

ORDINANCE NO. 1873

JOINT ORDINANCE AND RESOLUTION OF THE CITY OF GRAND JUNCTION AND THE COUNTY OF MESA, COLORADO

A JOINT ORDINANCE AND RESOLUTION REPEALING AND REENACTING CHAPTER 25, SECTIONS 14 THROUGH 61, OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION AND ESTABLISHING RESOLUTION NO. MCM 80-49 OF THE COUNTY OF MESA FOR REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, PRIVATE SEWAGE DISPOSAL, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWERAGE SYSTEM; PROVIDING CHARGES THEREFOR AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF, IN THE CITY OF GRAND JUNCTION AND COUNTY OF MESA, COLORADO.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF MESA, COLORADO:

SEWER USE

ARTICLE 1 - DEFINITIONS

SECTION 1. Unless the context specifically indicates otherwise, the meaning of terms used in this Ordinance shall be as follows:

A. BIOCHEMICAL OXYGEN DEMAND (BOD): Means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty degrees (20 deg) Centigrade, expressed in milligrams per liter.

B. BUILDING DRAIN: Means that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer.

C. BUILDING SEWER: Means the extension from the building drain to the building property line.

D. CITY: Means the City of Grand Junction, Colorado.

E. COLOR: Means the true color due to the substances in solution expressed in milligrams per liter.

F. COMBINED SEWER: Means a sewer receiving both surface runoff and sewage.

G. COUNTY: Means the County of Mesa, Colorado.

H. DIRECTOR: Means the Utilities Director of the City of Grand Junction, Colorado, or his authorized deputy or representative.

I. EASEMENT: Means an acquired legal right for the specific use of land owned by others.

J. EQUIVALENT RESIDENTIAL UNIT (EQU): Means a single unit providing living facilities for one or more persons including permanent provisions for sleeping and sanitation.

K. GARBAGE: Means putrescible animal and vegetable wastes resulting from the handling, preparation, cooking, and consumption of food.

L. INDUSTRIAL WASTES: Means the liquid wastes from industrial manufacturing processes, trade, or business as distinct from sanitary sewage.

M. NATURAL OUTLET: Means any outlet into a watercourse, pond, ditch, lake or other body of surface or groundwater.

N. NORMAL SEWAGE: Means that waste having a Biochemical Oxygen Demand of two hundred (200) milligrams per liter or less, and having Total Suspended Solids of two hundred fifty (250) milligrams per liter or less.

O. ORDINANCE: Means the Joint Ordinance and Resolution Numbers 1873 and MCM 80-49, respectively, for Sewer Use.

P. PERSON: Means any individual, firm, company, association, society, corporation, or group.

Q. pH: Means the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

R. PROPERLY SHREDDED GARBAGE: Means the wastes from the preparation, cooking, and dispensing of foods that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch (1.27 centimeters) in any dimension.

S. PUBLIC SEWER: Means a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

T. SANITARY SEWER: Means a sewer which carries sewage and to which storm, surface, and groundwaters are not intentionally admitted.

U. SEWAGE: Means the spent water of a community.

V. SEWER: Means a pipe or conduit for carrying sewage.

W. SLUG: Means any discharge of water or wastewater 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) (in case of heavy metals - three (3)) times the average twenty-four (24) hour concentration or flows during normal operation and may adversely affect the wastewater

facilities.

X. STORM DRAIN (sometimes termed STORM SEWER): Means a drain or sewer for conveying water, ground water, drainage water, or unpolluted water from any source, excluding a sewage and industrial wastes.

Y. STORMWATER: Means the surface runoff from rainfall and other storm events.

Z. TAP: Means an opening or connection between the service sewer and the sanitary sewer through which sewage is discharged.

AA. TOTAL SUSPENDED SOLIDS: Means total suspended matter that either floats on the surface of, or is in suspension in water, wastewater, or other liquids, and that is removable by laboratory filtering as prescribed in "Standard Methods for the Examination of Water and Wastewater" and referred to as nonfilterable residue.

BB. UNPOLLUTED WATER: Means the water is of quality equal to or better than effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.

CC. WASTEWATER: Means the spent water of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, institutions, and industrial establishments, together with any incidental groundwater, surface water, and stormwater that may be present.

DD. WASTEWATER FACILITIES: Means the structures, equipment, and processes required to collect, convey, and treat domestic and industrial wastes and dispose of the effluent.

EE. WASTEWATER TREATMENT PLANT: Means any arrangement of devices and structures for treating wastewater, industrial wastes and sludge.

FF. WATERCOURSE: Means a natural or artificial channel for the passage of water either continuously or intermittently.

## ARTICLE II - USE OF PUBLIC SEWERS REQUIRED

SECTION 2. It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the City and County, or in any area under jurisdiction of the City and County, any human or animal excrement, garbage, or other objectionable waste.

SECTION 3. It shall be unlawful to discharge to any natural outlet within the City and County, or in any area under the jurisdiction of the City and County, any wastewater or other polluted waters,

except where suitable treatment has been provided in accordance with subsequent provisions of this Ordinance.

SECTION 4. Except as hereinafter provided, it shall be unlawful to construct or maintain in any privy, privy vault, septic tank, cesspool, or other facility, intended or used for the disposal of wastewater when the site is within four hundred (400) feet of an existing public sewer with sufficient capacity.

SECTION 5. The owner(s) of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the City or County 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 or County, is hereby required at the owner(s) 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 Ordinance, within one hundred twenty (120) days after date of official notice to do so, provided that said public sewer is within four hundred (400) feet (122 meters) of the property line.

#### ARTICLE III - PRIVATE SEWAGE DISPOSAL

SECTION 6. Where a public, sanitary or combined sewer is not available under the provisions of Article II, Section 5, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this Article.

SECTION 7. The type, capacities, located, and layout of a private sewage disposal system shall comply with all recommendations of the Department of Public Health of the State of Colorado.

SECTION 8. At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Article III, Section 7, a direct connection shall be made to the public sewer in compliance with this Ordinance within one hundred twenty (120) days after date of official notice to do so, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned and filled with suitable material.

SECTION 9. The owner(s) shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the City and County.

SECTION 10. No statement contained in this Article shall be construed to interfere with any additional requirements that may be imposed by the Mesa County Health Officer.

#### ARTICLE IV - BUILDING SEWERS AND CONNECTIONS

SECTION 11. 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 Director.

SECTION 12. All costs and expenses incident to the installation, connection, and maintenance of the building sewer shall be borne by the owner(s). The owner(s) shall indemnify the City and County from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

SECTION 13. A separate and independent building sewer shall be provided for every building except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

SECTION 14. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Director, to meet all requirements of this Ordinance.

SECTION 15. The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the City and County.

SECTION 16. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all building in which any building drain is too low to permit gravity flow to the public sewer, sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

SECTION 17. No person shall make connection of roof 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 sewer.

SECTION 18. The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the City and County. All such connections shall be made gastight and watertight and verified by proper testing. Any deviation from the prescribed procedures and materials must be approved by the Director before installation.

SECTION 19. 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 and County.

## ARTICLE V - USE OF THE PUBLIC SEWERS

SECTION 20. No person(s) shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the 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 opinion as to the acceptability of these wastes, the 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 wastewater treatment plant, degree of treatability of wastes in the wastewater treatment plant and other pertinent factors. No person(s) shall discharge or cause to be discharged any of the following described waters or wastes to any public or sanitary sewers:

A. Any 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 sewerage system 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, milk containers, etc., either whole or ground by garbage grinders.

B. Sludge or other material from sewage or industrial waste treatment plants or from water treatment plants, unless agreed to by the Director.

C. Water which has been used for cooling or heat transfer purposes without recirculation, discharged from any system of condensation, air conditioning, refrigeration, or similar use.

D. Water accumulated in excavations or accumulated as the result of grading, water taken from the ground by well points, or any other drainage associated with construction.

E. Any liquid or vapor having a temperature higher than one hundred fifty degrees (150 deg) Fahrenheit or exceeding any lower limit fixed by the Director to prevent odor nuisance where the volume of discharge represents a significant portion of the flow through a particular sewer.

F. Any waters or wastes having unusual five (5) day BOD and total suspended solids concentrations or chlorine requirements, as determined by the Director to constitute a significant load on the wastewater treatment system.

G. Any waters or wastes having a pH lower than five and one-half (5.5) or higher than nine and one-half (9.5), or having any other

corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the wastewater facilities.

H. Any waters or wastes containing grease or oil or other substances that will solidify or become discernably viscous at temperatures between thirty-two degrees (32 deg) Fahrenheit and one hundred fifty degrees (150 deg) Fahrenheit.

I. Any waters or wastes containing fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred (100) mg/l.

J. Any gasoline, benzene, naphtha, fuel oil, lubricating oil, or other flammable or explosive liquid, solid, or gas.

K. Any waters or wastes containing phenols, sulfides, or other taste or odor-producing substances, in such concentrations exceeding limits which may be established by the Director as necessary, after treatment of the composite sewage, to meet the requirements of the State, Federal, or other public agencies of jurisdiction for such discharge to the receiving waters.

L. Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.

M. Any waters or wastes that contain concentrated dye waste or other waste that is either highly colored or could become highly colored by reacting with any other waste, and which is not removable in the wastewater treatment plant processes.

N. Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to contaminate the sludge or any municipal system, 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 wastewater treatment plant, including but not limited to cyanides in excess of two (2) mg/l as CN in the wastes as discharged to the public sewer.

O. Any waters or wastes that contain a corrosive, noxious, or malodorous gas or substance which, either singly or by reaction with other wastes, is capable of causing damage to the system or to any part thereof, of creating a public nuisance or hazard, or of preventing entry into the sewers for maintenance and repair.

P. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Director in compliance with applicable State or Federal regulations.

Q. Quantities of flow, concentrations, or both which constitute a "slug" as defined herein.

R. Any stormwater, surface water, groundwater, roof runoff,

subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer, unless special permission is granted in writing by the Director. 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 Director.

S. Any waters or wastes discharged in such volume as to exceed the hydraulic capacity of the wastewater facilities.

T. Any 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 wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

SECTION 21. If any waters or wastes are discharged, or are proposed to be discharged to the sanitary sewers, which waters contain the substances or possess the characteristics enumerated in Section 20 of this Article, and which in the judgement of the Director, may have a deleterious effect upon the wastewater treatment system, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Director may:

- a. Reject the wastes,
- b. Require pretreatment to an acceptable condition for discharge to the sanitary sewers,
- c. Require control over the quantities and rates of discharge, and/or,
- d. Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charged under the provisions of Section 31 of Article VIII.

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

SECTION 22. Grease, oil, and sand interceptors shall be provided when, in the opinion of the 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 Equivalent Residential Units. All interceptors shall be of a type and capacity approved by the Director, and shall be located as to be readily and easily accessible for cleaning and inspection.



SECTION 23. Where 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(s) at his expense.

SECTION 24. When required by the Director, the owner(s) 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 Director. The manhole shall be installed by the owner(s) at his expense, and shall be maintained by him so as to be safe and accessible at all times.

SECTION 25. 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 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 on constituents upon the sewage works and to determine the existence of hazards to life, limb, and property.

SECTION 26. No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the City and County and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the City and County for treatment, subject to payment therefore, by the industrial concern.

#### ARTICLE VI - PROTECTION FROM DAMAGE

SECTION 27. No unauthorized person(s) shall maliciously, willfully, or in a grossly negligent manner break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the sewerage system. Any person(s) violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

#### ARTICLE VII - POWERS AND AUTHORITY OF INSPECTORS

SECTION 28. The 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 Ordinance. The Director or his representatives shall have no authority to inquire into any

processes including metallurgical, chemical, oil, refining, ceramic, paper, or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

SECTION 29. While performing the necessary work on private properties referred to in Article VII, Section 28 above, the 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, 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 as required in Article V, Section 24.

SECTION 30. The 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 sewerage system lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of duly negotiated easement pertaining to the private property involved.

#### ARTICLE VIII - SERVICE CHARGES, PERMITS AND COLLECTION PRACTICES

##### SECTION 31.

A. There shall be levied and assessed upon each lot, parcel of land, building or premises having any connection, or eligible for connection under Section 25-18 of the Code with the sewer system of the City, monthly sewer service charges or rentals computed by multiplying the E.Q.U. by the following factors, to wit:

1. Single family dwelling = 1.00 EQU
2. Multiple family dwellings = 0.72 x no. of single family units
3. Hotels and motels:
  - a. No restaurant or kitchen = 0.36 x no. of rooms
  - b. With kitchenette = 0.43 x no. of rooms
  - c. With restaurants - use (a) then add rates from (4) below
4. Restaurants:
  - a. 24 hour operation = 0.21 x no. of seats

- b. 12 hour or less operation =  $0.14 \times$  no. of seats
  - c. Bar, no food =  $0.04 \times$  no. of seats
  - 5. Schools:
    - a. No food or showers =  $0.04 \times$  no. of student capacity
    - b. For cafeterias = add to (a)  $0.02 \times$  no. of student capacity
    - c. For showers = add to (a)  $0.02 \times$  no. of student capacity
    - d. Boarding schools =  $0.27 \times$  no. of student capacity
  - 6. Service stations:
    - a. Without wash rack = 1.00 EQU
    - b. With wash rack =  $2.3 \times$  no. of wash racks
  - 7. Shopping centers and Stores =  $0.35 \times$  no. of thousands of square feet of store space
  - 8. Travel trailer parks and courts =  $0.45 \times$  no. of trailer parking spaces
  - 9. Churches, assembly halls, theaters and arenas =  $0.01 \times$  no. of seating capacity
  - 10. Drive-in theater =  $0.02 \times$  no. of car spaces
  - 11. Factory, warehouses, shops and offices (not including industrial waste) =  $0.05 \times$  no. of employees
  - 12. Hospitals =  $0.89 \times$  no. of bed spaces
  - 13. Institutions, nursing homes =  $0.36 \times$  no. of residences
  - 14. Laundry, coin operated =  $0.90 \times$  no. of washing machines
  - 15. Mobile home parks =  $0.67 \times$  no. of lots or spaces
  - 16. Car wash =  $2.3 \times$  no. of bays
  - 17. Fast food take out (walk-up or drive-up):
    - a. Open 12 or more hours =  $0.10 \times$  no. of employees
    - b. Open less than 12 hours =  $0.06 \times$  no. of employees
- B. Beginning with the billings sent out after January 1, 1980, the EQU will be \$4.20.

C. No connection shall be made to the City's and County's sewerage system until a permit therefor has been obtained from the building department of the City a fee of five dollars (\$5.00) paid for such permit.

D. The cost of connection to the City's and County's sewerage system shall be as provided in Section 18-19 of the City Code. The cost therein provided for contemplates that the City will perform the installation of the required laterals. The City Engineer may determine that the laterals are to be installed by the proposed connector, in which event, the connection charge may be adjusted by the City Engineer to effect a fairness of charge for the connection.

E. Tank truck operators will be assessed \$4.20 per load for 640 gallons or less of septic tank waters and wastes at the receiving facility of the wastewater treatment plant. Septic tank waters and wastes exclude sand, oil and grease trap cleanings which are prohibited.

F. Users of the wastewater facilities within the City and County shall be charged the same where the services performed for the users are the same. Where services performed are not the same, the difference in the cost of providing the services shall be determined and the users shall be charged on the basis of the services provided.

G. The City will determine average numeric criteria for the quality and quantity of sewage collected from residential users. The City will assess a surcharge rate for non-residential users discharging waters and wastes with quality characteristics greater than the average residential user. Such users will be assessed a surcharge sufficient to cover the costs of treating the higher strength wastes. The surcharge rate structure is subject to revision, when necessary, and is an attachment to this Ordinance.

SECTION 32. It is the policy of the City and County to require connections to the City's sewerage system for property lying within two miles of the City limits by arranging for sewage treatment through the City; either by annexation or through powers of attorney to accomplish annexation in the future, as possible. As annexations occur, the ownership of public or sanitary sewers within the annexed area will be transferred to the City.

SECTION 33. No property outside the City shall be connected to the sewer system of the City until and unless the owner thereof shall submit an application, together with a signed and sworn statement showing the plan, size and type of connection desired and the number of persons who will use the property so connected. Such plans and statement shall be referred to and examined by the City Engineer and the Plumbing Inspector of the City and they shall respectively endorse their approval or disapproval of the same as complying or failure to comply with all of the ordinances, regulations and rules concerning connections with the sewer system

of the City.

SECTION 34. All sewer charges shall be dated and sent out to users at regular intervals. Such sewer service charges shall be added to and made a part of the water bill, if customers receive water service from the City, or by separate billing if water service is from other than the City. Provisions of the City Code relative to the payment of delinquent water bills shall also apply to delinquent sewer bills in all aspects, including the discontinuance of water service for non-payment of sewer charges.

SECTION 35. All sewer rental charges shall constitute a lien upon any lot, land, building or premises served and in the event said charges shall not be paid when due, the said service may be disconnected by the City without further notice, by shutting off the water supply therefrom, or the City Clerk may certify the charge to the County Treasurer to be by him placed upon the tax list for the current year to be collected in the manner other taxes are collected, with ten percent (10%) added thereto to defray the cost of collection; and all laws of the State of Colorado for the assessment and collection of general taxes, including the laws for the sale of property for taxes and redemption of the same shall apply.

SECTION 36. If the sewer service is disconnected by shutting off the water supply, reconnection shall be made only upon the payment of all delinquencies plus a reconnecting charge as provided in Section 31-6 of the City Code.

SECTION 37. The funds received from the collection of the charges or rentals authorized by this Ordinance shall be deposited with the City Treasurer and shall be by him deposited in a fund to be known as the "Sewer Fund" and, when appropriated by the City Council and County Commissioners, shall be used for the maintenance, operation, extension, and improvement of the sewer system, and for interest on and discharging of principal bonds and other obligations incurred in the acquisition, construction, improvement and extension of the sewer system.

SECTION 38. It shall be unlawful, after sewer service has been disconnected by shutting off the water supply or in any other manner, for any person(s) to reconnect the same without the consent of the City, and any person(s) violating this provision shall be deemed guilty of a misdemeanor.

SECTION 39. When the course of the private sewer is not the same as the junction piece it must be connected therewith by a curve of not less than eight (8) feet radius, and in all changes of direction, either horizontal or vertical, curved pipe must be used.

SECTION 40. The inside of every private sewer connecting with a public or sanitary sewer must be smooth and perfectly clean throughout its entire length, and the ends of all pipes not to be

immediately used must be securely guarded against the introduction of sand or earth, by brick and cement or other watertight and impervious metal.

SECTION 41. These rates and charges are established so that each user class pays its proportionate share of the costs of wastewater treatment services and the Director is hereby directed to annually review the charge structure to assure that proportionality between user classes is maintained and to recommend modifications as appropriate. Each user shall be notified annually by the City of the rate and that portion of the user charges which are attributable to wastewater treatment services.

#### ARTICLE IX - PENALTIES

SECTION 42. Any person(s) found to be violating any provision of this Ordinance except Article VI 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.

SECTION 43. Any person(s) who shall continue any violation beyond the time limit provided for in Section 42 shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding three hundred dollars (\$300) or imprisonment for a term not exceeding ninety (90) days or by both such fine and imprisonment. Each day in which any such violation shall continue shall be deemed a separate offense.

SECTION 44. Any person(s) violating any of the provisions of this Ordinance shall become liable to the City and County for any expense, loss, or damage occasioned the City and County by reason of such violation.

#### ARTICLE X - COMPLIANCE

SECTION 45. Any person(s) having a connection to the sanitary sewer system upon the effective date of this Ordinance shall have ten (10) days thereafter within which to comply with the requirements hereof.

#### ARTICLE XI - ANNUAL AUDIT

SECTION 46. At the end of each calendar year, an audit shall be made of revenues and disbursements associated with the wastewater collection and treatment system. The audit shall be based on a full calendar year and shall be approved and signed by the City Clerk.

#### ARTICLE XII - CREDIT FOR OVERCHARGE

SECTION 47. The Director may give credit to any utility customer who has been overcharged. The credit must not exceed the intent of

this Ordinance.

ARTICLE XIII - VALIDITY

SECTION 48. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 49. The invalidity of any section, clause, sentence, or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given effect without such invalid part or parts.

ARTICLE XIV - ORDINANCE IN FORCE

SECTION 50. This Ordinance shall be in effect on April 6, 1980.

Introduced and ordered published for title and purpose this 5th day of March, 1980.

PASSED and ADOPTED this 5th day of March, 1980.

Jane S. Quimby

\_\_\_\_\_  
President of the Council

Attest:

Neva B. Lockhart, CMC

\_\_\_\_\_  
City Clerk

Approved:

Gerald J. Ashby

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
County Attorney

SURCHARGE RATE STRUCTURE FOR ABOVE NORMAL STRENGTH WASTES

The Utilities Director of the City of Grand Junction will determine the average Total Suspended Solids (TSS) and 5-day Biochemical Oxygen Demand (BOD5) daily loadings for the average residential user or in lieu of such determination will consider the average residential strength wastes to be 200 mg/l BOD5 and 250 mg/l TSS. The Utilities Director will assess a surcharge rate for all non-residential users discharging wastes with BOD5 and TSS strengths greater than the average residential user. The Surcharge will be sufficient to cover the costs of treating such users above normal strength wastes. Such users will pay an additional service charge of \_\_\_\_\_ cents per 1,000 gallons for each 25 mg/l over

200 mg/l of BOD5 and \_\_\_\_\_ cents per 1,000 gallons for each 25 mg/l over 250 mg/l TSS.

I HEREBY CERTIFY that the foregoing Ordinance, being Ordinance No. 1873, was introduced, read, and ordered published in pamphlet form by the City Council of the City of Grand Junction, Colorado, at a regular meeting of said body held on the 20th day of February, 1980, and that Notice to this effect was published in the Daily Sentinel, a newspaper published and in general circulation in said City, at least ten days before its final passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said City this 6th day of March, 1980.

Neva B. Lockhart

Neva B. Lockhart, CMC  
City Clerk

Published: February 22, 1980

Published: March 7, 1980

Effective: April 6, 1980