

TITLE IV – HEALTH ORDINANCES (Chapters 30-37)

CHAPTER 35**WARREN COUNTY OWNED PUBLIC
SANITARY SEWER SYSTEMS**

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35.01 PURPOSE.

This Chapter is constructed in accordance with Chapter 455B of the Iowa Code and Chapter 567.69 of the Iowa Administrative Code (IAC). The purpose of this Chapter is to establish rules governing the treatment and disposal of sanitary sewage within Warren County to protect the public’s health, safety and welfare. This ordinance pertains to the combined sewage flows that are treated by any common sewage treatment or collection systems that are owned by Warren County.

35.02 DEFINITIONS.

For use in this chapter, unless the context specifically states otherwise, the following terms are defined:

1. “Biochemical Oxygen Demand” (B.O.D.) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty (20) degrees C., expressed in milligrams per liter or parts per million.
2. “Building drain” means that part of the lowest horizontal piping of a building drainage system which receives the discharge from soil, waste, and other drainage

pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.

3. “Building sewer” means that part of the horizontal piping from the building wall to its connection with the main sewer or the primary treatment portion of an on-site wastewater treatment and disposal system conveying the drainage of one building site.
4. “Combined sewer” means a sewer receiving both surface run-off and sewage.
5. “County” means Warren County, Iowa.
6. “County Board” means Warren County Board of Supervisors.
7. “Customer” means any person responsible for production of domestic, commercial, or industrial waste, which is directly or indirectly discharged into the public sewer system.
 - a. “Commercial customer” means any customer of the County’s treatment works whose lot, parcel of real estate or building is used for commercial or business purposes.
 - b. “Residential customer” means any customer of the County’s treatment works whose lot, parcel of real estate or building is used for domestic dwelling purposes only.
 - c. “School customer” means the Southeast Warren Community School District.
8. “Garbage” means solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage and sale of produce.
9. “Industrial wastes” means the liquid wastes from industrial manufacturing processes, trade, or business as distinct from sanitary sewage.
10. “Inspector” means the person duly authorized by the County Board of Supervisors to inspect and approve the installation of building sewers and their connections to the public sewer system, and to inspect such sewage as may be discharged there from. This may be the Warren County Facilities Coordinator or a person working for a firm or organization hired to conduct inspections.
11. “Natural outlet” means any outlet into a watercourse, pond, ditch, lake or other body of surface or groundwater.

12. "Normal domestic wastewater" means wastewater that has a B.O.D. concentration of not more than 200 mg/l, and a suspended solids concentration of not more than 200 mg/l.
13. "On-site wastewater treatment and disposal system" means all County-owned equipment and devices necessary for proper conduction, collection, storage, treatment, and disposal of wastewater from four or fewer dwelling units or other facilities serving the equivalent of fifteen persons (1,500 gpd) or fewer.
14. "Operation and maintenance" means all expenditures during the useful life of the wastewater treatment works for materials, labor, utilities, and other items which are necessary for managing and maintaining the treatment works to achieve the capacity and performance for which such works were designed and constructed.
15. "Operator" means the Warren County Board of Supervisors or authorized deputy, agent or representative, for operation of the County-owned sewage works in Warren County.
16. "pH" means a figure expressing the acidity or alkalinity of a solution on a logarithmic scale on which 7 is neutral, lower values are more acidic and higher values are more alkaline.
17. "Public sewer" means a sewer controlled by public authority.
18. "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 such works were designed and constructed. The term "operation and maintenance" includes replacement.
19. "Sanitary sewage" means sewage discharging from the sanitary conveniences of dwellings, including apartment houses and hotels, office buildings, factories, other commercial buildings, schools or other institutions, and free from storm water, surface water, and industrial waste.
20. "Sanitary sewer" means a sewer which carries sewage, and to which storm, surface and groundwater are not intentionally admitted.
21. "Sewage" means 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.
22. "Sewage treatment plant" means any arrangement of devices or structures used for treating sewage.

23. “Sewage works” or “sewage system” means all facilities for collecting, pumping, treating, and disposing of sewage.
24. “Sewer” means a pipe or conduit for carrying sewage.
25. “Sewer service charges” means any and all charges, rates or fees levied against or payable by customers, as consideration for the servicing of said customers by said sewer system.
26. “Slug” means 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 operations.
27. “Storm drain” or “storm sewer” means a sewer that carries storm and surface waters and drainage but excludes sewage and industrial wastes, other than unpolluted cooling water.
28. “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.
29. “Treatment works” means any devices and systems used for the collection, storage, treatment, recycling and reclamation of municipal sewage, domestic sewage or liquid industrial wastes. These include intercepting sewers, outfall sewers, sewage collection systems, individual systems, pumping, power, and other equipment and their appurtenances; extensions, improvement, remodeling, additions and alternatives thereof; elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; and any works, including site acquisition of the land that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment (including land for composting sludge, temporary storage of such compost, and land used for the storage of treated wastewater in land treatment systems before land applications; or any other method or system for preventing, abating, reducing, collecting, storage, treating, separating or disposing of municipal waste or industrial waste, including waste in combined storm sewer and sanitary sewer systems.
30. “Useful life” means the estimated period during which the wastewater treatment works will be operated.

31. “User charge” means that portion of the total wastewater service charge that is levied in a proportional and adequate manner for the cost of operation, maintenance, and replacement of the treatment works.
32. “Watercourse” means a channel in which a flow of water occurs, either continuously or intermittently.
33. “Water meter” means a water volume measuring and recording device, furnished and/or installed by the County or furnished and/or installed by a user and approved by the County.

35.03 OPERATOR.

The Operator shall exercise the following powers and duties:

1. Operation and Maintenance. Operate and maintain the County-owned public sanitary sewer system.
2. Inspection and Tests. Conduct necessary inspections and tests to assure compliance with the provisions of this Chapter of the Warren County Code.
3. Records. Maintain a complete and accurate record of all sewers, sewage connections, and manholes constructed showing the location and grades thereof.

35.04 PROHIBITED ACTS.

No person shall do or allow any of the following to occur:

1. Damage the sewer system by maliciously, willfully, or negligently breaking, damaging, destroying, uncovering, defacing, or tampering with any structure, appurtenance or equipment, which is a part of the County-owned public sanitary sewer system.
2. Connect a roof downspout, sump pump, exterior foundation drain, areaway drain, or other source of surface run-off or groundwater to a building sewer or building drain, which in turn is connected directly or indirectly to the County-owned public sanitary sewer system.
3. Open or enter any manholes or cleanouts of the County-owned public sanitary sewer system except by authority of the Operator.
4. Place or deposit into the County-owned public sanitary sewer system in an unsanitary manner any human or animal excrement, garbage, or other objectionable waste.

5. Construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage except as provided in the area served by the County-owned public sanitary sewer system.
6. Discharge to the County-owned public sanitary sewer system any sanitary sewage, industrial wastes or other polluted waters, except where suitable treatment has been provided prior to discharge.

35.05 SEWER CONNECTION REQUIRED.

The owners of any houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated within the County and abutting on any street, alley or right-of-way in which the County-owned public sanitary sewer system is located are required to install at the owner's expense suitable toilet facilities and a sewer connection to the County-owned public sanitary sewer system. Owners are required to maintain facilities and sewer connection. Facilities and connections shall be completed within 90 days prior to occupancy of the houses, buildings, or properties. Final determination of whether the County-owned public sanitary sewer system is available and accessible to the owners shall be determined by the Warren County Board of Supervisors, and in accordance with Iowa Administrative Code 567-69.

Billing will begin 30 days after final inspection.

35.06 APPLICATION AND PERMIT.

Owners of houses, buildings or properties used for human occupancy, employment, recreation or other purposes, must obtain a sewer connection permit from the Operator of the County-owned public sanitary sewer system. A building permit also may be required from the Warren County Zoning Office. An application for the permit is available from the Operator. Applicants shall set forth the address and legal description of the property to be connected to the County-owned public sanitary sewer system, state the purpose for which the sewer will be used, and supplement the application with drawings or plans for the house, building or property. The owner shall be required to complete construction and connection of the building sewer to the County-owned public sanitary sewer system within ninety (90) days after issuance of the permit. An extension up to 90 days may be granted by the Operator, at the Operator's discretion. The Operator may revoke the sewer connection permit for violation of the ordinance.

35.07 CONNECTION CHARGE.

The Board of Supervisors shall set the Connection Charge by Resolution.

35.08 RIGHT OF ENTRY.

The Operator and other duly authorized representatives of Warren County shall be permitted to enter all properties connected to the County-owned public sanitary sewer system for the purposes of inspection, observation, measurement, sampling, and testing to determine the kind and source of discharge into the sewer system. Failure to comply with the Operator's request for access and

cooperation shall be a violation of this ordinance and may result in disconnection from the system.

35.09 USE OF EASEMENTS.

The Operator and other duly authorized representatives of Warren County shall be permitted to enter all private properties through which the County holds an easement for the purposes of, but not limited to inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying with said easement. All entry and subsequent work, if any, on said easement, shall be one in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

35.10 SPECIAL PENALTIES.

The following special penalty provisions shall apply violations of this Ordinance:

1. Notice of violation. Any person found to be in violation of any provision of this Ordinance shall be served by the Operator or other county representative with written notice stating the nature of the violation(s) and provided a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.
2. Continuing violations. Any person who shall continue any violation beyond the time limit provided for in subsection 1 of Special Penalties shall be in violation of this chapter and subject to a County Infraction based upon Chapter 2 of this Code of Ordinances. Each day in which any such violation occurs continues shall be deemed a separate offense.
3. Liability imposed. Any person violating any of the provisions of this chapter shall be liable to the County for any expense, loss or damage incurred by the County by reason of such violation(s).

35.11 ABATEMENT OF VIOLATIONS.

Construction or maintenance of building sewer lines whether located upon private property of any owner or in the public right-of-way, which construction or maintenance is in violation of any of the requirements of this chapter, shall be corrected at the owner's expense within thirty (30) days of official notice by the Operator of such violation. If the violation is not corrected within 30 days, the Operator or County shall have the right to finish and correct the necessary work and assess the cost to the property owner. Such assessment shall be collected with and in the same manner as general property taxes. Abatement of violations also may be done using the plumber bond.

35.12 RESTRICTED DISCHARGES -- POWERS.

If any water or wastes are discharged, or are proposed to be discharged to the County-owned public sanitary sewer system, and the water or waste contains substances or possess the

characteristics enumerated in Section 35.34 of this Ordinance, and which in the judgment of the Operator may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or may which otherwise create a hazard to life or constitute a public nuisance, the Operator may:

1. Reject the wastes by requiring disconnection from the public sewage system; and/or
2. Require pretreatment to an acceptable condition for discharge to the public sewers; and/or
3. Require control over the quantities and rates of discharge; and/or
4. Require special charges to cover the added cost of handling and treating the water/waste not covered by existing charges.

35.13 USER CHARGES.

Each customer shall pay a user charge as set by the Board of Supervisors by Resolution.

35.14 SPECIAL CHARGES.

Property owners who contribute wastewater greater than normal domestic sewage shall be charged a surcharge in addition to the normal user charge. The surcharge shall be set by the Board of Supervisors by separate Resolution.

35.15 RESPONSIBILITY FOR INCREASED COSTS.

Any user who discharges toxic pollutants which cause an increase in the cost of managing the effluent or the sludge from the County's treatment works or any user which discharges any substance which singly or by interaction with other substances causes identifiable increases in the cost of operation, maintenance or replacement of the treatment works shall pay for such increased costs. The charge to each such user shall be determined by the operator and approved by the Board of Supervisors.

35.16 JOINT AND SEVERAL LIABILITY FOR CHARGES.

The user charge rates established in this ordinance apply to all users of the County's treatment works, regardless of their location. The owner of the property and any lessee or tenant shall be jointly and severally liable for sewer user charges to the premises. Sewer user charges remaining unpaid and delinquent shall constitute a lien upon the property and shall be certified by the Board of Supervisors to the County Treasurer for collection in the same manner as property taxes.

35.17 BILLING AND PAYMENT.

All users shall be billed under the same terms and conditions provided for payment for water service by the Operator. The Operator may terminate the connection to the sewer for non-payment of sewer charges.

35.18 REVIEW OF RATES.

The Board of Supervisors shall review the user charge system annually and revise the charge system rates as necessary to ensure that the system generates adequate revenues to pay the cost of operation and maintenance including replacement and debt service costs.

35.19 NOTIFICATION OF RATE CHANGES.

The County will notify each user annually, in conjunction with a regular bill of the rate being charged for operation and maintenance including replacement of the treatment works.

35.20 SPECIAL AGREEMENTS PERMITTED.

No statement in this ordinance shall be construed as preventing a special agreement, arrangement or contract between the Board of Supervisors and any industrial concern whereby an industrial waste of unusual strength or character may be accepted subject to special conditions, rate, and cost as established by the Board.

35.21 RATE ADJUSTMENTS.

Before the first of July of each year, an adjustment to the sewer rates based upon the multiplication of the current rate by a factor equal to the increase in the Consumer Price Index (C.P.I.) shall be submitted to the Board of Supervisors. This increase shall go into effect on the July billing, payable August 20th.

35.22 USE OF FUNDS.

The user charge system shall generate adequate annual revenues to pay costs of annual operation and maintenance including replacement and costs associated with debt retirement of bonded capital associated with financing the treatment works, which the County may by ordinance designate to be paid by the user charge system. This ordinance shall establish that portion of the total user charge that is designated for operation and maintenance including replacement of the treatment works.

35.23 ACCOUNTS DESIGNATED.

That portion of the total user charge collected which is designated for operation and maintenance including replacement purposes as established in this chapter shall be deposited in a separate non-lapsing fund known as Operation, Maintenance and Replacement Fund and will be in two primary accounts as follows:

1. Operation and Maintenance Account. An account designated for the specific purpose of defraying operation and maintenance costs (excluding replacement) of the treatment works.

2. Replacement Account. An account designated for the specific purpose of ensuring replacement needs over the useful life of the treatment works. Deposits in the Replacement Account shall be made at least annually from the Operation and Maintenance funds.

35.24 YEAR-END BALANCE.

Fiscal year-end balances in the Operation and Maintenance Account and the Replacement Account shall be carried over to the same accounts in the subsequent fiscal year, and shall be used for no other purposes than those designated for these accounts. Moneys, which have been transferred from other sources to meet temporary shortages in the Operation and Maintenance Account and the Replacement Account shall be returned to their respective accounts upon appropriate adjustment of the user charge rates for operation, maintenance and replacement. The user charge rate shall be adjusted such that the transferred moneys will be returned to their respective accounts within the fiscal year following the fiscal year in which the moneys were borrowed.

35.25 LICENSED PLUMBER REQUIRED.

All installations of building sewers and connections to the County-owned public sanitary sewer system shall be made by a licensed plumber who is qualified to do such work. The Operator shall have the power to inspect the sewer connections and all related work, and may judge the work to be faulty. Faulty work must be corrected immediately if it causes interruption of sewer service to other customers. Faulty work is considered a violation of this ordinance.

If connection to the County-owned public sanitary sewer system is insufficient, the Operator may exercise against the bond to construct a proper connection. The property owner is liable for any damage to the sewer system. The plumber shall provide a surety bond in the minimum sum of five thousand dollars (\$5,000.00) secured by a responsible surety bonding company authorized to operate with the State of Iowa, conditioned to indemnify and save the County harmless against all losses or damages that may arise from or be occasioned by the making of connections with the County-owned public sanitary sewer system or excavations therefore or by carelessness, negligence, or unskillfulness in making the same. Such bond shall remain in force and must be executed for a period of two (2) years except that on such expiration it shall remain in force as to all penalties, claims and demands that may have accrued thereunder prior to such expiration. In lieu of a surety bond, a cash deposit of five thousand dollars (\$5,000.00) may be filed with the County. The purpose of the bond shall further be conditional for the faithful performance of the installer and for the fulfillment of the requirements for proper connection to the sewer system.

35.26 EXCAVATIONS.

All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the County. Pipe laying and backfill shall be performed in accordance with A.S.T.M. Specification C-12, except that no backfill shall be placed until the work has been inspected by the Operator.

35.27 CONNECTION REQUIREMENTS.

Any connection with the County-owned public sanitary sewer system must be made by a licensed plumber under the direct supervision of the Operator or authorized representative, and in accordance with the following:

1. Old Building Sewers. Old building sewers may be used in connection with new buildings only when they are found, upon examination and testing conducted by the owner and observed by the Operator or authorized representative, to meet all requirements of this ordinance.
2. Separate Building Sewers. A separate and independent building sewer shall be provided for every occupied 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, court, yard, or driveway. In such cases, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.
3. Installation. The connection of the building sewer into the County-owned public sanitary sewer system shall conform to the requirements of Division 4, Plumbing Rules and Regulation, State Building Code, applicable rules and regulations of the County or the procedures set forth in A.S.T.M. Specification C-12. All such connections shall be made gastight and watertight. The Operator must approve any deviation from the prescribed procedures and materials before installation.
4. Water Lines. When possible, building sewers should be laid at least ten (10) inches horizontally from a water service. The horizontal separation may be less, provided the water service line is located at one side and at least twelve (12) inches above the top of the building sewer.
5. Size. Building sewers shall be sized for the peak expected sewage flow from the building with a minimum residential sewer size of four (4) inches and minimum commercial and industrial sewer size of six (6) inches.
6. Alignment and Grade. All building sewers shall be laid to a straight line to meet the following:
 - a. Recommended grade of one-fourth (1/4) inch per foot.
 - b. Minimum grade of one-eighth (1/8) inch per foot.
 - c. Minimum velocity of 2.00 feet per second with the sewer half full.
 - d. Any deviation in alignment or grade shall be made only with the written approval of the Operator and shall be made only with approved fittings.

7. Depth. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. The depth of cover above the sewer shall be sufficient to afford protection from frost.
8. Sewage Lifts. In all buildings in which any building drain is too low to permit gravity flow to the County-owned public sanitary sewer system, sanitary sewage carried by such drain shall be lifted by approved artificial means and discharged to the building sewer.
9. Pipe Specifications. Building sewer pipe shall be free from flaws, splits, or breaks. Materials shall be as specified in Division 4 of the Iowa State Building Code except that the building sewer pipe, from the property line to the County-owned public sanitary sewer system shall comply with the current edition of one of the following:
 - a. Ductile iron water pipe – A.W.W.A. C-151, Class 50.
 - b. P.V.C. – SDR26 – A.S.T.M. D-3034.
10. Bearing Walls. No building sewer shall be laid parallel to, or within three (3) feet of any bearing wall, which might thereby be weakened.
11. Jointing. Fittings, type of joint, and jointing material shall be compatible with the type of pipe used, subject to the approval of the Warren County Environmental Health Department. Solvent-welded joints are not permitted.
12. Unstable Soil. New sewer connection shall be laid so that it is exposed when crossing any watercourse. Where necessity requires crossing an old watercourse or where there is danger of undermining or settlement, ductile iron pipe thoroughly encased in concrete shall be required for such crossings. Such encasement shall extend at least six (6) inches on all sides of the pipe. The ductile pipe shall rest on firm, solid material at either end.
13. Preparation of Basement or Crawl Space. No connection for any residence, business, mobile home, or other structure with any sanitary sewer shall be made unless the basement floor is poured, or in the case of a building with a slab or crawl space, unless the ground floor is installed with the area adjacent to the foundation of such building cleared of debris and backfilled. The backfill shall be well compacted and graded so that the drainage is away from the foundation. Prior to pouring the basement floor, or the first floor is installed in a building without a basement, the sewer shall be plugged and the Inspector shall seal the plug. Any accumulation of water in any excavation or basement during construction and prior to connection to the sanitary sewer shall be removed by means other than draining into the sanitary sewer.

35.28 INTERCEPTORS REQUIRED.

Grease, oil, sludge, and sand interceptors shall be provided by gas and service stations, convenience stores, car washes, garages, and other facilities when, in the opinion of the Operator, they are necessary for the proper handling of such wastes that contain grease in

excessive amounts or any flammable waste, sand or other harmful ingredients. Such interceptors shall not be required for private living quarters or dwelling units. When required, such interceptors shall be installed in accordance with the following:

1. Design and Location. All interceptors shall be of a type and capacity as provided by the Iowa Public Health Bulletin and Division 4 of the State Building Code, to be approved by the Operator, and shall be located so as to be readily and easily accessible for cleaning and inspection.
2. Construction Standards. The interceptors shall be constructed of impervious material capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight and equipped with easily removable covers that shall be gastight and watertight.
3. Maintenance. All such interceptors shall be maintained by the owner at the owner's expense and shall always be kept in continuously efficient operations.

35.29 SEWER TAP.

Connection of the building sewer into the public sewer shall be made at the "Y" branch, if such branch is available at a suitable location. If no properly located "Y" branch is available, a saddle "Y" shall be installed at the location specified by the Operator. The public sewer shall be tapped with a tapping machine and a saddle appropriate to the type of public sewer shall be attached with a gasket and two or more stainless steel clamps to the sewer. At no time shall a building sewer be constructed so as to enter a manhole unless special written permission is received from the Operator and the Operator approves the connection.

35.30 INSPECTION REQUIRED.

Before being covered, all sanitary sewer system connections shall be inspected and approved in writing by the Operator or an authorized representative. As soon as all pipe work from the public sewer to inside the building has been completed, and before any backfilling is done, the Operator/Inspector shall be notified, and he or she shall inspect and test the work as to workmanship and material; no sewer pipe laid underground shall be covered or trenches filled until after the sewer has been inspected and approved. If the Operator refuses to approve the work, the plumber or owner must proceed immediately to correct the work. If the plumber or the owners fail to immediately correct the work, the bond shall be held liable to cover the work at the direction of the Operator.

35.31 PROPERTY OWNER'S RESPONSIBILITY.

All costs and expenses incident to the installation, connection and maintenance of the building sewer shall be borne by the owner. The owner shall indemnify the County from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

35.32 STORM WATER.

No person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof run-off, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewer waters or storm sewers, or to a natural outlet approved by the Operator.

35.33 SURFACE WATERS EXCEPTION.

Special permits for discharging surface waters to a public sanitary sewer may be issued by the Operator where such discharge is deemed necessary or advisable for purposes of flushing, but any permit so issued shall be subject to revocation at any time when deemed to the best interests of the sewer.

35.34 PROHIBITED DISCHARGES.

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

1. Flammable or Explosive Material. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.
2. Toxic or Poisonous Materials. Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant, including but not limited to cyanides in excess of two (2) milligrams per liter as CN in the wastes as discharged to the public sewer.
3. Corrosive Wastes. 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.
4. Solid or Viscous Substances. 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, non-flushable wipes, diapers, feminine hygiene products, feathers, tar, plastics, wood, underground garbage, whole block, paunch manure, hair and fleshings, entrails, and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.
5. Excessive B.O.D., Solids or Flow. Any waters or wastes having (a) a five (5) day biochemical oxygen demand greater than three hundred (300) milligrams per liter (mg/l) or (b) containing more than three hundred fifty (350) mg/l of suspended solids, or (c) having an average daily flow greater than two percent (2%) of the average sewage flow

of the County, shall be subject to the review of the Operator. Where necessary in the opinion of the Operator, the owner shall provide at the owner's expense, such preliminary treatment as may be necessary to (a) reduce the biochemical oxygen demand to three hundred (300) parts per million by weight, or (b) reduce the suspended solids to three hundred (300) parts per million by weight, or (c) control the quantities and rates of discharge of such waters or wastes. Plans, specifications, or any pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the Operator and no construction of such facilities shall be commenced until said approvals are obtained in writing.

35.35 RESTRICTED DISCHARGES.

No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the Operator that such wastes can harm either the sewers, sewage process, or equipment, have an adverse effect on the receiving stream or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming an opinion as to the acceptability of these wastes, the Operator will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The substances restricted are:

1. High Temperature Liquids or Vapor. Any liquid or vapor having a temperature higher than one hundred fifty (150) degrees F (65 degrees C).
2. Fat, Oil, Grease. Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred (100) milligrams per liter or six hundred (600) milligrams per liter of dispersed or other soluble matter.
3. Viscous Substances. Water or wastes containing substances, which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150) degrees F (0 and 65 degrees C).
4. Garbage. Any garbage that has not been properly shredded; that is, 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 in any dimension.
5. Acids. Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solution whether neutralized or not.
6. Toxic or Objectionable Wastes. Any waters or wastes containing iron, chromium, copper, zinc, and similar objectional 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 Operator for such materials.

7. Odor or Taste. Any waters or wastes containing phenols or other taste or odor producing substances, in such concentrations exceeding limits which may be established by the Operator as necessary, after treatment of the composite sewage, to meet the requirements of state, federal and other public agencies of jurisdiction for such discharge to the receiving water.
8. Radioactive Wastes. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Operator in compliance with applicable State or Federal regulations.
9. Excess Alkalinity. Any waters or wastes having a pH exceeding 9.5.
10. Unusual Wastes. Materials that exert or cause:
 - a. Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as but not limited to, sodium chloride and sodium sulfate).
 - b. Excessive discoloration (such as, but not limited to dye wastes and vegetable tanning solutions).
 - c. Unusual B.O.D., chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
 - d. Unusual volume of flow or concentration of wastes constituting “slugs” as defined herein.
11. Noxious or Malodorous Gases. Any noxious or malodorous gas or other substance which either singly or by interaction with other wastes capable of creating a public nuisance or hazard to life or of preventing entry into sewers for their maintenance and repair.
12. Damaging Substances. Any waters, wastes, materials or substances which react with water or wastes in the sewer system to release noxious gases, develop color of undesirable intensity, form suspended solids in objectionable concentration or create any other condition deleterious to structures and treatment processes.
13. Untreatable Wastes. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving water.

35.36 SPECIAL FACILITIES.

If the Operator permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Operator and subject to the requirements of all applicable codes, ordinances, and laws. Where preliminary treatment or flow-equalizing facilities are provided for any waters or waste, the owner at the owner's expense shall maintain them continuously in satisfactory and effective operations.

35.37 CONTROL MANHOLES.

When required by the Operator, the owner of the property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Operator. The manhole shall be installed by the owner at the owner's expense and shall be maintained by the owner so as to be safe and accessible at all times.

35.38 TESTING OF WASTES.

All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this chapter 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. If no special manhole has been required, the control manhole shall 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 the existence of hazards to life, limb and property. (The particular analyses involved will determine whether a twenty-four (24) hour composite of all outfalls of a premises is appropriate or whether a grab sample or samples should be taken. Normally, but not always, B.O.D. and suspended solids analyses are obtained from twenty-four (24) hour composites of all outfalls where pH's are determined from periodic grab samples.)

35.39 PENALTIES.

Any person, firm, partnership, corporation, or other entity or responsible person violating any regulation or provision of Chapter 33 may be guilty of a simple misdemeanor. Enforcement of penalties pursuant to this Chapter, set forth in Chapter 2 County Infractions, does not preclude enforcement of penalties under the Code of Iowa. Each additional day of neglect or failure to comply with such provision, rule, or lawful order after notice of violation shall constitute a separate offense.

35.40 SEVERABILITY CLAUSE.

If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section,

paragraph, provision, or part thereof not adjudged invalid or unconstitutional.

