

TITLE V: PUBLIC WORKS

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CHAPTER 50: WATER

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GENERAL PROVISIONS**§ 50.01 SERVICE TO LANDLORDS.**

(A) The Town Council has had difficulty with resumption of service by the landlord after the tenant has been sent a final statement.

(B) The Town Council has determined it necessary, after review and study, to alter its policy concerning issuance of new service to the landlord after final statement is issued to the tenant.

(C) The town has determined that, after issuance by the Clerk-Treasurer for final notice to a tenant, service shall be resumed immediately into the name of the landlord.

(D) The landlord will be responsible for all charges for services, deposits, or any other fees pursuant to ordinance.

(Ord. 2007-9, passed 12-4-2007)

WATERWORKS RULES AND REGULATIONS**§ 50.15 COPY TO BE ON FILE.**

A copy of the Schedule of Rates and Charges and Rules and Regulations, as approved by the Town Council, shall be on file and open to public inspection.

(Ord. 2005-1, passed 6-7-2005)

§ 50.16 DELINQUENT CHARGE.

To all bills not paid on or within 15 days after due date thereof, there shall be a delinquent charge added.

(Ord. 2005-1, passed 6-7-2005)

§ 50.17 DISCONTINUANCE OF SERVICE.

If bills are not paid by the due date, a written notice of discontinuance will be mailed or hand-delivered within five days. The occupant will have ten days to pay the balance in full or the town will disconnect service immediately, once the delinquent balance is paid, and either a \$20 reconnect fee during business hours or a \$40 reconnect fee after hours. A one-time per year written arrangement will be allowed for the delinquent balance. The arrangement will be voided if the current bill is not paid by the due date. At the time the account goes into default by not making the arrangement payments or not keeping the current bill paid, the full balance will be due immediately.

(Ord. 2005-1, passed 6-7-2005)

§ 50.18 SERVICE TURNED OFF AT REQUEST OF CUSTOMER.

When service is turned off over a period of time at the request of the customer, there shall be a charge of \$20 to have service reinstated.

(Ord. 2005-1, passed 6-7-2005)

§ 50.19 NEW SERVICE CONNECTIONS.

All taps for water service in the mains of the waterworks system shall be made under the direct authority and supervision of the Waterworks Superintendent. All applications for new water service shall be made to the Waterworks Superintendent or Town Clerk-Treasurer. All service connections applied for by any consumer and assented to by the waterworks, the consumer shall either pay to the waterworks therefore an amount equivalent to the actual cost of all labor, materials, or the minimum of \$250. All fees for new service connections shall be made in advance of installation.

(Ord. 2005-1, passed 6-7-2005) Penalty, see § 10.99

§ 50.20 TEMPORARY USERS.

In case of temporary users such as contractors, street fairs, carnivals, and the like, the Waterworks Superintendent shall be authorized to demand payment in advance for the amount of water estimated to be required.

(Ord. 2005-1, passed 6-7-2005)

§ 50.21 NEW PAVING IMPROVEMENTS.

Prior to any new paving improvements in street or alleys as provided by the town, all vacant lot owners or non-users of town water service shall be given written notice in advance of the date paving improvement is to be made, and shall have 30 days in which to pay water tap charge and have service laid from street or alley water main to property line in advance of pavement surfacing construction. If the action of property owner is not taken after the notice is given, the future expense of cutting and replacing street or alley paving for future water services shall be paid for by property owner at the time water service is installed.

(Ord. 2005-1, passed 6-7-2005)

§ 50.22 WATER METERS.

All water meters shall be installed outside in pits and to be set in as near the street as possible inside the property line. Any refusal of prospective user to agree to meter location and/or installation to serve best interest of town shall, at the option of the Town Council, be sufficient reason to refuse water service until the requirements are met.

(Ord. 2005-1, passed 6-7-2005) Penalty, see § 10.99

§ 50.23 RIGHT TO INSPECTION.

A waterworks representative shall have the right to inspect at any reasonable time all service piping and water appurtenances inside the consumer's premises.

(Ord. 2005-1, passed 6-7-2005)

§ 50.24 SEPARATE METERS.

Any service pipe that supplies two or more customers shall be provided with a separate stop-cock and separate meter for each customer, with minimum charge, when consumption is minimum or under, applicable to each meter.

(Ord. 2005-1, passed 6-7-2005)

§ 50.25 TURNING OFF BY WATERWORKS EMPLOYEE ONLY.

Water shall be turned off or on at curb cock in front of meter only by a waterworks employee and not by consumer. All service pipes must have stop- and waste-cocks between outside meter and consumer premises for emergency shut-offs and making of repairs.
(Ord. 2005-1, passed 6-7-2005) Penalty, see § 10.99

§ 50.26 FIRE HYDRANTS.

No person shall take water from any fire hydrant except for fire purposes, except upon the authority of the Waterworks Superintendent.
(Ord. 2005-1, passed 6-7-2005) Penalty, see § 10.99

§ 50.27 INTERFERENCE WITH EQUIPMENT.

All persons are forbidden to cover up or in any way interfere with any curb-box, valve pit, valve box, or hydrant. In case of any automobile or vehicular accident involving the breaking or disconnection of a fire hydrant, the car owner involved shall pay for the repair of same.
(Ord. 2005-1, passed 6-7-2005) Penalty, see § 10.99

§ 50.28 EACH LOT TO BE SERVED DIRECTLY.

In no case shall service pipes be allowed to run across from one lot to another, but each lot shall be served by a service directly from the distribution main serving the premises.
(Ord. 2005-1, passed 6-7-2005) Penalty, see § 10.99

§ 50.29 SEPARATE CUSTOMERS.

The Waterworks Department may require, at its discretion, that separate customers in apartment houses or commercial buildings with four or less consumer quarters or family units, and in double houses, duplex flats, or trailer camps, be metered separately in cases where one meter is presently installed and consumption is less than combined minimum for all customers. Until such time as customer and/or property owner realigns piping at his or her expense to facilitate installation of separate meters, the monthly billing shall be not less than combined minimums of all separate customer units served.
(Ord. 2005-1, passed 6-7-2005)

§ 50.30 REASONS FOR DISCONTINUING SERVICE.

Water service to any consumer may be discontinued for the following reasons:

(A) Wasting or improper use after same had been called to his or her attention;

(B) Refusal to pay bills within prescribed time; and/or

(C) For interfering with or destroying any water appurtenances or appliances belonging to the town.
(Ord. 2005-1, passed 6-7-2005)

§ 50.31 FAILURE OF METER TO REGISTER PROPERLY.

In case of failure of any meter, the town may bill consumption on the average of billings for the last six months before the meter failed to register properly.
(Ord. 2005-1, passed 6-7-2005)

§ 50.32 LEAKS.

(A) The town is responsible for water lines only to the property line, and water leaks outside meters must be fixed immediately or the water will be shut off until the leak is fixed.

(B) All leaks inside meter found by meter readers shall be paid for by the property owner after they are notified.

(C) If the property owner requests that his or her water meter be mailed to the factory and be certified for accuracy, it will be at the property owner's expense.
(Ord. 2005-1, passed 6-7-2005)

§ 50.33 EXTENSIONS.

Mains extensions to areas not previously served shall be made in conformity to the *Rules and Standards of Service for Water Utilities*, as approved by the State Public Service Commission.
(Ord. 2005-1, passed 6-7-2005)

RATES AND CHARGES

§ 50.45 GENERALLY.

There shall be and there are hereby established for the use of services rendered by the waterworks system of the town the following rates and charges, based on the use of water supplied by the waterworks system.
(Ord. 2007-8, passed 12-4-2007; Ord. 2011-7, passed 11-1-2011; Ord. 2013-2, passed 5-7-2013)

§ 50.46 MONTHLY RATES.

<i>Monthly Metered Consumption</i>	<i>Rate Per 1,000 Gallons</i>
First 10,000 gallons	\$13.05
Next 10,000 gallons	\$12.01
Next 10,000 gallons	\$10.93
Next 10,000 gallons	\$9.46
Over 40,000 gallons	\$7.79

(Ord. 2007-8, passed 12-4-2007; Ord. 2011-7, passed 11-1-2011; Ord. 2013-2, passed 5-7-2013)

§ 50.47 MINIMUM MONTHLY CHARGE.

Each user shall pay a minimum monthly charge based upon meter size as follows:

<i>Meter Size</i>	<i>Gallons Allowed</i>	<i>Minimum Charge Per 1,000 Gallons</i>
5/8-inch meter	3,113	\$40.46
3/4-inch meter	3,113	\$40.46
1-inch meter	5,000	\$65.25
1-1/2 inch meter	10,000	\$130.50
2-inch meter	22,500	\$277.93
3-inch meter	52,000	\$547.98

(Ord. 2007-8, passed 12-4-2007; Ord. 2011-7, passed 11-1-2011; Ord. 2013-2, passed 5-7-2013)

§ 50.48 FIRE HYDRANT; FIRE PROTECTION.

(A) Fire hydrant charge per annum:

<i>Type of Hydrant</i>	<i>Amount</i>
Public hydrants	\$415.81
Private hydrants	\$415.81

(B) Fire protection (all users):

<i>Water Meter Size</i>	<i>EDU Area Ratio</i>	<i>Per Month</i>
5/8-inch meter	1.0	\$3.69
3/4-inch meter	1.0	\$3.69
1-inch meter	2.5	\$9.23
1-1/2 inch meter	5.8	\$21,40
2-inch meter	10.0	\$36.90
3-inch meter	23.0	\$84.87

(Ord. 2007-8, passed 12-4-2007; Ord. 2011-7, passed 11-1-2011; Ord. 2013-02, passed 5-7-2013)

§ 50.49 TAP-ON FEES.

Each user, at the time he or she is connected with the waterworks system, shall pay a tap-on fee to cover the cost of tapping the main, furnishing and laying service pipe, corporate and stop-cocks, service and meter box, and installing the meter on the following schedule:

<i>Type of Meter</i>	<i>Fee</i>
5/8- or 3/4-inch meter	Cost, but not less than \$850
1-inch meter or larger	Cost, but not less than \$850

(Ord. 2007-8, passed 12-4-2007; Ord. 2011-7, passed 11-1-2011; Ord. 2013-02, passed 5-7-2013)

Cross-reference:

Minimum monthly charge, see § 50.47

Monthly rates, see § 50.46

§ 50.50 CUSTOMER DEPOSIT.

<i>Meter Size</i>	<i>Deposit Amount</i>
5/8 and 3/4-inch meter	
Homeowner	\$80.00
Rental	\$100.00

<i>Meter Size</i>	<i>Deposit Amount</i>
1-inch meter	\$125.00
1-1/2 inch meter	\$250.00
2-inch meter or larger	\$500.00

(Ord. 2007-8, passed 12-4-2007; Ord. 2011-7, passed 11-1-2011; Ord. 2013-2, passed 5-7-2013)

§ 50.51 COLLECTION AND DEFERRED PAYMENT CHARGES.

All bills for water services not paid within 15 days from the due date thereof, as stated in the bills, shall be subject to the collection or deferred payment charge of 10% on the first \$3 and 3% on the excess over \$3.

(Ord. 2007-8, passed 12-4-2007; Ord. 2011-7, passed 11-1-2011; Ord. 2013-2, passed 5-7-2013)

§ 50.52 RECONNECTION FEE.

A reconnection fee of \$75 shall be charged for reinstating water service to a customer after any disconnection. Reconnection charge after hours is \$150.

(Ord. 2007-8, passed 12-4-2007; Ord. 2011-7, passed 11-1-2011; Ord. 2013-2, passed 5-7-2013)

§ 50.53 RETURNED CHECK CHARGE.

A charge of \$20 shall be charged to the customer for any returned checks, not including any other collection costs to which the utility is entitled by operation of law.

(Ord. 2007-8, passed 12-4-2007; Ord. 2011-7, passed 11-1-2011; Ord. 2013-2, passed 5-7-2013)

§ 50.54 TEMPORARY USERS.

Water furnished to temporary users, such as contractors and the like, shall be charged on the basis of the metered rates hereinbefore set forth as estimated and established by the Waterworks Superintendent.

(Ord. 2007-8, passed 12-4-2007)

§ 50.55 MISCELLANEOUS.

Water furnished to miscellaneous users shall be charged on the basis of the metered rates hereinbefore set forth as estimated and established by the Waterworks Superintendent.

(Ord. 2007-8, passed 12-4-2007)

§ 50.56 STEP RATES.

This subchapter is a step rate ordinance, the first year being 3%, the next year being 2%, and the following year being 2%.
(Ord. 2007-8, passed 12-4-2007)

WATER MANAGEMENT STRATEGY**§ 50.70 DEFINITIONS.**

For the purpose of this subchapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

FINISHED WATER. Water treated in a manner that it is suitable for human consumption.

MANDATORY CONSERVATION. Compliance with a local unit of government's imposition of requirements that are designed to reduce certain kinds and types of water use.

TREATED WATER. Water treated in a manner that it is suitable for human consumption or for another designated use.

VOLUNTARY CONSERVATION. Compliance with a local unit of government's request to reduce water use.

WATER MANAGEMENT STRATEGY. A plan adopted by a local unit of government together with its water resource manager or utility to reduce the demand upon both raw water supply and treated or finished water.

WATER RATIONING. Compliance with a local unit of government's imposition of restrictions that will reduce demand for water to a maximum allowable quantity within a finite time interval (e.g. gallons per person per day).
(Ord. 2012-6, passed 9-4-2012)

§ 50.71 APPLICATION.

This subchapter shall apply to all persons, firms, partnerships, corporations, company or organizations connected to the town public water system or using water therefrom (hereafter, users).
(Ord. 2012-6, passed 9-4-2012)

§ 50.72 DECLARATION OF NEED.

Upon determining that the town public water system is in a condition of water shortage, the town shall declare a water conservation emergency and establish the appropriate measures and the duration thereof.

(Ord. 2012-6, passed 9-4-2012)

§ 50.73 CONSERVATION MEASURES.

Practices that conserve water should be used at all times. Examples of conservation measures include:

(A) Judiciously sprinkling, watering, or irrigating shrubbery, trees, grass, ground covers, plants, vines, gardens, vegetables, or any other vegetation; eliminating wasteful sprinkling of impervious surfaces such as streets and sidewalks.

(B) Limiting water use while washing trucks, trailers, mobile homes, railroad cars or any other type of mobile equipment.

(C) Limiting water use while cleaning sidewalks, driveways, paved areas, or other outdoor surfaces.

(D) Repairing or replacing leaking water fixtures and service lines.

(E) Using appliances such as clothes washers and dishwashers only when they are full.

(F) Turning off the water while brushing teeth or shaving.

(G) Using a higher lawnmower setting to provide natural ground shade and promote the soil's water retention.

(H) Washing cars with a bucket of soapy water and using a nozzle to stop the flow of water from the hose between rinsing.

(I) Covering swimming pools when not in use to reduce evaporation.

(Ord. 2012-6, passed 9-4-2012)

§ 50.74 VOLUNTARY CONSERVATION.

During moderate water shortages users shall be requested to reduce water consumption by practicing voluntary conservation. The town shall identify reasonable and meaningful conservation techniques and provide such information to users. The town may also implement conservation pricing and prohibitions to encourage water conservation.

(Ord. 2012-6, passed 9-4-2012)

§ 50.75 MANDATORY CONSERVATION.

During severe water shortages users shall be prohibited from selected water uses subject to reasonable terms, times and conditions as the governing body shall adopt and append to this subchapter.

(Ord. 2012-6, passed 9-4-2012)

§ 50.76 RATIONING.

In addition to mandatory conservation measures users shall be limited during extreme water shortage to water use by the following schedule:

(A) Residential use shall be limited to ___ gallons per residential unit per day.

(B) Business, commercial, agricultural, and industrial users shall be limited to the volume of water deemed to be essential.

(Ord. 2012-6, passed 9-4-2012)

§ 50.77 EXCEPTIONS.

The town shall establish rationing exemptions necessary to provide for the maintenance of adequate health, safety, and sanitary conditions.

(Ord. 2012-6, passed 9-4-2012)

§ 50.78 NOTICE.

(A) Notice of the need for voluntary conservation measures shall be issued in a local newspaper of general circulation or other means such as radio and television as deemed appropriate by the governing body. Notice shall be effective upon issuance.

(B) Notice of mandatory conservation or rationing shall be by first class U.S. mail, or by other door to door distribution to each current user, and by electronic and print media. Notice shall be deemed effective at the conclusion of door to door distribution or at noon of the third day after depositing notice in the U.S. mail.

(Ord. 2012-6, passed 9-4-2012)

§ 50.99 PENALTY.

Any user who violates § 50.75 or § 50.76 of this chapter may be punished by a fine of not more than \$2,500 (see I.C. 36-1-3-8(a)(10)(B)). Each day of violation shall constitute a separate offense. In addition to, or in the alternative to, a fine, water service may be terminated for any user who violates § 50.74 or § 50.75 of this chapter.

(Ord. 2012-6, passed 9-4-2012)

CHAPTER 51: ELECTRICITY

Section

General Provisions

51.01 Service to landlords

Rates and Charges

51.15 Residential services

51.16 General power service

51.17 Security lighting service; pole rental

51.18 Energy charge

51.19 Nonrecurring charges

Appendix A: Energy Cost Adjustment Factor

GENERAL PROVISIONS

§ 51.01 SERVICE TO LANDLORDS.

(A) The Town Council has had difficulty with resumption of service by the landlord after the tenant has been sent a final statement.

(B) The Town Council has determined it necessary, after review and study, to alter its policy concerning issuance of new service to the landlord after final statement is issued to the tenant.

(C) The town has determined that, after issuance by the Clerk-Treasurer for final notice to a tenant, service shall be resumed immediately into the name of the landlord.

(D) The landlord will be responsible for all charges for services, deposits, or any other fees pursuant to ordinance.

(Ord. 2007-10, passed 12-4-2007)

RATES AND CHARGES**§ 51.15 RESIDENTIAL SERVICES.**

	Phase I	Phase II
	Effective: August 2013	Usage April 2014
Minimum charge per month	\$21.00	\$22.05
Base charge per month		
First 35 KWH per month	\$0.152522	\$0.160148
Next 35 KWH per month	\$0.127109	\$0.133464
Next 130 KWH per month	\$0.114955	\$0.120703
Next 600 KWH per month	\$0.109430	\$0.114902
Next 700 KWH per month	\$0.102800	\$0.107940
Next 1,500 KWH per month	\$0.099485	\$0.104459
Over 3,000 KWH per month	\$0.097276	\$0.102140

(Ord. 2006-2, passed 12-19-2006; Ord. 2011-6, passed 11-1-2011; Ord. 2013-3, passed 5-7-2013)

§ 51.16 GENERAL POWER SERVICE.

	Phase I	Phase II
Minimum charge per month (single-phase)	\$21.25	\$22.50
Three phase - low voltage	\$30.00	\$32.50
Three phase	\$50.00	\$55.00
Base charge per month		
First 35 KWH per month	\$0.152522	\$0.160148
Next 35 KWH per month	\$0.133739	\$0.140426
Next 130 KWH per month	\$0.114955	\$0.120703
Next 600 KWH per month	\$0.102800	\$0.107940
Next 700 KWH per month	\$0.097276	\$0.102140

	Phase I	Phase II
Next 1,500 KWH per month	\$0.095066	\$0.099819
Over 3,000 KWH per month	\$0.093961	\$0.098659

(Ord. 2006-2, passed 12-19-2006; Ord. 2011-6, passed 11-1-2011; Ord. 2013-3, passed 5-7-2013)

§ 51.17 SECURITY LIGHTING SERVICE; POLE RENTAL.

	Phase I	Phase II
Rate per lamp per month; 175 watt mercury vapor lamps	\$4.20	\$4.41
Pole rental - street lighting (per customer)	\$0.63	\$0.66

(Ord. 2006-2, passed 12-19-2006; Ord. 2013-3, passed 5-7-2013)

§ 51.18 ENERGY CHARGE.

The Energy charge for each electric customer classification shall be subject to an energy cost adjustment tracking factor (ECA) determined quarterly, to reflect changes in the estimated cost of purchased power for the following calendar quarter, and to reconcile over or under collections of the cost of purchased power for the previous calendar quarter. The ECA shall be determined and calculated quarterly in accordance with the formulae set forth in Appendix A of this chapter.

(Ord. 2006-2, passed 12-19-2006; Ord. 2011-6, passed 11-1-2011)

§ 51.19 NONRECURRING CHARGES.

	Phase I	Phase II
Customer deposits:		
Residential:		
Homeowner	\$60.00	\$60.00
Rental	\$100.00	\$100.00

Spiceland - Public Works

	Phase I	Phase II
General service:		
Single phase	\$100.00	\$100.00
Low voltage three phase	\$200.00	\$200.00
Three phase	\$500.00	\$500.00
Reconnection fee:		
During business hours	\$75.00	\$75.00
After business hours	\$150.00	\$150.00
Returned check charge	\$20.00	\$20.00
Connection fees:	Actual cost (including time and materials), but not less than \$850.00	

(Ord. 2006-2, passed 12-19-2006; Ord. 2011-6, passed 11-1-2011; Ord. 2013-3, passed 5-7-2013)

APPENDIX A: ENERGY COST ADJUSTMENT FACTOR

(A) The energy cost adjustment factor is applicable to all metered rates.

(B) The adjustment shall be on the basis of an energy cost adjustment (ECA) tracking factor occasioned solely by changes in the cost of purchased power and energy, to be calculated and determined quarterly as follows:

(1) The rate adjustment applicable to the above-listed rate schedules: \$0.000000 per KWH per month; and

(2) The base cost of power embedded in the base rates and charges is as follows:

	<i>Per Unit</i>	<i>Total</i>
Demand costs	\$15.669	\$382,263
Energy costs	\$.018921	\$212,199
Total power costs	Divided by	\$594,462
Test year KWH purchases		\$11,215,020
Base cost of power per KWH		\$.053006

(Ord. 2006-2, passed 12-19-2006; Ord. 2011-6, passed 11-1-2011)

CHAPTER 52: SOLID WASTE

Section

52.01 Trash and refuse collection

§ 52.01 TRASH AND REFUSE COLLECTION.

(A) No person, group of persons, or corporation shall engage in the business of collecting trash or refuse for hire within the corporate limits of the town without first obtaining a license as herein provided. Written application for the license shall be made to the Clerk-Treasurer and shall state:

(1) The name and address of the person, organization, or corporation engaged in the business of collecting refuse or trash for hire;

(2) A description of the vehicle or vehicles to be used within the town; and

(3) The name of the insurer and limits of coverage on all vehicles and public liability coverage.

(B) The yearly license fee shall be \$3 and shall be paid at the time of making application.

(C) Proof of insurance showing coverage indicated in the application shall accompany the application before any license may be issued.

(D) All applications shall be submitted by the Town Clerk-Treasurer at its next regular meeting for approval or disapproval.

(E) The collection of trash and refuse shall be accomplished in a sanitary manner. It shall be the duty of the Superintendent of Utilities to see that the provisions of this section are enforced. Violations shall be reported to the Town Council for possible action.

(F) Upon receiving a report from the Superintendent of Utilities that a licensee is not complying with the provisions of this section, the Town Council shall take any action deemed necessary to ensure compliance, or may revoke the license of the licensee.

(G) This section shall be effective on and after 5-1-1974.
(Ord. 1-1974, passed 3-11-1974) Penalty, see § 10.99

CHAPTER 53: SEWERS

Section

53.01 Use of septic tank required

§ 53.01 USE OF SEPTIC TANK REQUIRED.

It shall be unlawful for any property owner or person, whether property owner or renter, to tap a sewer until he or she first puts in a septic tank to run the sewerage through.
(Ord. 35, passed 3-25-1938) Penalty, see § 10.99

