

CHAPTER 66. UTILITIES

ARTICLE II. Sewers and Sewage Disposal.

DIVISION 1. Generally.

Section 66-31. Control of construction of sewers, drains, and connections.

The City Manager shall have general supervision and control of all public sewers and drains and connections thereto, which have been or may hereafter be constructed by the City, or which have been or may be hereafter constructed by private parties under authority granted by the City Council.

Section 66-32. Enforcement of article.

It shall be the duty of the City police department, in all cases where they may find any person engaged in the work of breaking ground for the purposes of making connections, etc., with sewers or drains or in any manner interfering with or operating upon any of the sewers or drains of the City, to ascertain at once if such persons have been granted a permit therefore, and in the event such person does not have a permit, to order them to desist, under pain of arrest for violation of this Code and to at once report the fact to the City Manager.

Section 66-33. Right of entry for inspections; correction of defective sewers and drains.

The City Manager or his duly authorized assistants shall have the right to enter upon any premises connected with any public sewer or drain at all reasonable hours for the purpose of ascertaining whether the provisions of this article or any other ordinance in regard to house drains or connections have been complied with and whether the sewer or drain connecting such premises with the public sewers is in good condition. If the City Manager shall find that such sewer or drain or its appurtenances do not conform to the provisions of law in regard thereto, or have become clogged, obstructed, broken, or out of order, he shall notify the owner, agent, or occupant or person having charge of the building or premises which are drained by such sewer or drain. It shall thereupon be the duty of such owner, agent, occupant or person having charge of the building or premises to cause the sewer or drain or appurtenances to be removed, reconstructed, repaired, altered or cleansed as the condition of such sewer or drain or appurtenances may require, and in case of neglect or refusal of the owner, agent, occupant or other person to remove, reconstruct, repair, alter or cleanse such sewer or drain or appurtenances for the space of three days after receiving such notice from the City Manager, the City Manager shall cause such work to be done in such a manner as he may deem expedient and shall charge the expense thereof to the owner, agent, occupant or other person provided in this section.

Section 66-34. Connection permit.

- (a) No connection shall be made with any public sewer or drain without a written permit from the City Manager, or his duly authorized assistants, and no connection so made shall thereafter be extended without such a permit.
- (b) Applications for permits to connect to sewers and drains must be made and filed in the office of the City Manager or his duly designated assistants by the licensed plumber who is employed to do the work and must state the location of the property to be connected and the name of the owner and the number of buildings to be connected and how occupied. Applications for permits must be accompanied by a sketch plan showing the location of the proposed connection

and the manner in which it is to be made. The city manager shall inspect the plan and if it is found that the connection provided for by such plan does not conform to the provisions of this article or the rules and regulations of the commission relating to such connections or such permit shall not be issued for its construction.

- (c) No permit shall be issued to tap or connect with any municipal sewer or water system of the City, either directly or indirectly, from any lot or tract of land, unless the Finance Director shall have certified the following:
- (1) That such lot or tract of land to be served by such connection or tap has been separately assessed for lateral sewer system and lateral water main with which the connections are made and for other municipal improvements benefiting the property;
 - (2) If no assessment has been levied for such improvements, that proceedings for levying such assessment have been or will be commenced in due course;
 - (3) That the cost of all improvements benefiting the property have been paid by the developer or builder platting such lot or tract of land; or
 - (4) That the applicant has paid compensation to the city for the sanitary sewer, water main, and all other improvements benefiting the property. The amount of compensation shall not exceed the benefit to the property resulting from the improvements. The latest large-area assessments for similar improvements may be used as a guideline in determining the benefits to the property.
- (d) Any sum received by the City under subsection (c) of this section shall be paid into a special expense account until it shall be determined by the City Council whether the property, served by such connection under such permit will be assessable for any other sewer system or water main; if it shall be determined that no other main shall be so assessable, then such fee shall be credited to the fund for the sewer system or water main to which the connection was made, but if the tract or lot served by the connection is subsequently assessed for another sewer system or water main, such sum shall be transferred to the fund for such main, and credited against the amount assessable against such tract or lot.
- (e) All permits issued to connect with sewers and drains shall be upon the express condition that the City Manager or his designee may revoke and annul the permit at any time previous to the time the work of making such connection is commenced, and the person making such connection, or his successors in interest, shall not have the right to claim any damages in consequence of such permit being revoked or annulled.

Section 66-35.

Street excavations; restoration of streets, curbs, and sidewalks thereafter.

When excavations in the street are made, the paving or street surfacing and the excavated material shall be deposited in a manner that will occasion the least inconvenience to the public; provided that the passage of storm water along the gutters must be made. One-half the street must be left clear for the passage of vehicles and bridge-ways must be provided on sidewalks for foot passengers. In refilling the trench the earth must be thoroughly rammed to prevent settlement. The paving or street surfacing and curbs and

sidewalks are to be restored to at least as good a condition as they were before the excavation was made, and all rubbish and surplus earth must be removed.

Secs. 66-36--66-50. Reserved.