

TANEY COUNTY REGIONAL SEWER DISTRICT
SEWER USE REGULATION

RESOLUTION NO. 01-2016

A RESOLUTION REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM(S); AND, PROVIDING PENALTIES FOR VIOLATIONS THEREOF; WITHIN THE BOUNDARIES OF THE TANEY COUNTY REGIONAL SEWER DISTRICT, COUNTY OF TANEY, STATE OF MISSOURI.

WHEREAS, the Taney County Regional Sewer District, (the "District" as hereinafter defined) Taney County, Missouri has constructed and owns and operates a public sewerage system (the "Sewage Works" as hereinafter defined) and

WHEREAS, the District desires to regulate the use of its Sewage Works, and connections thereto, within its boundaries in order to protect the waters of Taney County, Missouri.

NOW, THEREFORE, BE IT RESOLVED BY THE TANEY COUNTY REGIONAL SEWER DISTRICT, TANEY COUNTY, MISSOURI, AS FOLLOWS:

ARTICLE I

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

Section 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°C, expressed in milligrams per liter.

Section 2: "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 inner face of the building wall.

Section 3: "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.

Section 4: "Combined Sewer" shall mean a sewer receiving both surface runoff and sewage.

Section 5: "District" shall mean the District as a political subdivision of the State of Missouri, the board of trustees of the District, and its Administrator or his duly authorized representatives.

Section 6: "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.

Section 7: "Industrial Wastes" shall mean the liquid wastes from industrial manufacturing processes, trade, or business as distinct from sanitary sewage.

Section 8: "Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface or groundwater.

Section 9: “Person” shall mean any individual, firm, company, association, society, corporation, or group.

Section 10: “pH” shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

Section 11: “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.

Section 12: “Public Sewer” shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

Section 13: “Sanitary Sewer” shall mean a sewer, which carries sewage, and to which storm, surface and ground waters are not intentionally admitted.

Section 14: “Sewage” shall mean 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.

Section 15: “Sewage Treatment Plant” shall mean any arrangement of devices and structures used for treating sewage.

Section 16: “Sewage Works” shall mean all facilities for collection, pumping, treating and disposing of sewage.

Section 17: “Sewer” shall mean a pipe or conduit for carrying sewage.

Section 18: “Shall” is mandatory; “May” is permissive.

Section 19: “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.

Section 20: “Storm Drain” (sometimes termed “storm sewer”) shall mean a sewer, which carries storm and surface waters and drainage, and unpolluted cooling water, but excludes sewage and industrial wastes.

Section 21: “Suspended Solids” shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.

Section 22: “Watercourse” shall mean a channel in which a flow of water occurs, either continuously or intermittently.

ARTICLE II

Section 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 District, or in any area under the jurisdiction of said District, any human or animal excrement, garbage, or other objectionable waste.

Section 2: It shall be unlawful to discharge to any natural outlet within the District, or in any area under the jurisdiction of said District, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.

Section 3: Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage when public sewers are available.

Section 4: The owner of all houses, buildings, or properties used for human habitation or employment, recreation, or other purposes, situated within the District 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 District, is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this regulation within ninety (90) days after date of official notice to do so, provided that said public sewer is within three hundred (300) feet of any property line. Capacity/connection fees, and all other required fees as described in the District's User Charge Rate Resolution, shall be paid prior to connecting to the Sewage Works. The District at its sole expense, and through its planned capital improvement projects, reserves the right to waive capacity fees and provide a complete connection, including decommissioning of existing private sewage disposal systems, for all houses, buildings, or properties to be served by each capital improvement project.

Section 5: No statement contained in this article shall be construed as preventing any special agreement or arrangement between the District and any owner providing for the waiver of said requirement to connect to public sewer including waiver of required fees.

ARTICLE III

Section 1: Where a public sanitary sewer is not available under the provisions of Article II, Section 4, the building sewer shall be connected to a private sewage disposal system complying with the requirements of the Missouri Department of Health and Senior Services, as administered by the Taney County Planning and Zoning department.

Section 2: Before commencement of construction of a private sewage disposal system the owner shall first obtain a written permit signed by the Taney County Planning and Zoning department.

Section 3: A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Taney County Planning and Zoning department.

Section 4: The type, capabilities, location, and layout of a private sewage disposal system shall comply with all recommendations of the Missouri Department of Health and Senior Services. No permit shall be issued for any private sewage disposal system employing subsurface soil absorption facilities where the area of the lot is less than two (2) acres. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

Section 5: At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Article II, Section 4, within ninety (90) days a direct connection shall be made to the public sewer in compliance with this regulation, and any septic tanks, lagoons, cesspools, and similar private sewage disposal facilities shall be properly abandoned, cleaned of sludge and filled with suitable material.

Section 6: The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the District.

Section 7: No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the Missouri Department of Health and Senior Services or the Taney County Planning and Zoning department.

ARTICLE IV

Section 1: No unauthorized person shall uncover, make any connections with or opening into, use, alter, relocate or disturb any public sewer main or service line, grinder pump or appurtenance thereof without first obtaining a written permit from the District.

Section 2: All costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner, except during projects constructed by the District whereby the District will provide a full connection of each building at the District's sole discretion and expense. The owner shall indemnify the District from any loss or damage that may directly be occasioned by the installation of the building sewer.

Section 3: A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, courtyard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

Section 4: Old building sewers may be used in connection with new buildings only when they are found, on examination and tested by the District, to meet all requirements of this ordinance. Costs required to examine and test old building sewers will be borne by the property owner.

Section 5: The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the District. In the absence of code provisions in amplification thereof, the materials and procedures set forth in appropriate specifications of the A.S.T.M. and/or applicable W.E.F. Manuals of Practice shall apply.

Section 6: Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

Section 7: The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the District, or the procedures set forth in appropriate specifications of the A.S.T.M. and the applicable

W.E.F. Manuals of Practice. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the District before installation.

Section 8: The applicant for the building sewer permit shall notify the District when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the District. If the District is not notified and subsequently does not supervise the construction of the building sewer and/or connection to the public sewer, the District reserves the right to require any building sewer and/or connection to the public sewer to be uncovered in order to determine the work was constructed properly and in accordance with District approved methods.

Section 9: All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the District.

ARTICLE V

Section 1: No person shall discharge any storm water, surface water, groundwater, roof runoff, subsurface drainage, including interior and exterior foundation drains, other sources of surface runoff or groundwater, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.

Section 2: Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the District. Industrial cooling water or unpolluted process waters may be discharged on approval of the District, to a storm sewer or natural outlet.

Section 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, naphta, 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 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, wet wipes, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, mild containers, etc., either whole or ground by garbage grinders.

Section 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 District 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 District 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 or 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, or (65 degrees C).
- b. Any water or wastes 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)F (0 and 65° 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 District.
- 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 District 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 District 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.
- g. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the District 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 or 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 volumes 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 the other agencies having jurisdiction over discharge to the receiving waters.
- k. Any waters or wastes having (1) a 5-day BOD greater than 250 parts per million by weight, or (2) containing more than 250 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 District, shall be subject to the review of the District. Where necessary in the opinion of the District, the owner shall provide, at his expense, such preliminary treatment as may be necessary to (1) reduce the biochemical oxygen demand to 250 parts per million by weight, or (2) reduce the suspended solids to 250 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 District and no construction of such facilities shall be commenced until said approvals are obtained in writing.

Section 5: If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters containing the substances or possess the characteristics enumerated in any section of this Article, and which in the judgment of the District, may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life to constitute a public nuisance, the District 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 subject to the provisions of Section 10 of this Article.

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

Section 6: Grease, oil, and sand interceptors shall be provided when, in the opinion of the District, they are necessary for the proper handling of liquid wastes, sand, or their 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 District, and shall be located as to be readily and easily accessible for cleaning and inspection.

Section 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.

Section 8: When required by the District, the owner of any property serviced by a building sewer carrying industrial wastes, or wastes of a normal domestic strength where the flow rate for billing purposes cannot reasonably be determined, shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, determination of flow rate, sampling, and measurement of the wastes. Such manhole, when required, shall be accessible and safely located, and shall be constructed in accordance with plans approved by the District. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

Section 9: All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this ordinance 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 whether a twenty-four (24) hour composite of all outfalls or 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-hour composites of all outfalls whereas pH analyses are determined from periodic grab samples.

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

ARTICLE VI

Section 1: No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is part of the sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

ARTICLE VII

Section 1: The District operating through its duly authorized employees 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 regulation. The District or its 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.

Section 2: While performing the necessary work on private properties referred to in Article VII, Section 1 above, the District operating through its duly authorized employees shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the District employees and the District shall indemnify the company against loss or damage to its property by District employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions.

Section 3: The District operating through its duly authorized employees bearing proper credentials and identification shall be permitted to enter all private properties through which the District 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. The District reserves the right to require all property owners to provide and maintain adequate access to all portions of the sewage works that may be lying within an easement on private property. If adequate access is not maintained to the sewage works lying within an easement on private property the District reserves the right to require any and all obstructions to be removed. When an obstruction or inadequate access to the sewage works is observed, the District will request the obstructions to be removed and for proper access to be restored. In the event a property owner refuses to provide adequate access to the sewage works after written notice is given and sufficient time is allowed for removal of all obstructions, the District reserves the right to relinquish all ownership, operation and maintenance responsibilities of said sewage works. Said relinquishment of ownership, operation and maintenance of sewage works will be made to the property owner in writing and will become effective upon receipt of notice by property owner.

ARTICLE VIII

Section 1: Any person found to be violating any provision of this regulation shall be served by the District with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

Section 2: Any person who knowingly makes any false statements, representations or certifications in any application, record, report, plan or other document filed or required to be maintained pursuant to the District's rules, regulations, ordinances or wastewater permit, or who falsifies, tampers with or knowingly renders inaccurate any monitoring device or method required under the District's rules, regulation or ordinances shall, upon conviction, be punishable by a fine of not more than one thousand dollars (\$1,000) per violation per day or imprisonment for not more than one year or both. In the event of a second conviction, the person shall be punishable by a fine not to exceed three thousand dollars (\$3,000) per violation per day or imprisonment for not more than three (3) years or both. Any penalty imposed by this subsection shall not preclude any appropriate civil remedy.

Section 3: Any person violating any of the provisions of this regulation shall become liable to the District for any expense, loss, or damage occasioned the District by reason of such violation.

ARTICLE IX

Section 1: All ordinances or regulations, or parts of ordinances or regulations, in conflict herewith are hereby repealed; and this regulation supersedes and replaces any previous adopted sewer use regulation or resolution.

Section 2: The invalidity of any section, clause, sentence, or provision of this regulation shall not affect the validity of any other part of this regulation, which can be given effect without such invalid part or parts.

ARTICLE X

Section 1: This regulation shall be in full force and effect from after its passage, approval, recording, and publication as provided by law.

Section 2: Passed and adopted by the Taney County Regional Sewer District Board of Trustees, State of Missouri on the 15th day of March, 2016.