

ORDINANCE NO. 310, 1977

AN ORDINANCE REQUIRING THE USE OF PUBLIC SEWERS, METHODS AND REGULATIONS OF BUILDING SEWERS AND SERVICE CONNECTIONS, DEFINITIONS, POWERS AND AUTHORITIES OF INSPECTORS AND PROVIDING FOR PENALTIES FOR VIOLATIONS

WHEREAS, the City Council of the City of Dry Ridge, Kentucky, deems it advisable to adopt further regulations and to expand existing regulations, so that a clear understanding exists with regard to future tap-ins to said system, and

WHEREAS, the City Council of the City of Dry Ridge, Kentucky, declares that said regulations and expansion of existing regulations are necessary for the efficient, economic and safe operation of the sewage system and for the protection of health, safety, and general welfare of the citizens of the City of Dry Ridge,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DRY RIDGE, KENTUCKY, DOES ORDAIN AS FOLLOWS:

Section 1. DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of terms used in these rules and regulations shall be as follows:

(1) "BUILDING DRAIN" or "HOUSE DRAIN" shall mean that part of the lowest horizontal piping of a drainage system which received the discharge from soil, waste, and other drainage pipes inside the walls of the building and convey it to the building sewer, beginning two (2) feet outside the inner face of the building wall.

(2) "BUILDING SEWER" or "HOUSE SEWER" shall mean the extension from the building drain to the service connection sewer or other place of disposal.

(3) "CITY" shall mean the City of Dry Ridge, Kentucky.

(4) "GARBAGE" shall mean solid wastes from the preparation, cooking and dispensing of food, and from the handling, storage or sale of produce.

(5) "NATURAL OUTLET" shall mean any outlet into a watercourse, pond, ditch, lake, or other body of surface or ground water.

(6) "PERSON", "ENTERPRISE," "ESTABLISHMENT" OR "OWNER" shall mean any individual, firm, corporation, company, association, society or group other than a public corporation.

(7) "PUBLIC CORPORATION" shall mean any city, county, school district, water district, any agency of state or federal government, and any other governmental agency or political subdivision clothed with the power of levying taxes or issuing bonds payable from special funds.

(8) "PUBLIC SEWER" shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

(9) "SANITARY SEWAGE" shall mean sewage discharging from the sanitary conveniences of dwellings (including apartment houses and hotels), office buildings, factories or institutions, and free from storm, surface water, and industrial wastes.

(10) "SANITARY SEWER" shall mean a sewer which carries sewage and to which storm, surface, and groundwaters are not admitted.

(11) "SERVICE BRANCH SEWER" or "LATERAL" shall mean a public sewer from the point of connection with the building sewer, usually at the property line, to the main sewer in the street or easement.

(12) "SEWAGE" shall mean the water carried wastes from residences, business buildings, institutions, and industrial establishments, together with such infiltration water as may be allowed for in generally recognized design criteria.

(13) "SEWAGE TREATMENT PLANT" shall mean any arrangement of devices and structures used for treating sewage.

(14) "SEWAGE WORKS" shall mean all facilities for collecting, pumping, treating, and disposing of sewage.

(15) "SEWER" shall mean a pipe or conduit for carrying sewage.

(16) "SEWER INSPECTOR" shall mean the representative or agency designated by the City Council to enforce the provisions of this Ordinance.

(17) "SEWERAGE SYSTEM" shall mean the entire network of sanitary sewers, devices and structures making up the sewage treatment system.

(18) "SHALL" is mandatory; "MAY" is permissive.

(19) "STORM DRAIN" (sometimes termed "storm sewer") shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

(20) "WATERCOURSE" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

(21) "A. S. T. M." shall mean the American Society of Testing and Materials.

(22) "W. P. C. F." shall mean the Water Pollution Control Federation.

## Section 2. USE OF PUBLIC SEWERS REQUIRED

(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 City of Dry Ridge, or in any area under the jurisdiction of said City, any human or animal excrement, garbage, or other objectionable waste.

(2) Except as hereinafter provided in Section 3 of this Article, 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.

## Section 3. BUILDING SEWERS AND SERVICE CONNECTIONS

(1) No person firm or corporation shall install or cause to have installed a building sewer or make any service connections to any public sewer within the City of Dry Ridge until such time as a building sewer permit is obtained from the City of Dry Ridge and further that no building sewer be installed until such time as a plumbing construction permit is obtained from the plumbing inspector assigned to the City of Dry Ridge by the Division of Plumbing, Department of Natural Resources and Environmental Protection. The construction shall also conform to the provisions of this ordinance of the City as specified herein, and any other applicable regulations of the City or other public corporation having jurisdiction and control of the public sewer to which the connection is being made or will be made.

(2) No person, firm, private or public corporation shall uncover, make any connections with or opening into, use, alter, or disturb any City sewer or appurtenance thereof without first obtaining a written permit from the City.

There shall be two (2) classes of building sewer permits: (a) for residential and commercial service, and (b) for service to establishments producing industrial wastes.

(a) 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 Sewer Inspector. A fee of \$15.00 shall be charged by the City for the permit, to cover the costs of the inspection by the city inspector.

(b) All costs and expenses incident to the installation and connection of the building sewer to the City sewer shall be borne by the Owner. The Owner shall indemnify the City for any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

(c) The applicant who has secured a building sewer permit from the City as well as a permit from the State Plumbing Inspector shall notify both the sewer inspector for the City as well as the State Plumbing Inspector when the building sewer and the lateral sewer which connects to the main sewer is ready for inspection. The City Sewer Inspector may delegate authority to other sewer inspectors under his supervision.

(3) 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 public 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. This exception does not apply to corner lots where a sewer connection is available from the street or alley nor to a new or existing building which abuts the street or alley.

(4) No person or public corporation shall make or permit the connection of roof downspouts, exterior or interior foundation drains, areaway drains, or other sources of surface water runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.

(5) The existing building sewer from the building to the septic tank may be used only when it is found on examination and test by the Sewer Inspector to be in good condition and to meet substantially all requirements of the Rules and Regulations in this Ordinance.

(6) The building sewer shall be connected into the public sewer at the curb or property line, if a service branch or lateral sewer is available at this location. Where a service branch or lateral sewer is not available for connection at the curb or property line, the owner of the building sewer shall extend the building sewer to the public sewer and connect to the nearest tee available on the public sewer. If neither a wye nor tee exists on the public sewer within the section of public sewer abutting the lot or tract of land that the building sewer is to service, the Owner of the building sewer shall have a tee saddle installed on the public sewer, in accordance with the requirements herein-after set forth.

(7) No building sewer shall be laid parallel to or within three (3) feet of any bearing wall which might thereby be weakened. The depth shall be sufficient to afford protection from frost, but not less than three (3) feet. The building sewer shall be laid at uniform grade and in straight alignment. Changes in direction shall be made only with properly curved pipe and fittings.

(8) Whenever the public sewer is deep enough to serve basements, all sanitary fixtures should be connected to the public sewer by gravity. This connection should include all laundry facilities and the basement floor drain. Backwater traps are recommended for the basement floor drain when connections are made in this manner.

(9) In those instances where the public sewer is not of sufficient depth to serve the basement fixtures, the owner will be permitted to install a high level connection and laundry waste and other waste from the basement floor drains or any other waste or sewage shall be discharged into the sanitary sewer system by means of an appropriate pump. Waste and sewage other than laundry waste must be pumped through a sealed pump.

(10) The removal of an existing sump pump shall be at the option of the Owner. However, if it is to remain in service to pump sanitary sewage into the building sewer (including laundry waste and the basement floor drain), all foundation drains or other ground water or storm water connections thereto shall be permanently disconnected therefrom and handled in some other manner. If it is to remain in place to pump ground water or storm water, all sanitary connections shall be broken and sealed, and the discharge from the sump pump shall be piped to a proper storm drain, natural outlet or drainage field. An abandoned drainage field or drainage well may be used for disposal of ground water or storm water.

(11) Materials for the building sewer shall be any of the following:

(a) Cast iron Soil Pipe, service weight or extra heavy, meeting A. S. T. M. Specification A-74 and Commercial Standard 188.

(b) Vitrified Clay Pipe, meeting A. S. T. M. Specification C-200. (extrastrength)

(c) Plastic Pipe, meeting A. S. T. M. Specification D-1784, solid wall, or A. S. T. M. Specification D-1788 with truss wall design. Joints shall be as set out hereinafter, and all fittings shall be of the same material as the pipe. The size of the building sewer shall be not less than four (4) inches in diameter nor less than that of the house drain. Any part of the building sewer that is located within five (5) feet of any water service pipe shall be constructed of cast iron soil pipe, unless the building sewer is at an elevation at least one (1) foot lower than the water service line. Cast iron soil pipe may be required where the building sewer is exposed to damage, in areas heavily infested with tree roots, or in filled or unstable ground.

(12) All joints and connections for building sewers shall meet the following requirements:

(a) Cast iron soil pipe joints shall be either leaded or rubber gasket type. Lead joints shall be firmly packed with Swelling-type oakum or hemp and filled not less than one inch in depth with molten lead meeting Federal Specification AZ-1-156. Lead shall be run in one pouring and caulked tight. No coatings shall be applied to the joints until the joints have been tested and approved. Rubber gaskets shall be neoprene, molded to fit the configuration of the pipe joint as standard with the pipe manufacturer.

(b) Vitrified clay pipe joints shall be resilient type (inc. rubber ring type) meeting the requirements of A.S.T.M. Specifications C-425.

(c) Plastic pipe joints shall be of the solvent-weld or rubber ring type as standard with the pipe manufacturer.

(d) Connections to existing public sewers where tees are not available shall be made with a tee saddle of the same material as the building sewer. All openings into the public sewer for the saddle shall be supervised by the City and made as carefully as possible so as not to damage or disturb the pipe, and the location of the opening shall be in the upper quadrant of the pipe. The opening shall be no larger than the diameter required to fit the saddle, and not less than the internal diameter of the saddle. No portion of the saddle shall extend into the interior of the public sewer pipe. The saddle shall be secured to the public sewer pipe by a mastic seal. The details and construction of all connections shall be inspected and approved by the Sewer Inspector and by the State Plumbing Inspector.

(e) No joints and connections sealed with cement mortar will be approved in any sanitary sewer.

(13) All excavations required for the installation of a building sewer shall be open-trench work unless otherwise approved by the Sewer Inspector. The grade shall be uniform and not less than one-eighth (1/8) inch per foot (1.04%). All house laterals shall have 6 inches of bank run sand under and 12 inches cover over the pipe. Sand must be in place before inspection. All public property disturbed by the installation of a building sewer shall be restored as directed by the Sewer Inspector.

(14) Existing septic tanks shall be abandoned insofar as disposal of sanitary sewage is concerned when the building sewer is connected to the public sewer.

(15) All excavations for building sewer installation shall be adequately guarded with barricades and lights satisfactory as to protect the public from hazard on streets, sidewalks, and parkways, and other public property.

#### Section 4. COMPLIANCE WITH EXISTING CODES AND REGULATIONS

(1) Present and prospective users of the sewerage works of the City are herewith advised and warned of other existing regulations, codes, ordinances and laws governing the requirements for use and control of sewerage systems and the requirements of their compliance.

(2) Users and contractors employed by the user are required to comply with the State Plumbing Law and Code, Rules and Regulations issued by the State Department of Health, Division of Plumbing.

(3) Every person and public corporation desiring to install or enter into a contract for the installation of a public, semi-public, or industrial sewerage system, or to make additions or alterations in any such treatment or pretreatment plant or to alter or extend any such sewer shall comply with "Design and Construction Standards and Specifications" as prepared by Kral-Zepf-Freitag & Associates, Environmental Design Consultants, 2830 Victory Parkway, Cincinnati, Ohio 45206. No such installations, additions or alterations shall be begun until the plans and specifications therefor have been submitted to and approved by the City and comply with "Design and Construction Standards and Specifications" as prepared by Kral-Zepf-Freitag & Associates, Environmental Design Consultants, 2830 Victory Parkway, Cincinnati, Ohio 45206.

#### Section 5. PROTECTION FROM DAMAGE

(1) 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 sewage works. Any person violating this provision shall be subject to immediate arrest under charge of criminal mischief.

#### Section 6. POWERS AND AUTHORITY OF INSPECTORS

(1) The City Sewer Inspector and other duly authorized representatives 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 Sewer Inspector or other representatives of 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 sewers or waterways or facilities for waste treatment.

(2) While performing the necessary work on private properties referred to in Section 6, Item 1 above, the Sewer Inspector or duly authorized representatives 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 representatives and the City shall indemnify the company against loss or damage to its property by City representatives 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 Section 4, Item 3.

(3) The Sewer Inspector and other duly authorized representatives 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 purpose 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.

#### Section 7. PENALTIES

(1) Any person found to be violating any provision of this ordinance except Section 5, 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.

(2) Any person who shall continue any violation beyond the time limit provided for in Section 7, Item 1, shall be guilty of a misdemeanor and on conviction thereof shall be fined in the amount not exceeding \$100.00 for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

(3) 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.

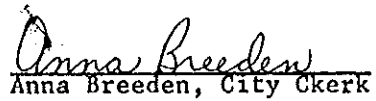
Section 8. ORDINANCE IN FORCE

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

PASSED AND APPROVED AND ORDERED PUBLISHED BY THE UNANIMOUS VOTE OF THE MEMBERS OF THE DRY RIDGE CITY COUNCIL THIS 12TH DAY OF SEPTEMBER, 1977.

  
Robert R. Wallace, Mayor

ATTEST:

  
Anna Breeden, City Clerk