

**TITLE VII. UTILITIES**

**CHAPTER 700: WATER**

**ARTICLE I. WATER RATES—CHARGES AND**

**BILLING**

**SECTION 700.010: WATER RATES**

The schedule of water rates shall be amended to read as follows:

Minimum charge.....	\$ 6.78	first 1,000 gallons
1,000 to 3,000 gallons.....	\$ 1.92	per 1,000 gallons
3,000 to 10,000 gallons.....	\$ 3.23	per 1,000 gallons
10,000 to 50,000 gallons.....	\$ 1.92	per 1,000 gallons
50,000 to 100,000 gallons.....	\$ 1.21	per 1,000 gallons
For every 1,000 gallons thereafter .....	\$ 1.00	per 1,000 gallons

(CC 1984 §24.080; Ord. No. 582 §1, 4-8-91; Ord. No. 649 §1, 1-8-96; Ord. No. 708 §1, 7-12-99; Ord. No. 744 §1, 7-10-00; Ord. No. 841 §1, 12-13-05)

**SECTION 700.020: WATER RATES FOR CUSTOMERS OUTSIDE CITY LIMITS**

The schedule of water rates shall be amended to read as follows:

Minimum charge .....	\$ 10.17	first 1,000 gallons
1,000 to 3,000 gallons .....	\$ 2.88	per 1,000 gallons
3,000 to 10,000 gallons .....	\$ 4.84	per 1,000 gallons
10,000 to 50,000 gallons .....	\$ 2.88	per 1,000 gallons
50,000 to 100,000 gallons .....	\$ 1.81	per 1,000 gallons
For every 1,000 gallons thereafter.....	\$ 1.50	per 1,000 gallons

(CC 1984 §24.085; Ord. No. 709 §1, 7-12-99; Ord. No. 746 §1, 7-10-00; Ord. No. 842 §1, 12-13-05)



**SECTION 700.030: ADDITIONAL CHARGE FOR WATER METERS**

In addition to the metered rates for water consumed, there is hereby established a flat rate of one dollar (\$1.00) per meter per month upon each and every water meter in use through which water is consumed from the municipal water system. (CC 1984 §24.100; Ord. No. 288 §1, 7-11-66)

**SECTION 700.040: WATER SERVICE DEPOSIT**

No water service shall hereinafter be furnished any applicant and no water meter shall be installed and connected for any applicant until each such applicant for water service shall have first paid a deposit of fifty dollars (\$50.00) to the City of New Haven, Missouri, which sum shall be retained by City of New Haven or its successor to insure payment of all water bills and in the event service to applicant is permanently discontinued, this deposit less any amount still due the City of New Haven or its successor shall be refunded without interest. Exception: Renter or property owners that have never paid a deposit and that are in good standing and shall move from one dwelling to another dwelling shall not be subject to deposit. (CC 1984 §24.110; Ord. No. 758 §1(24.110), 4-9-01)

**SECTION 700.050: ADDITIONAL CHARGES—CAPITAL IMPROVEMENTS**

There shall be an additional charge of two dollars sixty cents (\$2.60) assessed per customer of municipal water and/or wastewater service for the purpose of financing capital improvement projects. The revenues derived from the special charge shall be used for the sole purpose of repaying funds borrowed from the Natural Gas Fund. The charge shall be reviewed annually by the Board of Aldermen to determine amongst other considerations the necessity of the continuation of an annual appropriation to the Natural Gas Fund. (CC 1984 §24.120; Ord. No. 724 §1(24.120), 12-13-99)

**SECTION 700.060: RECONNECTION AFTER DISCONTINUANCE FOR DELINQUENCY**

In the event water service is terminated because the user is delinquent, service shall not be reconnected until such user or applicant shall have first paid the deposit herein provided in Section 700.040 in addition to a reconnection charge or fee of twenty dollars (\$20.00) plus payment of unpaid or delinquent water account. (CC 1984 §24.120.1; Ord. No. 419 §2, 6-13-77)

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**SECTION 700.070: APPLICATION OF DEPOSITS TO WATER ACCOUNT**

In the event a water user discontinues water service and there remains a balance due the City of New Haven or its successor for water service, the said City of New Haven or its successor shall apply the deposit against such unpaid water account of users and the excess of the deposit sum over unpaid account, if any, shall be refunded to the water user. (CC 1984 §24.130.1; Ord. No. 419 §3, 6-13-77)

**SECTION 700.080: RETURN OF DEPOSIT**

The deposit shall remain with the City of New Haven or its successor for a period of at least two (2) years and may be returned after that time, without interest, to any depositor, providing that they are in good standing and are not considered a delinquent account and make application for the refund to City of New Haven or its successor. (CC 1984 §24.140; Ord. No. 419 §4, 6-13-77)

**SECTION 700.090: DELINQUENT ACCOUNT**

All accounts shall be considered delinquent as of the twentieth (20th) day of the month immediately following the billing, unless the twentieth (20th) day falls upon a Sunday or legal holiday observed by the said City of New Haven or its successor, then the account shall become delinquent after the next following business day of said City of New Haven or its successor. (CC 1984 §24.150; Ord. No. 419 §5, 6-13-77; Ord. No. 546 §1, 4-11-88)

**SECTION 700.100: IN GOOD STANDING**

Every person who has promptly paid his/her bill by the twentieth (20th) day of each month or has not been delinquent for more than three (3) consecutive billing periods or has not had service terminated because of delinquent payment during the period of two (2) years prior to application for refund. (CC 1984 §24.160; Ord. No. 419 §6, 6-13-77; Ord. No. 546 §1, 4-11-88)

**SECTION 700.110: DELINQUENT ACCOUNTS TO PAY PENALTY**

All delinquent accounts will pay a penalty of ten percent (10%) on the total amount of the delinquent bill and if not paid, penalty will be added on the following billing. If bill and penalty are not paid by the thirtieth (30th) of the month after billing, the Collector shall notify the Board of Aldermen that the account of a user is delinquent. (CC 1984 §24.170; Ord. No. 419 §7, 6-13-77)

**SECTION 700.120: DUTIES OF COLLECTOR**

The Collector of the City of New Haven or its successor shall receive all deposits required hereby and shall issue a receipt for such deposit and shall apply and refund such deposit as herein provided. (CC 1984 §24.180; Ord. No. 419 §8, 6-13-77)

**SECTION 700.130: NOTICE OF DELINQUENT ACCOUNT**

The City Collector shall within five (5) days of noting a delinquent account send notice to the customer of the delinquency and if the statement is not paid in full by the thirtieth (30th) of the month, water service will be terminated without further notice. That further if the customer is a renter or lessor, notice shall also be sent to the owner of the property. (CC 1984 §24.190; Ord. No. 415 §1, 1-11-77)

**SECTION 700.140: DISCONTINUANCE OF SERVICE**

If no payment on a delinquent account is received by the Collector on or before the thirtieth (30th) day of the month after notice is timely placed with the United States Postal Service, the Collector shall notify the Public Works Director of no payment on the particular account and that under the authority granted by this Article, the water service shall be discontinued immediately to the delinquent customer by the Public Works Director. (CC 1984 §24.200; Ord. No. 415 §2, 1-11-77)

**SECTION 700.150: OWNER RESPONSIBLE FOR WATER SERVICE**

All owners or landlords of rental properties or units shall be primarily responsible and obligated for any water service used by a tenant. The owner or landlord only shall instruct the City to provide water service for the property. The landlord or owner may instruct the City to send billings to the tenant for payment, however, unless so instructed all billings will be mailed to owner or landlord. When billings for water service are mailed to tenant, owner or landlord shall remain liable, unless the Collector fails to notify landlord or owner of a delinquent account, then landlord or owner shall not be liable for all service rendered after the thirtieth (30th) of the month following the delinquency. (CC 1984 §24.210; Ord. No. 415 §3, 1-11-77)

**SECTION 700.160: SEGREGATION OF DEPOSITS**

Except as otherwise provided herein, advance deposits paid for water service accounts shall be held by the City apart from any other funds and not be used by the City except as follows:

- 11 In the event of the termination of a water service account because of non-payment where there is an advance deposit with the City, the Clerk shall withdraw the deposit of the user from the deposit account and shall first apply it to payment of the delinquent account; and
- A.2. Upon voluntary termination of the water service by the depositor, the Clerk shall refund the deposit to the depositor upon full payment of the water service account accrued.
- A.3. To settle any other obligation of the user to the City. (CC 1984 §24.230; Ord. No. 415 §5, 1-11-77; Ord. No. 419 §4, 6-13-77)



property owner or applicant and shall be installed in accordance with City specifications. Prior to any such taps being made, a permit must be obtained. The applicant for the permit must file with the application for permit a plan with specifications showing location of the line, size and type of pipe, valves and fittings.

The Public Works Director must inspect the line during construction and prior to closure. An extension of a main shall be considered a tap. The fee for the permit shall be as follows:

- |                                 |            |
|---------------------------------|------------|
| .1. For a tap of a 3 inch line  | \$ 800.00  |
| .2. For a tap of a 4 inch line  | \$1,000.00 |
| .3. For a tap of a 6 inch line  | \$1,500.00 |
| .4. For a tap of an 8 inch line | \$2,500.00 |
| .5. For a tap of a 10 inch line | \$3,000.00 |

In new building construction where taps and line to back of curb has been made but not connected to building prior to connection to supply line of the building, a permit shall be received to make such connection and the Public Works Director shall inspect the connection to insure it meets with City, County and State rules and regulations. The fee for the permit shall be as follows:

- |  |          |
|--|----------|
| .1. For a connection of a ¾ inch line  | \$200.00 |
| .2. For a connection of a 1 inch line  | \$250.00 |
| .3. For a connection of a 1½ line  | \$400.00 |
| .4. For a connection of a 2 inch line  | \$600.00 |
| .5. For connections of a quarter size, it shall be a fee as set forth in tap 1, 2, 3, 4 and 5 above. |          |

(CC 1984 §24.310; Ord. No. 605 §2, 9-14-92; Ord. No. 666 §1, 1-1-97; Ord. No. 727 §1, 5-8-00)

**SECTION 700.190: INSPECTION**

The meters shall be read and inspected quarterly by the Public Works Director. All meters and service lines between the tap and the meter shall be kept in good condition and repair by the consumer and at the consumer's expense. The City shall have the right at all times to enter into and upon the premises of the consumer for the purpose of and to excavate and repair or replace the service lines or any part thereof or the meter, at the expense of the consumer for all labor and material used in so doing, whenever any such line or meter is not in good repair or in good condition. (CC 1984 §24.320; Ord. No. 165 §3, 4-2-56)

**SECTION 700.200: OWNER RESPONSIBLE**

Any application for the installation of water meters and service lines shall be signed by the property owner in addition to any other applicant and the property owner shall be responsible for the payment

of bills for water through such meters in addition to any other person, firm or corporation. (CC 1984 §24.330; Ord. No. 165 §5, 4-2-56)

**SECTION 700.210: DEFINITIONS**

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

*METER:* Any mechanical or mechanical/electrical device used for measuring and yielding an accumulating total of the volume of water passing through it, acceptable to the Public Works Director.

*PERSON:* Any individual, firm, company, association, society, corporation or group.

*PRIVATE WATER SYSTEM:* Any source of other than the City of New Haven water system.

*PUBLIC WORKS DIRECTOR:* Any person designated by the City to assume the responsibility of inspection required by this Article. (CC 1984 §24.400; Ord. No. 432 Art. I, 11-6-78)

**SECTION 700.220: METER REQUIREMENT**

- A. It shall be required of any person to meter or in some way measure and provide an accurate record of the quantity of all water taken from a private water supply system when any portion of that water is discharged into the City sewer system.
- B. Each private water supply system shall be equipped with a functioning meter or meters for the purpose of accurately measuring the amount of water taken from said private water system. Said meter shall be of the type and size acceptable to the Public Works Director.
- C. Installation of said meter(s) shall be located as directed by the Public Works Director so as to assure measurement of all flows entering the City sewer system.
- D. Each person discharging to the City sewer water which originates from a private water system is hereby required at his/her expense to comply with the provisions stated herein within ninety (90) days after date of official notice to do so. (CC 1984 §24.410; Ord. No. 432 Art. II, 11-6-78)

**ARTICLE III. CROSS-CONNECTION CONTROL**

**SECTION 700.230: CROSS-CONNECTION CONTROL—GENERAL POLICY**

- A. *Purpose.* The purpose of this Article is:
  - A.1. To protect the public potable water supply from contamination or pollution by containing within the consumer's internal distribution system or private water system contaminants or pollutants which could backflow through the service connection into the public potable water supply system.

A.2. To promote the elimination, containment, isolation or control of existing cross-connections, actual or potential, between the public or consumer's potable water system and non-potable water systems, plumbing fixtures and industrial-process systems.

- A.3. To provide for the maintenance of a continuing program of cross-connection control which will systematically and effectively prevent the contamination or pollution of all potable water systems.
- B. *Application.* This Article shall apply to all premises served by the public potable water system of the City of New Haven, Missouri.
- C. *Policy.*
  - C.1. This Article will be reasonably interpreted by the water purveyor. It is the water purveyor's intent to recognize the varying degrees of hazard and to apply the principle that the degree of protection shall be commensurate with the degree of hazard.
  - C.2. The water purveyor shall be primarily responsible for protection of the public potable water distribution system from contamination or pollution due to backflow or contaminants or pollutants through the water service connection. The cooperation of all consumers is required to implement and maintain the program to control cross-connections. The water purveyor and consumer are jointly responsible for preventing contamination of the water system.
  - C.3. If, in the judgment of the water purveyor or his/her authorized representative, cross-connection protection is required through either piping modification or installation of an approved backflow prevention device, due notice shall be given to the consumer. The consumer shall immediately comply by providing the required protection at his/her own expense; and failure, refusal or inability on the part of the consumer to provide such protection shall constitute grounds for discontinuing water service to the premises until such protection has been provided. (CC 1984 §24.420; Ord. No. 558 §I, 5-8-89)

**SECTION 700.240: DEFINITIONS**

The following definitions shall apply in the interpretation and enforcement of this Article:

*AIR-GAP SEPARATION:* The unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture or other device and the overflow level rim of the receptacle and shall be at least double the diameter of the supply pipe measured vertically above the flood level rim of the vessel, but in no case less than one (1) inch.

*AUXILIARY WATER SUPPLY:* Any water source or system, other than the public water supply, that may be available in the building or premises.

*BACKFLOW:* The flow, other than the intended direction of flow, of any foreign liquids, gases or substances into the distribution system of a public water supply.

*BACKFLOW PREVENTION DEVICE:* Any device, method or type of construction intended to prevent backflow into a potable water system.

*CONSUMER:* The owner or person in control of any premises supplied by or in any manner connected to a public water system.

*CONTAINMENT:* Protection of the public water supply by installing a cross-connection control device or air-gap separation on the main service line to a facility.

*CONTAMINATION:* An impairment of the quality of the water by sewage, process fluids or other wastes to a degree which could create an actual hazard to the public health through poisoning or through spread of disease by exposure.

*CROSS-CONNECTION:* Any physical link between a potable water supply and any other substance, fluid or source which makes possible contamination of the potable water supply due to the reversal of flow of the water in the piping or distribution system.

*HAZARD, DEGREE OF:* An evaluation of the potential risk to public health and the adverse effect of the hazard upon the potable water system.

1. *HAZARD, HEALTH:* Any condition, device or practice in the water supply system and its operation which could create or may create a danger to the health and well-being of the water consumer.
2. *HAZARD, PLUMBING:* A plumbing type cross-connection in a consumer's potable water system that has not been properly protected by a vacuum breaker, air-gap separation or backflow prevention device.
3. *HAZARD, POLLUTION:* An actual or potential threat to the physical properties of the water system or to the potability of the public or the consumer's potable water system but which would constitute a nuisance or be aesthetically objectionable or could cause damage to the system or its appurtenances, but would not be dangerous to health.
4. *HAZARD, SYSTEM:* An actual or potential threat of severe damage to the physical properties of the public potable water system or the consumer's potable water system or of a pollution or contamination which would have a protracted effect on the quality of the potable water in the system.

*INDUSTRIAL PROCESS SYSTEM:* Any system containing a fluid or solution which may be chemically, biologically or otherwise contaminated or polluted in a form or concentration such as would constitute a health, system, pollutional or plumbing hazard if introduced into a potable water supply.

*ISOLATION:* Protection of a facility service line by installing a cross-connection control device or air-gap separation on an individual fixture, appurtenance or system.

*POLLUTION:* The presence of any foreign substance (organic, inorganic or biological) in water which tends to degrade its quality so as to constitute a hazard or impair the usefulness of the water to a degree which does not create an actual hazard to the public health but which does adversely and unreasonably affect such waters for domestic use.

*PUBLIC POTABLE WATER SYSTEM:* Any publicly or privately owned water system supplying water to the general public which is satisfactory for drinking, culinary and domestic purposes and meets the requirements of the Missouri Department of Natural Resources.

*SERVICE CONNECTION:* The terminal end of a service line from the public water system. If a meter is installed at the end of the service, then the service connection means the downstream end of the meter.

*WATER PURVEYOR:* The owner, operator or individual in responsible charge of a public water system. (CC 1984 §24.420; Ord. No. 558 §II, 5-8-89)

**SECTION 700.250: CROSS-CONNECTIONS PROHIBITED**

- A. No water service connection shall be installed or maintained to any premises where actual or potential cross-connections to the public potable or consumer's water system may exist unless such actual or potential cross-connections are abated or controlled to the satisfaction of the water purveyor and as required by the laws and regulations of the Missouri Department of Natural Resources.
- B. No connection shall be installed or maintained whereby an auxiliary water supply may enter a public potable or consumer's water system unless such auxiliary water supply and the method of connection and use of such supply shall have been approved by the water purveyor and the Missouri Department of Natural Resources.
- C. No water service connection shall be installed or maintained to any premises in which the plumbing system, facilities and fixtures have not been constructed and installed using acceptable plumbing practices considered by the water purveyor as necessary for the protection of health and safety. (CC 1984 §24.420; Ord. No. 558 §III, 5-8-89)

**SECTION 700.260: SURVEY AND INVESTIGATIONS**

- A. The consumer's premises shall be open at all reasonable times to the water purveyor or his/her authorized representative for the conduction of surveys and investigations of water use practices within the consumer's premises to determine whether there are actual or potential cross-connections to the consumer's water system through which contaminants or pollutants could backflow into the public potable water system.
- B. On request by the water purveyor or his/her authorized representative, the consumer shall furnish information on water use practices within his/her premises.
- C. It shall be the responsibility of the water consumer to conduct periodic surveys of water use practices on his/her premises to determine whether there are actual or potential cross-connections to his/her water system through which contaminants or pollutants could backflow into his/her or the public potable water system. (CC 1984 §24.420; Ord. No. 558 §IV, 5-8-89)

**SECTION 700.270: TYPE OF PROTECTION REQUIRED**

The type of protection required by this Article shall depend on the degree of hazard which exists, as follows:

- .1. An approved air-gap separation shall be installed where the public potable water system may be contaminated with substances that could cause a severe health hazard.
- .2. An approved air-gap separation or an approved reduced pressure principle backflow prevention device shall be installed where the public potable water system may be contaminated with a substance that could cause a system or health hazard.

- .3. An approved air-gap separation or an approved reduced pressure principle backflow prevention device or an approved double-check valve assembly shall be installed where the public potable water system may be polluted with substances that could cause a pollutional hazard not dangerous to health. (CC 1984 §24.420; Ord. No. 558 §V, 5-8-89)

**SECTION 700.280: WHERE PROTECTION IS REQUIRED**

- A. An approved backflow prevention device shall be installed on each service line to a consumer's water system serving premises where, in the judgment of the water purveyor or the Missouri Department of Natural Resources, actual or potential hazards to the public potable water system exist. The type and degree of protection required shall be commensurate with the degree of hazard.
  
- B. An approved air-gap separation or reduced pressure principle backflow prevention device shall be installed at the service connection or within any premises where, in the judgment of the water purveyor or the Missouri Department of Natural Resources, the nature and extent of activities on the premises or the materials used in connection with the activities or materials stored on the premises would present an immediate and dangerous hazard to health should a cross-connection occur, even though such cross-connection may not exist at the time the backflow prevention device is required to be installed. This includes, but is not limited to, the following situations:
  - B.1. Premises having an auxiliary water supply, unless the quality of the auxiliary supply is acceptable to the water purveyor and the Missouri Department of Natural Resources.
  - B.2. Premises having internal cross-connections that are not correctable or intricate plumbing arrangements which make it impractical to ascertain whether or not cross-connections exist.
  - B.3. Premises where entry is restricted so that inspection for cross-connections cannot be made with sufficient frequency or at sufficiently short notice to assure the cross-connections do not exist.
  - B.4. Premises having a repeated history of cross-connections being established or re-established.
  - B.5. Premises, which due to the nature of the enterprise therein, are subject to recurring modification or expansion.
  - B.6. Premises on which any substance is handled under pressure so as to permit entry into the public water supply or where a cross-connection could reasonably be expected to occur. This shall include the handling of process waters and cooling waters.
  - B.7. Premises where materials of a toxic or hazardous nature are handled such that if back siphonage or back pressure should occur, a serious health hazard may result.
  
- C. The following types of facilities fall into one (1) or more of the categories of premises where an approved air-gap separation or reduced pressure principle backflow prevention device is required by the water purveyor and the Missouri Department of Natural Resources to protect the public water supply and must be installed at these facilities unless all hazardous or potentially hazardous conditions have been eliminated or corrected by other methods to the satisfaction of the water purveyor and the Missouri Department of Natural Resources:
  - C.1. Aircraft and missile plants.
  - C.2. Automotive plants.
  - C.3. Auxiliary water systems.

C.4. Beverage bottling plants.

C.5. Canneries, packing houses and reduction plants.

- C.6. Car washing facilities.
- C.7. Chemical manufacturing, processing, compounding or treatment plants.
- C.8. Film laboratories.
- C.9. Fire protection systems.
- C.10. Hazardous waste storage and disposal sites.
- C.11. Hospitals, mortuaries, clinics.
- C.12. Irrigation and sprinkler systems.
- C.13. Laundries and dye works.
- C.14. Metal manufacturing, cleaning, processing and fabricating plants.
- C.15. Oil and gas production, storage or transmission properties.
- C.16. Paper and paper products plants.
- C.17. Plating plants.
- C.18. Power plants.
- C.19. Printing and publishing facilities.
- C.20. Radioactive material processing plants or nuclear reactors.
- C.21. Research and analytical laboratories.
- C.22. Rubber plants, natural and synthetic.
- C.23. Sewage and storm drainage facilities—pumping stations.
- C.24. Waterfront facilities and industries.
- C.25. Outside water connection of all residences. (CC 1984 §24.420; Ord. No. 558 §VI, 5-8-89; Ord. No. 596 §1, 3-9-92)

**SECTION 700.290: BACKFLOW PREVENTION DEVICES**

- A. Any backflow prevention device required by this Article shall be of a model or construction approved by the water purveyor and the Missouri Department of Natural Resources.

A.1. Air-gap separation to be approved shall be at least twice the diameter of the supply pipe, measured vertically above the top rim of the vessel, but in no case less than one (1) inch.

- A.2. A double-check valve assembly or a reduced pressure principle backflow prevention device shall be approved by the water purveyor and shall appear on the current "list of approved backflow prevention devices" established by the Missouri Department of Natural Resources.
- B. Existing backflow prevention devices approved by the water purveyor at the time of installation and properly maintained shall, except for inspection and maintenance requirements, be excluded from the requirements of this Article so long as the water purveyor is assured that they will satisfactorily protect the water system. Whenever the existing device is moved from its present location or requires more than minimum maintenance or when the water purveyor finds that the maintenance constitutes a hazard to health, the unit shall be replaced by a backflow prevention device meeting the requirements of this Article. (CC 1984 §24.420; Ord. No. 558 §VII, 5-8-89)

### **SECTION 700.300: INSTALLATION**

- A. Backflow prevention devices required by this Article shall be installed at a location and in a manner approved by the water purveyor and shall be installed at the expense of the water consumer.
- B. Backflow prevention devices installed on the service line to the consumer's water system shall be located on the consumer's side of the water meter as close to the meter as is reasonably practical and prior to any other connection.
- C. Backflow prevention devices shall be located so as to be readily accessible for maintenance and testing, protected from freezing and where no part of the device will be submerged or subject to flooding by any fluid. (CC 1984 §24.420; Ord. No. 558 §VIII, 5-8-89)

### **SECTION 700.310: INSPECTION AND MAINTENANCE**

- A. It shall be the duty of the consumer at any premises on which backflow prevention devices required by this Article are installed to have inspection, tests and overhauls made in accordance with the following schedule or more often where inspections indicate a need.
- A.1. Air-gap separations shall be inspected at the time of installation and at least every twelve (12) months thereafter.
- A.2. Double-check valve assemblies shall be inspected and tested for tightness at the time of installation and at least every twelve (12) months thereafter. They shall be dismantled, inspected internally, cleaned and repaired whenever needed and at least every thirty (30) months.
- A.3. Reduced pressure principle backflow prevention devices shall be inspected and tested for tightness at the time of installation and at least every twelve (12) months thereafter. They shall be dismantled, inspected internally, cleaned and repaired whenever needed and at least every five (5) years.

- B. Inspections, tests and overhauls of backflow prevention devices shall be made at the expense of the water consumer and shall be performed by a State of Missouri certified backflow prevention device tester.
- C. Whenever backflow prevention devices required by this Article are found to be defective, they shall be repaired or replaced at the expense of the consumer without delay.

- D. The water consumer must maintain a complete record of each backflow prevention device from purchase to retirement. This shall include a comprehensive listing that includes a record of all tests, inspections and repairs. Records of inspections, tests, repairs and overhauls shall be made available to the water purveyor upon request.
- E. Backflow prevention devices shall not be bypassed, made inoperative, removed or otherwise made ineffective without specific authorization by the water purveyor. (CC 1984 §24.420; Ord. No. 558 §IX, 5-8-89)

**SECTION 700.320: VIOLATIONS**

- A. The water purveyor shall deny or discontinue, after reasonable notice to the occupants thereof, the water service to any premises wherein any backflow prevention device required by this Article is not installed, tested and maintained in a manner acceptable to the water purveyor or if it is found that the backflow prevention device has been removed or bypassed or if an unprotected cross-connection exists on the premises.
- B. Water service to such premises shall not be restored until the consumer has corrected or eliminated such conditions or defects in conformance with this Article to the satisfaction of the water purveyor. (CC 1988 §24.420; Ord. No. 558 §X, 5-8-89)

**ARTICLE IV. ENFORCEMENT, RIGHT OF**

**ENTRY AND PENALTY**

**SECTION 700.330: POWERS AND AUTHORITY OF INSPECTORS**

- A. The Public Works Director and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling and testing in accordance with the provisions of this Article.
- B. While performing the necessary work on private properties referred to in Subsection (A) above, the Public Works Director or duly authorized employees of the City shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the City employees and the City shall indemnify the company against loss or damage to its property by City employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions.
- C. The Public Works Director shall be permitted to enter all properties discharging waste water into the public sewers of the City of New Haven for the purpose of inspections and observation of the water system. (CC 1984 §24.430; Ord. No. 432 §III, 11-6-78)

**SECTION 700.340: PENALTIES**

- A. Any person found to be violating any provisions of this Article shall be served by the City with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

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- B. Any person who shall continue any violation beyond the time limit provided for in Subsection (A) above shall be guilty of an ordinance violation and on conviction thereof shall be fined in accordance with Section 100.220 of this Code.
- C. Any person violating any of the provisions of this Article shall become liable to the City for any expense, loss or damage occasioned the City by reason of such violation. (CC 1984 §24.440)



## CHAPTER 705: SEWER REGULATIONS

### ARTICLE I. GENERALLY

#### SECTION 705.010: DEFINITIONS

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

*BOD (DENOTING BIOCHEMICAL OXYGEN DEMAND):* The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty degrees Celsius (20°C) expressed in milligrams per liter.

*BUILDING DRAIN:* That part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.

*BUILDING SEWER:* The extension from the building drain to the public sewer or other place of disposal.

*COMBINED SEWER:* A sewer receiving both surface runoff and sewage.

*GARBAGE:* Solid wastes from the domestic and commercial preparation, cooking and dispensing of food and from the handling, storage and sale of produce.

*INDUSTRIAL WASTES:* The liquid wastes from industrial manufacturing processes, trade or business as distinct from sanitary sewage.

*NATURAL OUTLET:* Any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.

*PERSON:* Any individual, firm, company, association, society, corporation or group.

*pH:* The logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

*PROPERLY SHREDDED GARBAGE:* The wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers with no particle greater than one-half (½) inch (1.27 centimeters) in any dimension.

*PUBLIC SEWER:* A sewer in which all owners of abutting properties have equal rights and is controlled by public authority.

*SANITARY SEWER:* A sewer which carries sewage and to which storm, surface and ground water are not intentionally admitted.

*SEWAGE:* A combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such ground, surface and stormwaters as may be present.

*SEWAGE TREATMENT PLANT*: Any arrangement of devices and structures used for treating sewage.

*SEWAGE WORKS*: All facilities for collecting, pumping, treating and disposing of sewage.

*SEWER*: A pipe or conduit for carrying sewage.

*SHALL*: Is mandatory; *MAY*: Is permissive.

*SLUG*: 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 of flows during normal operation.

*STORM DRAIN (SOMETIMES TERMED "STORM SEWER")*: A sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

*SUSPENDED SOLIDS*: 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.

*WATERCOURSE*: A channel in which a flow of water occurs, either continuously or intermittently. (CC 1984 §24.500)

**SECTION 705.020: DISCHARGE INTO NATURAL OUTLET PROHIBITED—EXCEPTION**

It shall be unlawful to discharge to any natural outlet within the City of New Haven, or in any area under the jurisdiction of said City, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Article. (CC 1984 §24.520)

**SECTION 705.030: CONSTRUCTION AND MAINTENANCE OF SEWAGE FACILITY PROHIBITED—EXCEPTION**

Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage. (CC 1984 §24.530)

**SECTION 705.040: INSTALLATION OF SUITABLE TOILET AND CONNECTION TO PUBLIC SEWER**

The owner of all houses, buildings or properties used for human employment, recreation or other purposes situated within the City and abutting on any street, alley or right-of-way in which there is now located or may in the future be located a public sanitary or combined sewer of the City is hereby required at his/her expense to install suitable toilet facilities therein and to connect such facilities directly with the proper public sewer in accordance with the provisions of this Article within ninety

(90) days after date of official notice to do so, provided that said public sewer is within one hundred (100) feet (30.5 meters) of the property line. (CC 1984 §24.540)

**ARTICLE II. PRIVATE SEWAGE DISPOSAL SYSTEMS**

**SECTION 705.050: USE OF PRIVATE SEWAGE DISPOSAL SYSTEM—WHEN—PERMIT REQUIRED—INSPECTION—REQUIREMENTS**

- A. Where a public sanitary or combined sewer is not available under the provisions of this Chapter, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this Article.
- B. Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the Public Works Director. The application for such permit shall be made on a form furnished by the City, which the applicant shall supplement by any plans, specifications and other information as are deemed necessary by the Public Works Director. A permit and inspection fee of fifty dollars (\$50.00) shall be paid to the City at the time the application is filed.
- C. A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Public Works Director. He/she shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the Public Works Director when the work is ready for final inspection and before any underground portions are covered. The inspection shall be made within seventy-two (72) hours of the receipt of notice by the Public Works Director.
- D. The type, capacities, location and layout of a private sewage disposal system shall comply with all recommendations of the Department of Public Health of the State of Missouri. No permit shall be issued for any private sewage disposal system employing subsurface soil absorption facilities where the area of the lot is less than fifty thousand (50,000) square feet. No septic tank or cesspool shall be permitted to discharge to any natural outlet.
- E. At such time as a public sewer becomes available to a property served by a private sewage disposal system, a direct connection shall be made to the public sewer in compliance with this Article and any septic tanks, cesspools and similar private sewage disposal facilities shall be abandoned and filled with suitable material.
- F. The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times at no expense to the City.
- G. No statement contained in this Article shall be construed to interfere with any additional requirements that may be imposed by the Health Officer.
- H. When a public sewer becomes available, the building sewer shall be connected to said sewer within sixty (60) days and the private sewage disposal system shall be cleaned of sludge and filled with clean bank-run gravel or dirt. (CC 1984 §24.550)

**SECTION 705.060: UNAUTHORIZED TAMPERING WITH PUBLIC SEWER PROHIBITED**

No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Public Works Director. (CC 1984 §24.560)

**SECTION 705.070: BUILDING SEWER PERMIT—CLASSES—APPLICATIONS—FEES**

There shall be one (1) sewer permit for residential, commercial service and for service to establishments producing industrial wastes. The owner or his/her agent shall make application for permit on a special form furnished by the City. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the Public Works Director. Permit and inspection fees shall be paid to the City at the time application is filed as follows:

- |                         |          |
|-------------------------|----------|
| .1. Four (4) inch line  | \$250.00 |
| .2. Six (6) line        | \$375.00 |
| .3. Eight (8) inch line | \$500.00 |

(CC 1984 §24.570; Ord. No. 605 §3, 9-14-92)

**SECTION 705.080: EXPENSE OF INSTALLATION AND CONNECTION BORNE BY OWNER—INDEMNIFICATION OF CITY**

All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer. (CC 1984 §24.580)

**ARTICLE III. BUILDING SEWERS**

**SECTION 705.090: BUILDING SEWER REGULATIONS**

- A. A separate and independent building sewer shall be provided for every building, except where one (1) building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, courtyard or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one (1) building sewer.
- B. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Public Works Director, to meet all requirements of this Article.
- C. The size, slope, alignment, materials of construction of a building sewer and the methods to be used in excavating, placing of the pipe jointing, testing and backfilling the trench shall all conform to the requirements of the Building and Plumbing Codes or other applicable rules and regulations of the City. In the absence of code provisions or in application thereof, the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. Manual of Practice No. 9 shall apply.
- D. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the

public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

- E. No person shall make connection of roof downspouts, interior and exterior foundation drains, areaway drains or other sources of surface runoff or ground water to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.
- F. The connection of the building sewer into the public sewer shall conform to the requirements of the Building and Plumbing Codes or other applicable rules and regulations of the City or the procedures set forth in appropriate specifications of the A.S.T.M. and S.P.C.F. Manual of Practice No. 9. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Public Works Director before installation.
- G. The applicant for the building sewer permit shall notify the Public Works Director when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Public Works Director or his/her representative.
- H. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the City. (CC 1984 §24.590)

#### **ARTICLE IV. PUBLIC SEWER REGULATIONS**

##### **SECTION 705.100: CERTAIN DISCHARGES TO SANITARY SEWER PROHIBITED**

No person shall discharge or cause to be discharged any stormwater, surface water, ground water, roof runoff, subsurface drainage, including interior and exterior foundation drains, uncontaminated cooling water or unpolluted industrial process waters to any sanitary sewer. (CC 1984 §24.600)

##### **SECTION 705.110: COMBINED SEWERS—STORM SEWERS**

Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers or to a natural outlet approved by the Public Works Director. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Public Works Director, to a storm sewer, combined sewer or natural outlet. (CC 1984 §24.610)

##### **SECTION 705.120: CERTAIN DISCHARGES TO ALL PUBLIC SEWERS PROHIBITED**

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

- .1. Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas.
- .2. 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, cyanide in excess of two (2) mg/l as CN in the wastes as discharged to the public sewer.

- .3. Any waters or wastes having a pH lower than five and one-half (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 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, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, mild containers, etc., either whole or ground by garbage grinders.
- .5. Any waters or wastes having:
  - .5.a. A five (5) day BOD greater than three hundred (300) parts per million by weight, or
  - .5.b. Containing more than three hundred fifty (350) parts per million by weight of suspended solids, or
  - .5.c. Having an average daily flow greater than two percent (2%) of the average sewage flow of the City shall be subject to the review of the Public Works Director. The owner shall provide, at his/her expense, such preliminary treatment as may be necessary to:
    - .5.c.(1) Reduce the biochemical oxygen demand to three hundred (300) parts per million by weight, or
    - .5.c.(2) Reduce the suspended solids to three hundred fifty (350) parts per million by weight, or
    - .5.c.(3) Control the quantities and rates of discharge of such waters or wastes. Plans, specifications and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the Public Works Director and no construction of such facilities shall be commenced until said approvals are obtained in writing. (CC 1984 §24.620)

#### **SECTION 705.130: SUBSTANCES PROHIBITED UNDER CERTAIN CIRCUMSTANCES**

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 Public Works Director that such wastes can harm either the sewers, sewage treatment process or equipment, have an adverse effect on the receiving stream or can otherwise endanger life, limb, public property or constitute a nuisance. In forming his/her opinion as to the acceptability of these wastes, the Public Works Director will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant and other pertinent factors. The substances prohibited are:

- .1. Any liquid or vapor having a temperature higher than one hundred fifty degrees Fahrenheit (150°F) (sixty-five degrees Celsius (65°C)).
- .2. Any water or waste containing fats, wax, grease or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at

temperatures between thirty-two degrees Fahrenheit (32°F) and one hundred fifty degrees Fahrenheit (150°F) (zero and seventy-six degrees Celsius (0 and 76°C)).

- .3. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths ( $\frac{3}{4}$ ) horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the Public Works Director.
- .4. Any waters of wastes containing strong acid iron pickling wastes or concentrated plating solutions, whether neutralized or not.
- .5. 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 Public Works Director for such materials.
- .6. Any waters of wastes containing phenols or other taste- or odor-producing substances in such concentrations exceeding limits which may be established by the Public Works Director as necessary, after treatment of the composite sewage, to meet the requirements of State, Federal or other public agencies of jurisdiction for such discharge to the receiving waters.
- .7. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Public Works Director in compliance with applicable State or Federal regulations.
- .8. Any waters of wastes having a pH in excess of nine and five tenths (9.5).
- .9. Materials which exert or cause:
  - .9.a. Unusual concentrations of inert suspended solids (such as, but not limited to, Fuller's earth, lime slurries and lime residues) or of dissolved solids (such as, but not limited to, sodium sulfate).
  - .9.b. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
  - .9.c. Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
  - .9.d. Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.
- .10. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters. (CC 1984 §24.630)

**SECTION 705.140: CONTROL BY PUBLIC WORKS DIRECTOR OVER DISCHARGES**

If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substances or possesses the characteristics enumerated in Section 705.130 of this

Article and which in the judgment of the Public Works Director may have a deleterious effect upon the sewage works, processes, equipment or receiving waters or which otherwise create a hazard to life to constitute a public nuisance, the Public Works Director may:

- .1. Reject the wastes,
- .2. Require pretreatment to an acceptable condition for discharge to the public sewers,
- .3. Require control over the quantities and rates of discharge, and/or
- .4. Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of Section 705.190 of the Article.

If the Public Works Director 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 Public Works Director and subject to the requirements of all applicable codes, ordinances and laws. (CC 1984 §24.640)

#### **SECTION 705.150: GREASE, OIL AND SAND INTERCEPTORS—WHEN REQUIRED**

Grease, oil and sand interceptors shall be provided when, in the opinion of the Public Works Director, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts or any flammable wastes, sand or other harmful ingredients, except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Public Works Director and shall be located as to be readily and easily accessible for cleaning and inspection. (CC 1984 §24.650)

#### **SECTION 705.160: MAINTENANCE OF PRELIMINARY TREATMENT AND FLOW—EQUALIZING FACILITIES**

Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his/her expense. (CC 1984 §24.660)

#### **SECTION 705.170: INSTALLATION OF CONTROL MANHOLES**

When required by the Public Works Director, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located and shall be constructed in accordance with plans approved by the Public Works Director. The manhole shall be installed by the owner at his/her expense and shall be maintained by him/her so as to be safe and accessible at all times. (CC 1984 §24.670)

**SECTION 705.180: MEASUREMENTS, TESTS AND ANALYSES**

All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this Article shall be determined in accordance with the latest edition of "Standard Methods

for the Examination of Water and Wastewater" published by the American Public Health Association and shall be determined at the control manhole provided or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine 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, BOD and suspended solids analyses are obtained from twenty-four (24) hour composites of all outfalls whereas pHs are determined from periodic grab samples.) (CC 1984 §24.680)

**SECTION 705.190: SPECIAL AGREEMENTS BETWEEN CITY AND INDUSTRIAL CONCERN PERMITTED**

No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the City and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the City for treatment, subject to payment therefore, by the industrial concern. (CC 1984 §24.690)

**SECTION 705.200: TAMPERING WITH SEWAGE WORKS PROHIBITED**

No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is part of the sewage works. (CC 1984 §24.760)

**SECTION 705.210: ACCESS OF CITY EMPLOYEES FOR PERFORMANCE OF DUTIES**

The Public Works Director and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing in accordance with the provisions of this Article. The Public Works Director or his/her representatives shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment. (CC 1984 §24.770)

**SECTION 705.220: CITY EMPLOYEES TO OBSERVE APPLICABLE SAFETY RULES**

While performing the necessary work on private properties referred to in Article IV, Section 705.210 above, the Public Works Director or duly authorized employees of the City shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the City employees and the City shall indemnify the company against loss or damage to its property by City employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling

operation, except as such may be caused by negligence or failure of the company to maintain safe conditions. (CC 1984 §24.780)

**SECTION 705.230: SEWAGE EASEMENTS**

The Public Works Director and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all private properties through which the City holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved. (CC 1984 §24.790)

**ARTICLE V. VIOLATIONS**

**SECTION 705.240: WRITTEN NOTICE OF VIOLATION**

Any person found to be violating any provision of this Chapter except Article IV shall be served by the City with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations. (CC 1984 §24.850)

**SECTION 705.250: FAILURE TO CORRECT VIOLATION**

Any person who shall continue any violation beyond the time limit provided for in Article V Section 705.240 shall be guilty of an ordinance violation and on conviction thereof shall be fined in accordance with Section 100.220 of this Code. (CC 1984 §24.860)

**SECTION 705.260: LIABILITY OF VIOLATOR TO CITY**

Any person violating any of the provisions of this Chapter shall become liable to the City for any expense, loss or damage occasioned the City by reason of such violation. (CC 1984 §24.870)

**ARTICLE VI. SEWER RATES**

**SECTION 705.270: SEWER RATES**

The charge for sewer usage shall be a rate determined by multiplying the monthly water consumption per one thousand (1,000) gallons times two and forty-six hundredths (2.46) per one thousand (1,000) units as defined in Section 700.010. (CC 1984 §24.090; Ord. No. 688 §1, 2-9-98; Ord. No. 744 §2, 7-10-00)

**SECTION 705.280: SEWER RATES FOR WATER CUSTOMERS OUTSIDE CITY LIMITS**

The charge for sewer usage for customers outside City limits shall be a rate determined by multiplying the monthly water consumption per one thousand (1,000) gallons times three dollars seventy cents (\$3.70) per one thousand (1,000) units as defined in Section 700.010. (CC 1984 §24.095; Ord. No. 744 §1, 7-10-00)

## CHAPTER 710: NATURAL GAS DISTRIBUTION

### SYSTEM

## ARTICLE I. INSTALLATION RULES AND

### REGULATIONS

#### SECTION 710.010: STANDARD CODE APPLICABLE

The ASA Z21.30-1964 (or subsequently revised editions) Standard Code for the Installation of Gas Appliances and Gas Piping shall be considered as the minimum requirement for all new construction and additions or changes to existing piping or appliances installed; and that all gas piping and appliance installations shall be inspected and approved in compliance to the code by a representative or agent of the City prior to connection to the natural gas system. The customer shall take the necessary action to conform to the code before approval of piping or installation is given by the City. The City or its representative shall have the obligation to discontinue natural gas service when the use thereof shall have been deemed hazardous, unsafe or potentially dangerous to the public health and safety. (CC 1984 §25.010; Ord. No. 293 §1, 8-8-66)

#### SECTION 710.020: STANDARD FOR LOW PRESSURE PIPING AND TUBING

- A. All gas piping and tubing for pressures not to exceed three (3) pounds per square inch gauge pressure and all gas appliances and accessories connected thereto shall be installed to conform to reasonable standards of safety.
- B. The installation of gas piping and tubing for pressures not to exceed three (3) pounds per square inch gauge pressure and the installation, alteration, maintenance and use of gas appliances and accessories connected thereto which comply with the standards set forth by the American Standards Association in their manual entitled "Installation of Gas Piping and Gas Appliances in Building", 1964 Edition ASA Z21.30-1664 (or subsequently revised editions), as supplemented and modified by this Article, shall be considered prima facie as conforming to reasonable standards of safety. The provisions of said ASA Z21.30-1964 (or subsequently revised editions) are incorporated herein by reference thereto as though set out in full. The City Clerk shall keep available in his/her office three (3) copies of said code, marked as official copies, for study and inspection by any interested parties. (CC 1984 §25.020; Ord. No. 293 §§2-3, 8-8-66)

#### SECTION 710.030: PIPING SYSTEM DESIGNS

- A. When applying two (2) pounds per square inch pressure at the meter, piping systems shall be designed to allow a maximum of twelve (12) pounds per square inch pressure drop between the meter and the regulator that reduces pressure to six (6) inches water column for appliance use and will be designed to allow up to one (1) inch water column pressure drop between the regulator that reduces pressure to six (6) inches water column and the installed gas appliance.

- B. When supplying more than two (2) pounds per square inch pressure at the meter, the pressure drop shall be such that the minimum inlet pressure to the regulator that reduces to six (6) inches water column for appliance use shall not be less than fourteen (14) inches water column pressure.
- C. The size of gas tubing hereafter installed shall conform to the following table:

<b>TABLE 1</b> <b>Showing capacity of tubing of different diameters and lengths at 1.5 PSI and 1 inch WC pressure drops and specific gravity of 0.69.</b>							
Length	2 PSI pressure supplied at the meter and 1.5 PSI pressure drop OD of tubing			Length	1 inch WC pressure drop OD of tubing		
	<sup>3</sup> / <sub>8</sub> inch	<sup>1</sup> / <sub>2</sub> inch	<sup>5</sup> / <sub>8</sub> inch		<sup>3</sup> / <sub>8</sub> inch	<sup>1</sup> / <sub>2</sub> inch	<sup>5</sup> / <sub>8</sub> inch
5 feet	400	390	1,620	2 feet	98	218	395
10 feet	285	635	1,160	4 feet	70	156	281
15 feet	230	510	930	6 feet	56	124	226
20 feet	200	445	810	8 feet	47	104	190
30 feet	165	367	670	10 feet	40	89	162
40 feet	145	323	570	13 feet	33	73	133
50 feet	125	270	505	16 feet	28	62	113
60 feet	115	255	465	19 feet	24	53	97
70 feet	107	238	430	22 feet	21	47	85
80 feet	100	223	405	26 feet	19	42	77
90 feet	95	211	385	30 feet	17	38	69
100 feet	90	200	365	34 feet	15	33	60
115 feet	84	187	340	38 feet	14	31	56
130 feet	80	178	325	42 feet	13	29	52
150 feet	74	164	300	50 feet	11	24	44

(CC 1984 §25.030; Ord. No. 293 §4, 8-8-66)

**SECTION 710.040: REGULATOR REQUIREMENTS**

Regulators installed to reduce pressure from a maximum of three (3) pounds per square inch pressure to six (6) inches water column for appliance use shall:

- A.1. Be rated for at least three (3) pounds per square inch gauge operating pressure.
- A.2. Have full shut off to maintain reduced pressure under static load conditions (no gas flowing).
- A.3. Be rated to supply the load of appliances it feeds.
- A.4. Be vented by either a number eighty (80) vent limiting orifice or by a ball check type regulator vent limiter.

A.5. Be installed in accordance with manufacturer's instructions.

A.6. Be installed on piping where it is not concealed. (CC 1984 §25.040; Ord. No. 293 §5, 8-8-66)

#### **SECTION 710.050: APPLIANCE REGULATOR REQUIREMENTS**

All appliances rated for inches water column pressure operation must have an appliance regulator reducing pressure from six (6) inches water column to the rated operating pressure. (CC 1984 §25.050; Ord. No. 293 §6, 8-8-66)

#### **SECTION 710.060: PIPES WITH HIGH PRESSURE**

- A. Piping carrying pressure in excess of fourteen (14) inches water column shall be clearly marked with the pressure the pipe is carrying at as close to six (6) foot intervals as possible.
- B. All domestic piping carrying gas at pressures above fourteen (14) inches water column shall be semi-rigid copper tubing. (CC 1984 §25.060; Ord. No. 293 §§7–8, 8-8-66)

#### **SECTION 710.070: VARIOUS RULES AND REGULATIONS**

- A. When copper tubing runs in a wall, flexible metal conduit shall be used where the tubing runs through the plate spaces. In the wall, the conduit must extend at least eighteen (18) inches either side of the plate space.
- B. A spring loaded, brass core cock with flare to pipe thread connections must be used ahead of the regulator in lieu of an appliance shutoff valve.
- C. All piping must be run parallel or perpendicular to the joists. Tubing run parallel to the joist shall be fastened to the center of the vertical face. Tubing run perpendicular to the joists shall be fastened to the underside of the joist, preferably close to the water pipes, conduit, duct work or center beams. Perpendicular runs may also be drilled through the center of the joist.
- D. All tubing shall be supported at not more than four (4) foot intervals except for vertical drops to appliances.
- E. Where tubing is used, all freestanding range connections shall be made with three hundred sixty degrees (360°) coil of tubing between twelve (12) and eighteen (18) inches in diameter.
- F. No drips or pipe grading is required. Connections may be taken off of the bottom of horizontal runs.
- G. All fittings in a copper system shall be flared. (CC 1984 §25.070; Ord. No. 293 §§9–15, 8-8-66)

#### **SECTION 710.080: SALE OR INSTALLATION OF NON-COMPLYING PIPE PROHIBITED**

No person, firm or corporation shall sell or offer for sale or install any gas piping or tubing system for pressures not exceeding three (3) pounds per square inch or any gas appliance or accessory

connected thereto if the same when installed for use would be in violation of any of the provisions of this Article. (CC 1984 §25.080; Ord. No. 293 §16, 8-8-66)

#### **SECTION 710.090: VIOLATION—PENALTY**

Any person, firm or corporation who shall violate any provision of this Article shall be subject upon conviction thereof to a fine in accordance with Section 100.220 of this Code. (CC 1984 §25.090; Ord. No. 293 §17, 8-8-66)

#### **SECTION 710.100: INSPECTION AND CONNECTION**

Only the City or its representative shall inspect and turn on natural gas service to a new customer. (CC 1984 §25.100; Ord. No. 293 §18, 8-8-66)

#### **SECTION 710.110: LICENSES**

A. All persons performing services for the piping and installation or maintenance of gas (natural, propane, etc.) consuming appliances are to be licensed to perform such services within the City of New Haven. Each person so licensed shall become thoroughly acquainted with all rules and codes, including the other provisions of this Article. Such licenses or applicants for licenses failing to comply with these regulations or willfully violating such regulations shall, at the discretion of the Board of Aldermen, forfeit such license.

B. License fees are hereby established as:

City resident five dollars (\$5.00) per year.

Non-resident of City twenty-five dollars (\$25.00) per year.

Out-of-state license applicants must appear before the Board of Aldermen to obtain a license and the Board shall have the sole discretion as to whether to grant licenses to said out-of-state applicants. (CC 1984 §25.110; Ord. No. 293 §19, 8-8-66)

### **ARTICLE II. SERVICE RULES AND REGULATIONS**

#### **SECTION 710.120: APPLICATION FOR SERVICE**

A. Each customer shall sign a request for gas service prior to the actual installation of facilities. The request for gas service form shall be completed by all customers requesting firm service. Customers desiring interruptible seasonable or volumes of gas for other than space heating use shall execute a special contract to be obtained from the City.

- B. When signed, the request for gas service constitutes a contract effective on the date when service is first rendered and continues to be effective unless cancelled by either the customer or the City.

- C. Customers attaching to the gas system within ten (10) days of a meter reading date shall not have their meter read or be billed for the partial month until the end of following month.
- D. *Costs And Fees.*
- D.1. The property owner making request for natural gas service shall be responsible for all costs of materials necessary to tap the natural gas main and install connecting lines between the gas main and the individual building. All taps of a City of New Haven natural gas line and installation of connecting service lines shall be performed by the City or its authorized designee. The Natural Gas Superintendent or his/her designee shall keep an accurate record of the costs and upon completion of the tap and service line installation shall furnish the City Collector with an itemized statement of costs of material used in performing said work. The costs of material shall include the costs of a tap, meter, regulator, valves, piping and appurtenance facilities.
- D.2. The fee for the tapping of the natural gas main is as follows: one hundred twenty-five dollars (\$125.00) per connection.
- D.3. If street excavation is required to make the tap and service line installation, the property owner shall be responsible for all costs of said excavation as heretofore set by city ordinance. (CC 1984 §25.160; Ord. No. 292 §1, 8-8-66; Ord. No. 877 §1, 12-11-06)

#### **SECTION 710.130: INSPECTION**

- A. All gas piping and gas equipment connected to the City's natural gas system shall be installed in accordance with accepted standards as specified by the American Standards Association and in compliance with municipal codes established by the City.
- B. The City or its duly appointed representatives shall inspect and approve all gas piping and gas appliances in accordance with the established codes prior to placing the equipment in service. No equipment shall be approved or placed in service until all faulty conditions are corrected.
- C. Inspection or approval on the part of the City does not give warranty as to the adequacy, safety or other characteristics of the equipment and facilities installed and maintained by the customer. (CC 1984 §25.170; Ord. No. 292 §2, 8-8-66)

#### **SECTION 710.140: DEPOSITS**

The City may require a deposit up to the estimated amount of a customer's bill for seventy-five (75) days' service to insure payment of gas bills. Such deposit may be required at the beginning of service or at any time thereafter. Such deposits or balance of deposits shall be used to satisfy amounts owed by customers for gas purchased or returned to customers when service is discontinued. A non-transferable receipt shall be given each customer who makes a deposit. (CC 1984 §25.180; Ord. No. 292 §3, 8-8-66)

#### **SECTION 710.150: RATES**

The City's schedule of rates shall be as set forth by the rate ordinance. A copy of the latest of which shall be on file with the City Clerk. (CC 1984 §25.190; Ord No. 292 §4, 8-8-66)

**SECTION 710.160: CHANGE IN REQUIREMENTS**

In the event a customer intends to substantially increase his/her use of natural gas, the City should be notified so that meters and other equipment of adequate capacity may be installed at minimum inconvenience to the customer. If the customer fails to so notify the City, he/she will be held responsible for all damages to the meter or other equipment caused by the increased load. (CC 1984 §25.200; Ord. No. 292 §5, 8-8-66)

**SECTION 710.170: RESALE BY CUSTOMER**

The City will not furnish gas to retail customers for resale. (CC 1984 §25.210; Ord. No. 292 §6, 8-8-66)

**SECTION 710.180: CUSTOMER'S RESPONSIBILITY**

- A. All meters and piping placed on the customer's premises by the City for the purpose of rendering natural gas service to such premises, unless otherwise specifically provided for, shall be and will remain the City's property. The customer shall be responsible for protection of such property from loss or damage. The customer shall not knowingly permit anyone other than an authorized employee or representative of the City to remove or tamper with the City's property.
- B. Only authorized employees or representatives of the City shall remove, cut, raise or in any way change piping or equipment belonging to the City. The cost of such changes for the convenience or protection of the customer shall be at the customer's expense, if done at the request of the customer. (CC 1984 §25.240; Ord. No. 292 §9, 8-8-66)

**SECTION 710.190: SAFETY**

Customers shall report all natural gas leaks, suspected leaks or other unsafe conditions to the City or its authorized representatives promptly. The customer will not be charged for a leak or unsafe condition call. Remedy of such condition when on customer's piping or equipment shall be at the customer's expense. Remedy of such condition on the City's facilities shall be at the City's expense, unless such condition was a direct result of action by the customer or other person or persons, in which case the responsible party may be charged with the cost of repairing the facilities. (CC 1984 §25.250; Ord. No. 292 §10, 8-8-66)

**SECTION 710.200: METER AND SERVICE LINE LOCATIONS**

- A. The City shall extend the service line and install metering equipment at a point that is convenient and accessible to the customer and the City. Only in special cases will metering facilities be located inside a residence or business.

- B. Normally the gas main is installed on public property and the meter and service line installed largely on the customer's premises. Where the City's facilities must be constructed across or through property other than public property, the customer shall supply the right-of-way for such installation. (CC 1984 §25.260; Ord. No. 292 §11, 8-8-66)

**SECTION 710.210: MEASUREMENT**

Natural gas shall be measured to the consumer by the City through meters of standard industry type. The volume of gas delivered to a customer shall be determined by using an absolute pressure base of fourteen and seventy-three hundredths (14.73) psi and a temperature base of sixty degrees Fahrenheit (60°F). Where flowing conditions vary from standard conditions, the City may adjust measured volume by the application of proper factors. (CC 1984 §25.270; Ord. No. 292 §12, 8-8-66)

**SECTION 710.220: TESTING OF NEW GAS INSTALLATIONS IN NEW OR REMODELED STRUCTURES**

- A. Prior to placing into service any new gas installation line in a new or remodeled structure, the installer or owner must have the same inspected and tested by the City prior to use.
- B. The installer or owner shall pay a fee to the City of fifty dollars (\$50.00) for the inspector and fees or if reinspection and retesting is necessary on the same structure, an additional fee of thirty dollars (\$30.00) is to be paid. Fees are to be paid prior to inspection and testing.
- C. The agent making the inspection and test shall, after test, certify to owner that the inspection and test was made when made and the results of tests, including discrepancies. Agent shall further record the same information in the appropriate records of the City.
- D. If any installer or owner or both fails to have the gas installation tested prior to use, said installer or owner shall upon conviction be guilty of a misdemeanor and subject to a fine of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00). (CC 1984 §25.280)

**ARTICLE III. RATES, CHARGES AND BILLING****SECTION 710.230: MONTHLY RATE**

- A. The base monthly rates required and which shall be charged and collected by the City of New Haven, Missouri, for natural gas service furnished by the natural gas distribution system of the City of New Haven, Missouri, shall be as follows:

*Firm customers:*

Applicable to: All customers except those who are interruptible.

Rate: For all volumes, initial flat charge of eight dollars (\$8.00) plus sixty-nine hundredths (.69) c.c.f. Together with an adjustment to reflect the increase or decrease of the actual cost of gas from the City of Hermann from and after the tenth (10th) day of July, 2000.

City school rate, sixty-seven hundredths (.67) c.c.f. Together with an adjustment to reflect the increase or decrease of the actual cost of gas from the City of Hermann from and after the tenth (10th) day of July, 2000.

Late payment penalty: Ten percent (10%) of bill.

*Other customers:*

When authorized by the Board of Aldermen, the Mayor may negotiate special contracts with large consumers of natural gas, provided however, that under no circumstances shall free service be provided to any customer.

- B. The natural gas rates charged by the City of New Haven as of the tenth (10th) day of November, 1975, as set by Ordinance No. 406 shall be increased or decreased automatically upon receipt by utility consultant agents of the City of an increase or decrease cost notice by the natural gas supplier.
- C. The increase or decrease in the rate to all customers shall be the same cost per unit that the Natural gas supplier shall increase or decrease its charge. (CC 1984 §25.310; Ord. No. 537 §1, 12-1-87; Ord. No. 719 §1, 9-13-99; Ord. No. 747 §1, 7-10-00; Ord. No. 874 §1, 11-14-06)

**SECTION 710.240: READING OF METER–BILLING–DUE DATE–PENALTY**

All gas meters will be read on (or as close as possible prior to) the day when the supplier reads the wholesale meter for the monthly billing. The City Clerk or other representative of the City designated to prepare and render bills for gas service shall calculate monthly the amount of each bill and shall render a bill by the tenth (10th) day of each month for such service. All such bills shall be due and payable at a designated collection location during regular hours of business from and after the date of the rendition thereof. A ten percent (10%) penalty charge shall be added to any bill remaining due and unpaid on the twenty-first (21st) day of the month (or on the first (1st) business day after the twenty-first (21st) day if the twentieth (20th) day falls on a Sunday or a holiday). (CC 1984 §25.320)

**SECTION 710.250: TERMINATION OF SERVICE–RECONNECTION CHARGE**

If any bill for gas service shall be and remain unpaid on the twenty-first (21st) day of the month, it shall be the duty of the City Collector to notify such customer that unless payment in full is received, gas service will be discontinued on the first (1st) day following the twenty-first (21st) of the month and that the service will not be reconnected until all past due bills are paid in full, together with a reconnection charge of twenty dollars (\$20.00). It shall be the duty of the City Collector to cause the City employees or agents to make disconnection on the first (1st) day following the twenty-first (21st) of the month (or on the next business day if the first (1st) day falls on a Sunday or a holiday). (CC 1984 §25.330)

**SECTION 710.260: BILLING SURCHARGE**

If the gas supplier makes an additional charge to the City because of the British Thermal Unit (B.T.U.) consent of the gas exceeding one thousand fifty (1,050) B.T.U. per cubic foot, the City shall adjust the retail billings to reflect the additional British Thermal Units supplied to retail customers over and above the normal one thousand (1,000) B.T.U.s per cubic foot. (CC 1984 §25.340)

**SECTION 710.270: LIABILITY FOR GAS SERVICE**

The occupant and user of the premises receiving gas service and the owner of said premises shall

be jointly and severally liable to pay for such service rendered on said premises. The City shall have power to sue the occupant or the owner or both of such real estate in a civil action to receive any sums due for such service plus a reasonable attorney's fee to be fixed by the court. (CC 1984 §25.350)

**SECTION 710.280: METER REQUIREMENT**

Gas service shall be supplied only through meters installed and meeting the City's specifications. No free gas service shall be furnished to any premises or the owner or occupant thereof. (CC 1984 §25.360)

**SECTION 710.290: TAMPERING—PENALTY**

It shall be a misdemeanor for any person or persons to tamper with any physical portion of the gas system or to make any connection to the natural gas system of the City without written permission from the City or to reconnect service when service has been discontinued for non-payment of a bill for service until such bill, including the reconnection charge, has been paid in full. Upon conviction, there shall be imposed a fine in accordance with Section 100.220 of this Code. (CC 1984 §25.370)