

ORDINANCE NO. 184

AN ORDINANCE AMENDING ORDINANCE NO. 183 BY DELETING IN SECTION 24 THEREOF THE REFERENCE TO "EACH UNIT" AFTER "MOTEL, HOTEL, ROOMING HOUSE, ETC. (WITHOUT COOKING FACILITIES)", AND AFTER "MOTEL, HOTEL, ROOMING HOUSE, ETC. (WITH COOKING FACILITIES)", AND CHANGING THE NUMBER OF EQUIVALENT CONNECTIONS FOR SAID MOTEL, HOTEL, ROOMING HOUSE, ETC. FROM "1.00" TO "2.00".

BE IT ORDAINED by the Mayor and Council of the City of Idaho City, Boise County, Idaho:

SECTION I

That that portion of the Schedule of Equivalent Connections in Section 6 of Ordinance No. 183 be and is hereby amended to read as follows:

Motel, Hotel, Rooming House, etc. (without cooking facilities):	
Each Unit-----	<u>2.00</u>
Motel, Hotel, Rooming House, etc. (with cooking facilities):	
Each Unit-----	<u>2.00</u>

SECTION II

This Ordinance shall be in full force and effect from and after its passage, approval, and publication, and its application shall be retroactive to the effective date of Ordinance No. 183.

PASSED BY THE CITY COUNCIL and approved by the Mayor,
this 13th day of November, 1984.

By

Larry Abbott
Larry Abbott, Mayor

ATTEST:

David L. Brady
David L. Brady, City Clerk

ORDINANCE # 183

AN ORDINANCE PROVIDING FOR REGULATIONS PERTAINING TO THE DEVELOPMENT, CONSTRUCTION, USE AND SERVICE OF A SEWERAGE SYSTEM; FOR A SYSTEM OF CHARGES AND FEES AGAINST THE PROPERTY AND PERSONS THEREBY BENEFITED AND THE FIXING OF SAID CHARGES, FEES AND RATES; FOR THE COLLECTION OF SAID CHARGE FEES; FOR PENALTIES: THE REPEAL OF ORDINANCE NUMBER 154.

This Ordinance shall be cited as the Idaho City Sewer Ordinance.

Section 1. USERS LIABLE FOR VIOLATION: No user of the City sewer service shall permit or allow any person from any other premises or any unauthorized person to discharge sewage into said system, and the permit to connect with the sewer system shall be limited to the person and the premises designated in the permit. Any violation of this Section by either the permit holder or an unauthorized person shall be deemed a misdemeanor. Any such violations shall be grounds for the City to withhold sewer service until a separate service connection is put in for each user.

Section 2. MAINTENANCE OF LINES: All users of the sewer system shall keep their pipe connections and other apparatus in good repair and protected from freezing at their own expense, but no person, except under the direction of the City, shall be allowed to dig into the street, alley, sidewalk or easement beneath which the lateral and trunk line sewers run, or to tap into any such lateral or trunk line in any manner.

Section 3. POINT OF LIABILITY FOR MAINTENANCE: All

users shall have the responsibility of, and be liable for, and shall pay for, all costs and expenses of maintaining their own sewer lines extending from their property until such sewer lines pass the vertical plane of the user's property line or until they reach City sewer lines, whichever point is reached last. This liability of the user shall include the entire sewer service connection apparatus and plumbing equipment and materials. Thus, the City's end point of liability for maintenance shall be at such point as the City service line connects to the user's sewer service connection, and not thereafter, with the user having complete responsibility for the sewer service connection to the City sewer lines.

This Section shall not be construed to be in conflict with Section 2, which states that no person shall be allowed to dig into the street, alley, sidewalk or easement beneath which the lateral and trunk line sewers run or tap into any such lateral or trunk line in any manner without the City's direction and authorization, in that such person shall still have to contact the City to obtain its permission to perform work within the street, alley, sidewalk or easement for which the user is liable.

Section 4. CITY NOT LIABLE FOR DAMAGE OR SHORTAGE: The City shall not be held liable for damages to any sewer user by reason of a stoppage, blockage, backup or other interruption of his sewer disposal service caused by accidents to the works, alterations, additions or repairs to the sewer system or from other unavoidable causes beyond the control of the City.

Section 5. CITY MONEYS: All moneys collected by the City Clerk under the provisions of this Ordinance shall be paid, received, disbursed and accounted for as directed by the City.

Section 6. AUTHORITY TO AMEND REGULATIONS: Nothing herein contained shall prohibit the City from amending, altering or adding to the provisions of this Ordinance in relation to the sewer service supplied by the City in regard to rates, charges, expansion, alteration, repair or any other matter related to the sewer system, as changed conditions may require from time to time.

Section 7. CONSTRUCTION OF ORDINANCE: This Ordinance shall be construed to fully and effectually carry out the purposes and intent thereof, and if any part or portion thereof be declared invalid, or the application thereof to any person, circumstance or thing is declared invalid, the validity of the remainder of this Ordinance and the applicability thereof to any person, circumstance or thing shall not be affected thereby, and it is the intention of the City to preserve any and all parts of said Ordinance wherever possible.

Section 8. PURPOSE: It is hereby determined and declared to be necessary and conducive to and for the protection of the health, safety and welfare of the public and inhabitants of the city, and for the purpose of controlling the use and connection to and for providing an equitable distribution of the costs and expenses of maintenance, operation, upkeep and repair of the entire sewerage system which includes the sewer collection system and sewage disposal facilities of said City, to charge and

collect service charges or fees upon all lots, lands, property and premises served or benefited by the sewerage system of the City, which system and facilities consist generally of all pipe lines, conduits, catch basins, manholes, cleanouts, sewer mains, intercepting sewers, lift stations, pumps, structures, mechanical equipment and facilities for the treatment and disposal of sewage or sewage by-products; to provide for industrial cost recovery from all industrial users.

Section 9. DEFINITIONS: Unless the context specifically indicates otherwise, the meaning of terms used in this Ordinance shall be as follows:

Act: The Federal Water Pollution Control Act entitled Public Law 92-500, and its amendments as administered by the United States Environmental Protection Agency (EPA).

BOD: Biochemical oxygen demand (BOD) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20C, expressed in milligrams per liter (mg/l).

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 feet (5') outside the inner face of the building wall.

City: Refers to the City of Idaho City, Idaho.

Flow: The volume of sewage being discharged into the sewage system.

Garbage: Solid wastes from the domestic and commercial

preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.

Industrial Cost Recovery: Financial recovery by the City, from the industrial users of the sewerage system, of that portion of the present worth value of the treatment facilities allocable to the treatment of wastes from such users.

Industrial Users: Any nongovernmental user of publicly owned treatment works identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented under the following divisions:

- (A) Division A - Agriculture, Forestry and Fishing.
- (B) Division B - Mining.
- (C) Division D - Manufacturing.
- (D) Division E - Transportation, Communications, Electric, Gas and Sanitary Services.
- (E) Division I - Services.

An Industrial User is also defined as follows:

(A) A nongovernmental, nonresidential user which discharges more than the equivalent of twenty-five thousand (25,000) gallons per day of sanitary waste and which is identified in the Standard Industrial Classification Manual under divisions A, B, D, E and I.

(B) A user which discharges any wastewater containing toxic pollutants or which has any other adverse effect on the treatment works; or

(C) A commercial user of an individual system.

A user in the Divisions listed may be excluded if it is

determined that it will introduce primarily segregated domestic wastes or wastes from sanitary conveniences.

Industrial Wastes: The liquid wastes from industrial manufacturing processes, trade or business as distinct from sanitary sewage.

Multiple Building Development: Includes the various types of developments that would have common or joint ownership areas such as condominiums, townhouses, mobile home parks or courts, shopping centers, etc.

Natural Outlet: Any outlet into a watercourse, pond, ditch, lake or other body of surface or groundwater.

Owner: A person owning real estate which is, or proposes to be connected to the sewage system.

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

pH: The negative logarithm of the hydrogen-ion concentration measured 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 inch (1/2") 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 groundwaters are not admitted.

Service Connection: The point at which the building sewer connects to the public sewer.

Sewage or Waste Matter: 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 or Wastewater Treatment Facility: Any devices and system used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of a liquid nature.

Sewer: A pipe or conduit for carrying sewage.

Sewerage System: All facilities for collecting, pumping, treating and disposing of sewage.

Sewer User: Any individual, firm, company, association, society or corporation or group who has connected to the sewerage system.

Shall: "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 for 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 water such as

cooling water.

Suspended Solids: Solids, organic or inorganic, that either float on the surface of, or are in suspension in water, sewage or other liquids, and which are removable by laboratory filtering as prescribed in "Standard Methods for the Examination of Water and Wastewater" and referred to as non-filterable residue.

Watercourse: A channel in which a flow of water occurs, either continuously or intermittently.

Section 10. TO WHOM ORDINANCE APPLICABLE: The provisions of this Ordinance shall apply to all property within the boundaries of the City, and any special users outside of the boundaries of the City, including all property owned or occupied by the United States of America, the City of Idaho City, Boise County and the State of Idaho.

Section 11. REQUIRED USE OF SEWERS: The owner or occupant of any house, building or property used for residential, commercial, industrial, governmental or recreational use, or other purpose, situated within the City which is abutting on or having a permanent right of access to any street, alley or right of way in which there is located a public sewer of said City is hereby required to cease using any other method of disposing of sewage, waste or polluted water, and at his expense to connect such building directly with the public sewer in accordance with the provisions of this Ordinance, within fifteen (15) days after date of official notice from the City to do so, provided, however, that said sewer is within three hundred feet (300') of

any property line of the building to be served or common property line in a multiple building development.

The developer of a new subdivision shall, at his expense, construct the necessary extensions of the public sewer system to provide public sewer facilities for each lot in his subdivision.

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

It shall be unlawful to discharge to any natural outlet within the City, 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 Ordinance.

Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facilities intended or used for the disposal of sewage.

Section 12. USE OF THE PUBLIC SEWERS: The use of the public sewers of the City shall be in accordance with the following regulations:

(A) No person shall discharge or cause to be discharged from any connection any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water or unpolluted industrial process waters to any sanitary sewer.

(B) Stormwater and all other unpolluted drainage shall

be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the City. Industrial cooling water or unpolluted process waters may be discharged, complying with the requirements of Section 308 of the Act and on approval of the City, to a storm sewer or natural outlet.

(C) 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 cyanides in excess of two-tenths (0.2) mg/l as CN in the wastes as discharged to the public sewer.

3. 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; and,

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, tampons, hair and fleshings, condoms, entrails and paper dishes, cups, milk containers, etc. either whole or ground by garbage grinders.

(D) 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 City that such wastes can harm either the sewers, sewage treatment process or equipment, have an adverse effect on the receiving drainage or can otherwise endanger life, limb, public property or constitute a nuisance. In forming it's opinion as to the acceptability of these wastes, the City will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials or 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 (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 and one hundred fifty degrees Fahrenheit (32° and 150°F (0° and 65°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 (3/4) horsepower or greater shall be subject to the review and approval of the City.

4. Any waters or 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 any excessive chlorine requirement to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the City for such materials.

6. Any waters or wastes containing phenols or other taste or odor producing substances in such concentrations exceeding limits which may be established by the City as necessary, after treatment of the composite sewage, to meet the requirement of the 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 City in compliance with applicable State or Federal regulations.

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

9. Materials which 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 BOD, 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.

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 of the receiving waters.

(E) If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 17D of this Ordinance, and which in the judgment of the City, may have a detrimental effect upon the sewage works, processes, equipment or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the City 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 29 of this Ordinance.

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

(F) Grease, oil and sand interceptors shall be provided when, in the opinion of the City, they are necessary for the proper handling of liquid 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 City and shall be located as to be readily and easily accessible for cleaning and inspection. These interceptors shall be adequately maintained and are subject to periodic inspection by the City.

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

(H) When required by the City, the owner of any property serviced by a building sewer carrying industrial waste shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilities observation, sampling and measurement of the wastes.

Such manhole, when required, shall be accesible and safely located, and shall be constructed in accordance with plans approved by the City. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

(I) All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this Ordinance shall be determined in accordance with the latest edition of "Standard methods for the Examination of Water and Wastewater", published by the American Public Health Association, and shall be determined at the control manhole provided or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb and property.

(J) No statement contained in this Ordinance 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; and

(K) Any property owner or sewer user violating the provisions of this Section shall upon notice by the City

immediately install such preliminary treatment through separators, traps and/or chemical, physical or biochemical processes as will make and assure that the sewage contributed from such property or premises will meet the requirements of this Ordinance.

Section 13. INJURY TO SEWERAGE SYSTEM UNLAWFUL:

(A) No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the sewerage works.

(B) It shall be unlawful for any person to deposit any garbage, rubbish, dead animals or any substance having a tendency to obstruct the flow of the sewer in any manhole, clean out or sewer opening.

Section 14. PERMISSION TO DISCHARGE OBJECTIONABLE WASTE OR WATER: The admission into the public sewers of any water or wastes having:

(A) Biochemical oxygen demand (BOD) greater than 300 mg/l;

(B) Chemical oxygen demand (COD) greater than 900 mg/l;
or;

(C) Suspended solids in excess of 300 mg/l,
shall be subject to the review and approval of the City.

Where necessary, in the opinion of the City, the owner shall provide, at his expense, such preliminary treatment as may be necessary to reduce the BOD to 300 mg/l, the COD to 900 mg/l and the suspended solids to 300 mg/l. Plans, specifications and

any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the City and of the Idaho Department of Health and Welfare, and no construction of such facilities shall be commenced until said approvals are obtained in writing.

Section 15. BUILDING SEWERS AND SERVICE CONNECTIONS:

All materials and workmanship in the installation of building sewers and service connections shall conform to the following regulations, and shall meet the certification requirements as set forth in Section 21.

(A) 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 City. The permit is not to be issued until all sewer connection charges and fees have been paid in full.

(B) There shall be two (2) classes of building sewer permits: (1) A general permit for residential and commercial sewer service, and (2) industrial user permits for sewer service to establishments producing industrial wastes.

1. General permits shall be applied for by the owner or his agent on a form provided by the City Clerk. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the City at the time the application is filed. Also, the owner or his agent shall pay to the City, at the time the application is filed, a hookup fee, as set by Section 26 of this

Ordinance.

2. Industrial user permits shall be applied for by the owner or his agent by letter to the City accompanied by an executed copy of the industrial user agreement together with any plans, specifications or other information considered pertinent in the judgment of the City. Industrial user permits shall be approved by the City based on recommendations by the Engineer for the City. Approval shall be contingent upon the availability of excess capacity in the sewage treatment plant, the provisions of this Ordinance and any other considerations the City deems appropriate. The amount of the permit, inspection fee and hookup fee for an industrial wastes sewer service will vary with each permit and shall be established by the City at the time of application.

(C) All costs and expense incident to the installation and connection of the building sewer and service connection shall be born by the owner. The owner shall indemnify and hold harmless the City from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer and the marking of the service connection for same to the public sewer.

(D) A separate and independent building sewer and service connection shall be provided for every building; except where one building stands at the rear of another on an interior lot and no separate sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway. In such case, the building sewer from the front building may be extended to the rear building and the whole

considered as one building sewer. In such case, however, a separate permit shall be obtained, with separate charges and fees in accordance with this Ordinance.

(E) Old building sewers may be used in connection with new buildings only when they are found, on examination and being tested as required by the City, to meet all requirements of this Ordinance.

(F) The materials of construction of the building sewer and service connections, 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 Uniform Building and Plumbing Codes, latest editions, as adopted by the State of Idaho.

(G) The building sewer from the building drain to the public sewer and the service connection thereto shall not be smaller than four inch (4") diameter sewer pipe. The minimum grade or slope of the building sewer shall be as follows:

1. Four inch (4") diameter sewer pipe shall be laid on a grade of not less than one-quarter inch (1/4") per foot.

2. Six inch (6") diameter sewer pipe shall be laid on a grade of not less than one-eighth inch (1/8") per foot; and,

3. Eight inch (8") diameter sewer pipe shall be laid on a grade of not less than four feet (4') per one thousand feet (1000').

The alignment of the building sewer from the outlet of the building drain to the public sewer connection shall be

straight with no bends, warps or sags permitted except with the permission of the City. The trench bottom shall be cut to proper grade so that when the pipe is laid the body or barrel of the pipe shall be on solid material. Bell holes are to be excavated in the trench bottom at all pipe joints.

(H) No person shall make connection of reef downspouts, exterior foundation drains, areaway drains or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.

(I) The service connection to the public sewer shall conform to the requirements of the Uniform Building and Plumbing Codes, latest editions, as adopted by the State of Idaho. In addition, the materials and workmanship of the service connection shall meet the following requirements:

1. A precast service connection fitting shall be installed as an increment of the sewer pipe line or installed as an external fabrication to the sewer pipe line; said fabrication to be installed within the center one-third ($1/3$) of an individual laying length of the public sewer pipe, as a precaution in preventing the breaking of the bell or the spigot end of the sewer pipe. The service connection fitting shall be installed as a water-tight connection to the public sewer, care being taken not to extend the building sewer line into the public sewer line, therefore, creating a possible restriction. The invert of the building sewer line at the service connection fitting shall be at an elevation above the invert of the public

$\frac{2}{3} \times 8'' \sim 5''$

sewer at least equal to two-thirds ($\frac{2}{3}$) of the diameter of the public sewer. All foreign material shall be removed from the sewer pipe and there shall be a permanent connection which is air-tight and water-tight between the public sewer line and the building sewer line; and,

2. The building sewer service connection fitting to reinforced sewer pipe lines shall be made as specified under Section 15(I)(1) hereof, except that in cutting a hole in reinforced pipe for installation of the service connection tee, extreme care shall be exercised to avoid damage to the pipe. The hold for the tee shall be carefully chipped first to expose the reinforcing steel and the steel cut by torch or saw. No chisel cutting of the reinforcing steel of any character will be permitted.

In lieu of a standard service connection fitting, a riser service connection may be made to sewer lines that are deep below ground surface. The branch or riser shall be connected the same as a tee, except that it shall be set vertically over the public sewer pipe, and extended vertically upward such that the top of the riser is not to be less than five feet (5') below the surface of the ground.

(J) The applicant for the building sewer permit shall notify the City when the building sewer is ready for inspection and connection to the public sewer.

(K) 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.

Section 16. INDUSTRIAL USERS: All industrial users of the sewerage system shall comply with any applicable requirements of Section 204(b), 307 and 308 of the Act. There shall be two (2) classes of industrial users: major contributing industry, and minor contributing industry. They are defined as follows:

(A) A major contributing industry is one that:

1. Will contribute greater than ten percent (10%) of the design hydraulic flow of the treatment works.

2. Will contribute greater than ten percent (10%) of the design pollutant loading of the treatment works.

3. Has in its waste a toxic pollutant in toxic amounts as defined in standards issued under Section 307(a) of the Act.

4. Has significant impact, either singly or in combination with other contributing industries, on the sewerage system or the quality of its effluent.

(B) A minor contributing industry shall be all industries not included in the major contributing industry classification as defined herein:

1. All major contributing industries wastes shall be monitored by the City or industry on a regular basis at intervals not less than monthly, and more frequently as the characteristics of the specific industrial discharge may dictate. Wastes of minor contributing industries shall be monitored by the City or industry as the characteristics of the specific

industrial discharge may dictate as determined by the City.

2. All major contributing industries shall submit to the City on the first day of the months of June and December, a statement in writing regarding specific actions taken to achieve full compliance with the requirements of Section 307 of the Act.

3. Each contributing industry shall report any substantial (exceeding ten percent (10%) plus or minus) change in flow or characteristics of waste water being discharged into the sewerage system. The report shall include quantity and quality of effluent and duration and frequency of discharge.

Section 17. POWERS AND AUTHORITY OF CITY AUTHORIZED REPRESENTATIVE: The City, through its authorized representative 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 Ordinance. The City 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 public sewers or natural waterways.

While performing the necessary work on private properties referred to in the preceding paragraph, the authorized representative of the City shall observe all safety rules applicable to the premises established by the sewer user and the sewer user shall be held harmless for injury or death to any City authorized representative and the City shall indemnify the sewer

user against loss or damage to its property by any authorized City representative and against liability claims and demands for personal injury and property damage asserted against the sewer user and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the sewer user to maintain safe conditions as required in this Ordinance or as reasonably required by a prudent man standard.

The City, through its authorized representative 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 sewerage 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.

Section 18. INSPECTION: No connection of any kind to a public sewer line shall be made and no sewage permitted to flow through such connection except pursuant to inspection of and approval issued by the City. See Section 15, for sewer permits, inspection fees, inspection notices, etc.

Section 19. REJECTIONS OR DISAPPROVALS: The City may reject any material or workmanship for cause and, upon such order, rejected material shall be removed and replaced with approved material. Disapproved workmanship shall cause the removal and replacement of all materials involved, including

appurtenances, excavation, backfilling and other work items.

Section 20. BACKFILLING: Backfilling of building sewers and service connections within the limits of public rights of ways or easements shall conform to special specifications promulgated by the City for sewer installation, and shall be subject to inspection by and approval of the City.

Section 21. SEWER LINE EXTENSIONS: All proposed extensions of the City sewerage system to serve undeveloped areas within the existing city boundaries shall comply with this Ordinance. Owners or agents of property outside the city limits requesting service shall execute a contract incorporating by reference this Ordinance. Costs for all extensions which lie outside the boundary limits of the property for which the extension is requested shall be the responsibility of that property owner or his agent. Cost for sewer extensions within the property for which the extension is requested shall also be the responsibility of the owner or his agent. The City may, if it has uncommitted funds in its sewer construction account, participate in a portion of the costs of any oversized sewer lines. When it is necessary to install oversized lines as part of an extension, the costs of all oversized lines will normally be the responsibility of the owner or his agent.

Unless a special permit is granted by the City, all City sewerage system extensions into newly developing areas shall be installed prior to the construction of any new streets.

All design and construction of any extensions to the City sewerage system shall comply with the official

specifications for sewerage system extensions as adopted by the City.

The plans for all extensions to the sewerage system shall be prepared and signed by a registered professional engineer as per the licensing requirements of the Idaho Code. Two (2) copies of the said plans shall be filed with the City. Two (2) copies of the plans shall be filed with the Idaho Department of Health and Welfare for their review and approval as required by the Idaho Code. In approving a plan for extension to the City sewerage system, the City reserves the right to stipulate other requirements such as a special permit fee, rights of way limits, sequence of construction, time limits for having existing service disrupted, the filing of a performance bond and other similar measures as may be required to protect the public. No work shall commence on any such extension of the City sewerage system until the extension project has been approved by the City.

After the construction of any City sewer system extensions, it shall be the obligation of the owner, or his agent, to have a registered professional engineer certify to the City and to the Idaho Department of Health and Welfare that the said system extensions were installed in accordance with the approved plans and specifications on file with the respective agencies. Said certification shall include, but not be limited to, the date and time the registered professional engineer observed the sewer line testing and the method that was used during the tests. Data collected through the tests shall be submitted with the certification. Following certification by the

registered professional engineer and acceptance by the City, the entire extension of the City sewerage system, including the City sewer service lines, shall become the property of the City and it shall be the City's responsibility to maintain and operate the system thereafter.

If it is necessary for the City to permit a sewer service connection and/or sewer service line at any time after the extension has been originally accepted by the City, the owner or his agent shall be required to pay the sewer hookup fee as well as the standard permit and inspection fees as may be established by the City for such purposes.

Section 22. SEWER LINE REIMBURSEMENT: In the event a sewer line is extended pursuant to Section 21 so that the sewer system is available to an owner or agent of property who has not paid for such extension, the City shall either:

(A) Require said owner or agent to participate in his pro rata costs of extension, or

(B) Require said owner or agent to reimburse the party paying for the extension a prorated share of the extension cost, if connection to the extended line is made within 10 years of extension.

Prorated contributions under this Section shall be decided by the City's engineer based upon (1) the total costs of the sewer extension, (2) the size and location of the property, and (3) the volume of flow to be generated by the property.

Section 23. BASIS FOR SEWER CHARGES: There is hereby established a system of connector charges, permit and inspection

fees, industrial cost recovery charges, periodic service charges and other fees for the use of, and for service rendered by the sewerage works of the City, and which charges, rates and fees shall be, as near as possible, uniform as to the different classes of property served by said sewerage works. The rates, charges and fees provided by this Ordinance are hereby levied and assessed against each lot, parcel of land, building or property having any connection with the sanitary sewerage works of the City or otherwise discharging sanitary sewage, industrial wastewater or other liquids directly into the sanitary sewerage works of said City. The rates, charges and fees shall be billed to and paid by the owner of each lot, parcel of land, building or property served by the sewerage system.

It is specifically enacted that all property in the City to which a public sewer is available and is required to connect to the sewer as required in Section 11, but is not used by the owner or occupier of said parcel of land, is still subject to user charges under the provisions of this Ordinance.

All charges and fees under this Ordinance may be modified by the City and shall be reviewed biannually.

Section 24. SEWER USER CHARGES AND CONNECTION FEES: The monthly sewer user rates for sanitary sewer service in the City, as hereafter developed in accordance with Section 23 of this Ordinance, are based on a flat rate as determined by present expenses plus additional capital improvement, depreciation or replacement charges, and operating costs of the upgraded sewer and treatment facilities. Residential homeowners' sanitary sewer

user charges will be based on a flat rate charge per dwelling. Multiple living units user charges shall be based on a flat rate per living unit. (All other users such as commercial and industrial shall be based on the number of equivalent connections associated with that business, or the industrial costs recovery system, whichever is applicable pursuant to this Ordinance.) Any change in use shall be subject to application of appropriate fees under this Ordinance. The property owner or agent shall notify City of any change in use. The user charge system is based on the following:

(A) The sanitary sewer user charge shall be ten dollars (\$10.00) per month per equivalent connection.

(B) An equivalent connection shall be defined as one (1) single dwelling residential unit with approximately twenty-one (21) fixture units as defined in the Uniform Building Code.

(C) The sewer connection fees and charges are based on the following schedule. All other users will require special appraisal and will be computed on an individual basis.

<u>Classification</u>	<u>No. of Equiv. Connections</u>
Apartment (see Multiple Living Unit)	
Bank-----	2.00
Bar-----	2.00
Barber Shop-----	2.00
Beauty Salon-----	2.00
Bowling Alley-----	2.00
Cafe-----	2.00

Car Dealer-----	2.00
Car Wash-----	2.00
Church-----	2.00
Club, Private-----	2.00
Condominium (see Multiple Living Unit)	
Dentist-----	2.00
Department Store-----	2.00
Doctor-----	2.00
Drug Store-----	2.00
Dry Cleaners-----	2.00
Duplex (see Multiple Living Unit)	
Fourplex (see Multiple Living Unit)	
Garage-----	2.00
Grocery Store (see Retail Food Store)	
Hospital-----	2.00
Industry (see Major or Minor Contributing Industry)	
Laundries-----	2.00
Lodge or Private Club-----	2.00
Major Contributing Industry (as per separate agreement)-----	XXXX
Minor Contributing Industry (as per separate agreement)-----	XXXX
Mobile Home Court or Park:	
First Space-----	1.00
Each additional space, long-term tenant type-----	1.00
Each additional space, short-term tenant type-----	1.00
Mobile Home or Trailer House, on own premises-----	1.00
Motel, Hotel, Rooming House, etc. (without cooking facilities):	
Each unit-----	1.00
Motel, Hotel, Rooming House, etc. (with cooking facilities):	
Each unit-----	1.00
Multiple Living Unit:	

Studio or one bedroom-----	1.00
Two bedrooms-----	1.00
Three or more bedrooms-----	1.00
Office Building-----	2.00
Photo Development Lab-----	2.00
Restaurant-----	2.00
Retail Food Store-----	2.00
Retail Store-----	2.00
Service Station:	
Gas and restroom service only-----	2.00
Full service-----	2.00
Schools-----	6.00
Single Family Residence-----	1.00
Swimming Pool, Public(to be computed on an individual basis)-XXXX	
Tavern-----	2.00
Theatre-----	2.00
Townhouse-----	1.00
Recreational Vehicle or Park-----	2.00
Each space, long-term (in excess of 30 days) tenant type---	1.00
Each additional space, short-term tenant type-----	0.50
Triplex (see Multiple Living Unit)	
Railroad Depot-----	2.00
Variety Store-----	2.00

Section 25. SEWER, CONNECTION, PERMIT AND INSPECTION:

To obtain City sewer service, the owner or his agent shall make application 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 City. A permit and inspection fee shall be paid to the City at the time the application is filed. Also, the owner or his agent

shall pay to the City, at the time the application is filed, a connection charge in the amount as provided for in Section 26. The amount of the permit and inspection fee shall be determined by the City.

The materials of construction of the sewer service line and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling of the trench and surface replacement shall all conform to the requirements of specifications and codes as have been or may be adopted by the City.

A separate and independent City sewer service connection shall be provided for each building.

The applicant for the City sewer service connection shall notify the City when the connection of the sewer service connection and line to the public sewer main is ready for inspection.

Section 26. SEWER CONNECTION CHARGE: The owner, or his agent, of all properties connecting to the public sewer of the City under the terms of this Ordinance shall pay a sewer connection charge of NINE HUNDRED DOLLARS (\$900.00) for each equivalent connection or fraction thereof as may be assigned to the property by the City. Such charge is based upon the actual City sewerage system capital costs of providing sewer service divided by the number of projected connections.

Section 27. INDUSTRIAL USER CHARGE: All industrial user charges shall be established by separate agreement between each separate contributing industry and the City. All charges so

established shall be in proportion to the benefits derived by the user from the sewerage system. The charges so established shall generate sufficient revenue to pay the operation and maintenance of the sewerage system, and the industrial cost recovery charges. The charges shall be based on the amount of flow (Q), the biochemical oxygen demand (BOD), the suspended solids (SS) and any other pertinent components of the wastes that the industrial user is contributing to the sewerage system.

(A) All contributing industrial user charges shall be reviewed biannually and revised as necessary to insure that each contributing industrial user pays its allocable share. If the discharge of a contributing industrial user changes significantly, greater than ten percent (10%) plus or minus, (by strength, volume, delivery flow rate or other pertinent component characteristics) such industrial user's charge shall be adjusted accordingly to assure that the user continues to pay its allocable share.

(B) Contributing industrial users discharging pretreated process wastes into the sewerage system shall pay industrial user charges based on the characteristics of the waste effluent from the pretreatment facilities.

(C) The amount of payment required from an industry for industrial user charges is to be the sum of the operation and maintenance charges and the industrial cost recovery charges.

(D) Actions for nonpayment will be in accordance with Section 32 of this Ordinance.

Section 28. OPERATION AND MAINTENANCE CHARGES: The

amount of payment required from an industry for operation and maintenance charges is to be determined by the following procedure:

(A) The operation and maintenance charges shall be allocated in proportion to the benefit of the proposed facility to each wastewater characteristic as follows:

Q = 70% of Operation and Maintenance Costs
BOD = 16% of Operation and Maintenance Costs
SS = 14% of Operation and Maintenance Costs

The operation and maintenance costs of any future expansion, upgrading or reconstruction of the waste treatment facility shall be allocated in proportion to the benefit of the said improvement to any wastewater characteristic so benefited at that time.

(B) The total cost per unit of each characteristic shall be calculated as follows:

Q Unit Cost =
$$\frac{\text{Percent of Operation and Maintenance Cost}(\text{Maintenance Cost Allocated Q})}{\text{(Total Design Flow of Facility in Gallons per Day)}}$$

BOD Unit Cost =
$$\frac{\text{Percent of Operation and Maintenance Cost}(\text{Maintenance Cost Allocated BOD})}{\text{(Total Design BOD Capacity of Facility in Pounds per Day)}}$$

SS Unit Cost =
$$\frac{\text{Percent of Operation and Maintenance Cost}(\text{Maintenance Cost Allocated SS})}{\text{(Total Design SS Capability of Facility in Pounds per Day)}}$$

(C) The cost to an industry for the operation and maintenance portion of the user charge is calculated as follows:

Annual O & M Cost =

(Annual Q contributed by Industry)(Q Unit Cost)
+
(Annual BOD contributed by Industry)(BOD Unit Cost)

+ (Annual SS contributed by Industry)(SS Unit Cost)

Monthly O & M Cost = $\frac{\text{Annual O \& M Cost}}{12}$

(D) For small contributing industrial concerns where it is impractical to develop a monitoring program to measure wasteload discharges, operation and maintenance charges may be made on the basis of estimated flows alone, provided that the industry does not discharge an excessive strength waste that may disrupt the treatment process as determined by the City. The operation and maintenance payments will be calculated on a similar basis as described herein, except that one hundred percent (100%) of the operation and maintenance cost will be allocated to flow.

(E) Payments for operation and maintenance charges shall begin within a month of the date of initiation of service by the industry of the treatment facility. Operation and maintenance charges shall be reviewed annually and adjustments based upon the actual O & M costs attributable to the industry and the actual O & M payments received from the industry for the previous year shall be made. The O & M charge rate for industrial users shall be adjusted at that time to reflect the actual O & M costs of the previous year.

Section 29. INDUSTRIAL COST RECOVERY: All contributing industrial users of the sewerage system shall make industrial cost recovery payments according to the following:

(A) The City may permit contributing industrial users to reserve extra or additional capacity in the sewerage system

for future use by the industry. Such capacity shall be reserved through formal, written agreement and shall be subject to pertinent industrial cost recovery regulations. The industrial user shall be required to apply the full industrial cost recovery allocable to the capacity reserved. In the event that the City has unused capacity in its sewerage system available for use and the said industrial user is permitted by the City to exceed its agreed upon reserved capacity, the industry shall be required to pay industrial cost recovery calculated on the full reserved capacity plus the additional industrial costs recovery for the use above the limits of the original agreed upon reserve capacity or any element thereof.

(B) All contributing industrial users shall be required to pay any additional cost recovery charges associated with the cost of future upgrading the treatment works as may be required of the City to comply with waste discharge requirements.

(C) Industrial cost recovery for expansion of the treatment works shall be required from those industries which have exceeded their reserved capacity and have been a contributing factor to the need for expansion. Industrial cost recovery payments will be required for that portion of the expanded capacity which is allocable to the industrial users discharge.

(D) The amount of payment required from an industry for industrial cost recovery is to be determined by the following procedure:

1. The value of the treatment facility shall be

allocated in proportion to the benefit of the facility to each wastewater characteristic as follows:

Q = 70% of Present Worth Value of Treatment Facilities
BOD = 16% of Present Worth Value of Treatment Facilities
SS = 14% of Present Worth Value of Treatment Facilities

The value of any future expansion, upgrading or reconstruction of the waste treatment facility shall be allocated in proportion to the benefit of the said improvement to any wastewater characteristic so benefited at that time.

2. The present worth value of the facilities at any time shall be based on the following formula:

Present Worth Value of Facilities =
$$\frac{\text{Present Engineering (Construction Cost)(News-Record Construction Cost Index)}}{\text{(Engineering News-Record Construction Cost Index at Time of Construction)}}$$

3. The total cost per unit of each characteristic shall be calculated as follows:

Q Unit Cost =
$$\frac{\text{Percent of Present Worth Value of (Present Worth Value of Facilities)(Facilities Allocated to Q)}}{\text{(Total Design Flow of Facility in Gallons per Day)}}$$

BOD Unit Cost =
$$\frac{\text{Percent of Present Worth Value of (Present Worth Value of Facilities)(Facilities Allocated to BOD)}}{\text{(Total Design BOD Capability of Facility in Pounds per Day)}}$$

SS Unit Cost =
$$\frac{\text{Percent of Present Worth Value of (Present Worth Value of Facilities)(Facilities Allocated to SS)}}{\text{(Total Design SS Capability of Facility in Pounds per Day)}}$$

4. The cost to an industry for industrial cost recovery (ICR) is calculated as follows:

Total ICR Cost =

(Industry's Final Reserved Amount of Q)(Q Unit Cost)
 +
 (Industry's Final Reserved Amount of BOD)(BOD Unit Cost)
 +
 (Industry's Final Reserved Amount of SS)(SS Unit Cost)

The total ICR cost shall be paid back according to the following payment schedule:

(a) An industry shall pay, within one month of initiation of sewage treatment service, a lump sum payment equal to the present worth value of the portion of the treatment facility that the industry is utilizing for waste treatment at the time of the agreement, according to the formulas for said payment stated hereafter.

ICR Payment (Initial Contribution) =

(Industry's Initial Amount of Q)(Q Unit Cost)
 +
 (Industry's Initial Amount of BOD)(BOD Unit Cost)
 +
 (Industry's Initial Amount of SS)(SS Unit Cost)

(b) An industry may reserve a portion of the treatment facility exceeding the portion utilized for waste treatment at the time of the agreement. The ICR payments for the reserve portion of the treatment facilities shall be paid back over the period of time estimated to be necessary to utilize the full amount of the reserved portion according to the following formula:

ICR Payment (Reserve Portion) =

(Industry's Final Reserved - Industry's Initial)(Q Unit Cost)
 Amount of Q Amount of Q
 +
 (Industry's Final Reserved - Industry's Initial)(BOD Unit Cost)
 Amount of BOD Amount of BOD
 +
 (Industry's Final Reserved - Industry's Initial)(SS Unit Cost)
 Amount of SS Amount of SS

Monthly ICR Payment = $\frac{\text{Total ICR Payment (Reserve Portion)}}{(\text{Estimated Number of Months to Reach Reserve Capacity of Sewerage System})}$

The time period to reach the reserve capacity of the system is subject to negotiations and the City reserves the right to limit the time period for utilizing the reserve capacity. ICR payments for the reserve portion of the treatment facilities shall begin within a month of the date of initiation of service by the industry of the treatment facility.

(c) For small contributing industrial concerns where it is impractical to develop a monitoring program to measure wasteload discharges, industrial cost recovery payments may be made on the basis of estimated flows alone, provided that the industry does not discharge an excessive strength waste that may disrupt the treatment process as determined by the City. The industrial cost recovery payments will be calculated on a similar basis as described herein, except that one hundred percent (100%) of the present worth value of the facilities shall be allocated to flow.

(d) All industrial cost recovery payments collected from industry and paid to the City shall be allocated according to the following:

(i) All ICR payments based on the original construction cost shall be used to pay off the bonded indebtedness.

(ii) For any ICR payments based on a present worth value of the treatment facilities which is higher than the original construction cost, the amount of the payment

corresponding to the original construction cost shall be used to pay off the bonded indebtedness, and any amount exceeding the portion assigned to the original construction cost shall be deposited in a capital improvement fund to provide for future capital improvements to the sewerage treatment plant.

(e) Action for nonpayment will be in accordance with Section 32.

Section 30. SPECIAL SEWER USER CHARGE FOR OUTSIDE THE CITY BOUNDARY: The City may permit the use of the sewerage system by individual properties that are partially or entirely outside the city limits. Each request for such service must be approved by the City and all regulations of this Ordinance must be complied with by such special sewer user. The sewer user will be considered a special user as long as the property being served remains outside the City. In addition to all other charges and fees as are required to be paid by any sewer user, including industrial users, the special sewer user may be charged a supplemental monthly user charge that will be to reimburse the City for any other costs to the City that are attributable to administering, operating and/or maintaining the said special sewer user service. Such charges shall not be arbitrarily higher than for City users, but shall be based upon additional costs herein before mentioned attributable to non-city use. Any request for service outside the city limits shall also be accompanied by a written request for annexation to the City.

Section 31. MONTHLY USER CHARGES; WHEN DUE AND PAYABLE: All monthly sewer charges shall be due and payable from the owner

to the Clerk between the first and tenth day of each month for billing from the previous cycle. For new construction, this would be when the service connection has been inspected and approved or when the building being served is substantially completed, whichever is the latest date. Upon failure to pay the same, as prescribed, each user shall pay, in addition to the amount due, a penalty charge of ONE DOLLAR (\$1.00) or ten percent (10%) of charges due, whichever is greater.

Section 32. DELINQUENCY NOTICE: If a sewer user has not paid his monthly charges by the tenth of the month, it shall be deemed delinquent. The City shall notify the sewer user of the delinquency, and if the charges are not paid within ten (10) days after the delinquency notice, an additional penalty of ONE DOLLAR AND FIFTY CENTS (\$1.50) or fifteen percent (15%) of charges due, whichever is greater, will be added to the account. All delinquent charges or fees, as provided by this Ordinance, not paid after the final determination of the sewer user's account shall be imposed as a lien against and upon the property or premises against which such charge or fee is levied or assessed, and the Clerk shall certify such delinquencies together with all penalties to the Tax Collector of Boise County, Idaho and when so certified the same shall be a lien upon the property and will be collectable as other taxes.

The owner of any property leaving a delinquency in sewer fees at any location shall not be entitled to the use of the sewerage system at any new location until all fee delinquencies are paid.

Section 33. SEWERAGE SYSTEM FUND: All fees and charges received and collected under authority of this Ordinance shall be deposited and credited to the Sewerage System Fund. The accounts of said Fund shall show all receipts and expenditures for the maintenance, operation, upkeep and repair of the sewerage works and any payments into sinking funds as may be established for the purpose of:

(A) Paying principal and interest on the sewer bonds of the City which shall from time to time be outstanding.

(B) Sewerage capital improvement fund for industrial cost recovery payments that are to be used exclusively for future expansion, upgrading or reconstruction on the sewage system.

(C) Administrative expenses that are incurred in the operation and administration of the sewer system.

(D) Other special funds as may be established by the City.

As provided by law, when budgeted and appropriated, the funds and credits to the account of the Sewerage System Fund shall be available for the payment of the requirements for the maintenance, operation, repairs and upkeep of the sewerage works of the City and, for payment into the sinking fund established for the payment of the principal of and interest of the sewer bonds of the City which shall from time to time be outstanding.

A summary of the Sewerage System Fund revenue and expenditures shall be provided at the close of each fiscal year to all sewer rate payors. Additionally, any rate payor is entitled to inspect at the City Clerk's Office the records or

documentation indicating how his or her rate has been calculated.

A proposed budget of the Sewerage System Fund is attached hereto as Addendum A.

Section 34. UNAVAILABILITY OF PUBLIC SEWER: Where a public sanitary sewer is not available under the provisions of this Ordinance, the building sewer shall be connected to a private sewer disposal system complying with all rules, regulations, standards and recommendations of any local, state or federal authority having jurisdiction over such matters. The City exercises no rights or responsibilities pertaining to the private disposal of sewage.

(A) At such time as a public sewer becomes available to property served by a private sewage disposal system, a direct connection shall be made to the public sewer in compliance with this Ordinance and any septic tank, cesspool or similar private sewage disposal facilities shall be abandoned and filled with suitable material.

(B) Septic tank pumpings shall not be deposited in any manhole, cleanout or sewer opening.

Section 35. PENALTIES: Any person found to be violating any provision of this Ordinance shall be guilty of a misdemeanor.

Any person violating any of the provisions of this Ordinance shall become liable to the City for any expense, loss or damage occasioned the City by reason of such violation.

Section 36. REPEALER CLAUSE: All ordinances and resolutions or parts thereof in conflict herewith are hereby repealed and rescinded. Specifically, Ordinance number 154 is

repealed.

Section 37. SAVINGS CLAUSE: If any section, paragraph, sentence or pro-circumstance shall ever be held invalid or unenforceable, such holding shall not affect the remainder hereof, which shall continue in full force and effect and applicable to all circumstances to which it may validly apply.

PASSED BY THE COUNCIL FOR THE CITY OF IDAHO CITY,
IDAHO, THIS 24th DAY OF October, 1984.

APPROVED:

Larry Abbott
LARRY ABBOTT, MAYOR

ATTEST:

David L. Peadar
CITY CLERK

ORDINANCE NO. 182

AN ANNUAL APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 1984, APPROPRIATING THE SUM OF \$790,233.00 TO DEFRAY THE EXPENSES AND LIABILITIES OF THE CITY OF IDAHO CITY FOR SAID YEAR.

BE IT ORDAINED by the Mayor and City Council of the City of Idaho City, Boise County, Idaho:

SECTION I

That the sum of \$790,233.00 be and the same is hereby appropriated to defray the necessary expenses and liabilities of the City of Idaho City, Boise County, Idaho, for the fiscal year beginning October 1, 1984.

SECTION II

That the objects and purposes for which such appropriations are made are as follows:

GENERAL FUND EXPENDITURES:	
General Administration	\$ 30,638.00
Federal/State Grants	300,000.00
Law Enforcement	7,206.00
Fire Department	3,698.00
5% Non-Property Tax Fund	
Law Enforcement	10,048.50
Administration	717.75
Tax Relief Fund	717.75
City Promotion/Beautification	<u>1,435.50</u>
TOTAL GENERAL FUND:	<u>\$354,461.50</u>
STREET FUND EXPENDITURES:	
Maintenance and Operation	\$ 16,111.00
5% Non-Property Tax Fund	<u>1,435.50</u>
TOTAL STREET FUND:	<u>\$ 17,546.50</u>
SEWER FUND EXPENDITURES:	
Operation and Maintenance	\$ 30,880.00
Sewer Revenue Bond	9,350.00
Federal Grants	249,945.00
Improvement Project (matching funds)	60,155.00
Capital Outlay	<u>26,000.00</u>
TOTAL SEWER FUND:	<u>\$376,330.00</u>
WATER FUND EXPENDITURES:	
Operation and Maintenance	\$ 19,985.00
Water Revenue Bond	7,200.00
Capital Outlay	<u>9,850.00</u>
TOTAL WATER FUND:	<u>\$ 37,035.00</u>
REVENUE SHARING EXPENDITURES:	
Administrative	\$ 1,736.00
Public Buildings	1,024.00
Fire Protection	1,200.00
Ambulance/Emergency Services	600.00
Street Cleaning	<u>300.00</u>
TOTAL REVENUE SHARING:	<u>\$ 4,860.00</u>

SECTION III

That the receipts from the sewer system are hereby appropriated to the Sewer Fund.

SECTION IV

That the receipts from the water system are hereby appropriated to the Water Fund.

AN ORDINANCE AMENDING ORDINANCE NO. 168 BY PROVIDING IN SECTION 6 THEREOF FOR THE DISAPPROVAL BY THE MAYOR AND COUNCIL OF THE APPLICATION FOR A BUSINESS LICENSE; AND PROVIDING FOR THE DISAPPROVAL OF THE APPLICATION FOR, AND THE REVOCATION OR CANCELLATION OF THE BUSINESS LICENSE FOR THE VIOLATION OF ORDINANCE 168 OR ANY OTHER ORDINANCE OF THE CITY OF IDAHO CITY.

BE IT ORDAINED by the Mayor and Council of the City of Idaho City, Boise County, Idaho:

SECTION I

That Section 6 of Ordinance No. 168 be and is hereby amended to read as follows:

SECTION 6. DISAPPROVAL OF APPLICATION FOR, AND THE REVOCATION AND CANCELLATION OF LICENSE: The right shall be and remain at all times vested in the Mayor and Council, and the Mayor and Council may, as hereinafter provided, disapprove the application for license, or revoke or cancel any license for fraud or misrepresentation in its procurement, or for a violation of any of the provisions of this Ordinance or any other Ordinance of the City of Idaho City, or for any conduct or act of the licensee or his employees or any conduct or act permitted by him or them on the premises where such business is conducted, or in connection therewith or adjacent thereto, tending to render such business or such premises where same is conducted a public nuisance or a menace to the health, peace, safety or general welfare of the City; provided, that revocation or suspension of any state license shall be deemed prima facie evidence for revocation or suspension of the license issued herein.

SECTION II

This ordinance shall be in full force and effect from and after its passage, approval, and publication.

PASSED BY THE CITY COUNCIL and approved by the Mayor, this 15th day of August, 1984.

ATTEST:

By

Larry Abbott
Larry Abbott, Mayor

David L. Brady
David L. Brady, City Clerk