

## Chapter 27--Public Works

### Subchapter A--Combined System

27.010. Combined system. It is hereby found, determined and declared to be necessary for the public health, safety, welfare and benefit of the City of Sarcoxie, Missouri, and its inhabitants that the existing waterworks and the existing sewerage system of the City of Sarcoxie, Missouri, and all future improvements and extensions thereto, be combined and that they shall thenceforth be operated and maintained as a combined waterworks and sewerage system.

27.020. Superintendent of Public Works. It is hereby established and created, the position of Superintendent of Public Works. It shall be the duty of said superintendent to superintend and manage the operation and maintenance of the combined waterworks and sewage system, city street department, and all public property of the City, including the City parks and City swimming pool. He shall supervise the maintenance of machinery and all electrical and carpentry projects. He shall supervise all extensions and developments of the water and sewer systems.

27.030. Duties. The superintendent shall devote his full time to the duties of his office. He shall keep himself informed as to the operation of his department and to maintain adequate records as to the operation and cost of the water and sewer systems. He shall also attend meetings as requested by the Mayor.

1. He shall make a report to the Board of the work of his department and submit for consideration plans and programs for the improvement of the water and sewer departments.
2. City superintendent shall present a tentative monthly projected plan to the Mayor.

### Subchapter B--Water and Sewer

27.100. Deposit Required.

1. All persons or firms making application to the City for the installation of water service for commercial or owner-occupied structures shall post a deposit of \$50.00 to the City Collector. All persons or firms making application to the City for installation of water service for non-owner occupied residential structures shall post a deposit of \$100.00 to the City Collector. Such deposit shall be required for every installation. The City Collector shall retain such deposits during the life of the Contract or for five (5) years from the date of the Contract, whichever first occurs, provided that all charges for services have been paid. (revised by ordinance# 1017 on 11/22/16)
2. The depositor shall produce his deposit receipts in order to obtain a refund.

3. The City Collector shall keep a file and record of all deposits to show the date of deposit, consumer name, address, and refunds.

4. The monies received as deposits for water service shall be held in the City Water Meter Deposit Fund.

5. In addition, whenever any street or sidewalk shall be disturbed by a new water service installation, the consumer shall be required to deposit with the City Collector, prior to service, a non-refundable street repair deposit of Fifty and No/100 (\$50.00) Dollars. In the event the cost of street repair after such service is installed exceeds \$50.00, the consumer shall be billed for such costs on his first water bill after such charges are determined.

27.110. Fee for Water and Sewer Hook-Up. Any person, corporation, or company applying for water and sewer hook-up service inside the City limits shall pay any charges necessary for installation and hook-up. These charges shall be placed on the applicant's water bill.

27.120. Water service outside City limits. Any person, corporation or company located outside of the City limits of Sarcoxie who wishes to purchase water from the City:

1. Such applicant shall make a Fifty and No/100 (\$50.00) Dollars service charge, together with the cost of hookup to include all materials and labor with the exception of the water meter, which cost shall be born by the City.

2. That upon application by a resident outside the City limits of the City of Sarcoxie, Missouri, water lines may be extended beyond the City limits of the City of Sarcoxie, Missouri, pursuant to the terms of a contract to be entered into between the City of Sarcoxie, Missouri, and each resident residing outside the City limits of the City of Sarcoxie, Missouri.

3. That the water line shall be installed in accordance with all State specifications and under the supervision of the City Superintendent of Public Works.

4. All water lines shall be completely surrounded with at least five (5) inches of chat for a cushion. A gate valve shall be installed when a line connects to the existing main. All 90 degree elbows shall be concrete on the exterior of the pipe to prevent slippage of the sealing ring. Plastic line shall be of #200 pressure strength capacity and no less than 4" in diameter and installed with a bill joint and sealing ring.

5. That the Mayor of the City of Sarcoxie, Missouri, is hereby authorized to enter into said contracts on behalf of the City of Sarcoxie, Missouri, for the purposes stated herein.

6.a. Water services outside of city limits will be subject to an \$8.00 per month fee in addition to normal usage fees as set forth in this ordinance.

6.b. Sewer services outside of city limits will be subject to an \$8.00 per month fee in addition to normal usage fees as set forth in this ordinance.

27.130. Water rates – Standard Usage Rate. The monthly rates required and which shall be charged and collected by the City of Sarcoxie, Missouri, for water and water service furnished by the combined waterworks and sewerage system of the City of Sarcoxie, Missouri, to standards usage accounts shall be as follows:

1. For the first 2,000 gallons or fraction, a minimum charge of \$10.00.
2. For every remaining 100 gallons, a minimum charge of \$.4211 per 100 gallons.
3. To account for inflation and increased operating costs, the monthly rate shall be automatically increased by 3% effective on usage beginning in January of each year beginning in January 2015. The Board may, by ordinance, modify rates in the future to account for other expenses in operating, maintaining, or expanding the system.

27.135. Water Rates – High Volume Usage Rate. “High volume accounts” shall be deemed to be defined as any account which averages a minimum usage of 30,000 gallons over a twelve-month period. “Standard usage accounts” shall be all other accounts. The monthly rates required and which shall be charged and collected by the City of Sarcoxie, Missouri, for water and water service furnished by the combined waterworks and sewerage system of the City of Sarcoxie, Missouri, to qualifying high volume usage accounts shall be as follows:

1. For the first 2,000 gallons or fraction, a minimum charge of \$10.00.
2. For every additional 100 gallons, a minimum charge of \$.3993 per 100 gallons
3. To account for inflation and increased operating costs, the monthly rate shall be automatically increased by 3% effective on usage beginning in January of each year beginning in January 2015. The Board may, by ordinance, modify rates in the future to account for other expenses in operating, maintaining, or expanding the system.

27.140. Industrial Users. If any user of water shall use more than 10,000 gallons of water in any month, and if, as established by records kept and maintained by such user and open for inspection by the City's representative, more than one-half of the water so used by said customer was not discharged into the sewerage system of said City, then the rate to be paid by such customer shall be as hereinafter determined by the Board of Aldermen of said City. Such water meter as may be necessary to measure the amount of water which is not discharged into the City sewerage system shall be paid for and installed by the customer.

27.150. Monthly billing. All water meters shall be read and bills for water shall be rendered monthly as such service accrues. The City Collector or other officer or

representative of the City designated to prepare and render bills for water shall calculate monthly the amount of the bill for water service and shall render monthly to such customer a bill for such water services. All bills shall be due and payable at the office of the City Collector during the regular hours of business from and after the date of the rendition thereof.

27.160. Delinquent bills. If any bill for water service shall be and remain past due and unpaid for as long as thirty (30) days, service to such customer shall be discontinued and shall not be reconnected until all past due bills are paid in full, together with a reconnection charge of \$50.00.

27.170. Applications for service. Application for water services shall be made to the City Collector or other person designated by the Board of Aldermen by the owner or occupant of the property to be served, and upon the approval of such application, such applicant shall have the right to connect with the City's waterworks system. All costs of such connection are to be borne by applicant. The Board of Aldermen may hereafter prescribe a connection charge to be paid by any such applicant at the time of his application.

27.180. Occupant and Users or Others Claiming an Interest in Property Jointly and Severally Liable. All occupants and users, receiving water and sewer services, or either of them, and the owner of the premises and all those who claim an interest in the premises by way of mortgage, deed of trust, lien or other charge or encumbrances, shall be jointly and severally liable to pay for such services rendered on said premises. The City shall have the power to sue the occupant, owner or other individuals named herein, or all of them or each of them, or others who claim an interest in the real estate in a civil action to receive all sums due for services, plus a reasonable attorney's fee to be affixed by the Court. In addition, the services as provided shall be deemed to be a special benefit to the property in question and the city may file a lien with the Recorder of Deeds in the amount of such services, plus costs and reasonable attorney's fees. In the event the City fails to file a lien with the Recorder of Deeds, then such services shall still be deemed to be provided for the benefit of all owners, occupiers, and those other individuals or entities that claim an interest in the premises; however, no attorney's fees shall be recoverable for those other than the owner or occupant or users of such services. No water or sewer service shall be provided to any user, occupant, or owner, or those other individuals or entities who claim an interest in the premises to and until satisfactory arrangements are made for the payment of any water and/or sewer bill any other premises in the City of Sarcoxie.

27.185. Posting of Notice of Non-Payment. In addition to all other remedies and procedures enacted by the City regarding the collection of unpaid utility charges, the City may post a notice upon the front door of any residence or business in the City that is delinquent in the payment of any such charges as follows:

'This property has an unpaid utility bill with the City of Sarcoxie. The outstanding debt, including any penalties, and interest, must be paid before water, sewer and/or trash services can be restored at this property.'

No person shall remove a notice so posted and any person who does remove such notice without the authority to do so, shall be guilty of a misdemeanor.

27.190. Meters required; free water service. Water service shall be supplied only through water meters installed and meeting the City's specifications, and only one connection shall be permitted to each water meter. No free water service shall be furnished to any premises, or the owner or occupant thereof, except to the City itself, and in the event that the revenues derived by the City from its waterworks system shall at any time prove insufficient to pay the costs of maintenance and operation thereof, and to pay the interest on and principal of the waterworks system revenue bonds of the City, issued to improve and extend such system or any part thereof, and to establish and maintain reasonable reserves as provided in the ordinance authorizing the issuance of such bonds, then the City will thereafter pay a fair and reasonable charge for all water services furnished the City or any of its departments by the waterworks system, and such payments will continue so long as the same may be necessary in order to prevent any default in the payment of the interest or principal of the waterworks system revenue bonds of the City or while any such default shall exist.

27.200. Violation is a misdemeanor. It shall be a misdemeanor for any person or persons to tamper with any water main or water meter, or to make any connection to the waterworks system of the City without written permission from the City, or to reconnect service when service has been discontinued for nonpayment of a bill for service until such bill, including the reconnection charge, has been paid in full. Upon conviction, there shall be imposed a fine of not less than Ten and No/100 (\$10.00) Dollars, nor more than Five Hundred and No/100 (\$500.00) Dollars. Each day that any water service is obtained from the City as a result of any of the wrongful acts herein above set out shall constitute a separate violation of this ordinance.

27.210. Sewer Use.

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

a. "Act" or "the Act" shall mean the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251, et seq.

b. "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. The test procedure

shall not utilize inhibitors.

c. "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 sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.

d. "Building Official" shall mean the designated inspection official of the Inspection Department or his authorized representative.

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

f. "City" shall mean THE CITY OF SARCOXIE, MISSOURI.

g. "Cooling Water" shall mean the water discharged from any use such as air conditioning, cooling or refrigeration, or to which the pollutant added is heat.

h. "Direct Discharges" shall mean the discharge of treated or untreated sewage directly to the waters of the State of Missouri.

i. "Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking, and dispensing of foods, and from the handling, storage, and sale of produce.

j. "Grab Sample" shall mean a sample which is taken from a waste stream on a one-time basis with no regard to the flow in the waste stream and without consideration of time.

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

l. "Interference" shall mean the inhibition or disruption of the POTW treatment processes or operations which causes or significantly contributes to a violation of any requirement of the City's NPDES Permit.

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

n. "pH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

o. "ppm" shall mean parts per million, the concentration of a material in pounds per million pounds of water (1 ppm = 1 milligram/liter, mg/l).

p. "Person" shall mean any individual, firm, company, association, society,

corporation, or group.

q. "Pollutant" shall mean any dredged soil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt, and industrial, municipal, and agricultural waste discharged into sanitary sewers.

r. "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.

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

t. "Receiving Stream" shall mean any natural watercourse into which water, treatment plant effluent, combined sewer overflow or storm water is discharged.

u. "Sanitary Sewer" shall mean a sewer which carries sewage and to which storm, surface, and groundwaters are not intentionally admitted.

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

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

x. "Sewage Works" shall mean all facilities for collecting, pumping, treating, and disposing of sewage.

y. "Sewer" shall mean a pipe or conduit for carrying sewage.

z. "Shall" is mandatory; "May" is permissive.

aa. "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.

bb. "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.

cc. "Storm sewer" shall mean a sewer which carries storm and service waters

and drainage, but excludes wastes or sewage and industrial waste, other than non-contract cooling water.

dd. "Superintendent" shall mean the Superintendent of the Wastewater Treatment Plant of the City of Sarcoxie, or his authorized deputy, agent, or representative.

ee. "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.

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

2. Use of public sewer required.

a. 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 Sarcoxie, or in any area under the jurisdiction of the City, any human or animal excrement, garbage or other objectionable waste.

b. It shall be unlawful to discharge to any natural outlet within the City of Sarcoxie, or in any area under the jurisdiction of the City, any sewage or other polluted wastes, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance, and upon approval of the Missouri Department of Natural Resources.

c. 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.

d. The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the City 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, 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 provision of this ordinance, within ninety (90) days after date of official notice to do so, provided that said public sewer is provided to the property line.

3. Private sewage disposal.

a. Where a public sanitary or combined sewer is not available under the provisions of Section 2(d), the building sewer shall be connected to a private sewage disposal system complying with the provisions of this article.



b. Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the building official. The application for such permit shall be made on a form furnished by the City, which the applicant shall supplement by any plans, specifications, and other information as are deemed necessary by the building official. A permit and inspection fee of \$10.00 shall be paid to the City at the time the application is filed.

c. A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the building official. He shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the building official when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within forty-eight (48) hours of the receipt of notice by the building official.

d. The type, capacities, location and layout of a private sewage disposal system shall comply with all recommendations of the Missouri Department of Natural Resources (MDNR) and any requirements of the Plumbing Code adopted by the City. 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 15,000 square feet. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

e. At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Section 2(d), a direct connection shall be made to the public sewer in compliance with this ordinance, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned and filled with suitable material.

f. The owner shall operate and maintain the private sewage disposal systems in a sanitary manner at all times, at no expense to the City.

g. No statement contained in this section shall be construed to interfere with any additional requirements that may be imposed by the City health officer.

h. When a public sewer becomes available, the building sewer shall be connected to said sewer within sixty (60) days and the private sewage disposal system shall be cleaned of sludge and filled with clean bank-run gravel or dirt.

#### 4. Building sewers and connections.

a. No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the building official.

b. There shall be two (2) classes of building sewer permits:

- i) For residential and commercial service, and
- ii) For service to establishments producing industrial wastes.

In either case, 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 building official. A permit and inspection fee of \$50.00 for a residential or commercial building sewer permit and \$50.00 for an industrial building sewer permit shall be paid to the City at the time the application is filed.

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

d. 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 whole considered as one building sewer.

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

f. The size, slope, and alignment 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. The building sewer shall be vitrified clay, ductile or cast iron, or polyvinyl chloride (PVC) having a wall thickness no less than that of SDR 35 class pipe.

g. 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.

h. No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, sump pumps 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.

i. The connection of the building sewer into public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the City. All such connections shall be made gastight and watertight. Any deviation

from the prescribed procedures and materials must be approved by the building official before installation.

j. The applicant for the building sewer permit shall notify the building official when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the building official or his representative.

k. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the City.

5. Use of public sewers.

a. No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, including interior and exterior foundation drains, uncontaminated cooling water, or unpolluted industrial process waters to any public sewer.

b. Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the building official and MSNR. Industrial cooling water or unpolluted process waters may be discharged, on approval of the superintendent and MDNR, to a storm sewer or natural outlet.

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

i) Any liquids, solids, or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the sewage works or to the operation of the sewage works. At no time shall two (2) successive readings on an explosion hazard meter, at the point of discharge into the system (or at any point in the system), be more than five percent (5%) nor any single reading over ten percent (10%) of the Lower Explosive Limit (LEL) of the meter. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, zylene, ethers, alcohols, ketones, aidehydres, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides, and any other substances which the City, and MDNR, or the Environmental Protection Agency (EPA) has notified the user is a fire hazard or a hazard to the system.

ii) 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, to constitute a hazard to humans or animals, to create a public nuisance, to create any hazard in the receiving waters of the

sewage treatment plant, or to exceed limitations set forth in a pretreatment standard, including, but not limited to cyanides in excess of two (2) mg/l as CN in the wastes as discharged to the public sewer. A toxic pollutant shall include, but not be limited to, any pollutant identified pursuant to Section 307(a) of the Act.

iii) Any waters or wastes having a Ph lower than 5.5, or exceeding 9.5, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.

iv) 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.

v) Any waters or wastes having (a) a 5-day BOD greater than 300 parts per million by weight, or (b) containing more than 350 parts per million by weight of suspended solids, or (c) having an average daily flow greater than two (2%) percent of the average sewage flow of the City shall be subject to the review of the superintendent. Where necessary in the opinion of the superintendent, the owner shall provide, at his expense, such preliminary treatment as may be necessary to (a) reduce the biochemical oxygen demand to 300 parts per million by weight, or (b) reduce the suspended solids to 350 parts per million by weight, or (c) control the quantities and rates of discharge of such waters or wastes. Plans, specification, and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the superintendent and no construction of such facilities shall be commenced until said approvals are obtained in writing.

d. No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the superintendent that such wastes can harm either the sewers, sewage treatment plant, or equipment, cause the City to violate its NPDES permit, 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 superintendent 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:

i) Any liquid or vapor having a temperature higher than one hundred fifty (150°F) (65°C) at the point before entering the public sewer, or any sewage having a temperature which will result in a waste with a temperature at the introduction into the

sewage works which exceeds 104`F (40`C), or which would cause interference at the sewage treatment plant.

ii) Any water or waste containing fats, wax, grease, or oils, whether emulsified, or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150) degrees F (0 and 65`C).

iii) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4ths) horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the superintendent.

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

v) Any waters of 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 superintendent for such materials.

vi) Any waters or wastes containing phenols or other taste-or-odor producing substances, in such concentrations exceeding limits which may be established by the superintendent 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.

vii) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the superintendent in compliance with applicable state or federal regulations.

viii) Materials which exert or cause:

a) Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).

b) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).

c) Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.

d) Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.

ix) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment plant employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters, such as NPDES permit requirements.

e. If any waters or wastes are discharged, or are proposed to be discharged into the City's sewers which contain any quantity of substance having the characteristics described in Section 5 of this Article, and/or are in violation of the standards of pretreatment provided in Chapter 1, EPA Rules and Regulations, Subchapter D, Water Programs Part 403 - Pretreatment Standards, Federal Register Volume 46, No. 18, Wednesday, January 26, 1981, and any amendments thereto, and which, in the judgment of the superintendent may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise may create hazard to life or constitute a public nuisance, the superintendent may:

i) Reject the wastes, or;

ii) Require, at the owner's expense, pretreatment facilities to reduce objectionable characteristics or constituents to within the maximum limits provided for in Paragraph d. of this Section and/or federal or state pretreatment standards, and/or;

iii) Require control over the quantities and rates of discharge, by developing discharge limitations, and/or;

iv) 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 Paragraph J of this Section.

If the superintendent permits the pretreatment or equalization of waste flows, the design and installation of the plans and equipment shall be subject to the review and approval of the superintendent, and subject to the requirements of all applicable codes, ordinances, and laws.

f. Grease, oil, and sand interceptors shall be provided when, in the opinion of the superintendent, 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 dwelling units. All interceptors shall be of a type and capacity approved by the superintendent, and shall be located so as to be readily and easily accessible for cleaning and inspection.

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

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

i. All measurements, tests, and analyses of the characteristics of water 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 jointly by the American Public Health Association, the American Water Works Association, and the Water Pollution Control Federation, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb, and property. (The particular analyses involved will determine whether a twenty-four (24) hour composite of all outfalls of 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's are determined from periodic grab samples).

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

6. Pretreatment. Users shall provide necessary wastewater treatment as required to comply with all federal Categorical Pretreatment Standards within the time limitations as specified by the Federal Pretreatment Regulations. Any state requirements and limitation on discharges shall apply to any case where they are more stringent than federal requirements and limitations. Any facilities required to pretreat wastewater to a level acceptable to the City shall be provided, operated, and maintained at the user's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the City for review, and shall be acceptable to the City before construction of the facility. The review of such plans and operating procedures will in no way relieve the user from the responsibility of modifying the facility as necessary to produce an effluent

meeting Federal categorical pretreatment standards. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the City prior to the user's initiation of the changes.

7. Protection from damage. 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 damaging public property.

8. Powers and authority of inspectors.

a. The superintendent, building official and other duly authorized employees of the City, bearing proper credentials and identification shall be permitted free entry. The superintendent, building official, 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 water treatment.

b. While performing the necessary work on private properties referred to in Section 8(a) above, the superintendent, building official, 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 City employees. 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 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 5(h).

c. The superintendent, building official, 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 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 one in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

9. Penalties.

a. Any person found to be violating any provision of this ordinance except Section 7 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.

b. Any person who shall continue any violation beyond the time limit provided



for in Section 9(a) above, shall be guilty of a misdemeanor, and on conviction thereof, shall be fined in the amount not exceeding \$25.00 for each violation. Each day in which any such violations shall continue shall be deemed a separate offense.

c. 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.

10. Applicability. This ordinance shall apply to the City of Sarcoxie, Missouri, and to persons outside the City who are, by contract or agreement with the City, users of the City's sewage works. Except as otherwise provided within this ordinance, the superintendent shall administer, implement and enforce the provisions of this ordinance.

11. Validity.

a. 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.

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

27.220. Sewer use charge.

1. It is determined and declared to be necessary and conducive to the protection of the public health, safety, welfare and convenience of the City to collect charges from all users who contribute wastewater to the City's treatment works. The proceeds of such charges so derived will be used for the purpose of operating and maintaining the public wastewater treatment works.

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

a. "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 (mg/l). (Test shall not utilize nitrification inhibitor.)

b. "Normal Domestic Wastewater" shall mean wastewater that has a BOD concentration of not more than 250 mg/l and a suspended solids concentration of not more than 300 mg/l.

c. "Operation and Maintenance" shall mean all expenditures during the useful life of the treatment works for materials, labor, utilities, billing, equipment replacement, and other items which are necessary for managing and maintaining the sewage works to

achieve the capacity and performance for which such works were designed and constructed.

d. "Replacement" shall mean expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designed and constructed. The term "operation and maintenance" includes replacement.

e. "Residential Contributor" shall mean any contributor to the City's treatment works whose lot, parcel of real estate, or building is used for domestic dwelling purposes only.

f. "Shall" is mandatory; "May" is permissive.

g. "SS" (denoting Suspended Solids) shall mean solids that either float on the surface or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.

h. "Treatment Works" shall mean any devices or systems for the storage, treatment, recycling, and reclamation of municipal sewage, domestic sewage, or liquid industrial wastes. These include intercepting sewers, outfall sewers, sewage collection systems, individual systems, pumping, power, and other equipment and their appurtenances; extensions, improvement, remodeling, additions or alterations thereof; elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; and any works, including site acquisition of the land that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment (including land for composting sludge, temporary storage of such compost, and land used for the storage of treated wastewater in land treatment systems before land application); or any other method or system for preventing, abating, reducing, storing, treating, separating, or disposing of municipal waste or industrial waste, including waste in combined storm water and sanitary sewer systems.

i. "Useful Life" shall mean the estimated period which a treatment works will be operated.

j. "User Charge" shall mean that portion of the total wastewater service charge which is levied in a proportional and adequate manner for the cost of operation, maintenance, and replacement of the wastewater treatment works.

k. "Water Meter" shall mean a water volume measuring and recording device, furnished and/or installed and approved by the City of Sarcoxie.

### 3. User charge system.

a. The user charge system shall generate adequate annual revenues to pay

costs of annual operation and maintenance including replacement which the City may by ordinance designate to be paid by the user charge system. That portion of the total user charge which is designated for operation and maintenance, including replacement of the treatment works, shall be established by this ordinance.

b. That portion of the total user charge collected which is designated for operation and maintenance, including replacement purposes as established in Section 4, shall be deposited in separate non-lapsing fund known as the Operation, Maintenance, and Replacement Fund, and will be kept in two (2) primary accounts as follows:

i) An account designated for the specific purpose of defraying operation and maintenance costs (excluding replacement) of the treatment works (Operation and Maintenance Account).

ii) An account designated for the specific purpose of ensuring replacement needs over the useful life of the treatment works (Replacement Account). Deposits in the replacement account shall be made at least annually from the operation, maintenance, and replacement revenue in the amount of \$2,200.00 annually.

c. Fiscal year-end balances in the operation and maintenance account and the replacement account shall be carried over to the same accounts in the subsequent fiscal year, and shall be used for no other purposes than those designated for these accounts. Monies which have been transferred from other sources to meet temporary shortages in the operation, maintenance, and replacement fund shall be returned to their respective accounts upon appropriate adjustments of the user charge rates for operation, maintenance, and replacement. The user charge rate shall be adjusted such that the transferred monies will be returned to their respective accounts within the fiscal year following the fiscal year in which the monies were borrowed.

#### 4. User to pay proportionate share.

a. Each user shall pay for the services provided by the City based on his use of the treatment works as determined by water meters acceptable to the City.

b. For residential contributors, monthly user charges will be based on water used during the current month, as recorded by the residential water meter. For industrial and commercial contributors, user charges shall be based on water used during the current month. If a commercial or industrial contributor has a consumptive use of water, or in some other manner uses water which is not returned to the wastewater collection system, the user charge for that contributor may be based on a wastewater meter or a separate water meter installed and maintained at the contributor's expense, and in a manner acceptable to the City. During prolonged dry periods, when residential water usage increases due to consumptive watering, the City may choose to base the monthly sewer user charge on the customer's average monthly water usage during the months of

January, February and March of that year rather than the actual metered usage during the dry month.

c. Reserved.

d. For those users who contribute wastewater, the strength of which is greater than normal domestic sewage, a surcharge in addition to the normal user charge will be collected. The surcharge for operation and maintenance including replacement is:

i) \$0.09 per pound BOD in excess of 250 mg/l.

ii) \$0.08 per pound SS in excess of 300 mg/l.

e. Any user who discharges any toxic pollutants which cause an increase in the cost of managing the effluent or the sludge from the City's treatment works, or any user who discharges any substance which singly or by interaction with other substances causes identifiable increases in the cost of operation, maintenance, or replacement of the treatment works, shall pay for such increased costs. The charge to each user shall be as determined by the responsible plant operating personnel and approved by the City Council.

f. The user charge rates established in this article apply to all users of the City's treatment works, regardless of their location.

#### 5. Billing.

a. All users shall be billed monthly. Billings for any particular month shall be made prior to the end of the month and no later than five (5) days after the end of the month. Payments are due when the billings are made. Any payment not received within twenty-five (25) days after the billing is made shall be deemed delinquent. (Revised by Ordinance# 1014 on 8/16/16)

b. A late payment penalty of \$5.00 plus 5% of the past due balance will be added to each delinquent bill for each thirty (30) days of delinquency. When any bill is thirty (30) days delinquent, rendition of water or sewer service to such premises shall be discontinued until such bill is paid in full following due notice of opportunity for hearing.

#### 6. Review.

a. The City will review the user charge system annually and revise user charge rates as necessary to insure the system generates adequate revenue to pay the costs of operation, including replacement, and that the system continues to provide for the proportional distribution cost of operation and maintenance, including replacement, among users and user classes. The automatic increases provided herein are intended to account for annual inflation and other incidental expenses of the combined system.

The user charge system must generate sufficient revenue for this purpose, and in no circumstance shall the City fail to bill and recover sufficient revenue to cover the cost of operation, maintenance, and replacement of the combined system. At no time shall an automatic increase result in a surplus in the combined water and sewer systems.

b. The City will notify each user at least annually, in conjunction with a regular bill, of the rate being charged for operation and maintenance, including replacement of the treatment works.

7. Sewer Rate Structure – Standard Usage Rate. The monthly rates required and which shall be charged and collected by the City of Sarcoxie, Missouri, for sewer usage furnished by the combined waterworks and sewerage system of the City of Sarcoxie, Missouri, to standard usage accounts shall be as follows:

1. For the first 1,000 gallons or fraction, a minimum charge of \$5.00
2. For every additional gallon, a minimum charge of \$.2978 per 100 gallons.

3. To account for inflation and increased operating costs, the monthly rate shall be automatically increased by 3% effective on usage beginning in January of each year beginning in January 2015. The Board may, by ordinance, modify rates in the future to account for other expenses in operating, maintaining, or expanding the system.

8. Sewer Rate Structure – High Volume Usage Rate. “High volume accounts” shall be deemed to be account which averages a minimum usage of 30,000 gallons over a twelve-month period. The monthly rates required and which shall be charged and collected by the City of Sarcoxie, Missouri, for sewer usage furnished by the combined waterworks and sewerage system of the City of Sarcoxie, Missouri, to qualifying high volume usage accounts shall be as follows:

1. For the first 2,000 gallons or fraction thereof, a minimum of \$10.00.
2. For every additional gallon, a minimum charge of \$.2862 per 100 gallons.

3. To account for inflation and increased operating costs, the monthly rate shall be automatically increased by 3% effective on usage beginning in January of each year beginning in January 2015. The Board may, by ordinance, modify rates in the future to account for other expenses in operating, maintaining, or expanding the system.

9. Summer Sewer Rate Program. The intent of this program is to protect residents from paying sewer charges for services they are not using because water is not being treated by the City. Added to City code by ordinance 963 on 5/3/11.

1. In order to participate in this program, the sewer user will need to make an application on forms as approved and provided by the City Collector. The City Collector is given the discretion to approve or disapprove applicants for this program. Applicants who are not approved may appeal the decision of the Collector to the Board of Aldermen at its next regular meeting. The decision of the Board shall be final.
2. Approved applicants will have sewer use charges averaged on the monthly usage from September through April. This monthly average will be used for charges generated for the months of May, June, July, and August, irregardless of what actual water usage is for each of these months.
3. Participants of this program shall comply with other Ordinances, including Chapter 65, Weeds, and Chapter 74, Nuisances, and must not be delinquent on any sewer and water charges or any other charges for services or fees, or tax levied by the City of Sarcoxie.
4. Applicants shall continue to pay all water charges for water utilized during the summer months”.

#### Subchapter C--Subdivisions

27.300. Comply with regulations. Any person, persons or corporation engaged in the development of residential or business areas and desiring a hookup to City water and or sewer facilities must comply with the regulations of this subchapter.

27.310. Definitions. As used in the subchapter, the word "development" means the platting of lots and streets and dividing larger tracts of ground for residential or business purposes. For the purposes of this subchapter development does not mean the dividing of tracts of ground where all of the lots thus created lie adjacent to existing water and sewer lines connected with the Sarcoxie water and sewer system.

27.320. Developer to install. The developer shall install all the water lines and sewer lines to the point of hookup to existing City facilities at his own expense. Such lines must be installed in such a manner as to meet all federal, state and local requirements concerning the installation and use of such lines.

1. The developer must furnish the City a map showing the size and location of all water and sewer lines.
2. The City Superintendent of Public Works shall examine and approve all water and sewer lines before they are covered. If approved by the Commission, the City will accept

the dedication of all such water and sewer lines and will assume maintenance of said lines after all connections have been made.

3. The developer shall furnish a bond and guaranty that all lines that he has installed shall be adequate for the intended use for a period of three (3) years. The guaranty period shall start with the acceptance of the lines by the City.

4. The developer shall install fire plugs so that any residence or building is within one hundred seventy-five (175') feet of a fire plug. The cost of the fire plug and the installation thereof shall be paid by the developer.

5. All streets in the area shall have a curb and gutter on each side of the street and the distance between the curbs shall be not less than forty (40) feet. All streets shall be hard surfaced after the installation of all water and sewer lines. The cost of this work shall be paid by the developer.

27.330. Developer fee. The developer shall pay a fee of \$15.00 for each sewer connection platted on the map specified under Subsection 2 of the preceding section. At the time the City installs a water meter and meter box at the property line of each lot in the development, an additional fee of One Hundred Twenty-Five (\$125.00) Dollars shall be collected. Meters and boxes so installed shall remain the property of the City.

#### Subchapter D--Streets and Sidewalks

##### Part I--Street Grades

27.400. Grades established and how. Grades of the streets and alleys of the City shall be established by recording the elevation at the intersection of the streets and alleys in a book kept for that purpose, which book shall also contain a record of accounts or ordinances of the Board of Aldermen in relation to or in any way effecting the established grade of any street or alley.

27.410. Street intersections. All the crossings at any intersection of streets embracing full width of sidewalk thereof shall be of uniform elevation, except when otherwise provided and whenever it shall be deemed expedient not to bring all the corners of any intersection to the same elevation, then the elevation of each corner at any such section shall be given.

27.420. Grades to extend unbroken. All grades shall extend in unbroken uniformity from intersection to intersection except when otherwise provided by ordinance, and whenever the grade of any street is broken between intersections, the elevation at such break shall be given together with the exact distance thereof from one or the other relative intersections.

27.430. Benchmark, where located. The Bench Mark bearing the datum of the

grade of the elevation of the City of Sarcoxie is located near the intersection of Fifth and Cross Streets at the northwest corner in the steps of the First National Bank Building of Sarcoxie, and constitutes one of the steps thereof.

27.440. Datum elevation. The datum elevation of the City of Sarcoxie is 100 feet, and the bench bearing such elevation is located at the point designated in the last preceding section, and consists of a hewed limestone set in steps of the First National Bank of Sarcoxie building and consisting of one of the steps thereof, and having a flat top surface in which are cut the words:

U.S.C.&G. Survey of 1894

U.S.

O.

B.M.

ALTITUDE ABOVE GULF OF MEXICO 1088 FEET"

The exact point of such surface of said bench, marking the exact datum, is designated by the character "O" (O) cut in said bench.

27.450. All grades recorded in figures. All grade elevations shall be recorded in figures designating the whole number of feet and tenths, hundredths and thousandths of the foot, which manner of designating the grade elevation of the City shall be used in all returns, certificates and other papers or acts relating to the grade of any street or alley in the City.

27.460. Clerk shall keep grade book. The book in which the e record is kept as required by Section 103 hereof shall be labeled "City Grade Book". The City Clerk shall be the lawful custodian thereof, and it shall be his duty to enter thereon all record matter required by this chapter. The said book shall be a public record.

27.470. Engineer shall make return to council. The City Engineer or any person acting as such by order of the Board shall make returns to the Board of all work ordered to be done by him, certifying to the correctness of the same, and he shall designate in said return and certificate the bench from which he started, and after said certificate and return have been passed upon by the board, they shall be recorded in connection with all record matters referred to in the return in the City Grade Book.

27.480. All elevation of grades from bench. All elevations of grades shall be established from the bench bearing the grade datum of the City, and no other bench shall be used unless it shall have been permanently located and established from the datum bench, and its locality and description be found recorded in the City Grade Book.

### Part II--Obstruction in Streets

27.500. Poles in streets. Any telegraph, telephone or electric light company placing their poles in the streets or alleys in the City of Sarcoxie shall do so subject to the



provisions of this article, and such other provisions as may be now or hereafter required by ordinance or by their franchise.

27.510. When alley to be used. Whenever in the judgment of the council, the use of any alley for such purposes is practicable, the poles of such company shall be placed upon and along said alley instead of along and upon the street paralleled thereto. When said poles are set in any alley they shall be placed as near the side line of such alley as practicable, and in such manner as not to incommode the public or the adjoining property owners or residents.

27.520. Kinds of poles. The poles used, as herein provided, shall be of good sound timber, not less than five (5) inches in diameter at the upper end, straight, shapely, of uniform size, neatly planed or shaved, shall be supplied with iron steps, commencing not more than seven (7) feet from the surface of the ground. All wires strung upon such poles shall be run at a height of not less than twenty (20) feet above the grade of the street.

27.530. How erected. Whenever such poles are erected upon any street or avenue of said City they shall be placed, in all cases when practicable, on the outer edge of the sidewalk just inside of the curbstone, and on the line dividing the buildings one from the other, and in no case to be placed so as to obstruct the drainage of the street or injure or damage in any way the curbstones or other public or private property on the line of the said street or alley where said poles are located.

27.540. Plan of route to council. Before any telegraph, telephone or electric light company shall hereafter erect any poles upon any street or alley of the City, they shall submit for approval to the City Council, the route of their proposed line, stating the name of the street or streets or avenue to be used, or if an alley the name thereof, and if not named, otherwise describing it so that the council shall know the alley intended to be used, and as far as required by the council, shall name the location of each pole.

27.550. Restoring pavement. All work of excavating, refilling and restoring the pavement shall be done under the supervision of the Street Commissioner, and in all cases the pavement shall be restored as soon as possible, and to the same condition as it was before, at the expense of the company removing the same.

27.560. Shall not permit poles to lie in street. No telegraph, telephone or electric light company shall, while engaged in erecting their poles along or across any street or alley in the City, permit any of their poles to lie upon any such street or alley for a longer time than necessary; but shall only bring such poles under the streets when ready to place them in their intended positions.

27.570. Permit from council, when. When any such company shall have presented to the council the route of its proposed line as provided in Section 276 of these

ordinances, the council shall examine the same, and if found to be in compliance with the provisions thereof, shall immediately issue a permit to such company to erect its line in this City.

27.580. Misdemeanor, when. If any telegraph, telephone or electric light company shall hereafter erect any pole or poles upon any of the streets or alleys of the City without submitting to the council the said route of their proposed line, and obtaining the approval of the council therefore, or if the pole or poles be erected, or any wire be strung upon any poles in violation of any of the provisions of this chapter, said telegraph, telephone or electric light company, their agents, servants and employees, or any person so erecting shall be deemed guilty of a misdemeanor and punished by a fine of not less than One and No/100 (\$1.00) Dollar nor more than One Hundred and No/100 (\$100.00) Dollars.

### Part III--Sidewalks

27.600. Repair. It shall be the duty of the property owners, owning property along and in front of which sidewalks may have been or may hereafter be constructed, to keep such sidewalks in good repair at all times, and upon failure to keep said sidewalks repaired, such walks may be repaired by the City, and the cost of such repairs shall be assessed as a special tax against the property abutting thereon.

27.610. Public Works Superintendent duties. It shall be the duty of the Public Works Superintendent immediately to inspect any portion of any sidewalk, upon being notified by any citizen that any portion is in need of repair, and when the Street Commissioner finds any sidewalk out of repair, it shall be his duty to immediately serve notice in writing upon the owner or owners of the property abutting thereon, to proceed to repair such portion of said sidewalk, and if such property owner shall fail, neglect or refuse to make such necessary repairs within a reasonable time from the serving of said notice, then the Street Commissioner shall proceed to make such repairs, keeping an accurate account of the amount expended for labor and materials, and shall present the same in writing to the Board of Aldermen.

27.620. Penalty. Any person, company, or corporation upon whom an order hereinabove provided for, shall be served for the construction or reconstruction of any sidewalk, or upon whom the notice shall be served by the Street Commissioner to make necessary repairs, as herein provided, who shall fail, neglect or refuse to comply with said order or notice within the time fixed by the Board of Aldermen or by ordinance therefore, shall be deemed guilty of a misdemeanor, and upon conviction, shall be punished by a fine of not less than Five and No/100 (\$5.00) Dollars nor more than One Hundred and No/100 (\$100.00) Dollars for each and every offense.

27.630. Same; separate bills. Separate tax bills shall be issued against each lot or tract of land against which an assessment has been levied, and shall state therein the name of the owner of said lot or tract, the number of front feet therein abutting on the

improvement, the number of the improvement ordinance, the number of the assessment ordinance, under which the tax bills are issued, the different items of the improvement, and the total cost thereof, and shall be made payable to the contractor or the Street Commissioner, as the case may be. Said special tax bills shall be due in thirty (30) days after the date of issue thereof and shall bear interest after said thirty (30) days at the rate of eight (8%) percent per annum until paid. All tax bills shall be signed by the Mayor and attested by the City Clerk under the seal of the City of Sarcoxie.

27.640. Permit required for private construction. Any person desiring to construct or reconstruct any sidewalk before and without being ordered to do so by the Board of Aldermen, as herein provided, shall, before commencing the work, apply to and obtain from the City Clerk a permit therefore, which permit shall be in writing, and shall specify at time within which said work shall be completed and said sidewalk shall be constructed or reconstructed out of the materials, and in accordance with the plans and specifications prescribed by the ordinances of the City for the building of sidewalks, and shall be constructed under the supervision of the Street Commissioner.

#### Subchapter E--Street Excavations

27.700. Permit required. It shall hereafter be unlawful for any property owner or his agent or employee to make a water or sewer connection in the City of Sarcoxie without first obtaining a permit from the City Clerk and making payment therefore as follows:

1. Where excavation in street is required, and for sewer connection and repair - \$50.00.
2. Where no excavation in street is required; for water or sewer connection only - \$25.00.

27.710. City Clerk to issue. The City Clerk is hereby authorized to issue such permit and collect such payment.

27.720. Work to proceed. The work or excavation authorized by the permit herein provided shall be completed within thirty (30) days of the date of issuance of permit, and provided, further, no ditch or excavation so made shall be left open for more than forty-eight (48) hours and at all times shall be protected adequately with barricades and lights.

27.730. Fees into street fund. Permit fees paid to the City Clerk under the provisions of this Ordinance shall be credited to the account of the Street Department.

27.740. Minimum penalty. Any person doing any work without complying with all the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than Twenty-Five and No/100 (\$25.00) Dollars.

Subchapter F--Superintendent

27.800. Duties. There is hereby established and created the position of Superintendent of Public Works whose duties it shall be to superintend and manage the operation and maintenance of the combined Water Works and Sewage System, City Street Department and all public property of the City to include, City Parks and Pool, supervise the maintenance of machinery, electrical and carpentry projects, and to supervise all future extensions and developments, and housing developments annexations pertaining to water and sewage. Said Superintendent shall devote his full time to the duties of his office to include operation of all equipment and to keep all records and to research all operational cost and to attend all regular City Council meetings.

27.810. Employees. Said Superintendent is hereby authorized and empowered to employ one regular employee at an hourly rate to be set by the Board of Aldermen for a forty (40) hour week, provided, however, that in the event of an emergency in any department, said Superintendent may authorize overtime for such employee.