

WESTERN LAKE SUPERIOR SANITARY DISTRICT



**MODEL ORDINANCE REQUIRING AND REGULATING
THE USE OF PUBLIC SEWERS AND PRIVATE
WASTEWATER DISPOSAL FACILITIES**

**AS ADOPTED BY THE
BOARD FOR USE BY LOCAL UNITS OF
GOVERNMENT WITHIN THE DISTRICT**

January 10, 1977

ARTICLE I

USE 401.01 ~~General Provisions-~~

Sec. 1. The purpose of this ordinance is to require and regulate the use of public sewers and private wastewater disposal facilities within the City or Town.

Sec. 2. The provisions of this ordinance so far as they are the same as those of ordinances existing at the time of the effective date hereof shall be considered as continuations thereof and not as new enactments.

Sec. 3. It is hereby declared to be the intention of the (Town Board) (City Council) that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional or otherwise invalid by the judgment or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences; paragraphs and sections of this ordinance.

Sec. 4. Whenever in this ordinance any act is prohibited or is made or declared to be unlawful or an offense, or the doing of any act is required or the failure to do any act is declared to be unlawful or a misdemeanor where no specific penalty is provided therefor, the violation of any such provision of this ordinance shall be punished by a fine not exceeding three hundred dollars (\$300) or imprisonment for a term not exceeding sixty (60) days. Every day any violation of this ordinance shall continue shall constitute a separate offense.

ARTICLE II

401.02 Definitions

General Sec. 1. The following words and phrases when used in the definitions in this Section and when otherwise used in this ordinance shall have the meanings ascribed to them in this Article, unless the context otherwise clearly indicates.

Bio-chem. ox. demand Sec. 2. Bio-chemical oxygen demand (BOD) means the quantity of oxygen utilized in the bio-chemical oxidation of organic matter expressed in milligrams per liter, as determined in accordance with standard laboratory procedures as set out in Standard Methods.

Building drainage Sec. 3. (a) 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 a building and conveys it to the building's sewer, beginning five (5) feet (1.5 meters) outside the inner-face of the building wall.

(b) Building drain--sanitary means a building drain which conveys wastewater only.

(c) Building drain--storm means a building drain which conveys storm water or other unpolluted water drainage but no wastewater.

Building Sewer Sec. 4. (a) Building sewer means the extension from the building drain to the public sewer or other place of disposal, also called house connection.

(b) Building sewer--sanitary means a building sewer which conveys wastewater only.

(c) Building sewer--storm means a building sewer which conveys storm water or other unpolluted water drainage but no wastewater.

Capital Cost Sec. 5. Capital cost means all reasonable and necessary costs and expenses incurred by the City or Town in planning, designing, financing or constructing wastewater facilities including but not limited to costs and expenses for obtaining necessary permits, licenses, approvals and grants for design and construction, architects' and engineers' fees, construction costs, fees for legal and consulting services and that portion of WLSSD capital costs charged by WLSSD to the City or Town.

~~Sec. 6. City or Town means the City or Town which has adopted this Model Ordinance and which is located within the WLSSD. From Chapter One~~

Classes of Users Sec. 7. (a) Classes of users means the division of wastewater facility users by waste characteristics, and process or discharge similarities.

(b) Domestic user means those users which discharge exclusively domestic strength wastewater or wastewater which contains characteristics so similar to domestic strength wastewater as to be capable of treatment in the same manner as domestic strength wastewater.

(c) Non-domestic wastewater user means a user which discharges wastewater other than domestic wastewater.

Debt Service Sec. 8. Debt service means the principal and interest necessary to pay indebtedness of the City or Town and City's or Town's share of the indebtedness of the WLSSD.

Easement Sec. 9. Easement means an acquired legal right for the specific use of land owned by others.

Fed. Gov. Regs. Sec. 10. Federal Code of Regulations means the United States Government Regulations so entitled.

Floatable Oil Sec. 11. Floatable oil means oil, fat or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pre-treatment facility.

Flow Sec. 12. Flow means the quantity of wastewater.

Garbage Sec. 13. Garbage means the animal and vegetable waste resulting from the handling, preparation, cooking and serving of food.

Industrial Cost Recovery
Sec. 14. Industrial cost recovery means recovery by the WLSSD from the industrial users of the WLSSD wastewater facilities of the grant amount received by the WLSSD from the United States Environmental Protection Agency allocable to the transmission and treatment of such users' wastewater in the amount as required by Public Laws 92-500.

Industrial user
Sec. 15. Industrial user means any nongovernmental user of the District's wastewater treatment facilities, as is 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, communication, electric, gas and sanitary services
- e) Division I - services

and otherwise classified as industrial user according to the Federal Water Quality Act Amendments of 1972 and regulations promulgated pursuant thereto.

Industrial waste
Sec. 16. Industrial waste means the solid, liquid or gaseous wastes resulting from any industrial or manufacturing processes, trade or business or from the development, recovery or processing of natural resources.

Loads
Sec. 17. Loads means quantities of wastewater characteristics such as BOD, SS, P or other constituents.

May
Sec. 18. May means that the action described is permissive.

National Pollution Discharge Elimination System
Sec. 19. National Pollution Discharge Elimination System (NPDES) permit is a permit system of the United States Environmental Protection Agency.

Natural Outlet
Sec. 20. Natural outlet means any outlet into a water course, pond, ditch, lake or other body of surface or ground water.

Peak Flow
Sec. 21. Peak flow means the maximum instantaneous rate of flow that is discharged by a user into the wastewater facility.

Permit
Sec. 22. Permit means written authorization from the City or Town or the WLSSD to perform acts allowed or required by this Ordinance.

Person
Sec. 23. Person means any individual, firm, company, association, society, corporation (municipal or otherwise), or other group discharging wastewater to the wastewater facilities.

pH
Sec. 24. pH means the logarithm of the reciprocal of the hydrogen ion concentration. The concentration is the weight, in grams, of hydrogen ions per liter of solution. Neutral water, for example, has a pH value of 7 and a hydrogen ion concentration of 10^{-7} .

Phosphorus (P)
Sec. 25. Phosphorous (P) means total phosphorous in wastewater as determined under standard laboratory procedures as set forth in Standard Methods.

Polluted Water
Sec. 26. Polluted water means water of quality which does not meet the effluent criteria in effect, or water which would cause violation of receiving water quality standards and would be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.

Pre-treatment
Sec. 27. Pretreatment means the treatment of wastewater prior to introduction thereof into the ~~(Town)~~ (City) or the WLSSD wastewater facilities.

Private Wastewater Disposal System
Sec. 28. Private wastewater disposal system means an arrangement of devices or structures for treating domestic or nondomestic wastewater approved for use by applicable regulations of the State of Minnesota and the County of (Carlton) ~~(St. Louis)~~.

Properly Shredded Garbage
Sec. 29. Properly shredded garbage means the wastes from the preparation, cooking or 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 inch (1.27 centimeters) in any dimension.

Public Sewer
Sec. 30. Public sewer means any sewer owned or operated by the ~~(Town)~~ (City) or the WLSSD.

Sanitary Sewer
Sec. 31. Sanitary sewer means a sewer which carries wastewater and to which storm, surface and ground water are not intentionally admitted.

Sewer
Sec. 32. Sewer means a pipe or conduit that carries wastewater to storm, surface or ground water.

Shall
Sec. 33. Shall means that the action described is mandatory.

Slug
Sec. 34. 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) times the average twenty-four (24) hour concentration of flows during normal operation and which may adversely affect the collection system and/or performance of the wastewater treatment works.

Standard Methods
Sec. 35. Standard Methods means the latest edition of Standard Methods for the Examination of Water and Wastewater published jointly by the American Public Health Association, the American Waterworks Association and the Water Pollution Control Federation.

Superintendent
Sec. 36. Superintendent means the official of the City ~~or Town~~ or his authorized deputy, agent or representative designated to enforce this ordinance.

Suitable Wastewater Collection Facilities
Sec. 37. Suitable wastewater collection facilities means a device(s) adequate to capture all significant wastewater developed or occurring on the premises where such facilities are located.

Suspended Solids (SS)
Sec. 38. Suspended solids (SS) means total suspended solids in wastewater as determined under standard laboratory procedures as set forth in Standard Methods.

Sec. 39. Unpolluted water means water which meets the 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.

Sec. 40. User charge means a charge levied on the users of the wastewater facilities for the cost of operation, maintenance, including replacement and debt service.

Sec. 41. Wastewater means that portion of the spent water of a community which is polluted water. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions.

(a) Domestic strength wastewater means wastewater having an average daily suspended solids concentration of not more than 300 mg/l, an average daily BOD of not more than 300 mg/l, an average daily phosphorous concentration of not more than 15 mg/l, and an average daily hexane soluble matter (grease and oil) concentration of not more than 40 mg/l.

(b) Non-domestic strength wastewater means all wastewater other than domestic strength wastewater.

Sec. 42. Wastewater facility means the structures, equipment and process required to collect, carry away and treat domestic and non-domestic wastes and dispose of the effluent and when preceded by the word "District" means the wastewater facilities of the WLSSD and when preceded by the word "City" or "Town" means the wastewater facilities of the City or ~~Town~~.

Sec. 43. Wastewater treatment works means an arrangement of devices and structures for treating wastewater, industrial waste and sludge.

Sec. 44. WLSSD means Western Lake Superior Sanitary District, a public corporation and political subdivision of the State of Minnesota established by Chapter 478, Laws of Minnesota, 1971.

ARTICLE III

Use of Public Sewers Required

Sec. 1. It shall be unlawful to discharge to any natural outlet within the City or Town or in any area under jurisdiction of the City or Town any wastewater or other polluted waters except where suitable treatment has been provided in accordance with the provisions of this ordinance.

Sec. 2. 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 wastewater.

Sec. 3. The owner of all houses, buildings or properties of any character wherein or whereon wastewater develops or occurs is hereby required at the owner's expense to install suitable wastewater collection facilities therein or thereon and to connect such facilities directly with the proper public sewer in accordance with the provisions of this ordinance at the time of construction of such facilities in the case of new construction or new use or within ninety (90) days after date of official notice to do so in the case of existing housing, buildings or properties, provided that such public sewer is located within an easement or right-of-way adjoining the property or within such proximity to the property as otherwise determined by the City or Town at the time of adopting this ordinance. (400 FT.)

See CITY COUNCIL MEETING MINUTES - APRIL 19 - 1977

ARTICLE IV

Private Wastewater Disposal

Sec. 1. Where a public sanitary sewer is not available within the distance prescribed by the provisions of Article III, Section 3, the building sewer shall be connected to a private wastewater disposal system complying with the provisions of this Article.

Sec. 2. Before commencement of construction of a private wastewater disposal system the owner shall first obtain a written permit from the Carlton County Zoning Department. (See City Council Minutes - 3/4/98)

Sec. 3. The type, capacities, location and layout of a private wastewater disposal system shall comply with all requirements of the ordinances and regulations of Carlton County, Minnesota. No such system shall be permitted to discharge to any natural outlet.

Sec. 4. At such time as a public sewer becomes available to a property served by a private wastewater disposal system as prescribed by Article III, Section 3, a direct connection shall be made to the public sewer within ninety (90) days in compliance with this ordinance and any private wastewater disposal system shall be cleaned of sludge and filled with suitable material.

Sec. 5. The owner shall operate and maintain the private wastewater disposal system in a manner which complies with applicable state and county regulations at all times and at no expense to the City

Sec. 6. No statement contained in this Article shall be construed to interfere with any additional requirements that may be imposed by the Minnesota Pollution Control Agency or Carlton County, Minnesota, or the WLSSD.

ARTICLE V

401.05

Building Sewers and Connections

Constructive
or
connections

Sec. 1. Except for City ~~or Town~~ employees acting in the course of employment, no 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 superintendent.

Classes
of
connections

Sec. 2. There shall be three (3) classes of building sewer connection permits: (a) for users discharging domestic strength wastewater to sanitary sewers, and (b) for users discharging non-domestic strength wastewater to sanitary sewers, and (c) for discharge of stormwater or other unpolluted drainage to storm sewers. In all cases, the owner or his agent shall make application on a special form furnished by the City ~~or Town~~. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgement of the superintendent. A permit and inspection fee sufficient to defray the cost incidental to the processing of such connection permit including the cost of inspection of connection for each such class shall be established by resolution of the ~~City or Town~~ ^{Council} Board and shall be paid to the City ~~or Town~~ at the time the application is filed.

Costs &
Expenses

Sec. 3. All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the City ~~or Town~~ from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

Permits

Sec. 4. No building sewer connection permit shall be issued unless the superintendent first determines that all City ~~or Town~~ and WLSSD wastewater facilities have sufficient capacity to accommodate the flow and load to be discharged as a result of such connection.

Separate
sewers

Sec. 5. A separate and independent building sewer shall be provided for every building; except where an existing building stands at the rear of another and no separate sewer has been constructed therefor, such building may continue to be connected to the building sewer of the front building and the whole considered as one building sewer, but the City ~~or Town~~ shall have no obligation or responsibility for damage caused by or resulting from any such single connection aforementioned.

Use of
Old Sewers

Sec. 6. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the superintendent, to meet all requirements of this ordinance.

Specifications

Sec. 7. 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 ~~or Town~~.

Elevation Sec. 8. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

*Storm and
ground water,
subsurface
drainage
etc.* Sec. 9. No person shall make connection of roof downspouts, areaway drains, or other sources of unpolluted waters such as storm water, ground water, roof runoff, subsurface drainage, unpolluted industrial water or cooling water to a building sewer or building drain which is connected directly or indirectly to a public sanitary sewer.

*Building
sewer to
public
sewer* Sec. 10. 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 ~~or Town~~. All such connections shall be made gastight and watertight and verified by proper testing. The superintendent shall have authority to promulgate rules, regulations, and tests as to the manner in which connections shall be made and such rules, regulations and tests when so promulgated and filed with the City ~~or Town~~ Clerk shall be met.

*Requires
Approval
Inspection* Sec. 11. The applicant for the building sewer connection permit shall notify the superintendent when the building sewer is ready for inspection and connection to the public sewer. The connection and testing shall be made under the supervision of the superintendent.

*Care of
excavations* Sec. 12. 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 superintendent.

ARTICLE VI

401.06 Use of the Public Sewers

General Sec. 1. No person shall discharge or cause to be discharged any unpolluted waters such as stormwater, groundwater, roof runoff, subsurface drainage, unpolluted industrial process water, or cooling water to any sanitary sewer. Stormwater runoff from limited areas, which stormwater may be polluted at times, may be discharged to the sanitary sewer by written permission of the superintendent.

*Other
unpolluted
drainage* Sec. 2. Stormwater other than that exempted under Section 1, Article VI, 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 superintendent. No person shall connect to or otherwise make use of storm sewers without first obtaining a permit as provided in Article V, Section 2.

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

Remaining

(a) Any gasoline, benzene, naptha, fuel oil, oil solvent, or other flammable or explosive liquid, solid, or gas.

(b) Any waters 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 waste treatment process, or wastewater facilities, to constitute a hazard to humans or animals, to create a public nuisance, or to create any hazard in the receiving waters of the wastewater treatment works.

(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 wastewater treatment works.

(d) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other facilities such as, but not limited to, ashes, asphalt, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, disposable diapers, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, napkins, cups, milk containers, either whole or ground by garbage grinders.

*Limiting
of
Discharge*

Sec. 4. The following described substances, materials, waters or waste shall be limited in discharges to the wastewater facilities to concentrations or quantities which will not harm the wastewater facilities, will not endanger lives, limb, public property, or constitute a nuisance, and which are capable of regular and ordinary treatment at the wastewater treatment works so as to permit discharge therefrom in compliance with the NPDES permit issued to WLSSD. The superintendent and the WLSSD may set limitations different than the limitations established in the regulations below if such further limitations are necessary to meet the above objectives. In making such determination due consideration shall be given to such factors as the quantity of waste in relation to flows and velocities in the sewers, materials of construction of the sewers, the wastewater treatment process employed, capacity of the wastewater facility, degree of treatability of the waste in the wastewater facility, and other pertinent factors. Until different limitations or restrictions on materials or characteristics are so established no person shall discharge or cause to be discharged any of the following-described waters or wastes to any sanitary sewer without the approval of the superintendent.

(a) Wastewater having a temperature higher than +150° Fahrenheit (65° Celsius).

(b) Wastewater having a concentration of more than 25 milligrams per liter of petroleum oil, nonbiodegradable cutting oils, or products of mineral oil origin.

(b) Require pretreatment to an acceptable condition having in mind the effect on wastewater facilities and the ability of the wastewater treatment works to treat such waste and achieve a discharge in compliance with the NPDES permit.

(c) Require control over the quantities and rates of discharge,

(d) Require payment to cover added cost of handling and treating the wastes not covered by existing user charges under the provisions of this Ordinance.

*Interceptors
Provisions* Sec. 6. Grease, oil, and sand interceptors (sometimes termed traps), shall be provided when, in the opinion of the superintendent, or the WLSSD, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts, as specified in Section 4(c), or any flammable wastes, sand, grit 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 superintendent and the WLSSD, and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors, the owner shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates, and means of disposal which are subject to review by the superintendent and the WLSSD. Any removal and hauling of the collected materials not performed by owner personnel must be performed by currently licensed waste disposal firms.

*Pretreatment
and flow
equalizing
facilities* Sec. 7. Where pretreatment or flow equalizing facilities are provided or required for any water or wastes, plans, specifications, and any other pertinent information relating thereto shall be submitted for approval of the City ~~or Town~~ and the WLSSD and no construction of such facilities shall be commenced until approval in writing is granted. Where such facilities are provided, they shall be maintained continuously in satisfactory and effective operating order by the owner at his expense and shall be subject to periodic inspection by the City ~~or Town~~ and the WLSSD to determine that such facilities are being operated in conformance with the applicable federal, state and local laws, regulations and permits. The owner shall maintain operating records and shall submit to the City ~~or Town~~ and the WLSSD a monthly summary report of the character of the influent and effluent to show the performance of the pretreatment facilities, and for comparison against WLSSD and City ~~or Town~~ monitoring records.

*Observation
Facilities* Sec. 8. When required by the superintendent or the WLSSD, the owner of any property served by a building sewer carrying industrial wastes shall install a suitable structure together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes by the City ~~or Town~~ and the WLSSD. Such structure, when required shall be accessible and safely located and shall be constructed in accordance with plans approved by the superintendent and the WLSSD. The structure 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.

*Determination
of
Compliance* Sec. 9. The superintendent and the WLSSD may require a user of sewer services and a person applying for sewer service to provide information needed to determine compliance with this ordinance. These requirements may include:

- (a) Wastewater peak flow and volume over a specified time period.
- (b) Chemical analyses of wastewaters.
- (c) Information on raw materials, processes, and products affecting wastewater volume and quality.
- (d) Quantity and disposition of specific liquid, sludge, oil, solvent, or other materials important to sewer use control.
- (e) A plot plan of the user's property showing sewer and pretreatment facility or flow equalizing facility location.
- (f) Details of wastewater pretreatment or flow equalizing facility.
- (g) Details of systems to prevent and control the losses of materials through spills to the public sewer.
- (h) Access to users' premises so that City ~~or Town~~ and WLSSD personnel carry out sampling, monitoring and measurement of users' discharge.

*Distribution of
Unusual
Flows of
Wastes*

Sec. 10. Users of the wastewater facilities shall immediately notify the superintendent and the WLSSD of any unusual flows of wastes that are discharged accidentally or otherwise to the wastewater facilities.

*Analysis
of Wastes
& Wastewaters*

Sec. 11. 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 provisions set out in Standard Methods.

*Conflict
with
City*

Sec. 12. No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the City ~~or Town~~ and the WLSSD, and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the City ~~or Town~~ and the WLSSD for treatment. Provided that any such agreement shall establish that charges to user shall be in accordance with the City ~~or Town~~ established user charges.

401107 ARTICLE VII

Damage to Wastewater Facilities Prohibited

General

Sec. 1. No person shall maliciously or willfully break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the wastewater facilities. Any person violating this provision shall be guilty of a misdemeanor, shall be subject to immediate arrest, and shall be liable to the City ~~or Town~~ and the WLSSD for the cost of making necessary repairs occasioned by such violation.

401.08 ARTICLE VIII

Powers and Authority of Inspectors

Right to Enter Sec. 1. The superintendent and other duly authorized employees of the City or Town and the WLSSD bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing pertinent to discharge to the wastewater facilities in accordance with the provisions of this ordinance.

Provide of info to inspectors Sec. 2. The superintendent or other duly authorized employees of the City or Town and the WLSSD shall be provided by users with such information concerning industrial processes as have a direct bearing on the kind and source of discharge to the wastewater facilities.

Liability Sec. 3. While performing the necessary work on private properties referred to in Article VIII, Section 1, above, the superintendent or duly authorized employees of the City or Town and the WLSSD shall observe all safety rules applicable to the premises established by the owner, and the owner shall be held harmless for injury or death to such employees, and the City or Town and the WLSSD respectively shall indemnify the owner against loss or damage to its property by City or Town and WLSSD employees and against liability claims and demands for personal injury or property damage asserted against the owner and growing out of the gauging and sampling operation, except as such may be caused by negligence of the owner or the failure of the owner to maintain safe conditions as required in Article VI, Section 8. 401.08 Sub C.

Right to Entry and Work Sec. 4. The superintendent and other duly authorized employees of the City or Town and WLSSD bearing proper credentials and identification shall be permitted to enter all private properties through which the City or Town holds an easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the wastewater facilities 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 easement pertaining to the private property involved.

401.09 The Accruals of 401.01 - 401.08, as taken from the WLSSD Model Ordinance Code

(Following 401.10 The establishment of the Wastewater System and establishing user charges and administrative cost recovery system.)

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