

TITLE VII. PUBLIC UTILITIES

CHAPTER 700: WATER AND SEWER

ARTICLE I. COMBINED SYSTEM

SECTION 700.010: SYSTEMS COMBINED

- A. It is hereby found, determined and declared to be necessary for the public health, safety, welfare and benefit of the City of Bernie, Missouri, and its inhabitants that the waterworks of said City and the sewerage system of said City, 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.
- B. Thenceforth, the existing waterworks of the City of Bernie, Missouri, and the sewerage system of said City, and all future improvements and extensions thereto, whether to the waterworks or to the sewerage system or to both, shall be and the same are combined and it is hereby declared that said waterworks and said sewerage system, and all future improvements and extensions thereto as aforesaid, thenceforth be operated and maintained as a combined waterworks and sewerage system. (CC 1988 §28.010)

ARTICLE II. WATER METER

SECTION 700.020: METER INSTALLED AT OWNER'S EXPENSE

When a water meter is installed in any private dwelling house, boarding house, hotel, store building, or in any other building, when said building or buildings are occupied or may be occupied by the owner or a tenant, it shall be installed at the expense of the owner of the property, or it may be installed at the expense of the tenant or contemplated tenant. (CC 1988 §28.200)

SECTION 700.030: LIEN CREATED

The costs of the water consumed, after a water meter has been installed in any of the property mentioned in Section 700.020, shall be and constitute a lien on said property and remain a lien thereon until paid. (CC 1988 §28.210)

SECTION 700.040: DELINQUENT BILLS

If the water consumed upon any property within the City of Bernie by the owner or by the tenant in any of the property mentioned in Section 700.020 be not paid for at the expiration of any current month, it shall become delinquent and the water may be cut off or discontinued until payment thereof is made, and if it be not paid when due, suit may be brought for the collection thereof. Charges for discontinuance and reconnection of service shall be as set forth in the current annual budget. (CC 1988 §28.220)

§ 700.050
§ 700.090

Bernie City Code

SECTION 700.050: GATE VALVES

No water meter shall be installed to supply City water service to any building constructed after April 1, 1979, unless the water service customer shall have installed a gate valve the same size as the entrance supply line for turning off water on the premises. Said gate valve shall be located inside the building and shall be readily accessible to the occupant of said dwelling and shall be installed to shut off all water supply to the premises. (CC 1988 §28.240)

ARTICLE III. LEAD-FREE MATERIALS

SECTION 700.060: DEFINITIONS

For purposes of this Article, the term lead-free:

- .1. When used with respect to solder and flux, refers to solders and flux containing not more than two tenths percent (0.2%) lead; and
- .2. When used with respect to pipes and pipe fittings, refers to pipes and pipe fittings containing more than eight percent (8.0%) lead. (Ord. No. 840 §1, 7-7-97)

SECTION 700.070: PROHIBITIONS

Pursuant to the provisions of the Missouri Safe Drinking Water Act (Section 640.100 et seq., RSMo., and the rules and regulations of the Missouri Department of Natural Resources promulgated pursuant thereto), only lead-free materials may be used in the construction or repair of a public water system or in the plumbing in any building which is connected to a public water system in the City of Bernie, Missouri. (Ord. No. 840 §2, 7-7-97)

SECTION 700.080: WATER SYSTEMS

All materials used in the construction, expansion, modification or improvement of a public water system or customer water system shall be lead-free. This Section shall not apply to leaded joints necessary for the repair of cast-iron pipes. (Ord. No. 840 §3, 7-7-97)

SECTION 700.090: REMOVAL OF WATER METER OR SEVERANCE OF SERVICE

Any customer water system constructed, expanded, modified or repaired, that is connected to a public water system and later is found to contain materials that are not lead-free, shall have the water meter removed or otherwise have the service line severed from the public water system when the supplier of water is so ordered by the Board of Aldermen of the City of Bernie upon recommendation of the City Engineer or Mayor. The requirements of this Section shall not apply to any customer water system previously served by a water system other than a public water system. (Ord. No. 840 §4, 7-7-97)

ARTICLE IV. SEWAGE

SECTION 700.100: DEFINITION OF TERMS

The following words, when used in this Article, shall have the meanings set out herein:

HEALTH OFFICER OR CHIEF OF POLICE: The terms "*Health Officer*" and "*Chief of Police*", as used in this Article, shall be construed to mean the persons appointed to said positions according to the laws governing such appointments, or person or persons authorized to act as their agent.

HUMAN EXCRETA: The bowel or kidney discharges of human beings.

SEWAGE: The water-carried waste products or discharges from human beings or animals, or chemicals or other wastes from residences, public or private buildings, swimming pools or industrial establishments, together with such ground, surface or stormwater as may be present. (CC 1988 §28.400)

SECTION 700.110: SEWAGE DISPOSAL METHOD REQUIRED

Every residence and building within the City limits of Bernie in which human beings reside or are employed or congregate shall be provided with an approved method for disposal of sewage, human excreta or other body wastes and it shall be the duty of the owner of any premises within the limits of the City of Bernie where human beings reside, are employed or congregate to provide a sanitary method of sewage disposal complying with this Article. (CC 1988 §28.410)

SECTION 700.120: ACCEPTABLE DISPOSAL METHODS

The following methods for disposal of sewage, human excreta or other body wastes shall be required within the limits of the City of Bernie.

- .1. Any residence or building provided with a water-carried sewage system shall discharge flow from the system to one (1) of the following:
 - .1.a. A public sewer, provided a public sewer is now or shall hereafter be located in a street or alley upon which the lot occupied by said residence or building abuts, or provided a public sewer is otherwise within one hundred fifty (150) feet of said residence or building and accessible.
 - .1.b. A private sewage treatment plant constructed in accordance with plans approved by the Division of Health of Missouri.
- .2. In case a residence or building is not provided with a water-carried sewerage system, a sanitary pit privy, or other sanitary method of excreta disposal approved by the Division of Health of Missouri, shall be installed. (CC 1988 §28.420)

SECTION 700.130: HEALTH OFFICER

It shall be the duty of the Board of Aldermen to appoint the Health Officer, Chief of Police or their authorized representative to make an inspection of the methods of disposal of sewage within the City of Bernie as frequently as is necessary to secure compliance with this Article. Written notification of any violation of this Article shall be given by the Health Officer, Chief of Police or their authorized representative to the owner and occupant of the property upon which the violation occurs. If the provisions of this Article have not been complied with within the period of thirty (30) days following date of notice of violation, the City shall have the right to make or have made such alterations in the method of disposal of sewage within the limits of Bernie that are deemed necessary by the Health Officer or Chief of Police to meet the requirements of this Article and all the cost thereof shall be provided for and defrayed by a special tax bill to be assessed in favor of the City agent against the property on which said improvements are made and such special tax bill shall become a lien on said property. (CC 1988 §28.430)

SECTION 700.140: POLLUTION OF GROUND WATER

It shall be unlawful for any person, persons, firm, association or corporation to pollute ground water sources by discharging sewage, human excreta or other body wastes into any well, cistern, spring, sink hole, cave, mineshaft tunnel, pit, quarry or other excavation or into any fissure or crevice leading to underground water bearing strata. (CC 1988 §28.450)

SECTION 700.150: OTHER DISPOSAL OF SEWAGE PROHIBITED

It shall be unlawful for any person, persons, firm, association or corporation within the limits of the City of Bernie to throw out, deposit, or in any other way dispose of sewage other than as provided for in this Article. (CC 1988 §28.460)

SECTION 700.160: CLEAR WATER DISCHARGE INTO SEWER

It shall be unlawful for any person or persons to connect any roof, surface, areaway or footing drain or to continuously discharge clear water which has been used for cooling or other purposes to any piping system carrying sewage as defined by this Article. (CC 1988 §28.470)

SECTION 700.170: UNLAWFUL DISCHARGE INTO SEWER

It shall be unlawful for any person, firm, partnership or corporation to discharge or cause to be discharged into any public sanitary sewer or into any private sewer which is connected to the public sanitary sewerage system any powered milk, whey, skimmed milk, whole milk, cream, or other milk products, or any industrial wastes of any type which might, in the opinion of the Division of Health, damage or otherwise cause operational difficulties in the sanitary system or interfere in any manner whatsoever with the normal operation of any sewage treatment works or sewage treating devices. (CC 1988 §28.750)

SECTION 700.180: INDUSTRIAL WASTES

It shall be permissible to discharge normal quantities of industrial wastes from washing operations and from other normal industrial plant operations into the sanitary sewerage system provided necessary precautions are taken to exclude those materials described in Sections 700.170, 700.190, 700.200 and 700.210 of this Article and, further provided, that the wastes are of such a nature that, in the opinion of the Division of Health, they will not damage, clog or otherwise interfere with the normal operation of the sewerage system nor with the operation of any sewage treatment plant or sewage treating devices. (CC 1988 §28.760)

SECTION 700.190: BUTCHER'S WASTES

It shall be unlawful for any person, firm, partnership or corporation to discharge or cause to be discharged into any public sanitary sewer or into any private sewer which is connected to the public sanitary sewerage system any butcher's offal, dead animals or liquids containing excessive quantities of silt, hair, fibers, grease, blood, feathers or other obstructing materials. (CC 1988 §28.770)

SECTION 700.200: PETROLEUM PRODUCTS

It shall be unlawful for any person, firm, partnership or corporation to discharge or cause to be discharged into any public sanitary sewer or into any private sewer which is connected to the public sanitary sewerage system any oil, gasoline, petroleum, coal oil, grease, explosives, inflammable matter or oil wastes. Cleaning establishments, buildings used for housing or repairing automobiles, gasoline and oil service stations, and other buildings or establishments where gasoline, oil, calcium carbide or other explosive or inflammable matters are stored, sold or handled, the drains from which are connected to the public sewers, must be provided with an approved trap so constructed, located and maintained as to prevent the entrance into the sewer of such explosive or inflammable matter. Such trap shall be located on the sewer before its junction with any other pipe or receptacle containing sewage. The passage of human or fresh animal excrement through such trap is prohibited. (CC 1988 §28.780)

SECTION 700.210: WATER FROM COOLING BUILDINGS

It shall be unlawful for any person to discharge or to cause to be discharged into any public sanitary sewer or into any private sewer which is connected to the public sanitary sewerage system any wastes or waters which have been used for industrial or private cooling or air conditioning purposes. Such wastes shall be kept separate from sanitary or other industrial wastes and shall be discharged into the nearest storm sewer or open watercourse. (CC 1988 §28.790)

SECTION 700.220: CONNECTION BROKEN, AS PENALTY

In the event that satisfactory compliance of the various Sections of this Article cannot be obtained within a period of sixty (60) days following receipt of notification of such violation by the offender, the Board of Aldermen may order the offending person, firm, partnership or corporation to disconnect from the municipal sewerage system or may order the connection broken by municipal

employees, provided however, that the offending party must be notified at least sixty (60) days in advance of the date the connection must be broken. (CC 1988 §28.795)

§ 700.230
§ 700.270

Bernie City Code

ARTICLE V. SEWER RATES

SECTION 700.230: POLICY

The Governing Body of the City of Bernie, Missouri, hereby finds and determines that the rates, fees and charges for the use and services of the sewerage system of said City, necessary and adequate at this time to meet the requirements of Sections 250.010 to 250.250, inclusive, RSMo., 1986, are as hereinafter specified. (CC 1988 §28.800)

SECTION 700.240: RATES

Monthly rates to be charged for sewer system shall be calculated and set forth each year in the annual budget; except when requested in writing by a customer on a yearly basis, the rates for June first (1st) through September thirtieth (30th) shall be billed at a rate determined by averaging the sewer charges for the preceding March, April and May in order to allow for the additional use of water outside during the summer months. (Ord. No. 905 §1, 9-7-00)

SECTION 700.250: FREE SERVICE

No sewerage services shall be furnished or rendered free of charge to any person, firm or corporation other than the City itself. (CC 1988 §28.820)

SECTION 700.260: WATER USAGE MEASURED—HOW

The quantity of water used upon any premises furnished with sewerage services by the sewerage system of the City shall be measured by the water meter or meters serving the premises, provided however, that if any occupant or owner of any premises connected with the sewerage system of the City shall not have a water meter installed on his/her premises measuring all water received thereon from all sources, then such occupant or owner shall, at his/her expense, install and maintain on said premises a water meter or meters satisfactory to the Superintendent of the sewerage system of the City or other representative of the City, which meter shall measure all water received on said premises from all sources and, in such case, the sewerage rates to be charged such customer shall be based upon the aggregate quantity of water received on said premises as measured by said meter or meters. The Superintendent of the sewerage system of the City or other representative of the City shall have access to the premises of such customer at all reasonable times for the purpose of inspecting and testing said water meter or meters and reading the records thereof. (CC 1988 §28.830)

SECTION 700.270: INDUSTRIAL USERS

If any user of water, other than a domestic or residential water user, shall use more than twenty-five thousand (25,000) cubic feet of water in any month for commercial or industrial purposes, 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 (1/2) of the water so used by said customer was not discharged into

the sewerage system of the City, then the charge herein in Section 700.230 hereof made to said customer for the use and services of the sewerage system of the City shall be based on the amount

of such water furnished said customer during said month less the amount of such water which was not discharged into the sewerage system of the City. If in any particular case special and unusual circumstances shall make the application of the sewerage rates hereinbefore specified inequitable and unfair when applied to any commercial or industrial user, the Board of Aldermen shall have the right to modify the foregoing rates with respect to such customer and shall have the right to enter into contracts in such cases making charge for sewerage service which are equitable and fair. (CC 1988 §28.840)

SECTION 700.280: BILLS

The Superintendent of the sewerage system of the City and the City Clerk or such other officers or representatives of the City as may be designated from time to time shall cause all bills for sewerage services to be rendered monthly as services accrue. All bills shall be due and payable from and after the date when such bills are rendered, at the office of the City Clerk or other place designated by the Board of Aldermen, during the regular hours of business. The City's representative preparing such bills shall calculate the amount of each bill for sewerage services and shall add the same to the amount of the bill of the customer for water and water services and shall render such customer a combined bill for such water and sewerage services. (CC 1988 §28.850)

SECTION 700.290: SERVICES DISCONNECTED—WHEN

If any customer receiving sewerage services from the sewerage system of the City shall fail to pay his, her or its bill for a period of thirty (30) days after the date of the rendition thereof, such customer shall not be permitted or entitled to receive water or sewerage services from the City and the water services to such premises shall be disconnected and shall not be reconnected until all past due bills for both water services and sewerage services are paid in full. It shall be the duty of the City Clerk or other representative of the City charged with the responsibility of receiving payment for water and sewerage services to notify the Superintendent of the City's sewerage system of any delinquency in the payment of a bill, and said Superintendent shall proceed immediately to disconnect the water service to the premises so in arrears. (CC 1988 §28.865)

SECTION 700.300: TENANT AND LANDLORD LIABILITY

The occupant and user of the premises receiving sewerage services and the owner of said premises shall be jointly and severally liable to pay for such services rendered on said premises. The City shall have power to sue the occupant or the owner, or both, of such real estate in a civil action to receive any sums due for such services plus a reasonable attorney's fee to be fixed by the court. (CC 1988 §28.870)

SECTION 700.310: TAMPER WITH SEWER

It shall be a misdemeanor for any person or persons to tamper with any sewer line or to make any connection to the sewerage system of the City without written permission from the City or to reconnect sewerage services when such services have been discontinued for non-payment of a bill for sewerage services unless such bill for sewerage services has been paid in full. (CC 1988 §28.880)

§ 700.320
§ 700.370

Bernie City Code

ARTICLE VI. DELINQUENT BILLS

SECTION 700.320: PENALTY ON DELINQUENT BILLS

To all water, sewer, gas and trash collection bills which are unpaid after the tenth (10th) day of the month, there shall be added a penalty of ten percent (10%) of the total charge. (CC 1988 §28.900; Ord. No. 836 §1, 6-2-97)

ARTICLE VII. WATER RATES

SECTION 700.330: WATER RATES—CITY

The rate schedule for water provided for each customer in the City of Bernie shall be calculated and set forth each year in the City budget. (Ord. No. 663 §1, 11-16-92)

SECTION 700.340: WATER RATES—RURAL AREAS

The rate schedule for water provided for each customer in the rural areas, exclusive of Water District Number Six customers shall be calculated and set forth each year in the City budget. (Ord. No. 663 §2, 11-16-92)

SECTION 700.350: WATER RATES—WATER DISTRICT NUMBER SIX

The rate schedule for water provided for each customer of Water District Number Six shall be calculated and set forth each year in the City budget. (Ord. No. 663 §3, 11-16-92)

SECTION 700.360: WATER BILL—CALCULATION

The monthly water bill shall be calculated using the rates set forth in the budget but the bill shall include a proration as to that part of the water derived exceeding one (1) one thousand (1,000) gallon increment but not the next one thousand (1,000) gallon increment. The proration shall be calculated by multiplying the applicable rate times that portion of the one thousand (1,000) gallons (rounded off to the nearest ten (10) gallons) delivered to the customer. (Ord. No. 663 §4, 11-16-92)

ARTICLE VIII. UTILITY HOOKUP

SECTION 700.370: COST FOR UTILITY HOOKUP

No charges by the City of Bernie for materials or labor for utility hookups shall be waived, discounted or altered from the standard charges except by a majority vote of the Board of Aldermen. (Ord. No. 848, 9-8-97)

ARTICLE IX. CROSS-CONNECTION CONTROL

SECTION 700.380: CROSS-CONNECTION CONTROL—GENERAL POLICY

A. *Purpose.* The purpose of this Article is:

- A.1. To protect the public potable water supply from contamination or pollution by containing within the consumer's internal distribution system or private water system contaminants or pollutants which could backflow through the service connection into the public potable water supply system.
- A.2. To promote the elimination, containment, isolation or control of existing cross-connections, actual or potential, between the public or consumer's potable water system and non-potable water systems, plumbing fixtures and industrial process water systems.
- A.3. To provide for the maintenance of a continuing program of cross-connection control which will systematically and effectively prevent the contamination or pollution of all potable water systems.

B. *Application.* This Article shall apply to all premises served by the public potable water system of the City of Bernie.

C. *Policy.*

- C.1. This Article will be reasonably interpreted by the water purveyor. It is the water purveyor's intent to recognize the varying degrees of hazard and to apply the principle that the degree of protection shall be commensurate with the degree of hazard.
- C.2. The water purveyor shall be primarily responsible for protection of the public potable water distribution system from contamination or pollution due to backflow or contaminants or pollutants through the water service connection. The cooperation of all consumers is required to implement and maintain the program to control cross-connections. The water purveyor and consumer are jointly responsible for preventing contamination of the water system.
- C.3. If, the judgment of the water purveyor or his/her authorized representative, cross-connection protection is required through either piping modification or installation of an approved backflow prevention device, due notice shall be given to the consumer. The consumer shall immediately comply by providing the required protection at his/her own expense; and failure, refusal or inability on the part of the consumer to provide such protection shall constitute grounds for discontinuing water service to the premises until such protection has been provided. (Ord. No. 842 §I, 7-7-97)

SECTION 700.390: DEFINITIONS

The definitions listed in Section 700.480 shall apply in the interpretation and enforcement of this Article. (Ord. No. 842 §II, 7-7-97)

SECTION 700.400: CROSS-CONNECTIONS PROHIBITED

- A. No water service connection shall be installed or maintained to any premises where actual or potential cross-connections to the public potable or consumer's water system may exist unless such actual or potential cross-connections are abated or controlled to the satisfaction of the water purveyor and as required by the laws and regulation of the Missouri Department of Natural Resources.
- B. No connection shall be installed or maintained whereby an auxiliary water supply may enter a public potable or consumer's water system unless such auxiliary water supply and method of connection and use of such supply shall have been approved by the water purveyor and the Missouri Department of Natural Resources.
- C. No water service connection shall be installed or maintained to any premises in which the plumbing system, facilities and fixtures have not been constructed and installed using acceptable plumbing practices considered by the water purveyor as necessary for the protection of health and safety. (Ord. No. 842 §III, 7-7-97)

SECTION 700.410: SURVEY AND INVESTIGATIONS

- A. The consumer's premises shall be open at all reasonable times to the water purveyor or his/her authorized representative for the conduction of surveys and investigations of water use practices within the consumer's premises to determine whether there are actual or potential cross-connections to the consumer's water system through which contaminants or pollutants could backflow into the public potable water system.
- B. On request by the water purveyor or his/her authorized representative, the consumer shall furnish information on water use practices within his/her premises.
- C. It shall be the responsibility of the water consumer to conduct periodic surveys of water use practices on his/her premises to determine whether there are actual or potential cross-connections to his/her water system through which contaminants or pollutants could backflow into his/her or the public potable water system. (Ord. No. 842 §IV, 7-7-97)

SECTION 700.420: TYPE OF PROTECTION REQUIRED

The type of protection required by this Article shall depend on the degree of hazard which exists, as follows:

- .1. An approved air-gap separation shall be installed where the public potable water system may be contaminated with substances that could cause a severe health hazard.
- .2. An approved air-gap separation or an approved reduced pressure principle backflow prevention assembly shall be installed where the public potable water system may be contaminated with a substance that could cause a system or health hazard.

- .3. An approved air-gap separation or an approved reduced pressure principle backflow prevention assembly or an approved double-check valve assembly shall be installed where the public potable water system may be polluted with substances that could cause a pollutional hazard not dangerous to health. (Ord. No. 842 §V, 7-7-97)

SECTION 700.430: WHERE PROTECTION IS REQUIRED

- A. An approved backflow prevention assembly shall be installed on each service line to a consumer's water system serving premises where, in the judgment of the water purveyor or the Missouri Department of Natural Resources, actual or potential hazards to the public potable water system exist. The type and degree of protection required shall be commensurate with the degree of hazard.
- B. An approved air-gap separation or reduced pressure principle backflow prevention assembly shall be installed at the service connection or within any premises where, in the judgment of the water purveyor or the Missouri Department of Natural Resources, the nature and extent of activities on the premises, or the materials used in connection with the activities, or materials stored on premises would present an immediate and dangerous hazard to health should a cross-connection occur, even though such cross-connection may not exist at the time the backflow prevention device is required to be installed. This includes, but is not limited to, the following situations.
 - B.1. Premises having an auxiliary water supply, unless the quality of the auxiliary supply is acceptable to the water purveyor and the Missouri Department of Natural Resources.
 - B.2. Premises having internal cross-connections that are not correctable, or intricate plumbing arrangements which make it impractical to ascertain whether or not cross-connections exist.
 - B.3. Premises where entry is restricted so that inspection for cross-connections cannot be made with sufficient frequency or at sufficiently short notice to assure the cross-connections do not exist.
 - B.4. Premises having a repeated history of cross-connections being established or re-established.
 - B.5. Premises, which due to the nature of enterprise therein, are subject to recurring modifications or expansion.
 - B.6. Premises on which any substance is handled under pressure so as to permit entry into the public water supply, or where a cross-connection could reasonably be expected to occur. This shall include the handling of process waters and cooling waters.
 - B.7. Premises where materials of a toxic and hazardous nature are handled such if backsiphonage or back pressure should occur, a serious health hazard may result.
- C. The types of facilities listed in Section 700.490 fall into one (1) or more of the categories of premises where an approved air-gap separation or reduced pressure principle backflow prevention assembly is required by the water purveyor and the Missouri Department of Natural Resources to protect the public water supply and must be installed at these facilities unless all hazardous or potentially hazardous conditions have been eliminated or corrected by other methods to the satisfaction of the water purveyor and the Missouri Department of Natural Resources. (Ord. No. 842 §VI, 7-7-97)

SECTION 700.440: BACKFLOW PREVENTION ASSEMBLIES

- A. Any backflow prevention assembly require to protect the facilities listed in Section 700.490 shall be a model or construction approved by the water purveyor and the Missouri Department of Natural Resources.

- A.1. Air-gap separation to be approved shall be at least twice the diameter of the supply pipe, measured vertically above the top rim of the vessel, but in no case than one (1) inch.
- A.2. A double-check valve assembly or a reduced pressure principle backflow prevention assembly shall be approved by the water purveyor and shall appear on the current "list of approved back-flow prevention assemblies" established by the Missouri Department of Natural Resources.
- B. Existing backflow prevention assemblies approved by the water purveyor at the time of installation and properly maintained shall, except for inspection and maintenance requirements, be excluded from the requirements of this Article so long as the water purveyor is assured that they will satisfactorily protect the water system. Whenever the existing assembly is moved from its present location, or requires more than minimum maintenance, or when the water purveyor finds that the maintenance constitutes a hazard to health, the unit shall be replaced buy a backflow prevention assembly meeting the requirements of this Article. (Ord. No. 842 §VII, 7-7-97)

SECTION 700.450: INSTALLATION

- A. Backflow prevention assemblies required by this Article shall be installed at a location and in a manner approved by the water purveyor and shall be installed at the expense of the water consumer.
- B. Backflow prevention assemblies installed on the service line to the consumer's water system shall be located on the consumer's side of the water meter, as close to the meter as is reasonably practical, and prior to any other connection.
- C. Backflow prevention assemblies shall be located so as to be readily accessible for maintenance and testing, protected from freezing. No reduced pressure principle backflow prevention assembly shall be located where it will be submerged or subject to flooding by any fluid. (Ord. No. 842 §VIII, 7-7-97)

SECTION 700.460: INSPECTION AND MAINTENANCE

- A. It shall be the duty of the consumer at any premises on which backflow prevention assemblies required by this Article are installed to have inspections, tests and overhauls made in accordance with the following schedule or more often where inspections indicate a need.
 - A.1. Air-gap separations shall be inspected at the time of installation and at least every twelve (12) months thereafter.
 - A.2. Double-check valve assemblies shall be inspected and tested for tightness at the time of installation and at least every twelve (12) months thereafter.
 - A.3. Reduced pressure principle backflow prevention assemblies shall be inspected and tested for tightness at the time of installation and at least every twelve (12) months thereafter.

- B. Inspections, tests and overhauls of backflow prevention assemblies shall be made at the expense of the water consumer and shall be performed by a State of Missouri certified backflow prevention assembly tester.
- C. Whenever backflow prevention assemblies required by this Article are found to be defective, they shall be repaired or replaced at the expense of the consumer without delay.

- D. The water consumer must maintain a complete record of each backflow prevention assembly from purchase to retirement. This shall include a comprehensive listing that includes a record of all tests, inspections and repairs. Records of inspections, tests, repairs and overhauls shall be made available to the water purveyor upon request.
- E. Backflow prevention assemblies shall not be bypassed, made inoperative, removed or otherwise made ineffective. (Ord. No. 842 §IX, 7-7-97)

SECTION 700.470: VIOLATIONS

- A. The water purveyor shall deny or discontinue, after reasonable notice to the occupants thereof, the water service to any premises wherein any backflow prevention assembly required by this Article is not installed, tested and maintained in a manner acceptable to the water purveyor, or if it is found that the backflow prevention assembly has been removed or bypassed, or if an unprotected cross-connection exists on the premises.
- B. Water service to such premises shall not be restored until the consumer has corrected or eliminated such conditions or defects in conformance with this Article to the satisfaction of the water purveyor. (Ord. No. 842 §X, 7-7-97)

SECTION 700.480: DEFINITIONS

The following words, when used in this Article, shall have the meanings set out herein:

AIR-GAP SEPARATION: The unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture or other device and the overflow level rim of the receptacle and shall be at least double the diameter of the supply pipe measured vertically above the flood level rim of the vessel but in no case less than one (1) inch.

AUXILIARY WATER SUPPLY: Any water source or system, other than the public water supply, that may be available in the building or premises.

BACKFLOW: The flow, other than the intended direction of flow, of any foreign liquids, gases or substances into the distribution system of a public water supply.

BACKFLOW PREVENTION ASSEMBLY: Any double-check valve or reduced pressure principle backflow preventer having resilient seated shutoff valves on both the upstream and downstream end and the necessary test cocks as integral parts of the assembly.

CONSUMER: The owner or person in control of any premises supplied by or in any manner connected to a public water system.

CONTAINMENT: Protection of the public water supply by installing a backflow prevention assembly or air-gap separation on the main service line to a facility.

CONTAMINATION: An impairment of the quality of the water by sewage, process fluids or other wastes to a degree which could create an actual hazard to the public health through poisoning or through spread of disease by exposure.

CROSS-CONNECTION: Any physical link between a potable water supply and any other substance, fluid or source which makes possible contamination of the potable water supply due to the reversal of flow of the water in the piping or distribution system.

HAZARD, DEGREE OF: An evaluation of the potential risk to public health and the adverse effect of the hazard upon the potable water system.

- .1. *Hazard, health:* Any condition, device or practice in the water supply system and its operation which could create or may create a danger to the health and well-being of the water consumer.
- .2. *Hazard, plumbing.* A plumbing type cross-connection in a consumer's potable water system that has not been properly protected by a vacuum breaker, air-gap separation or backflow prevention assembly.
- .3. *Hazard, pollutional.* An actual or potential threat to the physical properties of the water system or to the potability of the public or the consumer's potable water system but which would constitute a nuisance or be aesthetically objectionable or could cause damage to the system or its appurtenances but would not be dangerous to health.
- .4. *Hazard, system.* An actual or potential threat of severe damage to the physical properties of the public potable water system or the consumer's potable water system or of a pollution or contamination which would have a protracted effect on the quality of the potable water in the system.

INDUSTRIAL PROCESS SYSTEM: Any system containing a fluid or solution, which may be chemically, biologically, or otherwise contaminated or polluted, in a form or concentration such as would constitute a health, system, pollutional or plumbing hazard if introduced into a potable water supply.

ISOLATION: Protection of a facility's internal plumbing system by installing a backflow prevention assembly, air-gap separation or other backflow prevention device on an individual fixture, appurtenance or system.

POLLUTION: The presence of any foreign substance (organic, inorganic or biological) in water which tends to degrade its quality so as to constitute a hazard or impair the usefulness of the water to a degree which does not create an actual hazard to the public health but which does not adversely and unreasonably affect such waters for domestic use.

PUBLIC POTABLE WATER SYSTEM: Any publicly or privately owned water system supplying water to the general public which is satisfactory for drinking, culinary and domestic purposes and meets the requirements of the Missouri Department of Natural Resources.

SERVICE CONNECTION: The terminal end of a service line from the public water system. If a meter is installed at the end of the service, then the service connection means the downstream end of the meter.

WATER PURVEYOR: The owner, operator or individual in responsible charge of a public water system. (Ord. No. 842 App. A, 7-7-97)

SECTION 700.490: TYPES OF FACILITIES REPRESENTING CROSS-CONNECTION HAZARDS

The types of facilities representing cross-connection hazards are as follows:

- .1. Aircraft and missile manufacturing plants;
- .2. Automotive plants including those plants which manufacture motorcycles, automobiles, trucks, recreational vehicles and construction and agricultural equipment;
- .3. Potable water dispensing stations which are served by a public water system;
- .4. Beverage bottling plants including dairies and breweries;
- .5. Canneries, packing houses and reduction plants;
- .6. Car washes;
- .7. Chemical, biological and radiological laboratories including those in high schools, trade schools, colleges, universities and research institutions;
- .8. Hospitals, clinics, medical buildings, autopsy facilities, morgues, mortuaries and medical facilities;
- .9. Metal or plastic manufacturing, fabrication, cleaning, plating or processing facilities;
- .10. Plants manufacturing paper and paper products;
- .11. Plants manufacturing, refining, compounding or processing fertilizer, film, herbicides, natural or synthetic rubber, pesticides, petroleum or petroleum products, pharmaceuticals, radiological materials or any chemical which would be a contaminant to the public water system;
- .12. Commercial facilities that use herbicides, pesticides, fertilizers or any chemical which would be a contaminant to the public water system;
- .13. Plants processing, blending or refining animal, vegetable or mineral oils;
- .14. Commercial laundries and dye works;
- .15. Sewage, stormwater and industrial waste treatment plants and pumping stations;
- .16. Waterfront facilities including piers, docks, marinas and shipyards;
- .17. Industrial facilities which recycle water;
- .18. Restricted or classified facilities or other facilities closed to the supplier of water or the department;
- .19. Fire sprinkler systems using any chemical additives;

.20. Auxiliary water systems;

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- .21. Irrigation systems with facilities for injection of pesticides, herbicides or other chemicals or with provisions for creating back pressure;
- .22. Portable tanks for transporting water taken from a public water system; and
- .23. Facilities which have pumped or repressurized cooling or heating systems that are served by a public water system, including all boiler systems. (Ord. No. 842 App. B, 7-7-97)

CHAPTER 705: SEWER CONSTRUCTION

SECTION 705.010: DEFINITIONS

The definitions given herein deal only with certain terms used in this Chapter in the sense that they are used herein. These definitions are not of a general nature and are not generally applicable beyond the sense used in this Chapter.

CESSPOOL: A pit for the reception or detention of sewage.

DRAIN: A sewer or other pipe or conduit used for conveying ground, surface or stormwater.

INDUSTRIAL WASTES: The liquid wastes resulting from the processes employed in industrial establishments.

POTABLE WATER: Water which is safe for drinking or other sanitary purposes and is also suitable for domestic use.

ROOF DRAIN: A conduit for conveying the storm or rainwater from a roof.

SANITARY OR DOMESTIC SEWAGE: Sewage from buildings used for human habitation or occupancy.

SANITARY SEWER: A sewer intended to receive sanitary sewage with or without industrial wastes and without the admixture of surface or stormwater.

SEPTIC TANK: A tank through which sewage flows and which permits solids in the sewage to settle in order that portions of such solids may be disintegrated by biological action.

SERVICE LATERAL OR HOUSE SEWER: The conduit or pipe from the sewer line to the building served.

SEWAGE: The liquid wastes conducted away from residences, business buildings or institutions, together with those from industrial establishments, and with such ground, surface and stormwater as may be present.

SEWER: A conduit for carrying off sewage.

SEWERAGE SYSTEM: The network of sewers, together with sewage lift stations, and all appurtenances necessary for the collection of sewage.

STORMWATER: That portion of the rainfall or other precipitation which runs off over the surface during a storm and for such a short period following a storm as the flow exceeds the normal or ordinary runoff.

SURFACE WATER: That portion of a rainfall or other precipitation which runs off over the surface of the ground. (CC 1988 §28.600)

SECTION 705.020: CITY SEWER INSPECTOR

After this Chapter has been passed and approved, the Board of Aldermen shall appoint a sewer inspector who shall be the Chief of Police, Superintendent of Sewage Works or other authorized representative (hereinafter referred to as the City Sewer Inspector) who shall make such inspections as are necessary to properly carry out the provisions of this Chapter and shall report all violations thereof to the City Clerk. (CC 1988 §28.610)

SECTION 705.030: USE OF PUBLIC SEWER REQUIRED

Where a public sewer is accessible or becomes accessible in a street or alley to a building or premises abutting thereon, the liquid wastes from any plumbing system in said building shall discharge into the public sewer unless otherwise authorized by the Governing Body. (CC 1988 §28.620)

SECTION 705.040: CLERK'S DUTIES

- A. The City Clerk of the City of Bernie, Missouri, is hereby instructed and it shall be his/her duty to issue permits for connections to the sewerage system. Such permits shall be issued in numerical order and shall be issued independently of any other permits issued by the City.
- B. Before issuing such a permit, an application shall be filed with the City Clerk of the City of Bernie on a blank provided for that purpose. This application shall show the name and address of the owner, name of the person to whom permit is issued, number of permit, location of property, type of building to be served (whether residence or business), number of rooms, and size of sewer to be connected. The application shall be signed by the owner or his/her authorized representative and shall be accompanied by a complete and legible set of plans and specifications of the work to be done or, in lieu thereof, such written description of the type of materials and methods to be used in the construction as shall be acceptable to the City Sewer Inspector. The application shall be retained by the City as a permanent record of each connection to the sewerage system.
- C. Application for sewerage services to premises not connected with the City's sewerage system shall be made to the City Clerk or other person designated by the Board of Aldermen by the occupant or owner of the premises to be served accompanied by an application fee of twenty dollars (\$20.00), and thereupon such applicant shall have the right to connect with the sewerage system of the City, all costs of such connection to be borne by such applicant. (CC 1988 §§28.640, 28.875)

SECTION 705.050: MATERIAL

All house sewers shall be constructed of either vitrified clay sewer pipe or extra heavy cast-iron soil pipe and installed in conformity to applicable Plumbing Code and in a workmanlike manner. Only PVC joints on clay pipe and lead or leadite joints on cast-iron pipe will be permitted. (CC 1988 §28.650)

SECTION 705.060: SIZE OF HOUSE SEWER

- A. No house sewer shall be less than four (4) inches in diameter. No building or house sewer for a commercial building or a multiple dwelling shall be less than six (6) inches in diameter.

- B. *Grades For House Sewers.* Unless otherwise authorized, all house sewers shall have a grade of not less than one-eighth ($\frac{1}{8}$) inch per foot. A grade of one-fourth ($\frac{1}{4}$) inch per foot shall be used wherever practical. (CC 1988 §28.660)

SECTION 705.070: TRENCHING AND BACKFILLING

All excavations shall be open trench work unless otherwise authorized by the Sewer Inspector. The foundation in the trench shall be formed to prevent any subsequent settlement of the pipes. If the foundation is good, firm earth, the earth shall be pared or molded to give a full support to the lower quadrant of each pipe. Bell holes shall be dug. Where the floor of the trench is of hard or rocky material, the trench shall be excavated to four (4) inches below grade and brought back to the proper grade with fine gravel, coarse sand or similar material so as to provide a firm foundation and uniform support for the house sewer line. Backfilling shall be placed in layers and solidly tamped or packed up to two (2) feet above the pipe. Backfilling shall not be done until final inspection is made by the Sewer Inspector. (CC 1988 §28.670)

SECTION 705.080: USE OF OLD HOUSE SEWERS

Old house sewers or portions thereof may be approved for use by the Sewer Inspector. The Sewer Inspector may request that the old sewer be excavated for the purpose of facilitating inspection. No old cesspool or septic tank shall be connected to any portion of a house sewer that is also connected to the public sewer. (CC 1988 §28.680)

SECTION 705.090: INSPECTION

It shall be the duty of the City Sewer Inspector to inspect each service lateral or house sewer before any connection is made to the sewerage system and to require that all defects or unsatisfactory construction features be corrected before permitting the connection to be made. The City Sewer Inspector shall be present at the time the connection is made and it shall be the responsibility of the owner or his/her representatives to notify him/her in advance of the time and place where the connection will be made. (CC 1988 §28.690)

SECTION 705.100: LAYING OF SEWER PIPE

- A. It shall be unlawful to place any pipe or conduit which carries or is intended to carry sewage in the same trench or ditch with a pipe or conduit which carries or is intended to carry a potable water supply. In every case where a water and sewer line are parallel, the water line shall be at least ten (10) feet horizontally from and at a higher elevation than the sewer line.
- B. Where it is not possible to meet the above conditions, or where for any reason unusual circumstances present a potential or actual hazard to a potable water supply, the Division of Health must be notified in writing and plans submitted showing the precautions which are to be taken to minimize the hazard to the potable water supply. In no case shall the work proceed until the plans for protecting the water supply have been approved in writing by the Division of Health. (CC 1988 §28.700)

SECTION 705.110: CONNECT WITH ROOF DRAIN UNLAWFUL

It shall be unlawful to make, or cause to be made, a connection of any roof drain, areaway drain, yard or court drain, or any drain whatsoever which will permit, allow or cause any storm or surface water to enter the sanitary sewerage system. (CC 1988 §28.710)

SECTION 705.120: SEPTIC TANKS

It shall be unlawful to connect or to cause to be connected to the sanitary sewerage system the effluent of any septic tank, cesspool or sewage tank. Where such tanks exist and it is desired to make a connection to the sanitary sewerage system, a tile line shall be constructed around the unit in such a manner as to preclude the possibility of any sewage flowing into or out of the cesspool or tank, and said septic tank, cesspool or sewage tank shall then be filled with earth, cinders, ashes or similar material. (CC 1988 §28.720)

SECTION 705.130: DISCONTINUE VIOLATIONS

Where any unlawful connection as defined in Sections 705.110 and 705.120 of this Chapter is known to exist, such connection shall be broken within ten (10) days after the passage of this Chapter, or where such connections are found to exist, such unlawful connections shall be broken and their use discontinued within ten (10) days after date of notification to break such connection as provided in Section 705.140 of this Chapter. (CC 1988 §28.730)

SECTION 705.140: INSPECTOR'S DUTIES

The City Sewer Inspector shall make an inspection of the method of disposing of roof and other stormwater drainage from each house which is connected to the sanitary sewers of the City of Bernie as frequently as is necessary to secure compliance with this Chapter. Following each inspection, the City Sewer Inspector shall submit a list of all property owners whose property or properties have connections in violation of this Chapter to the City Clerk. Written notification of any violation of this Chapter shall then be given by said City Clerk to the owner or owners of the property upon which the violation occurs. If the provisions of this Chapter have not been complied with within the period of ten (10) days following date of notice of violation, the City shall have the right to make or have made such alterations as are deemed necessary by the City Sewer Inspector to meet the requirements of the Chapter, and all costs thereof shall be provided for and defrayed by a special tax bill to be assessed in favor of the City against the property on which said improvements are made, and such special tax bill shall become a lien on said property. (CC 1988 §28.740)