

**Ordinance No. 01-2010**

AN ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, PRIVATE SEWAGE DISPOSAL, THE INSTALLATION AND CONNECTION OF SERVICE LINES, AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM: AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF; IN PUBLIC WATER SUPPLY DISTRICT #13 OF JEFFERSON COUNTY, MISSOURI.

Be it ordained by the Board of Directors of Public Water Supply District #13 of Jefferson County, Missouri, as follows:

**ARTICLE I**

SECTION 1: The following Rules and Regulations are hereby adopted to govern the sewer services furnished by the municipality in a uniform manner for the benefit of the municipality and its sewer users. They are subject to change from time to time. All such changes must be approved by the State Director of the Rural Development, United States Department of Agriculture, or his successor, so long as the municipality has unpaid obligations which are held by or insured by the United States of America. If any portion of these Rules shall be declared invalid by competent authority, such voidance shall not affect the validity of the remaining portions.

**ARTICLE II**

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

SECTION 1: "Applicant" shall mean any individual, firm, partnership, corporation, or other agency owning land within the boundaries of PWSD #13 applying for sewer service.

SECTION 2: "Board" shall mean the Board of Directors of PWSD #13 of Jefferson County, Missouri.

SECTION 3: "BOD" (denoting Biochemical Oxygen-Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20° C, expressed in milligrams per liter.

SECTION 4: "Building Drain" shall mean 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 wall.

SECTION 5: "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.

SECTION 6: "Combined Sewer" shall mean a sewer receiving both surface runoff and sewage.

SECTION 7: "Collector Sewer" shall mean a pipeline that is owned and maintained by the District, located on public property or on private easements, and used to transport sewage wastes to a central point for treatment and disposal.

SECTION 8: "Customer" shall mean any person, firm, corporation, partner, or governmental body who has contracted with the District for service or is receiving sewer service from the District, or whose facilities are connected for utilizing such service.

SECTION 9: "Customers Service Lateral" shall mean a pipe with appurtenances installed, owned, and maintained by the customer, used to convey sewage from the customer's residence to the collector sewer.

SECTION 10: "District" shall mean PWSD #13 of Jefferson County, Missouri.

SECTION 11: "Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage and sale of produce.

SECTION 12: "Industrial Wastes" shall mean the liquid wastes from industrial manufacturing processes, trade or business as distinct from sanitary sewage.

SECTION 13: "Inspector" shall mean the person or persons duly authorized by the Board of Directors of PWSD #13 to inspect and approve the installation of service lines and their connection to the public sewer system.

SECTION 14: "Multiple Unit Residential Structures" shall mean any apartment, condominium, duplex, or other structure that is built to accommodate more than one family in separate facilities or is occupied by more than one family in separate facilities.

SECTION 15: "Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface or groundwater.

SECTION 16: "Person" shall mean any individual, firm, company, association, society, corporation, or group.

SECTION 17: "pH" shall mean the measure of acidity or alkalinity in which the pH of pure water is 7, with lower numbers indicating acidity and higher numbers indicating alkalinity.

SECTION 18: "Properly Shredded Garbage" shall mean 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 (1/2) inch (1.27 centimeters) in any dimension.

SECTION 19: "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

SECTION 20: "PWSD #13" shall mean Public Water Supply District #13 of Jefferson County, Missouri.

SECTION 21: "Residences" shall mean a house, trailer, mobile home, or other structure that is occupied as a residence by a single family

SECTION 22: "Sanitary Sewer" shall mean a sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.

SECTION 23: "Septic Tank" shall mean a watertight pretreatment receptacle receiving the discharge of sewage from a service line or sewers, designed and constructed to permit separation of settleable and floating solids from the liquid, provide adequate detention and anaerobic digestion of the organic matter, prior to discharge of the liquid.

SECTION 24: "Service Connection" shall mean the point at which the customer's service lateral is connected to the District's collector sewer.

SECTION 25: "Service Line" shall mean the extension from the building drain to the public sewer or other place of disposal.

SECTION 26: "Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and storm waters as may be present.

SECTION 27: "Sewage Treatment Plant" shall mean any arrangement of devices and structures used for treating sewage.

SECTION 28: "Sewage Works" shall mean all facilities for collection, pumping, treating and disposing of sewage.

SECTION 29: "Sewer Line" or "sewer" shall mean a pipe or conduit for carrying sewage.

SECTION 30: "Shall" is mandatory; "May" is permissive

SECTION 31: "Slug" shall mean any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation.

SECTION 32: "State Director" shall mean the State Director of Rural Development for Missouri, United States Department of Agriculture, or his successor.

SECTION 33: "STEP System" (Septic Tank Effluent Pump) is a type of sewer system where partially treated effluent from a septic tank must be pumped to the final treatment rather than conventional gravity flow.

SECTION 34: "Storm Drain" (sometimes termed "storm sewer") shall mean a sewer which carries storm and surface waters and drainage, and unpolluted cooling water, but excludes sewage and industrial wastes.

SECTION 35: "Superintendent" shall mean the Superintendent of the sewer works of PWSD #13 of Jefferson County, Missouri, or his authorized deputy, agent or representative.

SECTION 36: "Suspended Solids" shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.

SECTION 37: "Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

### **ARTICLE III**

SECTION 1: 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 boundaries of PWSD #13, or in any area under the jurisdiction of PWSD #13, any human or animal excrement, garbage or other objectionable waste.

SECTION 2: It shall be unlawful to discharge to any natural outlet within the boundaries of PWSD #13, or in any area under the jurisdiction of PWSD #13, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.

SECTION 3: Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage that does not connect with PWSD 13's sewer system.

SECTION 4: The owner of all houses, buildings or properties suitable for human occupancy, situated within the boundaries of PWSD #13 and abutting on any street, alley or right-of-way in which there is now located or may be in the future be located a public sanitary or combined sewer of PWSD #13, is hereby required at his 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 sixty (60) days after date of official notice to do so, provided that said public sewer is within three hundred (300) feet of the house's service line.

### **ARTICLE IV**

SECTION 1: Where a public sanitary or combined sewer is not available under the provisions of Article III, Section 4, the service line shall be connected to a private sewage disposal system complying with the provisions of this article.

SECTION 2: Before commencement of construction of a private sewage disposal system the owner shall first obtain a written permit from the Jefferson County Health Department and said owner shall comply with the Jefferson County Health Department's Rules and Regulations.

SECTION 3: The type, capabilities, location, and layout of a private sewage disposal system shall comply with all recommendations of the Jefferson County Public Health Department and the Department of Public Health of the State of Missouri. No permit shall be issued for any private sewage disposal system employing subsurface soil absorption facilities where the area of the lot is

less than or equal 3 acres. No septic tank or cesspool shall be permitted to discharge to any natural outlet

SECTION 4: 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 4, a direct connection shall be made to the public sewer in compliance with this ordinance.

SECTION 5: The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to PWSD #13.

SECTION 6: No statement contained in this Article shall be construed to interfere with any additional requirements that may be imposed by the Health Officer of the State or Jefferson County.

SECTION 7: When a public sewer becomes available, the service line shall be connected to the sewer within sixty (60) days and the private sewage disposal system shall be cleaned of sludge and filled with suitable material such as sand or rock. Top soil and black dirt should be avoided due to settling.

## ARTICLE V

SECTION 1: 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 Inspector.

SECTION 2: There shall be two (2) classes of service line permits: (a) for residential and commercial service and (b) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by PWSD #13. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the Inspector. A permit and inspection fee of     TBA     dollars for a residential or commercial service line permit and     TBA     dollars for an industrial service line permit shall be paid to PWSD #13 at the time the application is filed.

SECTION 3: During the construction of the original sewer collection system, based on the judgment of the Inspector, PWSD #13 will install the following equipment at no charge to the property owner:

- a) STEP tank
- b) Effluent pump
- c) Pump control box

SECTION 4: It is the owner's responsibility to provide an electrical circuit to power the effluent pump servicing his building. This circuit must conform to the specifications set by PWSD #13.

SECTION 5: It is the owner's responsibility to provide and pay for the cost of electricity to operate the effluent pump.

SECTION 6: During the construction of the original sewer collection system, if the owner has provided an approved electrical circuit, PWSD #13 will:

- a) Connect the electrical circuit to the pump control box.
- b) Connect the sewer service line to the STEP tank.
- c) Block off the old septic tank and mark it for retirement.
- d) Install the sewer lateral line, if it has not already done so.

SECTION 7: If an approved electrical circuit is not provided when PWSD #13 is ready to connect the owner's building to the public sewer, it will be the responsibility of the owner to obtain the appropriate permits and complete Section 6, steps a) through d) at the owner's expense.

SECTION 8: If the Inspector approves, an existing septic tank will be pumped and reused by the District. It may be fitted with an effluent pump or left in place and used as a conduit based on the judgment of the Inspector.

SECTION 9: During the construction of the original sewer collection system, if the old, unused septic tank is accessible, PWSD #13 will properly retire the old septic tank by pumping sewage matter and filling with suitable material at no cost to the owner.

SECTION 10: During the construction of the original sewer collection system, if the property owner requests that the new STEP tank be located more than 50 feet from the location of the existing septic tank and the new location is approved by PWSD #13, the owner will be charged for any incremental cost increase to relocate the tank.

SECTION 11: PWSD #13 will be responsible for maintaining the STEP tank, pump unit and all lines past the point of connection to the STEP tank. The property owner will be responsible for maintaining the service line beginning at the point of exit from the house and ending at the STEP tank. If an existing septic tank is included between the service line and the STEP tank, the septic tank is considered part of the service line and its maintenance is the responsibility of the owner.

SECTION 12: It is the property owner's responsibility to inform PWSD #13 if the alarm light on the pump control box is activated. PWSD #13 will make every reasonable effort to identify the problem and make the necessary repairs or adjustments. In the event that a backup occurs, and PWSD #13 has made a reasonable effort to eliminate the problem, PWSD #13 is not liable for any damages that may occur to the property owner's assets.

SECTION 13: After the construction of the original sewer collection system is complete, all costs and expenses incident to the installation and connection of the service line shall be borne by the owner. The owner shall indemnify PWSD #13 from any loss or damage that may directly or indirectly be occasioned by the installation of the service line.

SECTION 14: A separate and independent service line 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. Upon proper written request, a variance may be granted by the PWSD #13 Board of Directors to allow the service line from the front building to be extended to the rear building and the whole considered as one service line.

SECTION 15: Old service lines and septic tanks may be used in connection with new buildings only when they are examined and tested by the Inspector and found to meet all requirements of this ordinance.

SECTION 16: If PWSD #13 is unable to connect directly to the service line due to inaccessibility, and instead must connect to the existing septic tank, maintenance of the existing septic tank will be the sole responsibility of the property owner. In this case PWSD #13 will not be responsible for any kind of maintenance to the existing septic tank, including pumping.

SECTION 17: PWSD #13 shall be responsible for routine inspection and pumping of STEP tanks. Tanks will be inspected on a yearly basis to determine if removal of accumulated sludge is needed. PWSD #13 will only pump the STEP tank once within a five year period at no extra charge to the property owner. If pumping is needed more than once over a five year period the property owner shall pay PWSD #13 a service charge of \$200 per visit for pumping of STEP tanks.

SECTION 18: The size, slope, alignment, materials of construction of a service line, 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 PWSD #13 and Jefferson County. Service lines and associated fittings shall be constructed of 4 inch minimum SDR #35 using gasketed joints or equivalent, if approved by the District. In the absence of code provisions, the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. Manual of Practice No. 9 shall apply.

SECTION 19: Whenever possible, the service line shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the service line.

SECTION 20: The connection of the service line into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of PWSD #13, or the procedures set forth in appropriate specifications of the A.S.T.M. and the W.P.C.F. Manual of Practice No. 9. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by PWSD #13 before installation.

SECTION 21: After the construction of the sewer collection system is complete, the applicant for the service line permit shall notify PWSD #13 when the service line is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of PWSD #13 or their representative.

SECTION 22: All excavations for service line 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 PWSD #13.

## **ARTICLE VI**

SECTION 1: No person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof runoff, subsurface drainage, including interior and exterior foundation drains, other sources of surface runoff or groundwater, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.

SECTION 2: Storm water 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 Inspector. Industrial cooling water or unpolluted process waters may be discharged on approval of the Inspector, to a storm sewer, combined sewer, or natural outlet.

SECTION 3: No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

- a) Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas.
- b) 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 in the receiving waters of the sewage 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.
- c) 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.
- d) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

SECTION 4: 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 Inspector 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 Inspector will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials, of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant and other pertinent factors. The substances prohibited are:

- a) Any liquid or vapor having a temperature higher than 150 deg F (65 deg C).
- b) 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 32 deg F (0 deg C) and 150 deg F (65 deg C).



- c) 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 (0.76 hp metric) or greater shall be subject to the review and approval of the Inspector.
- d) Any waters or wastes containing strong acid iron pickling wastes or concentrated plating solutions, whether neutralized or not.
- e) Any waters or wastes containing iron, chromium, copper, zinc and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Inspector for such materials.
- f) Any waters or wastes containing phenols or other taste – or odor – producing substances, in such concentrations exceeding limits which may be established by the Inspector 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.
- g) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Inspector in compliance with applicable State or Federal regulations.
- h) Any waters or wastes having pH in excess of 9.5.
- i) Materials which exert or cause:
  - 1. Unusual concentrations of inert suspended solids (such as, but not limited to, Fuller's earth, lime slurries and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).
  - 2. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions.)
  - 3. Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment work.
  - 4. Unusual volume of flow or concentration of wastes constituting “slugs” as defined herein.
- j) 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 the other agencies having jurisdiction over discharge to the receiving waters.
- k) Any waters or wastes having:
  - 1. A 5-day BOD greater than 300 parts per million by weight, or

2. Containing more than 350 parts per million by weight of suspended solids, or
  3. Having an average daily flow greater than 2 percent of the average sewage flow of PWS#13, shall be subject to the review of the Inspector.
- l) Where necessary in the opinion of the Inspector, the owner shall provide, at his expense, such preliminary treatment as may be necessary to:
    1. Reduce the biochemical oxygen demand to 300 parts per million by weight, or
    2. Reduce the suspended solids to 350 parts per million by weight, or
    3. Control the quantities and rates of discharge of such waters or wastes.
  - m) Plans, specifications, and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the Inspector and no construction of such facilities shall be commenced until said approvals are obtained in writing.

SECTION 5: If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters containing the substances or possess the characteristics enumerated in Section 4 of this Article, and which in the judgment of the Inspector, may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life to constitute a public nuisance, the Inspector may:

- a) Reject the wastes,
- b) Require pretreatment to an acceptable condition for discharge to the public 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 charges under the provisions of Section 10 of the Article.

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

SECTION 6: Grease, oil, and sand interceptors shall be provided when, in the opinion of the Inspector, 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 Inspector, and shall be located as to be readily and easily accessible for cleaning and inspection.

SECTION 7: 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.

SECTION 8: When required by the Inspector, the owner of any property with a service line carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the service line 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 PWSD #13. 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.

SECTION 9: 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 service line is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb, and property. (The particular analysis involved will determine whether a twenty-four (24) hour composite of all outfalls or a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24-hour composites of all outfalls whereas pH analyses are determined from periodic grab samples.)

SECTION 10: No statement contained in this article shall be construed as preventing any special agreement or arrangement between PWSD #13 and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by PWSD #13 for treatment, subject to payment therefore, by the industrial concern.

## **ARTICLE VII**

SECTION 1: No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is part of the sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

SECTION 2: Violation of Article VII of this ordinance will subject the property owner to an assessment of costs equal to the expenses incurred by the District for responding to and repairing any District property or portion of the sewage works and such reasonable fine as the Board shall determine.

## **ARTICLE VIII**

SECTION 1: The Inspector and other duly authorized employees of PWSD #13 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 Inspector or their 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 2: While performing the necessary work on private properties referred to in Article VIII, Section 1 above, the Inspector or duly authorized employees of PWSD #13 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 PWSD #13 employees and PWSD #13 shall indemnify the company against loss or damage to its property by PWSD #13 employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Article VI, Section 8.

SECTION 3: The Inspector and other duly authorized employees of PWSD #13 bearing proper credentials and identification shall be permitted to enter all private properties through which PWSD #13 holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

### **ARTICLE IX**

SECTION 1: Any person found to be violating any provision of this ordinance except Article VII shall be served by PWSD #13 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 2: Any person who shall continue any violation beyond the time limit provided for in Article IX, Section 1, shall be guilty of a misdemeanor, and on conviction thereof shall be fined in the amount not exceeding \$100 dollars for each violation. Each 24-hour period in which any such violation shall continue shall be deemed a separate offense.

SECTION 3: Any person violating any of the provisions of this ordinance shall become liable to PWSD #13 for any expense, loss, or damage occasioned PWSD #13 by reason of such violation.

### **ARTICLE X**

SECTION 1: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 2: 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 XI**

SECTION 1: This ordinance shall be in full force and effect from after its passage, approval, recording, and publication as provided by law.

SECTION 2: Passed and approved by the Board of Directors of PWSD #13 of Jefferson County, Missouri on the 13th day of January, 2010 by the following vote:

Ayes 4 Namely, Ken Jost, John Hindrichs,

Rich Hirsch, Marilyn Meyer,  
\_\_\_\_\_

Nays 0 Namely, \_\_\_\_\_,  
\_\_\_\_\_

Approved this 22 day of March,

Marilyn Meyer (Chairman)  
Signature

Marilyn Meyer, President

Attest:

Richard Hirsch (Secretary)  
Signature

Richard Hirsch, Secretary

Jan 07, 2010