

## CHAPTER 19.

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### **Article I. In General.**

#### **Section 19-1. WATERWORKS AND SEWER SYSTEMS COMBINED.**

The existing waterworks of the city and the existing sanitary sewerage system and all future improvements and extensions thereto, whether to the waterworks or to the sewerage system or to both, shall be and the same are combined and it is hereby declared that the waterworks and the sewerage systems, and all future improvements and extensions thereto as aforesaid, thenceforth shall be operated and maintained as a combined waterworks and sewerage system. (Ord. No. 201, § 2.)

#### **Section 19-2. USE OF PUBLIC SEWER SYSTEM GENERALLY.**

Where a public sewer is accessible in a street, alley or easement to a building or premises abutting thereon, the liquid wastes from any plumbing system in the building shall discharge into the public sewer, unless otherwise authorized by the board of aldermen.

Under no conditions shall surface drains, ground water, roof leaders or storm water drains be permitted to connect to the sanitary sewer. (Ord. No. 117, § 2.)

#### **Section 19-3. CONTRACTS WITH PROPERTY OWNERS CONNECTED TO PRIVATE SEWER SYSTEMS TO PROTECT AGAINST DOUBLE TAXATION.**

The board of aldermen is hereby authorized to enter into contract with property owners of the city who own property which is not presently within an established sewer district, to protect the property owners from a duplicate charge in the event that they provide sewage disposal for themselves by hooking onto an existing approved private sewer line.

In the agreement with the property owners, the city shall agree to reimburse to the property owners the expenses of hooking into the private sewer line in the event that a public sewer district is established in which their property would be included and then subsequently that they will tax the property owner his pro rata share of the cost of the improvement, the cost of his pay off being a part of the total cost of the improvement.

The mayor and the city clerk are hereby authorized to execute a contract with the individual property owners who may desire to hook into the private sanitary sewage sewer line

on the terms, covenants and conditions as is provided within this section after the approval of the board of aldermen is had with regard to each individual contract.  
(Ord. No. 132, § 1-3.)

## **Article II. Connections to City Sewer Systems.**

### **Section 19-4. "HOUSE OR BUILDING SEWER" DEFINED.**

"House or building sewer" is defined as the pipe which begins at the outside of the foundation or wall of a building and connects the building sanitary drainage system with the public main of the sanitary sewage system. (Ord. No. 117, § 1.)

### **Section 19-5. WHEN REQUIRED.**

The owners of all 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, shall at such times as a public sanitary sewer becomes available to any such property being served by a private sewage system, septic tank, cesspool or other facility intended or used for disposal of sewage, shall effect a direct connection to the public sewer at such owner's expense, within one year after date of official notice to do so; provided, that the public sewer is within one hundred feet of the property line. Any septic tank, cesspool and similar private sewage disposal facilities shall thereupon be abandoned and filled with suitable material. (Ord. No. 97, § 1.)



**Section 19-6. CONNECTION PERMIT—REQUIRED.**

Before any connections are made to the public main sewer, a permit shall be applied for and approved by the city water and sewer commissioner or his designated representative. (Ord. No. 117, § 4.)

**Section 19-7. SAME—APPROVAL OF PLANS AND SPECIFICATIONS.**

No connection permit as is herein required shall be issued unless and until the plans and specifications of such proposed connection are submitted by the applicant therefor to the city plumbing inspector or such other city official as may be designated by the city to issue such permit; provided; that such proposed connection is effected by a licensed plumber or engineer and in compliance with the rules and regulations applicable thereto, and subject to the payment in advance by the applicant of a permit fee. (Ord. No. 95, § 3.)

**Section 19-7.1. SUPPLEMENTAL ASSESSMENT FOR NEWLY CONSTRUCTED FAMILY DWELLINGS.**

(a) A supplemental assessment of two hundred twenty-five dollars shall be charged for each family unit within a newly constructed family dwelling, whether or not such unit is in a single-family or in a multi-family dwelling and whether within or without the city limits, for the use of sewage treatment facilities, payable upon application for a building permit.

(b) If, in the judgment of the board of aldermen, the contemplated construction of large unit dwellings can reasonably be anticipated to require large expenditures of money for sewage treatment facilities, the two hundred twenty-five dollars supplemental connection fee per living unit provided for above may be required to be paid upon approval of the development plans for the entire development.

(c) The provisions of this section shall not affect the housing units constructed by the Kelley Fischer Company and located within the Flat Creek Water Shed, which such fees are covered by contract between the city and The Kelley Fischer Company. (Ord. No. 289, § 1; Ord. No. 405, § 1.)

**Section 19-8. CONNECTION FEES.**

The following sewer connection fees shall be charged to users:

(a) *Residential users.*

(1) Single-family residential buildings which shall include one (1) principal structure and up to two (2) ancillary or accessory structures in single-family residential zoning districts which need not be connected simultaneously.....	\$125.00
(2) Duplex residential buildings, per unit. ....	85.00
(3) Multi-family dwellings of more than two units, per unit.....	100.00

(b) Commercial users.

(1) Commercial stores not using water in sales or production. . . . .	\$ 200.00
(2) Commercial accounts using water in sales or production:	
a. Hotels or motels (per room). . . . .	100.00
b. Mobile home parks, trailer and camper pads (per unit). . . . .	125.00
c. Laundromats (per washing machine). . . . .	100.00
d. Restaurants (per seat). . . . .	60.00
e. Auto service stations. . . . .	500.00
f. Grocery stores (under 3,000 sq. ft.). . . . .	500.00
g. Grocery stores (over 3,000 sq. ft.). . . . .	1,000.00
h. Grocery stores with garbage grinders installed. . . . .	2,000.00
i. Dump stations for traveling trailers, campers and recreational vehicles. . . . .	500.00
j. Lounges (per seat). . . . .	30.00

In cases where a mixed use is to occupy the same structure, the various uses shall be calculated separately and totaled to determine the total sewer connection fee. Commercial accounts using water in sales or production and not listed by use above shall be determined by the board of aldermen on a case by case basis, using data relevant to the proposed use.

These fees shall be adjusted on an annual basis, effective January 1 of the year in question, to reflect increases, if any, in November offering next preceding this January 1 of the Cost of Living Index for all urban consumers for the St. Louis area published by the Bureau of Labor Statistics of the United States Department of Labor, as compared to the previous November offering, using the period 1967=100 as the base period. All such computation of increases made as provided herein shall be rounded to the nearest fifty cent figure, and shall not be further adjusted during the course of the year in question until the following January 1 of the next year in question, when such further adjustments, if warranted as provided herein, shall be made.

(c) *Industrial users.*

(1) Industrial users without water or liquid processing shall pay a sewer connection fee of thirty-seven dollars and fifty cents per employee or three hundred seventy-five dollars per acre or fraction thereof, whichever is greater.

(2) Industrial accounts which discharge cooling water or process water into the sanitary sewer system shall pay a sewer connection fee calculated at the rate of one dollar per gallon of average daily water consumption which shall be calculated by averaging the daily water consumption over a six-month period. Such users shall pay a deposit based on the user's estimate of the volume of water consumption.

(d) *Institutional users.*

(1) Hospitals and nursing homes shall pay a sewer connection fee calculated at the rate of one dollar per gallon of average daily water consumption which shall be calculated by averaging the daily water consumption over a six-month period.

(2) Schools shall pay a sewer connection fee of three hundred dollars per classroom.

(3) Public buildings other than schools shall pay a sewer connection fee of one hundred dollars per room.

(4) Hospitals and nursing homes shall make a deposit to the city as set forth below. The deposit to apply to the sewer connection fee shall be based on average daily consumption as calculated by paragraph (1) of this subsection.

a. Hospitals, without laundry, per bed. . . . .	\$200.00
b. Hospitals, with laundry, per bed. . . . .	275.00
c. Nursing home, without laundry, per bed. . . . .	67.50
d. Nursing home, with laundry, per bed. . . . .	92.50

(Ord. No. 95, § 4; Ord. No. 289, § 2; Ord. No. 372, § 1; Ord. No. 496, §1; Ord. No. 616, §1; Ord. No. 697, § 1 & 2.; Ord. No. 2047 §1, 6-17-08)

**Section 19-9. SEWER MAINTENANCE CHARGES.**

Winter water consumption shall be based on water usage per the previous February bill which reflects January water consumption. Annually in February the billing system will automatically change all usage based accounts which shall be determined by the previously recorded January water consumption. This shall serve as the new winter water consumption basis for the following year.

For new residential water accounts established after February, customers shall inform the City of the expected number of members to reside in the household and the usage rate shall be as established for (a)(4) below until winter water consumption can be established in the following February. For new commercial accounts established after February, the monthly usage will be based on the first (1st) month's water consumption until winter water consumption can be established in the following February.

New monthly sewer maintenance charges for each class of user shall be as follows:

(a) *Residential users.*

(1) *Single-family residential.*

*Within City limits*

\$5.00 per month (base monthly rate)

\$0.50 for each 1,000 gallons of water consumed or fraction thereof over 2,000 gallons as based on winter water consumption.

\$2.50 per month for those qualifying for participation in the State of Missouri's Circuit Breaker Program.

*Outside City limits*

\$12.00 per month (base monthly rate)

\$0.50 for each 1,000 gallons of water consumed or fraction thereof over 2,000 gallons as based on winter water consumption.

\$6.00 per month for those qualifying for participation in the State of Missouri's Circuit Breaker Program.

(2) *Multi-family units (charges based on each apartment unit).*

*Within City limits*

\$5.00 per month (base monthly rate)

\$0.50 for each 1,000 gallons of water consumed or fraction thereof over 2,000 gallons as based on winter water consumption.

\$2.50 per month per apartment or unit for those qualifying for participation in the State of Missouri's Circuit Breaker Program.

*Outside City limits*

\$12.00 per month (base monthly rate)

\$0.50 for each 1,000 gallons of water consumed or fraction thereof over 2,000 gallons as based on winter water consumption.

\$6.00 per month per apartment or unit for those qualifying for participation in the State of Missouri's Circuit Breaker Program.

(3) *Mobile home parks*

\$2.50 per month for each occupied space.

(4) Residential accounts having City sewer but no City water shall pay the applicable base monthly rate for sewer service plus one dollar (\$1.00) times each person in a

household (the one dollar (\$1.00) charge is based on the cost of two thousand (2,000) additional gallons of water consumption, for each person in a household, in excess of the first two thousand (2,000) gallons of water consumption for the entire household).

(b) *Commercial and light industrial users.*

(1) *Rates.*

City water system users \$6.50 per month (base monthly rate)

\$0.50 for each 1,000 gallons of water consumed or fraction thereof over 2,000 gallons as based on winter water consumption.

(2) Commercial and light industrial accounts not located within the limits of the City or having City sewer but no City water shall be charged a special negotiated sewer maintenance charge which shall be made the subject of a contract between the City and the user.

(3) Commercial accounts having a dump station for trailers, campers and recreational vehicles shall pay, in addition to their monthly sewer maintenance charge, an annual service charge of five hundred dollars (\$500.00) due by January thirty-first (31st) of each year with a prorated interim use charge from the date of connection to January thirty-first (31st) based on such annual charge.

(4) Light industrial plants which discharge wastes which are difficult or impossible to break down in an oxygen biodegradable type sewage treatment plant shall be charged a special negotiated sewer maintenance charge based on the facts and potential problems which exist with each such installation.

(c) *Heavy industrial users.*

(1) Heavy industrial plants shall be investigated separately and a contract negotiated based on all of the factors involved.

(d) *Schools.*

(1) An annual charge based upon the average daily student or user population of the structure computed by using the month of October as an average month and the annual charge shall be equal to seventy-five percent (75%) of two dollars fifty cents (\$2.50) multiplied by the average daily student population computed as outlined, which charge shall be paid before January of each year.

(e) *Institutional users.*

(1) Charges for institutional users shall be as follows: One dollar (\$1.00) per bed monthly for institutions without laundry facilities and one dollar twenty-five cents (\$1.25) per bed monthly for institutions with laundry facilities.

(f) *Authority to negotiate contracts.* The Mayor is hereby appointed the contracting agent for the purpose of negotiating any contracts which require negotiation hereunder. Each such

contract is subject to the approval of the Board of Aldermen. (Ord. No. 95, § 5; Ord. No. 104, § 1; Ord. No. 176, § 2; Ord. No. 289, § 3; Ord. No. 302, § 1; Ord. No. 372, § 2; Ord. No. 477, § 1; Ord. No. 552, § 2; Ord. No. 616, § 1.; ORd. No. 1843 §1, 8-2-05)

#### **Section 19-9.1. SEWER IMPACT FEE.**

(a) A water and sewer impact fee is hereby established for all types of development located within all zoning districts of the City with the exception of that enumerated in Subsection (d) of this Section, pursuant to Subsection (g) of this Section.

(b) In the case of residential development, sewer impact fees must be paid to the City in conjunction with, and at the time of building permit issuance. In the case of multiple dwelling unit residential development, such fees may be paid on a lump sum basis or with each building permit. In the case of commercial or industrial development, impact fees shall be calculated and assessed upon an applicant submitting a "Municipal Zoning Approval for Permit Application" form to the City for approval, and said impact fees shall be paid to the City before the issuance of an occupancy permit or business license for the subject premises. Impact fees shall be collected only for new construction; expansions, additions and renovations are exempted, however, additional impact fees may be assessed in the event a building, unit, bay or space is utilized in a manner which is of a higher intensity than that upon which the original impact fee was based.

(c) The City may consider the allocation of all or a portion of required impact fees toward the subject site specific development if there is documented evidence provided by an applicant that there will be substantial benefits provided off-site as well, as approved by the City. In the event that infrastructural improvements must proceed prior to or concurrent with the subject development, the City may consider advancing monies necessary to complete said improvements if same is secured by an escrow approved by the City until such time that all impact fees are collected by the City, only if the City makes a determination that it has the resources readily available and a maximum advancement term is established by the City. These impact fee requirements do not in any way relieve an applicant of any water and sewer infrastructure installation requirements, connection fees or any other customary fees or costs.

(d) The following types of proposed construction or development which may or may not have already had impact fees imposed are exempt from these provisions: single lot, private owner residence development, residential subdivision developments having received at least preliminary approval as of May 17, 1994, and commercial or industrial projects or facilities approved by the City as of May 17, 1994. All impact fees which were imposed prior to May 17, 1994, shall remain in full force and effect at their respective pre-existing levels.

(e) Water and sewer impacts fees imposed and collected by the City may not be utilized by the City or its assigns for any other purpose than the construction, operation and maintenance of the water and sanitary sewage systems.

(f) Any impact fee schedule adjustments must be approved by the Board of Aldermen.

(g) *Sewer Impact Fees.* Ancillary structures such as storage sheds or storage buildings are excluded from these fees. The City shall make a determination as to the applicability of the fee structure in cases where building classification is in question or in cases of general interpretation of this schedule.

*Single-Family Residential Development:* Per single-family residence.

Sewer Impact Fee: \$250.00

*Multiple-Family Development:* Per unit regardless of the number of units in a single building (50% of Single-Family Residence Fees):

Sewer Impact Fee: \$125.00

*Commercial Development:* Per building, store, unit or bay, whichever is greater in number.

(a) Commercial entities using water in sales or production (250% of Single-Family Residence Fees):

Sewer Impact Fee: \$625.00

(b) Commercial entities not using water in sales or production (150% of Single-Family Residence Fees):

Sewer Impact Fee: \$375.00

*Light Industrial Development:* Per building, store, unit or bay, whichever is greater in number.

(a) Light Industrial entities using water in sales or production (350% of Single-Family Residence Fees):

Sewer Impact Fee: \$875.00

(b) Light Industrial entities not using water in sales or production (150% of Single-Family Residence Fees):

Sewer Impact Fee: \$375.00

*Heavy Industrial Development:* Per building, store, unit or bay, whichever is greater in number.

(a) Heavy Industrial entities using water in sales or production (450% of Single-Family Residence Fees):

Sewer Impact Fee: \$1,125.00

(b) Heavy Industrial entities not using water in sales or production (150% of Single-Family Residence Fees):

Sewer Impact Fee: \$375.00

*Office Development:* For purposes of this Section, an "office" is a place of business characterized by the absence of retail sales as a principal business activity.

Sewer Impact Fee: Ten cents (\$.10) per square foot.

(Ord. No. 1100 §§1–6, 5-17-94; Ord. No. 1566 §§1—2, 11-6-01)



**Section 19-10. EACH BUILDING TO HAVE SEPARATE HOUSE SEWER AND DRAINAGE SYSTEM; EXCEPTION.**

The house sewer and drainage system of each new building and of new work installed in an existing building shall be separate from and independent of that of any other building and every building shall have an independent connection with a public sewer; except, that where one building stands to the rear of another building 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 will be considered as one building sewer. (Ord. No. 117, § 2.)

**Section 19-11. LOCATION.**

Every connecting building sewer shall be connected to the municipal sewer system at the "Y" designated for the property served by the connection, except where otherwise expressly authorized by the city sewer inspector. (Ord. No. 117, § 2.)

**Section 19-12. SUPERVISION OF INSTALLATION OR REPAIR.**

The city sewer inspector shall supervise all house sewer connections made to the public sanitary sewer system and excavations for the purpose of installing or repairing the same. (Ord. No. 117, § 3.)

**Section 19-13. CONSTRUCTION REQUIREMENTS.**

The following materials and construction methods and none other shall be used in the building of sewers and connections to the public sanitary sewer system:

(a) *Materials.* All pipe shall be one of the following: Cast-iron soil pipe conforming to the A.S.T.M. standard specification A-74-62; asbestos cement building sewer conforming to the specifications of Johns-Manville Transite Asbestos-Cement Building Sewer Pipe; or vitrified glazed clay sewer pipe conforming to A.S.T.M. standard specifications C-13 or C-261, with compression-type coupling designated at A. S. T. M. C-425-58T known as PVC (polyvinyl chloride) joint coupling.

(b) *Size.* The size of all pipe shall not be less than six inches in diameter for a single dwelling, and not less than six inches in diameter for a commercial building or a multiple dwelling. No single length of pipe shall exceed ten feet in length at any time.

(c) *Joints and connections.*

(1) *Cast-Iron Soil Pipe.* Joints for cast-iron pipe shall be made by inserting a roll of hemp or jute and thoroughly caulking it into place and then following with pure molten lead well caulked not less than one inch deep.

(2) *Asbestos-Cement Sewer Pipe.* Joints for asbestos-cement sewer pipe shall be made by use of the manufacturer's joint, which shall include an asbestos-cement coupling, together with rubber rings which shall form a tight and flexible joint conforming to Transite Ring-Tite Couplings.

(3) *Vitrified Glazed Clay Sewer Pipe.* Joints shall be fitted with factory-made resilient compression joints meeting A.S.T.M. specifications for vitrified clay pipe compression type joints having resilient properties better known as PVC (polyvinyl chloride) joint couplings designated C-425. Before joining the pipe in the trench, the bell and spigot surfaces shall be wiped free of dirt and other foreign matter. A lubricant or sealer, as recommended by the pipe manufacturer, shall be applied to the bell and spigot mating surfaces just before they are joined together. The top or one side of the spigot end shall be positioned into the bell end of the pipe previously laid and shall then be shoved home to compress the joint and to assure a tight fit between the interfaces. Special compression adaptors or field unions shall be used where connections are made to street sewers, building or house drains, cut pipe or to pipe line already in place.

(d) *Grades.* Unless otherwise authorized, all house sewers shall have a grade of not less than one-eighth of an inch per foot. A grade of one-fourth inch per foot should be used wherever practical. Wherever possible, the connecting sewer shall join the building at an elevation which is below the basement floor of such building.

(e) *Trenching and backfilling.* All excavations shall be open-trench work unless otherwise authorized by the sewer inspector. The foundation in the trench shall be formed to prevent any subsequent settlement of the pipes. If the foundation is good, firm earth, the earth shall be pared or molded to give a full support to the lower third of each pipe. The bell holes shall be dug. Where the floor of the trench is of hard or rocky material, the trench shall be excavated to four inches below grade and brought back to the proper grade with fine gravel, coarse sand or similar materials so as to provide a firm foundation and uniform support for the house sewer line. Backfilling shall be placed in layers and solidly tamped or packed up to two feet above the pipe. Backfilling shall not be done until final inspection is made by the sewer inspector.

(f) *Tunneling.* Tunneling for distances of not more than six feet is permissible in yards, courts or driveways of any building site.

(g) *Repair of public right-of-way.* No connection to the public sanitary sewer system shall be finally approved until all streets, pavements, curbs or other public improvements thereon have been restored to their former condition to the satisfaction of the city inspector.

(h) *Use of old house sewers.* Old house sewers or portions thereof may be approved for use by the city inspector. The inspector may request that the old sewer be excavated for the purpose of facilitating inspection. No old cesspool or septic tank shall be connected to any portion of a house sewer that is also connected to the public sanitary sewer.  
(Ord. No. 117. § 5.)

### **Article III. Waste Disposal.**

#### **Section 19-14. SCOPE AND PURPOSE.**

(a) It is deemed necessary in the interest of public health and welfare to reasonably regulate the discharge of certain wastes, and to inaugurate a program of inspection and regulation of all discharges of wastes to protect the city's sewage system.

(b) Such regulation and inspection is necessary because certain wastes may damage the city's sewage system and related appurtenances or interfere with the sewage treatment processes if discharged into the city's sewage system, and it is deemed necessary, therefore,

to preclude certain wastes from entering the sewage system to avoid damage to the system or to avoid undue pollutional effects on the waters of the state. (Ord. No. 271 §§1-2, 9-2-69)

**Section 19-15. DEFINITIONS.**

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

*B.O.D. (denoting Biochemical Oxygen Demand).* The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty degrees centigrade (20°C), sixty-eight degrees fahrenheit (68°F) expressed in milligrams per liter.

*BUILDING SEWER.* The sewer extension from the building drain to the public sewer or other place of disposal.

*CITY.* The City of Eureka.

*COOLING WATER.* The water discharged from any system of condensation, air conditioning, cooling, refrigeration, or other, but which shall be free from odor and oil. It shall contain no polluting substances which would produce B.O.D. or suspended solids each in excess of ten (10) milligrams per liter.

*COMBINED SEWER.* A sewer designed and intended to receive and convey sewage, storm water including roof and street drainage, and unpolluted wastewater and cooling water.

*DRAINAGE CHANNEL.* Any artificially constructed open channel, ditch, swale, or flume, whether lined or unlined, for the drainage of storm water and groundwater.

*GARBAGE:* Every refuse accumulation of solid animal, fruit and vegetable matter that attends the preparation, use, cooking, dealing in or storing of food and from the handling, storage and sale of produce.

*INDUSTRIAL CONNECTION SEWER.* That portion of sewer line required to carry the sewage of any industrial or commercial establishment from the last point of sewage entry on the premises to a public sewer or to carry the discharge from any industrial pretreatment facility to a public sewer.

*INDUSTRIAL WASTE.* The waterborne wastes from industrial processes, as distinct from sanitary sewage.

*INDUSTRIAL WASTE TREATMENT PLANT.* Any treatment plant device or facility used or intended to be used for the specific treatment of industrial wastes in which other wastes may or may not be present; provided, that a treatment plant in a public sewage system shall not be so designated.

*MAYOR.* The Mayor of the City of Eureka, or his duly authorized representative.

*NATURAL OUTLET.* Any outlet into a watercourse, stream, creek, river, pond, lake or any other body of surface or ground water.

*NORMAL SEWAGE.* Waters or wastes having (1) a five (5) day Biochemical Oxygen Demand not greater than three hundred (300) milligrams per liter, and (2) containing not more than three hundred fifty (350) milligrams per liter of suspended solids.

*PERSON.* Any individual, firm, company, municipality, association, society, corporation, or group.

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

*PROPERLY SHREDED GARBAGE.* 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 particle greater than one-half (½) inch in any dimension.

*PUBLIC SEWER.* A sewer in which all owners of abutting properties have equal rights and is controlled by the City of Eureka.

*SANITARY SEWAGE.* Sewage discharging from the sanitary conveniences of dwelling (including apartment houses and hotels), office buildings, factories or institutions, and free from storm, surface water and industrial wastes.

*SANITARY SEWER.* A sewer designed and intended to receive and convey only sewage as defined herein, together with such infiltration as cannot be avoided.

*SEMI-PUBLIC SEWAGE DISPOSAL OR SEWAGE TREATMENT FACILITY.* A device or facility for treating or disposing of sewage or industrial wastes from a school, public building, institution, church, hotel, motel, or other building or structure not classified as private.

*SEWAGE.* The water-carried wastes from residences, business buildings, institutions and industrial establishments, singular or in any combination, together with such ground surface and storm waters as cannot be avoided.

*SEWAGE TREATMENT PLANT.* Any arrangement of devices and structures used for treating sewage.

*SEWAGE WORKS OR SEWAGE SYSTEM.* All facilities for collecting, pumping, treating and disposing of sewage.

*SEWER.* A pipe or conduit for carrying sewage and other waste liquids.

*SHALL.* is mandatory; *MAY.* is permissive.

*STORM SEWER OR STORM DRAIN.* A pipe or conduit designed and intended to receive and convey only storm or unpolluted waters.

*STORM WATER.* Any water resulting from precipitation mixed with the accumulation of dirt, soil, and other debris or substances collected from the surfaces on which such precipitation falls or flows.

*SUSPENDED SOLIDS.* Solids that either float on the surface of, or are in suspension in water, sewage, or other liquids; and which are removable by laboratory filtering.

*UNPOLLUTED WATER OR WASTE.* Any water or waste containing none of the following: free or emulsified grease or oil; acid or alkali; phenols or other substances imparting taste and odor in receiving waters; toxic or poisonous substances in suspension, colloidal state or solution; and noxious or odorous gases. It shall contain not more than ten thousand (10,000) milligrams per liter of dissolved solids, of which not more than two thousand five hundred (2,500) milligrams per liter shall be as chloride, with permissible volume subject to review by the city; and not more than ten (10) milligrams per liter each of suspended solids and B.O.D. The color shall not exceed fifty (50) units. (The unit color being that produced by one (1) milligram per liter platinum, in the form of chloroplatinate ion.)

*WATERCOURSE.* A natural surface drainage channel for storm water and ground water in which a flow of water occurs, either continuously or intermittently.

*WATERS OF THE STATE.* All rivers, streams, lakes and other bodies of surface or subsurface water lying within or forming a part of the boundaries of the state which are not entirely confined and retained completely upon the property of a single individual, partnership or corporation. (Ord. No. 271 §3, 9-2-69)

**Section 19-16. UNLAWFUL TO DISCHARGE OR DEPOSIT SEWAGE, ETC., INTO ANY NATURAL OUTLET.**

It shall be unlawful to discharge or deposit into any natural outlet, drainage channel, or watercourse within the City of Eureka any sewage, industrial wastes, garbage, polluted water or any other substance which constitutes a nuisance or hazard to the public health or welfare, except the effluent from a properly designed and approved sewage treatment facility or device which has been provided in accordance with the provisions of this article. (Ord. No. 271 §4, 9-2-69)

**Section 19-17. SEPTIC TANKS, CESSPOOLS, ETC., PROHIBITED.**

Except as hereinafter provided, it shall be unlawful to install any cesspool, septic tank or other facility intended or used for the disposal of sewage. (Ord. No. 271 §5, 9-2-69)

**Section 19-18. CONNECTION TO PUBLIC SEWER REQUIRED, WHEN.**

At such time as a sanitary or combined public sewer becomes available to a property served by a private or semi-public sewage disposal system or treatment facility, as provided in Section 19-19 of this article, a direct connection shall be made to the public sewer in compliance with this article, and any septic tank, cesspool, or similar private or semi-public sewage disposal or treatment facilities shall be abandoned and filled with suitable material. (Ord. No. 271 §6, 9-2-69)

**Section 19-19. PUBLIC OR SEMI-PUBLIC SEWAGE DISPOSAL SYSTEM.**

Where a public sanitary or combined sewer is not available under the provisions of this article, the building sewer shall be connected to an approved private or semi-public sewer or sewage disposal system or sewage treatment facility complying with the provisions of this article. A sewer shall be considered available if it is within one hundred fifty (150) feet of any part of the property to be connected to the sewer. (Ord. No. 271 §7, 9-2-69)

**Section 19-20. PERMIT REQUIRED, WHEN.**

Before commencement of construction of a private or semi-public sewage disposal system or treatment facility where suitable public sewers are not available, or where the city approves such systems for treatment or for pretreatment of wastes before discharge to the public sewer, the owners shall first obtain a construction permit from the City of Eureka. The application for the permit shall be made on a form furnished by the city, which the applicant shall supplement by plans, specifications and other data including the results of soil absorption tests performed as required by the city if sub-surface disposal is proposed. A permit and inspection fee of fifteen dollars (\$15.00) shall be paid to the city at the time the application is filed. On and after the effective date of this article the city shall exclusively issue permits for private and semi-public sewage disposal or treatment facilities. (Ord. No. 271 §8, 9-2-69)

**Section 19-21. CITY INSPECTIONS, WHEN.**

The city shall be allowed to inspect the work at any stage of construction and in any event, permittee shall notify the city when the work is ready for final inspection and before any underground portions are covered. The inspection shall be made within forty-eight (48) hours of the receipt of notice by the city. (Ord. No. 271 §9, 9-2-69)

**Section 19-22. COMPLIANCE WITH STATE RECOMMENDATIONS.**

The type, capacities, location, and layout of a private, semi-public, or industrial sewage disposal system or treatment facility shall comply with all recommendations of the Water Pollution Board of the State of Missouri. (Ord. No. 271 §10, 9-2-69)

**Section 19-23. OWNER TO OPERATE, MAINTAIN AND ALLOW INSPECTIONS.**

The owner shall operate and maintain any private, semi-public, or industrial sewage disposal or treatment facilities in an efficient and satisfactory manner at all times, at no expense to the city. Such facilities shall be subject to inspection by the Mayor or his designated representative at all times. (Ord. No. 271 §11, 9-2-69)

**Section 19-24. DISCHARGE INTO SANITARY SEWERS RESTRICTED.**

No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, subsurface drainage, uncontaminated cooling water or unpolluted industrial process waters into any sanitary sewer. Any connection, drain or arrangement which will permit any such waters to enter any sanitary sewer shall be deemed to be a violation of this section and this article. (Ord. No. 271 §12, 9-2-69)

**Section 19-25. UNLAWFUL CONNECTIONS.**

It shall be unlawful for any plumber, drainlayer, contractor, or any other person constructing a sewer, a house or building connection, an industrial connection sewer connected to a sanitary sewer to leave such connection open, unsealed, or incomplete in such manner that will permit storm or surface water to enter into any sanitary sewer within the

city. All such openings shall be tightly sealed at all points whenever work is not actually in progress on such sewer or connection. (Ord. No. 271 §13, 9-2-69)

**Section 19-26. DISCHARGE OF STORM WATER INTO SPECIFICALLY DESIGNATED SEWERS.**

Storm water and all other unpolluted drainage shall be discharged into such sewers as are specifically designated as combined sewers or storm sewers, or to a drainage channel or natural outlet approved by the Mayor. Industrial cooling water or unpolluted process waters may be discharged, upon approval of the Mayor to a storm sewer, combined sewers, drainage channel or natural outlet. (Ord. No. 271 §14, 9-2-69)

**Section 19-27. DISCHARGE OF HARMFUL SUBSTANCES UNLAWFUL.**

No person shall discharge or cause to be discharged to any public sewers any of the following substances, materials, waters, or wastes if it appears likely that such wastes will harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving stream, or will otherwise endanger life, limb, public property, or constitute a nuisance. The substances are:

(a) Any gasoline, benzine, naphtha, fuel oil, or mineral oil or other flammable or explosive liquid, solid, or gas.

(b) Any water or wastes that contain more than ten (10) milligrams per liter by weight of the following gases: Hydrogen sulphide, sulphur dioxide, or nitrous oxide.

(c) Any garbage that has not been properly shredded to a degree that all particles will be carried freely under the flow conditions of the sewer and with no particle greater than one-half (½) inch in any dimension.

(d) Any solid or substance in quantities capable of causing obstruction to the flow in sewers, or interference with the proper operation of the sewage works such as: ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, hair and fleshings, entrails, lime slurry, lime residues, beer or distillery slops, chemical residues, paint residues, cannery waste bulk solids, shredded paper, cardboard or similar wastes.

(e) Any noxious or malodorous gas or 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.

(f) Any waters or wastes containing in excess of two (2) milligrams per liter of cyanides as CN.

(g) Any water or wastes which contains any substance that will solidify or become discernably viscous at temperatures between thirty-two (32) degrees to one hundred fifty (150) degrees Fahrenheit such as: grease, oil or any other viscous substances in quantities capable of causing obstruction to the flow in sewers or interference with the proper operation of any sewage works. (Ord. No. 271 §15, 9-2-69)

**Section 19-28. PERMIT REQUIRED FOR CERTAIN DISCHARGE.**

(a) Unless a permit has been obtained from the city, no person shall discharge or cause to be discharged to any public sewers any of the following:

- (1) Any liquid or vapor having a temperature higher than one hundred fifty (150) degrees Fahrenheit (sixty-five (65) degrees Centigrade).
- (2) Any water or wastes, acid or alkaline in reaction, and having corrosive properties capable of causing damage or hazard to structures, equipment and personnel of the sewage works. Free acids and alkalis of such wastes must be neutralized, at all times, within a permissible range of pH between 5.5 and 10.5.
- (3) Any water or wastes containing a toxic or poisonous substance or of high chlorine requirement 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 or storm water overflows or the effluent of the sewage treatment plant.
- (4) Materials such as copper, zinc, chromium, and similar toxic substances shall be limited to the following average quantities in the sewage as it arrives at the treatment plant and at no time shall the hourly concentration at the sewage treatment plant exceed three (3) times the average concentration given herein regardless of rate of sewage flow:

Iron as Fe	15 milligrams per liter
Chromium as Cr (hexavalent)	5 milligrams per liter
Copper as Cu	3 milligrams per liter
Zinc as Zn	2 milligrams per liter
Nickel	2 milligrams per liter
Cadmium	2 milligrams per liter
Chlorine Requirement	30 milligrams per liter

defined as the amount of chlorine in milligrams per liter which must be added to produce a residual of 0.1 milligrams per liter after a contact period of 15 minutes and with the contributions from individual establishments subject to control in volume and concentration by the mayor.

- (5) Any water or wastes containing the discharge of strong acids, iron pickling wastes, or concentrated plating solutions whether neutralized or not.
- (6) *Any radioactive wastes.* The introduction of radioactive waste into the city sewers shall be permitted only if a special permit is obtained prior to introducing such wastes. In general the decision of the city will be in accordance with the principles set out in the Atomic Energy Act of 1954 (68 Stat. 919), Part 20, Sub-Part D-Waste Disposal, Section 20.313 on successor principles as established by the Atomic Energy Commission.
- (7) Any wastes which are highly colored such as concentrated dye wastes or spent tanning solutions, or wastes which are of unusual volume concentration of solids, or composition, as for example in total suspended solids of inert nature (such as fuller's earth) and/or in total dissolved solids (such as sodium chloride, calcium chloride, or sodium sulfate) or which have a Biochemical Oxygen Demand

(B.O.D.) which exceeds the standards of normal sewage.

- (8) Any water or wastes which by interaction with other water or wastes in the public sewer system, releases obnoxious gases; or develops color of undesirable intensity; or forms suspended solids in objectionable concentration; or creates any other condition deleterious to structures and treatment processes.
- (9) Any water or wastes containing emulsified oil and grease exceeding, on analysis, an average of one hundred (100) milligrams per liter (eight hundred thirty-three (833) pounds per million gallons) of hexane soluble matter.

*NOTE:* The poundage permitted per day from any establishment may be subsequently limited depending upon hexane soluble content of the sewage delivered to the Sewage Treatment Works.

- (10) Any water or wastes that contain phenols in excess of 0.50 milligrams per liter. These limits may be modified so that the aggregate of contributions throughout the City of Eureka area of service do not cause treatment difficulties, or produce a plant effluent discharge to the receiving water, which may be prohibited.

(b) To obtain a permit as required herein any person may file an application on a form to be furnished by the City of Eureka. If after examining the information contained in the application it is determined by the city that the characteristics of the proposed discharge will not damage the city sewage system and related appurtenances or interfere with the sewage treatment processes, or will not cause undue pollutional effects on the waters of the state, if discharged into the city's sewage system, then a permit may be issued allowing the discharge of such wastes into the city's sewage system. Said permit shall be issued and then shall be renewable upon re-examination. (Ord. No. 271 §16, 9-2-69)

#### **Section 19-29. EXCEEDING NORMAL SEWAGE STANDARDS—PROCEDURE.**

All persons or companies who discharge sewage, industrial wastes, water or other liquid which exceed the standards of normal sewage to the sewerage system, or to a stream, or to both, shall fill in and file with the City of Eureka an industrial wastes questionnaire furnished by the city which shall contain pertinent data, inclusive of quantity of flow and an analysis of such sewage, industrial waste, water or liquid so discharged. This shall be accomplished by the "person or company" in conjunction with the officials of the City of Eureka and within ninety (90) days after receipt of such questionnaire unless otherwise authorized. (Ord. No. 271 §17, 9-2-69)

#### **Section 19-30. MANHOLES—REQUIREMENTS.**

When required by the City of Eureka, the owner of any property served by a building or plant sewer or sewers carrying industrial wastes shall provide a suitable manhole or manholes in the building sewer to facilitate observation, sampling and measurement of all of the wastes from his premises. Such manholes, when required, shall be accessible and safely located, and shall be constructed in accordance with plans approved by the City of Eureka. The manhole shall be provided by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times. (Ord. No. 271 §18, 9-2-69)

**Section 19-31. BASIC STANDARDS.**

The basic standard for all measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this article shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", as prepared and published jointly by the American Public Health Association, the American Water Works Association and the Water Pollution Control Federation, and some other method mutually agreed upon and approved by the State Water Pollution Board. (Ord. No. 271 §19, 9-2-69)

**Section 19-32. GAGING, SAMPLING, POINT OF DISCHARGE MANHOLES.**

Normal operation of any gaging and sampling manhole or point of discharge, shall be the time required, as determined by the City of Eureka to obtain representative samples of the effluent discharged in proportion to flow and to conclude the necessary analytical examinations of the samples obtained. (Ord. No. 271 §20, 9-2-69)

**Section 19-33. PROPERTY OWNERS TO BEAR COSTS OF ADDITIONAL MANHOLE SAMPLINGS.**

In the event more than two (2) gaging and sampling manholes or points of discharge are necessary, the additional costs of the installations of measurement devices to be used and the costs of the personnel required for operation of the manholes or sampling points and the subsequent laboratory work involved, shall be borne by the owners of the property. (Ord. No. 271 §21, 9-2-69)

**Section 19-34. MANHOLES USING HYDRAULIC EQUIPMENT.**

Where a plant or premise discharges its effluent to a manhole or manholes used as gaging and sampling points, and the effluent is of such volume and duration that installation of hydraulic equipment cannot be made until the plant or premise ceases its operation, by weekend closedown, the costs of making the installations, involving overtime pay, shall be borne by the plant or premise. If the plant or premise elects to make the hydraulic installations with their own personnel, the installation shall be set up in a manner approved by the City of Eureka. (Ord. No. 271 §22, 9-2-69)

**Section 19-35. PROPERTY OWNER TO PAY EXCESS COSTS—WHEN.**

In the event that a period in excess of forty (40) hours per week is required for City of Eureka personnel to properly gage, sample and analyze the discharged effluent, the extra costs shall be borne by the owner of the property. (Ord. No. 271 §23, 9-2-69)

**Section 19-36. CITY OF EUREKA—RIGHT TO ENTER AND SET UP OPERATION.**

The City of Eureka shall have the right to enter and set up, on company property, such devices necessary to conduct a gaging and sampling operation and to begin such operation upon presentation of proper identification on arrival without advance notice to the company.

While performing the work, the City of Eureka shall observe all safety rules applicable to the premises, established by the company. (Ord. No. 271 §24, 9-2-69)

**Section 19-37. SUBMISSION OF INFORMATION FOR APPROVAL AND PERMIT.**

Plans, specifications and any other pertinent information relating to treatment or pretreatment facilities, holding tanks, control and neutralization equipment or other facilities to be utilized in the treatment or control of wastes discharged to any natural outlet, drainage channel, public sewer or watercourse within the City of Eureka shall be submitted for the approval of the City of Eureka, and no construction of such facilities shall be commenced until said plans are approved and a permit issued by the City of Eureka. (Ord. No. 271 §25, 9-2-69)

**Section 19-38. WATER OR WASTE FACILITIES SUBJECT TO INSPECTION.**

Where private or semi-public facilities are provided for the treatment, pretreatment, control or neutralization of waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense and shall be subject to periodic inspection by the City of Eureka. (Ord. No. 271 §26, 9-2-69)

**Section 19-39. MONTHLY SUMMARY REPORT.**

The owner shall maintain operating records and shall submit to the City of Eureka in a form prescribed by the city a monthly summary report, of the character of the influent and effluent to show the performance of the treatment facilities. (Ord. No. 271 §27, 9-2-69)

**Section 19-40. GREASE, OIL AND SAND INTERCEPTORS.**

Grease, oil and sand interceptors or traps shall be provided when, in the opinion of the Mayor 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 or traps shall not be required for private living quarters or dwelling units. Prior to the installation of any interceptors or traps, plans shall be submitted to the City of Eureka for approval. All interceptors and drains shall be located so as to be readily and easily accessible for cleaning and inspection.

Grease and oil interceptors or traps shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature.

They shall be of substantial construction, water-tight, and equipped with easily removable covers which, when bolted in place, shall be gas-tight and water-tight, unless otherwise authorized by the City of Eureka.

Where installed, all grease, oil and sand interceptors or traps shall be maintained by the owner, at his expense, in continuously efficient operation at all times. (Ord. No. 271 §28, 9-2-69)

**Section 19-41. CITY TO REPAIR CERTAIN DAMAGE FROM DRAINAGE—PERSON TO BE LIABLE FOR.**

If the drainage from any gasoline filling station, garage, refining plant, chemical plant, packing house, slaughter-house, lard rendering establishment, dairy, steam engine, steam boiler, steam plant or any other establishment shall cause a deposit or obstruction or damage to any public sewer the Mayor shall cause such deposit or obstruction to be removed promptly or cause such damage to be repaired, keeping an account of the cost of such work including materials, labor and supervision and shall certify an account of such cost to the person from whose establishment or premises the material causing such deposit, obstruction or damage came and if such person shall fail, neglect or refuse to pay the sum specified to the City Clerk of the City of Eureka within thirty (30) days after demand has been made, the person shall be deemed guilty of a misdemeanor. (Ord. No. 271 §29, 9-2-69)

**Section 19-42. FURNISHING RECORDS.**

It shall be the duty of every person, public utility, or institution holding a permit to operate a sewerage system or sewage treatment plant to furnish records for ascertaining compliance with this article as may be required by the Mayor. (Ord. No. 271 §30, 9-2-69)

**Section 19-43. SEWAGE SYSTEMS TO BE IN COMPLIANCE WITH ARTICLE.**

The Mayor shall cause to be made such surveys, investigations, and studies of sewage, sewerage systems, watercourses, and streams receiving sewage and drainage as may be necessary to determine that all sewerage systems are installed, operated, and maintained in compliance with the provisions of this article. (Ord. No. 271 §31, 9-2-69)

**Section 19-44. AUTHORIZED CITY EMPLOYEE MAY GAIN ACCESS—WHEN.**

Any duly authorized employee of the City of Eureka bearing proper credentials and identification shall be permitted to gain access to such premises as may be necessary for the purpose of inspection and observation, measurement, sampling and testing, in accordance with the provisions of this article. (Ord. No. 271 §32, 9-2-69)

**Section 19-45. OBSTRUCTIONS UNLAWFUL—EXCEPTIONS.**

It shall be unlawful to place any dam or other obstruction in any drainage facility or watercourse unless permission to do so is expressly granted in writing by the Mayor. (Ord. No. 271 §33, 9-2-69)

**Section 19-46. WILLFUL DAMAGE TO SEWAGE WORKS.**

It shall be unlawful for any unauthorized person to maliciously, willfully, or negligently break, damage, destroy, uncover, deface, alter, or tamper with any structure, appurtenance, or equipment which is a part of the sewerage system of the City of Eureka. (Ord. No. 271 §34, 9-2-69)

**Section 19-47. VIOLATION OF SECTION 19-19 OR 19-24.**

Any person found to be violating the provisions of Section 19-19 or 19-24 of this article shall be given 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 satisfactorily correct said violation. (Ord. No. 271 §35, 9-2-69)

**Section 19-48. VIOLATION OF TIME LIMIT IN SECTION 19-47.**

Any person who shall continue any violation beyond the time limit provided for in Section 19-47 of this article shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not more than one hundred dollars (\$100.00) or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment, for each violation. Each day in which any violation shall continue shall be deemed a separate offense. (Ord. No. 271 §36, 9-2-69)

**Section 19-49. CONTINUED VIOLATION—ABATEMENT—LIEN.**

If any person shall continue a violation of Section 19-19 or Section 19-24 of this article beyond the time limit provided in the notice to correct the violation the Mayor may order the work of correcting the violations of Section 19-24 of the article to be done by the city and shall make a charge against the owner or occupier of such premises for the reasonable cost of such work. If such bill is unpaid after thirty (30) days, notice may be filed in the Office of the Recorder of Deeds of St. Louis County whereupon the bills shall become a lien against the property involved. (Ord. No. 271 §37, 9-2-69)

**Section 19-50. VIOLATION—MISDEMEANOR.**

Any person violating any provision of this article other than Section 19-19 or Section 19-24 shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not more than one hundred dollars (\$100.00) or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment, and each day of violation shall constitute a separate offense. (Ord. No. 271 §38, 9-2-69)