among users and user classes.
2. The City will notify each user at least annually, in conjunction with a regular water bill, of the rate being charged for operation and maintenance including replacement of the treatment works.

**99.08 INCONSISTENT AGREEMENTS.** The user charge system shall take precedence over any terms or conditions of agreements or contracts which are inconsistent with the requirements of this chapter.

## CHAPTER 100

### SEWER EXTENSIONS

100.01 Purpose  
 100.02 Definition  
 100.03 Construction by City

100.04 Construction by Owner  
 100.05 Others Required to Connect  
 100.06 Building Sewers Installed

**100.01 PURPOSE.** The purpose of this chapter is to provide a means and method for the extension of sewers to serve property not served by an existing sewer line so as to preserve and improve the peace, safety, health, welfare, comfort, and convenience of the residents of the City.

**100.02 DEFINITION.** For the purpose of this chapter, “builder” means the owner of land who causes a sanitary sewer to be installed under the provisions of this chapter. Such term includes the heirs, successors, or assigns of such owner.

**100.03 CONSTRUCTION BY CITY.** An owner of land abutting or adjoining a public street where no sanitary sewer has been installed may make application to the Council for the installation of a sanitary sewer in said street for the purpose of serving the property in accordance with the following:

1. **Application and Deposit.** A written request for such installation, and a sum equal to the cost as estimated by the City of construction from the point where the sanitary sewer is presently installed and terminates to the point where the most distant boundary of the owner’s lot abuts the said public street, shall be submitted to the Council.
2. **Construction.** Upon receipt of the deposit, the City shall construct the sanitary sewer for the purpose of serving the property of the applicant (builder), as soon as such construction can reasonably be accomplished.
3. **Additional Costs.** In the event the actual cost to the City of installation of the sanitary sewer is in excess of the estimated cost, the builder agrees to reimburse the City for the actual additional cost within thirty (30) days after the presentation of a bill for such additional cost.
4. **Lien Authorized.** In the event of the failure of the builder to reimburse the City, as specified in subsection 3 above, the total of the additional cost shall be certified to the County Treasurer as a special assessment lien against the builder’s real estate. In the written request for installation of the sanitary sewer, the landowner shall waive all objections to jurisdiction and rights to notice and consent to the entry of such a special assessment lien against the real estate.
5. **Connecting Property.** The expense of connecting the property of the builder to the sanitary sewer laid in the public street shall be borne by the builder, in addition to the cost of constructing said sewer, but such connection shall be under the supervision of the City.

**100.04 CONSTRUCTION BY OWNER.** In the event an owner of land abutting or adjoining a public street in which no sewer has been previously installed desires to construct

said sewer at the owner's own expense, the owner may do so, after making proper application to the City and receiving a permit to install such a sewer, in accordance with the following:

1. City Supervision. The installation of such a sewer by a landowner at the owner's expense shall be under the strict supervision of the City and shall, in all ways, conform to the requirements and specifications of the City.
2. Surety Bond. When making application to the City for a permit to install such a sewer, the applicant shall post with the City a surety bond, in an amount to be set by the Council and made a matter of record in the minutes of the Council, which shall be in an amount equal to but not less than one hundred ten percent (110%) of the total estimated cost of the installation for the full distance from the termination point of the presently existing sewer to the point where the farthest boundary of the applicant's land abuts the public street, and the bond shall guarantee the installation of the sewer in as short a time as reasonably possible and shall further indemnify the City for the cost of completing the project in the event the applicant fails to complete the project within a reasonable time, and shall further indemnify the City for all damages to the public street incurred in the installation, and shall further hold the City harmless for any and all other damages arising from the installation of the sanitary sewer.
3. Ownership of Sewer Line. After the sewer has been installed, it shall become the property of the City.

**100.05 OTHERS REQUIRED TO CONNECT.** Following the installation of a sanitary sewer under the provisions of this chapter, owners of land abutting or adjoining a public street in which such sewer has been installed, being persons other than the builder, shall be obliged to connect any sewage generating facilities into said sanitary sewer, as required by Chapter 95.

**100.06 BUILDING SEWERS INSTALLED.** Each sanitary sewer constructed in a public street or right-of-way, whether constructed by the City or by a private party, shall include a stub to each abutting or adjoining lot line of the street or right-of-way on which the sewer is installed. Each party responsible for installing such sewer shall provide the City with an accurate map showing the location of each of such stubs within thirty (30) days of the completion of the installation.

**CHAPTER 101****SPECIAL SEWER CONNECTION FEE DISTRICTS**

|  |                               |
|--|-------------------------------|
| <b>101.01 Purpose</b>  | <b>101.04 Private Systems</b> |
| <b>101.02 Williamsburg South Trunk Sewer Connection Fee District</b> | <b>101.05 Other Costs</b>     |
| <b>101.03 Williamsburg North Trunk Sewer Connection Fee District</b> | <b>101.06 Nonpayment</b>      |
|  | <b>101.07 Use of Proceeds</b> |
|  | <b>101.08 Interpretation</b>  |

**101.01 PURPOSE.** The Council may establish under this chapter Special Sewer Connection Fee Districts for the purpose of collection within said District of a fee from property owners who shall make application to connect their properties to the Municipal Sanitary Sewer Utility of the City.

**101.02 WILLIAMSBURG SOUTH TRUNK SEWER CONNECTION FEE DISTRICT.**

1. District Description. The areas and properties included within the District shall be as set forth in the Williamsburg South Trunk Sewer Plan dated March 31, 2006 (the "Plan"), maintained in the office of the City Clerk, such areas being shown on the map on file at City Hall.

2. Sanitary Sewer Connection Fee. A connection fee is hereby imposed for each connection made to the Municipal Sanitary Sewer Utility within the boundary of the District described herein. The existing and proposed improvements are known as the "South Trunk Sewer Project" (hereinafter referred to as the "Project Improvements") and consist generally of the construction of: (i) approximately 5,000 feet of 24-inch diameter trunk sanitary sewer, a lift station, and force main (all existing); and (ii) certain trunk sewers of various diameters to be constructed in stages as development occurs within the District. The Plan contains a description of the Project Improvements and an Infrastructure Map illustrating the locations of the existing sanitary sewer mains and the proposed locations of the sanitary sewer mains to be constructed. The Plan also contains an Infrastructure Cost Estimate for the Proposed Project Improvements (the "Infrastructure Cost Estimate") and an allocation of the same on a per acre basis. The Infrastructure Cost Estimate includes costs of the proposed improvements as well as costs already incurred for the construction of the existing improvements described above. As of March 31, 2006, the Project Improvements were expected to serve 1,350 acres, and construction costs were estimated to be \$2,054,222. As of said date, the estimated cost per acre for such improvements was \$1,521.65. The Infrastructure Cost Estimate will be reviewed annually by the City Engineer and adjusted, as of January 1 of each year from and after January 1, 2006, to reflect anticipated and actual construction costs, as applicable, for the appropriate period of time and thereafter shall be presented to the City Council for approval. After approval of the same by the Council, a copy of the most recent Infrastructure Cost Estimate, as so adjusted, and the resulting per-acre allocation, certified by said engineering firm, shall be available for public inspection at the office of the City Clerk during normal business hours. Each such adjusted Infrastructure Cost Estimate shall apply and become effective for purposes of this chapter from and after the date of approval by the Council of the ordinance codified in this chapter. If an annual adjustment is not made by the City Engineer and/or approved by the City Council, the most recently approved Infrastructure Cost Estimate shall be used. The connection fee payable by a property owner whose property will be served by the Project Improvements will be calculated and imposed on a per-acre basis, including a pro rate amount of any portion of an acre included within the owner's subdivision plat or area to be so served and shall be equal to the most current per-acre Infrastructure Cost Estimate for the Project Improvements approved by the Council and placed on file in the office of the

Clerk times the number of acres including any portions thereof included within the owner's subdivision plat or the area to be served by connection to the Project Improvements. The connection fee will be payable in full at the earlier of (i) the time of submission by the property owner to the City of the subdivision plat for the area for signature and recording by the City, in the form approved by the Council under Section 354.8 of the *Code of Iowa*, or (ii) the time of submission by the property owner to the City Engineer of construction plans for the construction of improvements on any portion of the owner's property to be served by connection to the Project Improvements. As of January 1, 2006, therefore, the connection fee payable is \$1,521.65 per acre of property included within the property owner's subdivision plat or other development area until adjusted as described above. If the owner of two contiguous parcels affected by this chapter desires to make a connection to the Municipal Sanitary Sewer Utility that will serve only one such parcel, and the parcels do not bear common improvements and have not been assembled into a single unit for the purpose of use or development, the owner may make application to the Council to connect to each such parcel separately. If the Council finds that the parcels do not bear common improvements and have not been assembled into a single unit for the purpose of use or development, the original connection fee shall be calculated and paid only upon the parcel or parcels that will be served by the connection. A separate connection fee shall be paid when the parcel or parcels not served by the original connection to the Municipal Sanitary Sewer Utility are connected.

### **101.03 WILLIAMSBURG NORTH TRUNK SEWER CONNECTION FEE DISTRICT.**

1. District Description. The areas and properties included within the District shall be as set forth in the Williamsburg North Trunk Sewer Plan dated November 19, 2008 (the "Plan"), maintained in the office of the City Clerk, such areas being shown on the map on file at City Hall.

2. Sanitary Sewer Connection Fee. A connection fee is hereby imposed for each connection made to the Municipal Sanitary Sewer Utility within the boundary of the District described herein. The existing and proposed improvements are known as the "North Trunk Sewer Project" (hereinafter referred to as the "Project Improvements") and consist generally of the construction of: (i) approximately 5,400 feet of 24-inch diameter trunk sanitary sewer, a lift station, and force main (all existing); and (ii) certain trunk sewers of various diameters to be constructed in stages as development occurs within the District. The Plan contains a description of the Project Improvements and an Infrastructure Map illustrating the locations of the existing sanitary sewer mains and the proposed locations of the sanitary sewer mains to be constructed. The Plan also contains an Infrastructure Cost Estimate for the Proposed Project Improvements (the "Infrastructure Cost Estimate") and an allocation of the same on a per acre basis. The Infrastructure Cost Estimate includes costs of the proposed improvements as well as costs already incurred for the construction of the existing improvements described above. As of December 5, 2008, the Project Improvements were expected to serve 519 acres, and construction costs were estimated to be \$1,122,893.16. As of said date, the estimated cost per acre for such improvements was \$2,163.57. The Infrastructure Cost Estimate will be reviewed annually by the City Engineer and adjusted, as of January 1 of each year from and after January 1, 2016, to reflect anticipated and actual construction costs, as applicable, for the appropriate period of time and thereafter shall be presented to the City Council for approval. After approval of the same by the Council, a copy of the most recent Infrastructure Cost Estimate, as so adjusted, and the resulting per-acre allocation, certified by said engineering firm, shall be available for public inspection at the office of the City Clerk during normal business hours. Each such adjusted Infrastructure Cost Estimate shall apply and become effective for purposes of this chapter from and after the date of approval by the Council of the ordinance codified in this chapter. If an annual adjustment is not made by the City Engineer and/or approved by the City Council, the most recently approved Infrastructure Cost Estimate shall be used. The connection fee payable by a property owner

whose property will be served by the Project Improvements will be calculated and imposed on a per-acre basis, including a pro rate amount of any portion of an acre included within the owner's subdivision plat or area to be so served and shall be equal to the most current per-acre Infrastructure Cost Estimate for the Project Improvements approved by the Council and placed on file in the office of the Clerk times the number of acres including any portions thereof included within the owner's subdivision plat or the area to be served by connection to the Project Improvements. The connection fee will be payable in full at the earlier of (i) the time of submission by the property owner to the City of the subdivision plat for the area for signature and recording by the City, in the form approved by the Council under Section 354.8 of the *Code of Iowa*, or (ii) the time of submission by the property owner to the City Engineer of construction plans for the construction of improvements on any portion of the owner's property to be served by connection to the Project Improvements. As of January 1, 2016, therefore, the connection fee payable is \$2,163.57 per acre of property included within the property owner's subdivision plat or other development area until adjusted as described above. If the owner of two contiguous parcels affected by this chapter desires to make a connection to the Municipal Sanitary Sewer Utility that will serve only one such parcel, and the parcels do not bear common improvements and have not been assembled into a single unit for the purpose of use or development, the owner may make application to the Council to connect to each such parcel separately. If the Council finds that the parcels do not bear common improvements and have not been assembled into a single unit for the purpose of use or development, the original connection fee shall be calculated and paid only upon the parcel or parcels that will be served by the connection. A separate connection fee shall be paid when the parcel or parcels not served by the original connection to the Municipal Sanitary Sewer Utility are connected.

**101.04 PRIVATE SYSTEMS.** Following the installation of a sanitary sewer under the provisions of this chapter, owners of land abutting or adjoining a public street in which such sewer has been installed, being persons other than the builder, shall be obliged to connect any sewage-generating facilities into said sanitary sewer, as required by Chapter 95.

**101.05 OTHER COSTS.** A connection fee imposed by this chapter is in addition to, and not in lieu of, any other fees for connection required under the other provisions of this Code of Ordinances. The property owner paying a connection fee will be responsible for the full cost of providing any necessary sanitary sewer extensions or service lines from the private property improvements or buildings to the trunk sewers being constructed as part of the Project Improvements.

**101.06 NONPAYMENT.** In the event a connection is made to the Municipal Sanitary Sewer Utility without payment of the connection fee set forth in this chapter, the City shall disconnect such service until such time as the property owner has paid the required connection fee. In addition, the City may pursue any other remedy allowed by law.

**101.07 USE OF PROCEEDS.** The connection fees collected by the City under this chapter shall be used only for the purpose of operating the Municipal Sanitary Sewer Utility, or paying the debt service on obligations issued to finance the Public Improvements.

**101.08 INTERPRETATION.** The provisions of this chapter are intended and shall be construed so as to fully implement the provisions of Section 384.38(3) of the *Code of Iowa*. In the event that any provision of this chapter is determined to be contrary to law, it shall not affect other provision or application of this chapter, which shall at all times be construed to fully invoke the provision of Section 384.38(3) of the *Code of Iowa* with reference to the assessment and collection of the connection fees provided thereunder.