

RESOLUTION #100

A RESOLUTION ESTABLISHING PROCEDURES FOR THE OPERATION OF THE SEWER SYSTEM IN THE COMMUNITY OF LEISURE LAKE IN JACKSON COUNTY, IOWA

WHEREAS, the Eastern Iowa Regional Utility Service Systems (EIRUSS) will operate a sewer system in the Community of Leisure Lake in Jackson County, Iowa and

WHEREAS, procedures for the operation of the sewer system must be established to ensure compliance with generally accepted operations and compliance with all applicable permits, and

WHEREAS, these procedures will be performed with the cooperation of the Board of Supervisors and the Jackson County Board of Health,

THEREFORE, BE IT HEREBY RESOLVED by the Board of Health of Jackson County, Iowa as follows:

Section A. DEFINITIONS: Unless the context specifically indicates otherwise, the meaning of terms used in this resolution shall be as follows:

1. "BOD" (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degrees C, expressed in milligrams per liter.

2. "Building" shall mean all houses, buildings, commercial buildings, recreational facilities, or properties used for human occupancy, employment, recreation, or other similar purposes that are located on or occupying a lot. Building shall include structures commonly described as houses, manufactured homes, mobile homes, travel trailers, and campers. Any structure having any of the following characteristics may be considered a "Building" under this ordinance:

- a. A structure used for human occupancy, employment, or recreation
- b. A structure showing no evidence of having been removed from the lot in the previous 90-day period
- c. A structure without a current license plate attached to the structure
- d. A structure without a hitch to allow for movement

e. A structure without tires, with un-inflated tires, or one that is sunk into the ground.

f. A structure that has amenities attached to it or located nearby including but not limited to decks, antennas or satellite dishes.

g. A structure with tall grass and vegetation, such as bushes, growing around or located near the structure.

h. A structure showing evidence of a permanent foundation or skirting.

i. A structure on a property that is being used as a permanent address by the owner or resident.

j. A structure that has an electric service, water supply, and/or receives US Post Office mail delivery.

k. A camper that is parked on a lot without a sewer connection for more than 14 days per year.

l. A camper not owned by the property owner that is parked on a lot for more than 14 days per year without a sewer connection.

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

4. "Building Sewer" shall mean that part of the lowest horizontal pipe which begins at the outside of the wall of a building and connects the building drain with the public sewer at the grinder pump discharge outlet.

5. "County" shall mean Jackson County, Iowa.

6. "EIRUSS" shall mean the Eastern Iowa Regional Utility Service Systems.

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

8. "Industrial Wastes" shall mean the liquid wastes from industrial manufacturing processes, trade, or business as distinct from sanitary sewage.

9. "Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake, or other body of surface or groundwater.

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

11. "pH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

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

13. "Public Sanitary Sewer" shall mean a publicly owned and operated sewer which carries sewage, and to which storm, surface, and ground waters are not intentionally admitted.

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

15. "Service Area" shall mean the portion of Jackson County known as Leisure Lake and located generally on the west side of 113th Avenue between County Road D61 (Bellevue-Cascade Road) to the north, and 217th Street to the south. See Exhibit A – Map of Service Area.

16. "Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments.

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

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

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

20. "Sewer Operator": shall mean the operator provided by the Eastern Iowa Regional Utility Service Systems (EIRUSS) or its authorized deputy, agent, or representative.

21. "Shall" is mandatory; "May" is permissive.

22. "Slug" shall mean 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 twenty-four (24) hour concentration or flows during normal operation.

23. "Storm Drain" (sometimes termed "storm sewer") shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes other than unpolluted cooling water.

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

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

Section B. USE OF PUBLIC SEWERS REQUIRED

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

2. It shall be unlawful to discharge to any natural outlet within the Service Area any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this resolution.

3. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, port-a-potty or other facility intended or used for the disposal of sewage within the Service Area.

4. The owner of all buildings, as defined in Section A.2, situated within the Service Area and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary sewer of the Service Area, is hereby required at the owner's expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this resolution, within sixty (60) days after date of official notice to do so, provided that said public sewer is within two hundred (200) feet of the property line. Billing for sanitary sewer service will begin on the date specified in the official notice to connect to the public sewer. Each building on a lot shall have an individual, independent connection to the sewer system. All separate structures designed for human occupancy shall be directly, independently connected to the sewer system regardless of its current use. An automobile garage or storage shed no larger than 140 square feet does not require an independent sewer connection provided the structure is not being used for a residential use and contains no overnight living accommodations.

5. No owner shall fail to keep a building drain serving his or her property in good condition and free of defect. The owner shall be liable for all operations, maintenance, repair, blockage, surface replacement, and any damage resulting from operation, maintenance, and blockage of such building drain up to and including repair the inlet connection to the grinder pump at his or her expense. The building drain shall include any and all building sewers and all connections of building sewers up to the inlet pipe connection to the grinder pump. The public sewer shall include only the main sewer, and building sewers (laterals) and connections on private property up to the discharge outlet of the grinder pump pit. EIRUSS will own the grinder pumps and assume responsibility for the arrangement and scheduling of routine pump maintenance work. The cost of pump maintenance shall be the responsibility of EIRUSS. All work determined to be due to misuse or neglect on the part of the property owner shall be billed to the property owner regardless of warranty period.

6. All fees for application, connection, and service for the public sewer are determined by the relevant owner/operator of the public sewer.

7. The owner, lessee or tenant of a premises served by a public sewer that is organized by Jackson County pursuant to Chapter 28E of the Iowa Code, shall be jointly and severally liable for sewer rates and charges to the premises. Pursuant to Chapter 28F.5 of the Iowa Code, sewer rates and charges unpaid and delinquent after 60 days shall constitute a lien upon the premises served and shall be certified by the Jackson County Board of Supervisors to the Jackson County Treasurer for collection in the same manner as property taxes.

Section C. BUILDING SEWERS AND CONNECTIONS

1. Requirements.

a. Roof leaders, surface drains, or ground water drains shall not be connected to the sanitary sewer. No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or ground water to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.

b. Each building sewer shall be independent of that of any other building.

c. Where a public sewer is accessible in an easement, street, or alley adjacent to a lot with a building or premises abutting thereon the liquid wastes from any plumbing system in said building shall discharge into the public sewer as provided by this resolution and the rate resolution.

d. Before any connection is made to a public sewer, an approved permit for such connection must be obtained from the EIRUSS or its designated representative. A permit and inspection fee and connection fee shall be paid to EIRUSS at the time the application permit is filled. Each connection to the main sewer shall be made to the fitting designated for that property. If a fitting in the main sewer is not available for the designated property, the connection shall then be made under the direct supervision of the sewer operator. Such permit shall only be issued if the building is in conformance with Jackson County Public Health and Zoning Ordinance regulations.

e. The connection of the building sewer into the public sewer shall conform to the requirements of the State of Iowa plumbing code.

g. All plumbers or home owners who install the building sewer line shall file a "License and Permit - Plumber's Bond " with EIRUSS prior to beginning any work.

2. Supervision. The sewer operator shall supervise all building sewer connections and excavations for the purpose of installing or repairing the same.

3. Specifications:

a. Size of Building Sewer. Building sewers shall be sized to meet capacity requirements, but no building sewer shall be less than four inches in diameter unless it is a low pressure pump discharge system which shall be an engineered design.

b. Grades for Building Sewers. Unless otherwise authorized, all building sewers shall have a grade of not less than one-eighth inch per foot. A grade of one-fourth inch per foot shall be used wherever practical.

c. Trenching and Backfilling. All excavations shall be open trench work unless otherwise authorized by the sewer operator. 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 quadrant of each pipe. Bell holes shall be dug. Backfilling shall not be done until final inspection is made by the sewer operator. Backfilling shall be placed in layers and solidly tamped or packed up to two feet above the pipe.

Note: Where the floor of the trench is soft 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 material so as to provide a firm foundation and uniform support for the building sewer line.

d. Use of Old Building Sewers. Old building sewers or portions thereof may be approved for use by the sewer operator. The operator 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 building sewer that is also connected to the public sewer. Watertight couplings with stainless steel shields approved for underground installation shall be used to connect different materials.

4. Inspection. Each and every part of the building sewer shall be inspected and approved by the sewer operator before being concealed or backfilled.

Section D. USE OF THE PUBLIC SEWERS

1. No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, subsurface drainage, including interior and exterior foundation drains, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.

2. Storm water and all other unpolluted drainage shall be discharged to a natural outlet approved by the operator. Industrial cooling water or unpolluted process waters may be discharged, on approval of the operator, to a storm sewer, or natural outlet.

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

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

b. 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) mg/l as CN in the wastes as discharged to the public sewer.

c. 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.

d. 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, tar, feathers, 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.

e. Any waters or wastes having (1) a 5-day biochemical oxygen demand greater than 300 parts per million by weight, or (2) containing more than 350 parts per million by weight of suspended solids, or (3) having an average daily flow greater than 2 percent of the average sewage flow of the sewer system, shall be subject to the review of the operator. Where necessary in the opinion of the operator, the owner shall provide, at the owner's expense, such preliminary treatment as may be necessary to (1) reduce the biochemical oxygen demand to 300 parts per million by weight, or (2) reduce the suspended solids to 350 parts per million by weight, or (3) 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 operator and no construction of such facilities shall be commenced until said approvals are obtained in writing.

4. 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 operator 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 operator 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 prohibited are:

a. Any liquid or vapor having a temperature higher than one hundred fifty (150) degrees F (65 degrees C).

b. Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150) degrees F (0 and 65 degrees C).

c. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the operator.

d. Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.

e. 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 EIRUSS for such materials.

f. Any waters or wastes containing phenols or other taste- or odor-producing substances, in such concentrations exceeding limits which may be established by the EIRUSS as necessary, after treatment of the composite sewage, to meet the requirements of the State, Federal, or other public agencies of jurisdiction for such discharge to the receiving waters.

g. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by EIRUSS in compliance with applicable State or Federal regulations.

h. Any waters or wastes having a pH in excess of 9.5.

i. Materials which exert or cause:

(1) 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).

(2) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).

(3) Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.

(4) Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.

j. 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.

5. 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 D, and which in the judgment of the operator, 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 operator may:

- a. Reject the wastes,
- b. Require pretreatment to an acceptable condition for discharge to the public sewers,
- c. Require control over the quantities and rates of discharge, and/or
- d. 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 Section D.10 of this Resolution.

If the operator 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 operator, and subject to the requirements of all applicable codes, ordinances, resolutions and laws.

6. Grease, oil, and sand interceptors shall be provided when, in the opinion of the operator, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the EIRUSS, and shall be located as to be readily and easily accessible for cleaning and inspection.

7. 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 his expense.

8. When required by the EIRUSS, 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 EIRUSS. 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.

9. All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this resolution 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, at the property owner's expense, 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. Such sampling report must be provided to EIRUSS

The particular analyses involved will determine whether a twenty-four (24) hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24-hr. composites of all outfalls whereas pH's are determined from periodic grab samples.

10. No statement contained in this article shall be construed as preventing any special agreement or arrangement between the EIRUSS and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the EIRUSS for treatment, subject to payment therefore, by the industrial concern.

Section E. PROTECTION FROM DAMAGE. No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the sewage works.

Section F. POWERS AND AUTHORITY OF INSPECTORS

1. The operator and other duly authorized employees or agents of the County or EIRUSS 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 this resolution. The operator 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.

2. While performing the necessary work on private properties referred to in F.1 above the operator and agents of EIRUSS shall observe all safety rules applicable to the premises established by the company.

Section G. PENALTIES

1. Any person found to be violating any provision of this resolution shall be served by the County and/or EIRUSS 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.

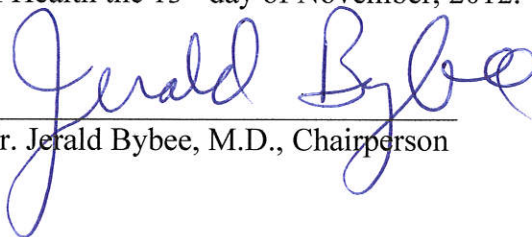
2. Any person who shall continue any violation beyond the time limit provided for in Section G.1 shall have committed a County infraction and be subject to provisions of Code of Iowa 331.307 EIRUSS shall forward the information to the County for execution. The penalties for a county infraction are as follows:

A. A civil penalty of not more than seven hundred and fifty dollars (\$750.00) for each offense, and not to exceed one thousand dollars (\$1000.00) for each repeat offense. Each day that a violation occurs or is permitted to exist by the violator shall constitute a separate offense. A person found guilty of a county infraction is also liable for court costs and fees.

B. In addition to any civil penalty imposed for violating this Ordinance, a Court may grant appropriate relief to abate or halt the violation, including all of the options available pursuant to 2007 Iowa Code Section 331.307

3. Any person violating any of the provisions of this resolution shall become liable to the County and EIRUSS for any expense, loss or damage occasioned the County or EIRUSS by reason of such violation.

Passed by the Jackson County Board of Health the 13th day of November, 2012.


Dr. Jerald Bybee, M.D., Chairperson

ATTEST:


Kara L. Myatt-Brown