

Chapter 18

SEWERS

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ARTICLE I

DEFINITIONS

Section

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18-1-1. Definitions; generally.

The defined words and phrases in succeeding sections of this Article shall have the meanings there ascribed to them for the purpose of this Chapter unless the context in which they occur clearly indicates otherwise. (Ord. 2613, 1980)

18-1-2. B.O.D.

“B.O.D.” (denoting biochemical oxygen demand) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty degrees (20°) C., expressed in parts per million by weight. (Ord. 2613, 1980)

18-1-3. Same; excess.

“Excess B.O.D.” shall mean B.O.D. strength greater than three hundred (300) mg/l. (Ord. 3175, 1990)

18-1-4. Building drain.

“Building drain” means 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 buildings and conveys it to the service lateral, beginning five (5) feet outside the building wall. (Ord. 2613, 1980)

18-1-5. Building sewer.

“Building sewer” means the extension from the building drain to the public sewer or other place of disposal. (Ord. 2613, 1980)

18-1-6. Combined sewer.

“Combined sewer” means a sewer receiving both surface runoff and sewage. (Ord. 2613, 1980)

18-1-7. Commercial user.

“Commercial user” means all users other than residential, industrial and wholesale users. (Ord. 3248, 1992)

18-1-8. Garbage.

“Garbage” means solid wastes from the preparation, cooling and dispensing of food, and from the handling, storage and sale of produce. (Ord. 2613, 1980)

18-1-9. Industrial user.

“Industrial user” means any user other than a wholesale user of publicly owned treatment works which meets any one of the following criteria:

- (1) which discharges more than the equivalent of twenty-five thousand (25,000) gallons per day (gpd) of sanitary wastes or which is identified in the most current edition of Standard Industrial Classification Manual, Office of Management and Budget, as amended and supplemented,
- (2) all commercial users of individual systems constructed with grant assistance under section 201(h) of the Clean Water Act of 1977,
- (3) which discharges wastewater having a five-day biochemical oxygen demand greater than three hundred (300) parts per million by weight,
- (4) which discharges wastewater containing more than three hundred fifty (350) parts per million of suspended solids,
- (5) which discharges wastewater containing an ammonia nitrogen (NH₃) level of more than twenty-five (25) parts per million,
- (6) which discharges wastewater containing a pH lower than five and five/tenths (5.5) or higher than nine (9.0), or
- (7) which discharges wastewater containing more than fifty (50) parts per million of weight of fats, oil, or grease,
- (8) which is found by the City Manager or the appropriate official of the State of Nebraska or the United States of America to have significant impact, either singly or in combination with other contributing industries, on the wastewater facilities, the quality of the sludge, the facilities' effluent quality, or air emissions generated by the facilities. (Ord. 3566, 1997)

18-1-10. Industrial wastes.

“Industrial wastes” means the liquid wastes from industrial processes as distinct from sanitary sewage. (Ord. 2613, 1980)

18-1-11. Natural outlet.

“Natural outlet” means any outlet into a watercourse, pond, ditch, lake, or other body of surface water or groundwater. (Ord. 2613, 1980)

18-1-12. Normal domestic sewage.

“Normal domestic sewage” means sewage which does not contain excess B.O.D. and/or excess suspended solids. (Ord. 3175, 1990; Ord. 2739, 1982)

18-1-13. Operation and maintenance.

“Operation and maintenance” means all expenditures during the useful life of the treatment works for materials, labor, utilities, and other items which are necessary for managing and maintaining the works to achieve the capacity and performance for which the works were designed and constructed. The term includes replacement. (Ord. 2613, 1980)

18-1-14. Person.

“Person” means any individual, firm, company, association, society, corporation or group. (Ord. 2613, 1980)

18-1-15. pH.

“pH” means the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution. (Ord. 2613, 1980)

18-1-16. Properly shredded garbage.

“Properly shredded garbage” means the wastes from the preparation, cooking, and dispensation of food that has 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 three-eighths (3/8) inch in any dimension. (Ord. 2613, 1980)

18-1-17. Public sewer.

“Public sewer” means a sewer which is controlled by the City and with respect to which all owners of abutting properties have equal rights. (Ord. 2613, 1980)

18-1-18. Replacement.

“Replacement” means expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which the works were designed and constructed. (Ord. 2613, 1980)

18-1-19. Residential user.

“Residential user” refers to dwellings the sanitary sewer of which is used exclusively for residential purposes, and includes funeral homes and churches. (Ord. 2613, 1980)

18-1-20. Sanitary sewer.

“Sanitary sewer” means a sewer which carries sewage and to which stormwaters, surface waters and groundwater are not intentionally admitted. (Ord. 2613, 1980)

18-1-21. Sewage.

“Sewage” means a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments. (Ord. 2613, 1980)

18-1-22. Sewage system.

“Sewage system” means all facilities for collecting, pumping, treating, and disposing of sewage. (Ord. 2613, 1980)

18-1-23. Sewer.

“Sewer” means a pipe or conduit for carrying sewage. (Ord. 2613, 1980)

18-1-24. Storm sewer or storm drain.

“Storm sewer” or “storm drain” mean a sewer which carries stormwaters and surface waters and drainage, but not sewage and polluted industrial wastes. (Ord. 2613, 1980)

18-1-25. Suspended solids.

“Suspended solids” means solids that either float on the surface of or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering. (Ord. 2613, 1980)

18-1-26. Same; excess.

“Excess suspended solids” shall mean suspended solids greater than three hundred fifty (350) mg/l. (Ord. 3175, 1990)

18-1-27. Useful life.

“Useful life” means the estimated period during which a treatment works will be operated. (Ord. 2613, 1980)

18-1-28. User.

“User” means any users of the sanitary sewage system of the City, including all persons, firms or corporations whose premises are served thereby, all owners and tenants of real estate and buildings connected with the system or served thereby, and all persons who in any way use or discharge sewage, industrial waste water or other liquid, either directly or indirectly, into the sanitary sewage system of the City. (Ord. 2613, 1980)

18-1-29. Watercourse.

“Watercourse” means a channel in which a flow of water occurs, either continuously or intermittently. (Ord. 2613, 1980)

18-1-30. Wholesale user.

“Wholesaler user” means a user which maintains its own collection system and collects normal domestic sewage from other users. (Ord. 3248, 1992)

ARTICLE 2

SEWER CONNECTIONS

(a) CONNECTION TO SEWER

Section

<u>18-2-1</u>	<u>When required.</u>
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<u>18-2-3</u>	<u>Failure to comply; connection, assessment by City.</u>
<u>18-2-4</u>	<u>Sewer tap; permit; required.</u>
<u>18-2-5</u>	<u>Sewer tap; fees.</u>

(b) PREMISES OUTSIDE CITY

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<u>18-2-7</u>	<u>Sewer, ownership.</u>
<u>18-2-8</u>	<u>Sewer, expense.</u>
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<u>18-2-11</u>	<u>Connection; extension; fees.</u>

18-2-12	Permit.
18-2-13	Inspection; approval of construction.
18-2-14	Sewers capacity; liability; termination of permission.
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(c) PREMISES OWNED BY CITY

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(d) INDUSTRIAL USERS

18-2-21	Industrial user; permit required.
18-2-22	Existing users.
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18-2-24	Duration of permit; renewal.
18-2-25	Permit conditions.
18-2-26	Standards for determining whether to issue permits and determining permit conditions.
18-2-27	Permit transfer; forbidden.
18-2-28	Revocation of permit.
18-2-29	Revocation, permit, procedure.

(a) CONNECTION TO SEWER

18-2-1. Connection to sanitary sewer; when required.

If a premises within the City abuts any street, alley or easement in which runs a City sanitary sewer main or lateral, then the sanitary sewer plumbing for the premises shall be properly connected to a City sanitary sewer main or lateral. Provided:

- (1) Where a premises as described above is annexed to the City, the sanitary sewer plumbing for the premises shall be connected within one (1) year of the annexation, and
- (2) When a new sanitary sewer main or lateral is constructed within the City, then all premises which abut a street, alley or easement in which the main or lateral is located, and which are not then connected to a City sanitary sewer main or lateral, shall be connected within one (1) year of the completion of construction. Provided further, the City Council may extend the time for connecting as required by (1) or (2) above where an agreement is reached in advance of the annexation or construction, as the case may be, with the owner of the premises for connection at a later time which shall be specified to be either as a time certain or upon the occurrence of one or more events or contingencies. (Ord. 3304, 1993)

18-2-2. Owner; notice to connect.

If a connection shall not have been made as required in section 18-2-1, the City Clerk, upon direction of the City Council, shall serve upon the owner or owners of any such premises a written notice which shall describe the real estate required to be connected with such sewer, and shall notify such

owner that he or she is required to make such connection or to make repairs to existing connection within ten (10) days after the service or publication thereof, and that if he or she fails to comply with such notice, the City Council will cause such connection or repairs to be made and assess the costs thereof, together with the sewer tap fee or fees prescribed by this Article against such premises. Such notice shall be served either by personal service or by publication, one (1) time in a daily, weekly or other legal newspaper not less than ten (10) days preceding the date when the City undertakes to make such connection or repairs. If the notice be published, a copy thereof shall be mailed to the owner or owners at his, her, or their last known address within five (5) days after the publication. (Ord. 2613, 1980)

18-2-3. Failure to comply; connection, assessment by City.

It shall be the duty of the owner of any such premises upon whom such notice has been served to make or cause to be made and to maintain and repair a proper connection with such sewer main or lateral, and to install or cause to be installed proper sewer pipe connections to convey such refuse into such main or lateral. If the owner of any such property shall fail or neglect, for the ten (10) days after personal service or publication of such notice, to make such connections, to install such drainage pipes or to make any repairs which may be necessary therein, then and in that case, the City Council shall cause the same to be done, and assess the cost thereof, together with the sewer tap fee or fees prescribed by this Article, against such property as a special assessment, the same to be collected as other special assessments and special taxes in the manner provided by the statutes of Nebraska. (Ord. 2613, 1980)

18-2-4. Sewer tap; permit; required.

No sewer of the City shall be tapped for a connection from premises within the City until a written permit therefor shall have been issued by the City Manager or the city employee designated by the City Manager with authority to issue permits under this Article. (Ord. 2613, 1980)

18-2-5. Sewer tap; fees.

Before a sewer tap permit as provided for in this Article shall be issued, the owner of the premises from which the connection is to be made shall pay to the City Clerk for each connection the tap fee provided and the Sewer Plant Investment Fee as provided in Chapter 6, Article 6.

(b) PREMISES OUTSIDE CITY

18-2-6. Connections; eligibility.

No connection shall be made to a sewer of the City from premises that are outside the City but that are subject at the time to being brought within the City by voluntary action of the owner or by annexation. Provided, the City Council may waive such restriction if it shall find that waiver will be in the best interests of the owners and inhabitants of premises within the City. (Ord. 2613, 1980)

18-2-7. Sewer; ownership.

Sewers from premises outside the City that are connected to a sewer of the City shall not, without the express consent of the City Council, become the property of the City until such time as such premises shall have been brought within the City. If such premises subsequently shall be brought

within the City, the sewers from such premises shall thereupon become the property of the City without expense to the City. (Ord. 2613, 1980)

18-2-8. Sewer; expense.

Sewers from premises outside the City that are to be connected to a sewer of the City shall be constructed and connected without expense to the City. Sewers so connected shall, until such time as such premises shall have been brought within the City, be maintained in good repair by the owners of such sewers or premises without expense to the City, and such owners shall be liable to the City for any and all damages that may be sustained by the City as a result of failure to comply with this requirement. (Ord. 2613, 1980)

18-2-9. Connection; extension; approval.

Connections to a sewer of the City from premises that are outside the City may be made only after obtaining approval of the City Council and complying with the other requirements of this Article which are applicable to such premises. Subsequent extensions of or additional connections to sewers that have been connected to a sewer of the City may be made only after obtaining approval of the City Manager or his or her designee and complying with the other requirements of this Article which are applicable to such premises. (Ord. 3248, 1992)

18-2-10. Application to connect.

Application for authority to connect to a sewer of the City a sewer from premises that are outside the City, to extend such a sewer, or to make additional connections to such a sewer from premises that are outside the City shall be made in writing and signed by the owners of the premises, and be filed with the City Clerk. Such application shall be accompanied by complete plans and specifications of the sewer system proposed to be connected to a sewer of the City, or as the case may be, of a proposed extension of or additional connections to a sewer that has been connected to a sewer of the City. Such plans and specifications shall show the location, grade, size, type of material, and number of connections of the proposed sewer, and the ground level, manholes, and type of occupancy of the premises. An application to make an initial connection shall not be approved by the City Council until after a finding concerning the sufficiency of the plans and specifications shall have been received from the City Manager or the city employee designated by the City Manager to enforce the provisions of this Article. (Ord. 2613, 1980)

18-2-11. Connection; extension; fees.

Before a permit to make a connection or extension as provided in this Article shall be issued, the applicant shall pay to the City Clerk the tap fee and the Sewer Plant Investment Fee provided in Chapter 6, Article 6.

18-2-12. Permit.

After approval of the application and payment of such fees, the City Manager or his or her designee shall issue to the applicant a permit to make the connection or extension. (Ord. 3248, 1992)

18-2-13. Inspection; approval of construction.

The City Manager the City employee designated by the City Manager shall inspect the construction to determine whether it complies with the plans and specifications as approved, and with good

engineering practice as to matters not specified. If such construction shall not conform to the plans and specifications as approved, and with good engineering practices as to matters not specified, the proposed connection to a sewer of the City shall not be made, and the City Manager or his or her designee shall so notify the holder or holders of the permit. Upon completion of such a connection, the holder or holders of the permit shall at his, her, or their own expense restore or, at the election of the City, pay for the restoration of the surface of the ground to its condition just prior to the excavation. (Ord. 3248, 1992)

18-2-14. Sewers capacity; liability; termination of permission.

Permission by the City to make connections to a sanitary sewer of the City from premises that are outside the City shall not entail any obligation on the part of the City to construct or maintain sewer lines of the City of a capacity sufficient to carry sewage discharged from such premises, nor shall the City be liable for damages that may result to the owners or occupants of such premises because of the inadequate capacity of its sewers. The City also shall not be liable for damages that may result to the owners or occupants of such promises from acts of God, or the public enemy, or from any other cause than gross negligence on the part of its officers or employees. Permission to make connections from premises that are outside the City shall not extend, in any event, beyond a term of twenty-five (25) years if, at the end of such term, the premises still are outside the City. (Ord. 2613, 1980)

18-2-15. Provisions; operation, effect.

The provisions of this Article that are applicable to connections to a sanitary sewer of the City from premises outside the City shall apply to sewer connections that have been made prior, as well as those that may be made subsequent, to the effective date of such provisions. Provided, it shall not be necessary to procure a permit, or to pay the charge for a permit, to connect a sewer that, with consent of the City Council, was connected to a sewer of the City prior to the effective date of such sections. Provided, further, such provisions shall not be construed in such a manner as to impair the obligation of written contracts entered into by the City prior to the adoption of such provisions. (Ord. 2613, 1980)

(c) PREMISES OWNED BY CITY

18-2-16. Premises owned by City.

The provisions of this Article, except section 18-2-1, shall not apply to premises owned by the City. (Ord. 2613, 1980)

18-2-17 to 18-2-20. Reserved.

(d) INDUSTRIAL USERS

18-2-21. Industrial user; wholesale user; permit required.

No industrial user shall discharge industrial waste into the City sanitary sewer after December 31, 1992 without having first obtained a permit in accordance with this Chapter. No wholesale user shall discharge sewage into the City sanitary sewer after December 31, 1997 without having first obtained a permit in accordance with this Chapter. (Ord. 3566, 1997)

18-2-22. Existing users.

Wholesale users which are connected to the City sanitary sewer on November 1, 1997 shall be issued a permit by the City Manager. The permit shall be subject to such conditions as the City Manager deems appropriate. The permit shall be effective January 1, 1998 and from that day forward the permittee shall conform its conduct to the terms and conditions of the permit.

Nothing in this section shall be construed to authorize a violation of any provision of the Scottsbluff Municipal Code, or any provision of any existing contract between the City and the wholesale user. (Ord. 3566, 1997)

18-2-23. New users.

A wholesale user which is not connected to the City sanitary sewer on November 1, 1997 must obtain a permit prior to discharging any sewage into the sewer. Such new wholesale user shall submit an application to the City Manager on a form to be furnished by the City Manager. After evaluation and acceptance of the data furnished, the City Manager may issue a permit subject to the terms and conditions provided in this Chapter. (Ord. 3566, 1997)

18-2-24. Duration of permit; renewal.

Any permit issued by the City Manager shall be valid for a period of one (1) calendar year or until 11:59 P.M. December 31 of the year in which the permit was issued, whichever comes first. Each permit shall be subsequently renewed for additional periods of one calendar year unless, no less than sixty (60) days prior to the expiration of the permit, the City Manager informs the permittee in writing that the permit will not be renewed and states the reasons therefor. Any renewal of a permit shall be subject to the same terms and conditions as the renewed permit unless, no less than sixty (60) days prior to the expiration of the permit, the City Manager informs the permittee in writing of any changes in the terms of the permit. (Ord. 3248, 1992)

18-2-25. Permit conditions.

All permits shall be subject to all provisions of this Chapter and other applicable provisions of the Municipal Code. Permits may contain, but are not limited to, the following:

- (1) discharge limits,
- (2) pretreatment requirements,
- (3) limits on rate and time of discharge or requirements for flow regulations and equalization for regulations,
- (4) provisions requiring the installation of flow measuring, inspection and sampling facilities which include requirements for the City Manager's access to such facilities,
- (5) regulations for monitoring programs which may include sampling locations, frequency and method of sampling, number, types and standards of tests and reporting schedules, and charges payable to the City for monitoring costs incurred by the City,
- (6) requirements for the regular periodic submission of technical reports or discharge reports,
- (7) requirements for the maintenance of plant records relating to wastewater discharge and affording the City Manager access thereto,
- (8) requirements for notification of the City Manager of any new introduction wastewater constituent or any substantial change in the volume or character of the wastewater constituent being introduced into the City's sanitary sewer,

(9) requirements that the permittee provide at his or her expense a satisfactory means of measuring, sampling and otherwise monitoring the permittee's discharge,

(10) other conditions as deemed appropriate by the City Manager to insure compliance with the Municipal Code, and any applicable laws or regulations of the State of Nebraska or the United States of America. (Ord. 3248, 1992)

18-2-26. Standards for determining whether to issue permits and determining permit conditions.

(1) In determining whether to issue any permit authorized by this Chapter, and in determining any conditions to which the permittee shall be subject, the City Manager shall attempt to reconcile the following objectives of the City. No significance shall be given to the order in which these objectives are listed:

- (a) That industrial users be able to operate their businesses efficiently and profitably.
- (b) That differences in the treatment of industrial users and of wholesale users be justified on the basis of differing circumstances.
- (c) That the City's sanitary sewer system and wastewater treatment plant be operated safely, efficiently, and in conformity with all applicable provisions of the Scottsbluff Municipal Code and any applicable laws or regulations of the State of Nebraska and the United States of America.
- (d) That revenues generated by the operation of the City sanitary sewer system and wastewater treatment plant be adequate to meet the needs described in Chapter 18, Article 4 of the Municipal Code.
- (e) That any excess capacity of the wastewater treatment plant be preserved for the accommodation of future growth and new industry.

(2) In determining whether to issue any permit authorized by this Chapter, and in determining any conditions to which the permittee shall be subject, the City Manager shall consider the following:

- (a) The nature of the permittee's business in the case of an industrial user or, in the case of a wholesale user, the nature of the other users from whom the wholesale user collects sewage;
- (b) Relevant aspects of the past history of the permittee including, but not limited to:
 - i. past violations of laws, permit conditions, or contract conditions, or the absence of such;
 - ii. the characteristics of the sewage which has been discharged by the permittee in the past;
 - iii. the volume of the sewage which has been discharged by the permittee in the past;
 - iv. the sporadic nature of discharges by the permittee in the past, or the absence of such;
- (c) The characteristics and volume of sewage discharged by businesses fairly comparable to that of the permittee.
- (d) The capacity of the City's wastewater treatment plant.

- (e) Any other fact deemed relevant by the City Manager to the accomplishment of the objectives described in subsection 1 of this section. (Ord. 3566, 1997)

18-2-27. Permit transfer; forbidden.

No permit issued under this Chapter shall be transferred. In the event a permitted facility is sold, leased or its operation is assumed or taken over by a person other than that named in the permit, an application for transfer of the permit shall be made by the new owner, lessee or operator. Upon approval of such application by the City Manager, but only upon such approval, the new owner, lessee or operator may discharge, in the case of an industrial user, industrial wastes into the City sanitary sewer and, in the case of a wholesale user, may discharge sewage into the City sanitary sewer. (Ord. 3566, 1997)

18-2-28. Revocation of permit.

The City Manager may revoke any permit issued under this Chapter if he or she determines that a permittee:

- (1) has violated the terms and conditions of his or her permit,
- (2) has violated any provision of this Chapter,
- (3) has failed to factually report the wastewater constituents and characteristics of his or her discharge when required to do so,
- (4) has failed to report significant changes in specifications, operations or wastewater constituents or characteristics,
- (5) has refused reasonable access to the users premises for the purpose of inspection or monitoring,
- (6) has failed to pay any fee or sewer service charge required by this Chapter. (Ord. 3566, 1997)

18-2-29. Revocation, permit, procedure.

Before any permit is revoked in accordance with this Chapter the City Manager shall serve upon the permittee, personally or by certified mail, a written notice which notice shall state that the permit shall be revoked ten (10) days after the receipt of such notice unless the permittee requests a hearing before the City Manager or if the permittee makes a written request for a hearing before the City Manager the permit shall remain in effect until the conclusion of such hearing. At such hearing the permittee may show cause why the permit should not be revoked. After such hearing the City Manager may modify or affirm his or her decision as the facts may warrant. Any appeal from the City Manager's decision following such hearing shall be by appropriate proceedings in the District Court. The pendency of such an action in the District Court shall not delay the effective date of the revocation of a permit unless the District Court shall so order. (Ord. 3248, 1992)

ARTICLE 3

SEWER USE, SERVICE

Section

[18-3-1 Sanitary sewer; discharge into; unpolluted drainage.](#)

<u>18-3-2</u>	<u>Sewers; discharge into; restrictions.</u>
<u>18-3-3</u>	<u>Traps; required; when; specifications.</u>
<u>18-3-4</u>	<u>Maintenance.</u>
<u>18-3-5</u>	<u>Sewage; other restrictions; permit; preliminary treatment.</u>
<u>18-3-6</u>	<u>Preliminary treatment facilities; maintenance.</u>
<u>18-3-7</u>	<u>Industrial wastes; manhole.</u>
<u>18-3-8</u>	<u>Measurements; tests; analyses.</u>
<u>18-3-9</u>	<u>Noncompliance; discontinuance of service; liability.</u>

18-3-1. Sanitary sewers; discharge into; unpolluted.

No person shall discharge or cause or permit to be discharged into any sewer connected to a sanitary sewer of the City any storm water, surface water, runoff water from roofs, ground water subsurface drainage, cooling water, or unpolluted industrial process waters. Storm water and all other unpolluted drainage shall be discharged into such sewers are specifically designated as storm sewers, or to a natural outlet. (Ord. 2613, 1980)

18-3-2. Sewers; discharge into; restrictions.

(1) Except as hereinafter provided, no person shall discharge or cause or allow to be discharged any of the following described waters or wastes into any sewer connected to any sanitary or storm sewer of the City:

- (a) any liquid or vapor having a temperature higher than one hundred fifty degrees (150°F) or lower than thirty degrees (30°F),
- (b) any water or waste which may contain more than fifty (50) parts per million by weight of fat, oil or grease,
- (c) any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas,
- (d) any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feather, tar, plastics, wood, paunch manure, whole blood, hair or fleshing entrails or other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation the sewage works,
- (e) any waters or wastes having a pH lower than five and five-tenths (5.5) or higher than nine (9.0), or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works,
- (f) any waters or wastes containing a toxic or poisonous substance which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or to injure in any other way the wastewater system or processes or operation and maintenance of the sewer system, or which constitutes a hazard to humans or animals, creates a public nuisance, or creates any hazard in or has an adverse effect on the waters receiving any discharge from the treatment works, or
- (g) any noxious or malodorous gas or substance capable of creating a public nuisance,
- (h) strong-acid iron-pickling wastes or concentrated plating solutions whether neutralized or not,
- (i) 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 City Manager or his designee for such materials,

- (j) any waters or wastes containing phenols or other taste-producing or odor-producing substances, in such concentrations exceeding limits which may be established by the City Manager or his designee as necessary, after treatment of the composite sewage, to meet the requirements of state, federal, or other public agencies or jurisdiction for such discharge to the receiving waters, or
 - (k) any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the City Manager or his designee in compliance with applicable state or federal regulations.
- (2) No person shall discharge or cause or allow to be discharged any of the following described waters or wastes into any sewer connected to any sanitary sewer of the City:
- (a) any garbage that has not been properly shredded,
 - (b) any water or waste having a five (5) day biochemical oxygen demand greater than three hundred (300) parts per million by weight, or
 - (c) any water or waste containing more than three hundred fifty (350) parts per million by weight of suspended solids, or
 - (d) any water or waste containing an ammonia nitrogen (NH₃) level of more than twenty-five (25) parts per million, or
 - (e) any water or waste having an average daily flow greater than two (2) percent of the average daily sewage flow of the City during the preceding six (6) calendar month period.
 - (f) any water or other substance introduced into the sanitary sewer other than through an approved sewer tap.
- (3) No person shall discharge or cause or allow to be discharged any of the following described waters or wastes into any sewer connected to any storm sewer of the City:
- (a) any garbage,
 - (b) any water or waste having a five (5) day biochemical oxygen demand greater than thirty (30) parts per million by weight, or
 - (c) any water or waste containing more than eighty (80) parts per million by weight of suspended solids. (Ord. 3408, 1995)

18-3-3. Traps; required when; specifications.

Grease, oil and sand traps shall be provided when, in the opinion of the City Manager or his or her designee, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand and other harmful ingredients. All traps shall be of a type and capacity approved by the City Manager or his or her designee, and shall be located as to be readily and easily accessible for cleaning by the user and for inspection by the City. Grease and oil traps shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight, and equipped with easily removable covers which when bolted in place shall be gastight and watertight. They will be cleaned on a routine basis, not less than once per month. (Ord. 3248, 1992)

18-3-4. Same; maintenance.

If installed, all grease, oil and sand interceptors shall be maintained by the owner, at his or her expense, in efficient operation at all times. (Ord. 2613, 1980)

18-3-5. Sewage; other restrictions; permit; preliminary treatment.

Notwithstanding anything else that appears in this Chapter, the City may issue a permit allowing a person to discharge into the City's sewers waters or wastes which in the absence of such permit would be in violation of the provisions of this Chapter. Such permit shall be on the terms and conditions as the City Manager shall deem to be in the best interests of the City. A violation of the terms of the permit shall subject the person to the penalties and sanctions provided in this Chapter. (Ord. 3248, 1992)

18-3-6. Preliminary treatment facilities;

Where preliminary treatment facilities are provided by the owner for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation at the owner's expense. (Ord. 2613, 1980)

18-3-7. Industrial wastes; manhole.

When required by the City Manager or his or her designee the owner of any premises served by a building sewer carrying industrial wastes shall install at his or her expense a suitable control manhole in the sewer service line to facilitate observation, sampling and measurement of the wastes. Such owner, when required by the City Manager or his or her designee, shall install at his or her expense a suitable sewage measuring device. Such manhole, shall be accessible to City employees at all times and safely located, and shall be constructed in accordance with plans approved by the City Manager or his or her designee. The manhole shall be maintained by the owner so as to be safe and accessible at all times unless located in a public right-of-way. (Ord. 3248, 1992)

18-3-8. Measurements; tests; analyses.

All measurements, tests and analyses of characteristics of water and wastes to which reference is made in this Article shall be determined in accordance with "Standard Methods for the Examination of Water and Sewage" and shall be determined at, or on suitable samples taken at, the control manhole, if any, provided by the owner of the premises. If no special manhole has been required to be provided by the owner, the control manhole shall be the nearest manhole in the City sewer downstream from the point at which the service lateral is connected. (Ord. 2613, 1980)

18-3-9. Noncompliance; discontinuance of service; liability.

The City may immediately and without notice discontinue sewer service to any person who shall violate or fail to comply with any of the provisions of this Chapter. The City may also elect to seek damages and penalties as provided for in this Chapter. The owner and occupant of any premises from which water or waste is discharged into any sewer of the City in violation of, or in the absence of compliance with, any such provision shall be jointly and severally liable to the City for any and all damages sustained by the City as a result thereof. (Ord. 3248, 1992)

ARTICLE 4

SEWER SERVICE CHARGES

Section

18-4-1	Sewer service charges; established.
18-4-2	Revenues; requirement.
18-4-3	Basis for computation; billing; payment.
18-4-4	Winter months watering; future.
18-4-5	Private water supply.
18-4-6	Mobile tanks.
18-4-7	Metering of sewage.
18-4-8	Rate; minimum charge.
18-4-9	Surcharge.
18-4-10	Toxic wastes.
18-4-11	Metered sewage.
18-4-12	Inequitable; unfair.
18-4-13	Notice to users.
18-4-14	Due dates; billing; receiving.
18-4-15	Delinquent bill; charge; termination of service.
18-4-16	Sewer charges; liens; special assessment; suit.
18-4-17	Funds; deposit.
18-4-18-	
18-4-23	Repealed.
18-4-24	Rates; review.
18-4-25	Repealed.
18-4-26	Repealed.
18-4-27	Repealed.

18-4-1. Sewer service charges; established.

There is hereby established a sanitary sewer service charge in respect of each lot, parcel of land or premises served by the sanitary sewerage system of the City, or which may otherwise discharge sewage and industrial waste, either directly or indirectly, into such sanitary sewerage system or any part thereof. (Ord. 2613, 1980)

18-4-2. Revenues; requirement.

The sewer service charges shall be adequate to generate annual revenues sufficient to pay costs of:

- (1) operation and maintenance,
- (2) principal and interest account,
- (3) principal and interest reserves, and
- (4) surplus. (Ord. 2613, 1980)

18-4-3. Basis for computation; billing; payment.

Sewer service charges shall be computed, billed and paid on a bimonthly basis, and shall be billed and paid at the same time as bimonthly charges for water service. The amount to be charged shall be calculated as follows:

(1) Except as provided in subsection (2) of this section, the charge to each residential user for a bimonthly period shall be based on the quantity of water consumed by the residential user during the two (2) consecutive month period ending in January or February (whichever month is the second month of the user's bimonthly billing period). Once the charge for the quantity for this time period is computed, the charge shall be payable for a period of one year beginning with the bimonthly period which begins in the following May or June, depending on the user's month of billing.

(2) Commercial, industrial, and wholesale users may be billed on a monthly or bimonthly basis, at the City's option. The charge to each commercial, industrial, and wholesale user shall be based on the amount of water consumed on the premises during the period for which the sewer service charge is payable.

(3) If the charge for water service for the appropriate period does not exceed the minimum charge for water service, then the sewer service charge for the appropriate billing period(s) shall be the minimum sewer service charge as provided for in this Chapter. (Ord. 3248, 1992)

18-4-4. Winter months water; future.

Upon application made, as herein provided by a user who, as determined by the City Manager or his or her designee, in good faith intends to water the lawn on the premises during the winter months for the purpose of sustaining active growth of the lawn, the City Manager or his or her designee shall order that, for the purpose of computing the sewer charge to be made for a period of one (1) year commencing on the following May 1, the amount of the quantity of water consumed on the premises during the previous two (2) month period referred to in section 18-4-3 shall be adjusted by deducting therefrom the following number of gallons:

Lot Size (square feet)	Deduction (gallons)
5,500 or less	4,000
5,501 to 7,500	5,000
7,501 to 10,500	7,000
Over 10,500	10,000

provided, the minimum sewer service charge per bimonthly billing period during such one (1) year period shall be payable in any event. The application shall be in writing, in such form as the City Manager or his or her designee shall prescribe, shall be signed by the user against whom sewer service charges on the premises are billed, and shall be filed with the City Manager or his or her designee not later than November 30 immediately preceding the period in respect of which the adjustment is sought. (Ord. 3248, 1992)

18-4-5. Private water supply.

Users having a private water supply which is discharged into the City's sanitary sewer system shall pay sewer service charges as provided in Chapter 6, Article 6. Provided, however, that where an

approved water flow measuring device has been installed, the sewer service charge shall be computed, billed and paid as provided in section 6-6-19. Provided further that where the user is outside the city limits, such user shall pay double the rate provided in section 6-6-19. An “approved water flow measuring device” within the meaning of this section is a device which is (1) compatible with the city’s reading system and billing software, (2) is plumbed and housed in accordance with the requirements of the city, and (3) is otherwise satisfactory to the city.

18-4-6. Mobile tanks.

- (1) Users who discharge from mobile tanks into the City's sanitary sewer system at a point provided for that purpose at the wastewater treatment plant shall be charged the fees provided in Chapter 6, Article 6.
- (2) The City Manager or his or her designee may refuse to accept the discharge of any sewage which would violate any provision of this Chapter.
- (3) The City Manager or his or her designee shall have discretion to order appropriate testing of the sewage to determine its characteristics. The reasonable cost of such testing shall be paid by the user.
- (4) All surcharges described in this code shall be applicable to discharges from mobile tanks.
- (5) The charges described in this section shall be billed as described in this Chapter. Whenever a bill is delinquent as described in this Chapter, the City Manager or his or her designee may refuse to accept additional discharges from such user.

18-4-7. Metering of sewage.

Users of the sanitary sewerage system of the City may, at their option and expense and with the approval of the City Manager or his or her designee, install sewage flow measuring devices to measure all sewage discharged by them into the sanitary system. (Ord. 3248, 1992)

18-4-8. Rate; minimum charge.

Each user shall pay a sewer service charge in the amount provided in Chapter 6, Article 6.

18-4-9. Surcharge.

Users who contribute wastewater the strength of which is greater than normal domestic sewage shall, in addition to the basic sewer charge, pay a surcharge in the amount provided in Chapter 6, Article 6.

18-4-10. Toxic wastes.

Any user who discharges or allows to be discharged any toxic pollutants which cause an increase in the cost of managing the effluent or the sludge from the City’s treatment works, or any user who discharges or allows to be discharged any substance which singly or by interaction with other substances is deleterious to the treatment process or causes partial or total failure of the treatment system, leading to fines for noncompliance or otherwise causes increases in the cost of operation or maintenance of the treatment works shall pay for such fines or increased costs as determined in Chapter 18, Article 6. (Ord. 3248, 1992)

18-4-11. Metered sewage.

Where a user's water supply is not metered but an approved sewerage flow measuring device has been installed, the sewer service charge shall be computed, billed and paid on the basis of the quantity of sewage so measured at the rate that would be applicable if computed on the basis of consumption of an equal quantity of water. (Ord. 2613, 1980)

18-4-12. Inequitable; unfair.

Where, in the judgment of the City Council, by reason of special conditions, the application in a particular situation of the use charge hereinabove set forth would be inequitable or unfair to either the City or the user, a special rate may be established by a resolution or written contract duly approved by the City Council. (Ord. 2613, 1980)

18-4-13. Notice to users.

Not less often than annually, the City shall provide to each user, together with the regular bill for sanitary sewer service, a statement of the rates being charged to the user for operation, maintenance and replacement of the treatment works. (Ord. 2759, 1982)

18-4-14. Due date; billing; receiving.

All charges established by or pursuant to this Article shall be due and payable on the same dates as water service charges of the City are due and payable. Such charges shall be billed and received at the same time, in the same manner and by the same employees as are water charges of the City. (Ord. 2613, 1980)

18-4-15. Delinquent bill; charge; termination of service.

All bills of the City for sanitary sewer service furnished under this Article shall be delinquent fifteen (15) days after the date of the bill. A penalty for late payment, in an amount of ten (10) percent of the charge, shall be added to each bill when payment has become delinquent. Whenever a bill for such service is delinquent, the City Manager, or his or her designee, may terminate sewer service to the premises, by plugging the sewer service main on the premises, until the amount of the delinquent sewer service charge, together with the charge for the plugging and prospective unplugging of the sewer service main, shall have been paid in full. The amount of the latter charge shall be the reasonable expense to the City, as determined by the City Manager, or his or her designee, of the plugging and unplugging procedure. (Ord. 3109, 1989)

18-4-16. Sewer charges; liens; special assessment; suit.

All charges for sanitary sewer service under this Article shall be a lien upon the property served, and may be collected either from the owner or the person, firm, or corporation requesting the service. Any delinquent charges for sanitary sewer service which remain unpaid for three (3) months after they become due may be, by resolution of the Council, assessed against the real estate as a special assessment. The special assessment shall be certified by the City Clerk to the Scottsbluff County Clerk. The County Clerk shall place the assessment on the tax rolls for collection by the County Treasurer, subject to the same penalties and to be collected in the same manner as other City taxes. The remedy prescribed by this section shall be in addition to any other remedies that the City may have for the collection of delinquent sanitary sewer service charges. (Ord. 3150, 1990)

18-4-17. Funds; deposit.

All revenue from sanitary sewer service charges shall be deposited in the Sewer Fund. (Ord. 2613, 1980)

18-4-18. Repealed. Ord 3810, 2004.

18-4-19. Repealed. Ord 3810, 2004

18-4-20. Repealed. Ord 3810, 2004.

18-4-21. Repealed. Ord 3810, 2004.

18-4-22. Repealed. Ord 3810, 2004.

18-4-23. Repealed. Ord 3810, 2004.

18-4-24. Rates; review.

The City Council shall review the schedule of user charge rates at least every two (2) years and revise the rates as necessary to ensure that the system generates revenues as provided in section 18-4-2, and continues to accomplish proper allocation of operation and maintenance costs among user classes. (Ord. 2613, 1980)

18-4-25. Repealed. (Ord. 3565 § 1, 1997).

18-4-26. Repealed. (Ord. 3565 § 1, 1997).

18-4-27. Repealed. (Ord. 3565 § 1, 1997).

ARTICLE 5

MISCELLANEOUS PROVISIONS

Section

[18-5-1 Sewerage system; damages; intermeddling.](#)

[18-5-2 Premises within City; privy vaults; cesspools.](#)

[18-5-3 Septic tank; disposal field.](#)

18-5-1. Sewerage system; damages; intermeddling.

It shall be unlawful for any person to maliciously, wilfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance, or equipment which is a part of the sewerage system of the City. (Ord. 2613, 1980)

18-5-2. Premises with City; privy vaults; cesspools.

It shall be unlawful for the owner, lessee, or occupant of any premises within the City to keep, use, maintain or have any privy vault, cesspool, hole or other means or contrivance for the disposal of sewage or other refuse otherwise than by disposal thereof into a main or lateral of the public sewer. Any such privy vault, cesspool, hole or other means or contrivance for the disposal of sewage is hereby declared to be a nuisance. Provided, this section shall not apply to a septic tank and disposal field in cases in which, as provided in this Article, a septic tank and disposal field is required. (Ord. 2613, 1980)

18-5-3. Septic tank disposal field.

Where premises within the City do not abut upon a street or alley in which, opposite the premises, run a sewer main or lateral, the owner shall construct and maintain a septic tank and disposal field. (Ord. 2613, 1980)

ARTICLE 6

**ENFORCEMENT, VIOLATIONS,
PENALTIES**

Section

18-6-1	Findings of the City Council.
18-6-2	Statement of Intent.
18-6-3	Definitions.
18-6-4	Traps, required.
18-6-5	Requirements for Traps.
18-6-6	Inspection and Monitoring.
18-6-7	Provisions applicable to the transportation of material removed from traps.
18-6-8	Violations.
18-6-9	Severability.

18-6-1. Findings of the City Council:

The City Council finds as follows:

1. The Environmental Protection Agency, an agency of the government of the United States of America, has instituted sanitary sewer overflow regulations which are enforced by the Nebraska Department of Environmental Quality; and,
2. Clogs in the City's sewer lines due to fats, oil, grease and sand can create sanitary sewer overflow as well as sewer backups into homes and businesses and sanitary sewer overflows are considered regulatory violations committed by wastewater treatment facilities; and,
3. The City's wastewater treatment plant is directly impacted by fats, oil, grease and sand, which reduce plant operation efficiency, cause plant upset, and create higher levels of biochemical oxygen demand that burdens the plant; and,
4. Higher biochemical oxygen demand levels lead to high-operating costs and increase sewer line cleaning frequency; and,

5. The number of sanitary sewer overflows can be substantially reduced with an effective grease and sand trap inspection program; and,
6. The provisions of this article are reasonably necessary for the protection of the City's wastewater treatment system to prevent sanitary sewer overflow and ensure public health and safety,

18-6-2. Statement of intent.

The intention of the City Council in passing this ordinance is:

1. To prevent the introduction of excessive amounts of fats, oil, grease, and sand into the City's sewer system.
2. To prevent clogging or blocking of the City's sewer system due to the accumulation of fats, oil, grease, and sand.
3. To eliminate the City's liabilities due to possible damage to residences and commercial buildings.
4. To protect human health and the environment.
5. To facilitate the City's compliance with applicable state and federal laws.

18-6-3. Definitions.

The defined words and phrases in this section shall have the meanings there ascribed to them for the purpose of this article unless the context in which they appear clearly indicates otherwise.

1. "City Manager" means the City Manager of the City of Scottsbluff, Nebraska, or any other City employee designated by the City Manager to enforce the provisions of this Article.
2. "Facility" in the singular or plural, refers both to food service facilities and transportation service establishments, unless a modifying word or words indicate that a different meaning is intended.
3. "FOG" means fats, oil, and grease, a term which generally refers to animal and vegetable glycerides discharged from food processing and serving industries. These substances are detectable and can be measured using standard analytical techniques. They are generally referred to as grease or greases.
4. "Food Courts" means designated areas, generally found at shopping malls, shopping centers, and amusement parks that contain several food service facilities with different owners that share seating space and plumbing facilities.
5. "Food Service Facility" means a facility that prepares and/or packages food for sale or consumption. These include but are not limited to restaurants, food processing facilities, food manufacturers, seafood packing plants, bakeries, lounges, hospitals, hotels, nursing homes, churches, schools, dairies, slaughter houses, meat packers, food courts, caterers and theme parks.
6. "Gray Water" means all of the liquid and particles suspended in the liquid in a trap after lighter-than-water materials have risen to the top and heavier-than-water materials have sunk to the bottom.
7. "Grease" means animal and vegetable glycerides discharged from food processing and serving industries.
8. "Grease Trap" means a device to which grease and food wastes are directed from the food service facility operations. It functions to separate and retain waterborne greases and solid food particles prior to the wastewater exiting the trap and entering the sanitary sewer system. It also collects solids and grease from kitchen floor drains.

9. "Owner" means the owner, and, if the owner does not operate the facility, the operator of a food service facility or a transportation service establishment.
10. "Sand and Oil Trap" means a device to which sand and oil wastes are directed from the transportation service establishment operations. It functions to separate and retain waterborne sand and oil particles prior to the wastewater exiting the trap or interceptor and entering the sanitary sewer system.
11. "Sanitary Sewer Overflow" means the backing up and overflowing of the sewer system as a result of clogging or the obstruction of flow in the City's sewer system due to the discharge of wastewater with excessive fats, oil, greases, and sand.
12. "Sampling Port" means an opening allowing access to a location where samples can be collected and analyzed. The sampling port shall be between the trap and the point of discharge to the City sewer system.
13. "Sewage system" means the publicly owned wastewater treatment plants or sewer systems of the City of Scottsbluff, including but not limited to all the collector system piping, lines, manholes, lift stations, and treatment plants.
14. "Transportation Service Establishments" means an automotive, truck, or heavy machinery repair and/or maintenance shop, car or truck wash, truck terminal, commercial or industrial transportation equipment manufacturing or maintenance facilities that have tanks, wash racks or any other sand and oily liquid waste discharges indirectly or directly to the City's public sanitary sewer system.
15. "Trap," in the singular or plural, refers to both a grease trap and a sand and oil trap, unless a modifying word or words indicate that a different meaning is intended.

18-6-4. Traps, required.

1. General Requirements.

A. Grease traps are required at all food service facilities directly or indirectly connected to the City's Sewage system. All fixtures within such a food service facility, including but not limited to kitchen sinks, dishwashers, automatic hood wash units, floor drains in food preparation and storage areas, and any other source deemed by the City Manager to be a source of FOG or which may introduce FOG into the sewer system, must be connected to a grease trap. In no case shall FOG be directly introduced into the Sewage system. A grease trap shall function to provide a quiescent, broad surface area that provides sufficient retention time for natural buoyancy of the FOG particles to separate from effluent and to retain FOG particles within the structure. Grease traps may be located underground and outside of a food service facility and shall have at least one inspection hatch on the top surface to facilitate inspection, cleaning, and maintenance. Grease traps shall be designed to collect, contain, or remove food wastes and grease from the waste stream while allowing the balance of the liquid waste to discharge to the Sewage system. All grease traps shall be designed and installed in accordance with sound engineering principles and according to the City specifications and shall fulfill all requirements of the City's codes.

B. Sand and oil traps are required at all transportation service establishments directly or indirectly connected to the City's Sewage system. All fixtures within such a transportation service establishment deemed by the City Manager to be a source of sand and/or oil that may be introduced into the sewer system shall be connected to a sand and oil trap. In no case shall sand or oil be directly introduced into the Sewage system. The sand and oil trap shall function to provide a quiescent, broad surface area that provides sufficient retention time for natural settling of the sand particles to separate

from effluent and to retain sand and oil particles within the structure. Sand and oil traps may be located underground and outside of a transportation service establishment and shall have at least one inspection hatch on the top surface to facilitate inspection, cleaning, and maintenance. Sand and oil traps shall be designed to collect, contain, or remove sand and oil from the waste stream while allowing the balance of the liquid waste to discharge to the Sewage system. All sand and oil traps shall be designed and installed in accordance with sound engineering principles and according to the City specifications and must fulfill all requirements of the City's codes.

2. Facilities which have traps on March 1, 2005 shall be immediately subject to the provisions of this article.

3. Facilities coming into existence after March 1, 2005, or facilities which existed on February 28, 2005 but which are renovated on or after March 1, 2005 shall be immediately subject to the provisions of this article. Any modification of an existing facility requiring a building permit from the City and showing an estimated cost of no less than \$5,000.00 shall be considered a renovation within the meaning of this subsection.

4. Existing facilities that do not have traps, shall install the required traps on or before December 31, 2005.

18-6-5. Requirements for Traps.

1. All traps shall be located as to be readily and easily accessible for cleaning by the user and for inspection by the City Manager.

2. All traps shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight, and equipped with easily removable covers which when bolted in place shall be gastight and watertight.

3. The owner shall ensure that all traps work properly and effectively.

4. All traps shall fully comply with all applicable provisions of the municipal code and any other applicable City regulations.

5. The owner shall be solely responsible for the cost and completion of trap cleaning, inspection, and maintenance, and repairs.

6. Pumping of all traps shall be performed when, in the case of a grease trap the total volume of captured FOG and food sludge in a grease trap or, in the case of a sand and oil trap, the total volume of captured sand and oil displaces twenty (20) percent or more of the volume of the trap. In no case shall pumping be performed less often than every thirty (30) days. Pumping the trap means emptying it and cleaning the side walls, cross pipes, and inlet and outlet pipes.

7. All traps shall be opened, inspected, and maintained a minimum of once per month.

8. Traps may be inspected by the City Manager as often as deemed necessary to assure compliance with this article. Such inspections may be unannounced. The City Manager may review the facilities' records on proper pumping, cleaning, maintenance, and disposal activities and may order the facility to make such changes or repairs as necessary to comply with the provisions of this article.

9. The owner shall be solely responsible for the cost and completion of all repairs of traps. Repairs required by the City Manager shall be completed within twenty-one (21) calendar days from the date of receipt of written notice of required repairs.

10. The owner shall be responsible for the lawful disposition of all grease, sand, oil, and materials removed from traps.
11. The owner shall maintain records of all trap cleaning, maintenance, disposal, and repair, and shall make all records available to the City Manager on demand. Such records shall include the date and time of the event recorded as well as the date the record was created and shall include the amount of material pumped, the repair conducted, or similar description of the recorded event. All records shall be signed by the authorized owner or operator, or a representative of the owner or operator. If cleaning and maintenance are done by facility owners, written maintenance and cleaning procedures as well as the above-required records are required and shall be made available to the City Manager upon demand. All required written records shall be maintained for three (3) years from the date the record was created.
12. No chemicals, enzymes, emulsions, live bacteria, or other grease cutters or additives to grease traps shall be used without the prior written approval of the City Manager. If the City Manager's approval to apply such additives is requested, the City Manager shall be furnished the Material Safety Data Sheet for the substance to be used together with any other information requested by the City Manager, including but not limited to the frequency of application, concentration/dose, and method of application. Approval by the City Manager to use additives may be for a limited time period, and in any event and may be terminated at any time at the discretion of the City Manager.
13. No grease, sand, or oil sources shall be connected directly to sewer lines or be allowed in any other manner to bypass the trap.
14. Sewage shall not be allowed to pass through a trap.
15. Access covers or manholes shall be clearly identifiable and provided over each trap. The manhole shall have readily removable covers to facilitate inspection, the removal of grease, sand, oil, and other materials, and gray water sampling activities. The location of the trap shall be kept free and clear of debris. Blocking or covering the access to manholes is prohibited. The owners or designated representatives (facility managers) of the food service facilities or transportation service establishments shall open access covers or manhole covers at the request of the City Manager.
16. Traps shall be designed and maintained so as to prevent surface water or groundwater from entering trap through leaks in the plumbing or cracks in the trap itself.
17. Under the sink grease traps shall be cleaned at a minimum of once per week, or more often as necessary, to prevent pass-through of grease and other solids into the City's Sewage system. Facilities with under the sink grease traps are subject to the same recordkeeping requirements as indicated above.
18. FOG, sand, or oil shall not be discharged directly to the City's Sewage system, storm sewer system, or any other location not designated by the City Manager for the reception of such materials.
19. A sampling port shall be installed in a location approved by the City Manager to allow sampling by the City Manager. The sampling port shall be located between the trap and the discharge point to the sewer system.
20. The owner shall allow the City Manager ready access at all reasonable times to all parts of the facility for the purpose of trap inspections, observations, records examination, measurements, sampling, testing, and any other function deemed necessary under this article.

18-6-6. Inspection and Monitoring.

1. All facilities may be inspected by the City Manager as often as deemed necessary to assure compliance with this article. Such inspections may be unannounced. The City Manager may review the records required by this article and may order such changes or repairs as necessary to comply with the provisions of this article. Inspections will not be limited to traps but shall include all equipment and operations that may result in the generation of FOG, sand and oil. Other pertinent data and documentation will be subject to verification at the time of inspection.
2. The City Manager may:
 - A. Sample and analyze wastewater discharge from food service facilities and transportation service establishments at any time to determine compliance with all provisions of the municipal code.
 - B. Measure grease/sand gray water level in the traps at any time for pumping violations.
 - C. Determine the adequacy of all traps, based on review of all pertinent information regarding grease, sand and oil trap performance and facility operations, and may order the installation of an appropriate trap.

18-6-7. Provisions applicable to the transportation of material removed from traps.

1. All persons transporting FOG, sand and oil removed from traps shall:
 - A. Comply with all applicable local, state, and federal regulations.
 - B. Lawfully dispose of all material removed from traps.
 - C. Accurately maintain for a period of three years the following records:
 - (1) Name and address of business where the grease, sand and oil trap(s) was pumped out and cleaned.
 - (2) Name of business owner(s), date of pumping, and volume of waste.
 - (3) As to each shipment of material removed from traps:
 - (a) Vehicle license number of the vehicle used in the shipment.
 - (b) The driver's name.
 - (c) The date of delivery,
 - (d) A signed manifest. By signing a manifest, the driver certifies to the accuracy of information on the manifest.
2. The City Manager may inspect all vehicles used in the transportation of material removed from traps.
3. Persons transporting material removed from traps shall clean up spills or accidental releases on streets in the City of Scottsbluff.

18-6-8. Violations.

The violation of any provision of this article shall be a Class I ordinance violation. Each day a violation continues shall be considered a separate violation.

18-6-9. Severability.

It is declared to be the intent of the City of Scottsbluff that if any section, subsection, sentence, clause, or provision of this article shall be declared invalid, the remainder of this article shall be

construed as not having contained such section, subsection, sentence, clause, or provision and shall not be affected by such holding.