

Public notices

(Continued from Page 6)

a. Any violation of the provisions of this ordinance, shall, upon conviction be punishable as provided in all applicable statutes, laws, and regulations.

(10) Conflict with other codes.

a. If a dispute or conflict arises between the North Dakota Plumbing Code as adopted herein, and any plumbing, mechanical, building, electrical, fire or other code adopted by the State, then the most stringent provisions of each respective code shall prevail.

a. Copies of records of test reports, repairs and retests, or replacements shall be kept by the customer for a minimum of three (3) years.

b. Copies of records of test reports, repairs and retests shall be submitted to the public water system by mail, facsimile or e-mail by the testing company or testing technician.

c. Information on test reports shall include, but may not be limited to;

1. Assembly or method type

2. Assembly or method location

3. Assembly make, model and serial number

4. Assembly size

5. Test date; and

6. Test results including all results that would justify a pass or fail outcome

7. Certified cross-connection control technician certification agency

8. Technician's certification number

9. Technician's certification expiration date

10. Test kit manufacturer, model and serial number

11. Test kit calibration date

8) Right of entry

a. A properly credentialed representative of the public water system shall have the right of entry to survey all buildings and premises for the presence of cross-connections for possible

a. sewer rates and associated fees are not paid when due by the occupant or tenant, the owner or owners shall be responsible for such water and sewer rates and associated fees, and they shall be assessed to the property served.

It shall be the duty of the City Auditor to certify to the County Auditor such unpaid water and sewer rates and associated fees that are unpaid in the same manner and at the same time as other assessments are certified, and they shall be assessed and collected in the same manner.

7.0126 Duty to Report to Auditor

Every owner or operator of a multiple dwelling unit shall file with the City Auditor a report indicating the total number of units under his control, every owner or operator at a mobile home park shall file with the City Auditor a report indicating the total number of units in the park and shall further notify the City Auditor of any changes in the number of units in the park if the number increases or decreases.

7.0127 Excavators

No person, firm or corporation shall excavate on or any street, alley or other public

place for the purpose of installing any water and/or sewer connection until they have complied with sections 3.0220 through 3.0226 of Chapter 3 of these ordinances.

7.0128 Restriction of Use of Water

The Water Commissioner of the City of Fessenden may from time to time declare that water may not be used for specific purposes or

may only be used in certain parts or the City on certain days for certain purposes. The city shall have the right to prohibit the watering of lawns and gardens, the washing of cars or such other uses of the water as may be necessary to preserve for the general public an adequate supply of water for consumption and use by the general public.

ARTICLE 2. Regulation of Sewer Use

7.0201 Purpose

It is the purpose of this article to provide ordinances regulating the use of public and private sewers and drains, private sewage disposal, the installation and connection of building sewers, and the discharge or waters and wastes into the public sewer

7.0202 Use of Water During Fire - Unlawful

It is hereby declared to be unlawful for any person in this municipality, or any person owning or occupying premises connected to the utility, to use or allow to be used during a fire any water from said utility except for the purpose of extinguishing said fire; and upon the sounding of a fire alarm, it shall be the duty or every such person to see that all water services are tightly closed and that no water is used, except for necessary household purposes during said fire.

7.0203 Waterworks Customers May Lay Larger Pipes with Hydrants - When

Whenever proprietors of lumber yards, factories, halls, stores, hotels, public buildings or regular customers from the waterworks wish to lay larger pipes with hydrants and hose couplings, to be used only in case of fire, they will be permitted to connect with the street main at their own expense, upon application for a permit to the City Auditor, and under the direction of the City Commission will be allowed the use of water, for fire purposes only, free of charge. No standpipe will be allowed on the premises where the water is not taken for other fire purposes.

7.0204 Rates, Fees and Charges

Water and sewer rates and associated fees provided in this chapter shall be fixed from time to time by resolution of the City Council. The city reserves the right to add, change, modify, and allocate the rates and fees from time to time as it deems best. The City may allocate fees upon all parcels within the City limits, regardless of whether the parcel is connected to the City's water and sewer systems. All resolutions fixing water and sewer rates and associated fees shall be kept on file in the office of the City Auditor and shall be open for public inspection. Any change in the rates, fees, or charges shall be published at least one time within ten (10) days from adoption in the official newspaper of the City.

7.0205 Rates and Charges - Liability for

The owner or owners of all real property in the city shall be responsible for the payment of any and all water and sewer rates, charges, and associated fees regardless of who the occupant or tenant may be.

Owners shall notify the water or sewer department or the City Auditor in case any tenant moves from said premises, prior to such moving, on request of the owner or owners, the City Auditor will bill or cause to be billed the occupant or tenant for water and sewer rates and associated fees, but if such water and

12. "pH" shall mean the logarithm of the reciprocal of the hydrogen-ion concentration. The concentration is the weight of hydrogen ions, in

grams, per liter or solution. Neutral water, for example, has a pH value of 7 and a hydrogen-ion concentration of 10-7.

13. "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 1/2 inch (1.27 centimeters) in any dimension.

14. "Public Sewer" shall mean a common sewer controlled by a governmental agency or public utility.

15. "Sanitary Sewer" shall mean a sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions together with minor quantities of ground, storm and surface waters that are not admitted intentionally.

16. "Sewage" is the spent water of a community. The preferred term is "waste water." Sec. 24.

17. "Sewer" shall mean a pipe or conduit that carries waste water or drainage water.

18. "Shall" is mandatory (see "may." Sec. 10).

19. "Slug" shall mean any discharge of water or wastewater which in concentration of any give 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 and shall adversely affect the collection system and/or performance of the wastewater treatment works.

20. "Storm Drain" (sometimes termed "storm sewer") shall mean a drain sewer for conveying water, ground water, subsurface water or unpolluted water from any source.

21. "Superintendent".. shall mean the superintendent of wastewater facilities, and/or of waste water treatment works and/or of water pollution control of the city or his authorized deputy, agent or representative.

22. "Suspended Solids" shall mean total suspended matter that either floats on the surface of, or is in suspension in water, wastewater or other liquids, and

1. system, and to provide penalties for violations thereof, in the City of Fessenden, North Dakota.

7.0202 Definitions

Unless the context specifically indicates otherwise, the meaning of the terms used in the article shall be as follows:

1. "BOD" (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation or organic matter under standard laboratory procedure in five (5) days at 20 degrees Centigrade, expressed in milligrams per liter.

2. "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.

3. "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal, also called house connection.

4. "Combined Sewer" shall mean a sewer intended to receive both waste water and storm or surface water.

5. "Easement" shall mean an acquired legal right for the specific use of land owned by others.

6. "Floatable Oil" is oil, fat or grease in a physical state such that it will separate by gravity from waste water by treatment in an approved pretreatment facility. A waste water shall be considered free of floatable fat if it is properly pre-treated and the waste water does not interfere with the collection system.

7. "Garbage" shall mean the animal and vegetable waste resulting from the handling, preparation, cooking and serving of foods.

8. "Industrial Wastes" shall mean the waste water from industrial processes, trade or business as distinct from domestic or sanitary wastes.

9. "Natural Outlet" shall mean any outlet, including storm sewers and combined sewer overflows, to a watercourse, pond, ditch, lake or other body of surface or groundwater.

10. "May" is permissible (see: "shall." Sec. 18).

11. "Person" shall mean any individual, firm, company, association, society, corporation or group.

1. 3. 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.

4. The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated within the City of Fessenden, North Dakota, 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, the City of Fessenden, North Dakota, is hereby required its expense to install suitable toilet facilities herein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this ordinance, within sixty (60) days after date of official notice to do so, provided that said public sewer is within 2 feet (61 meters) according to the North Dakota plumbing code, of the property line.

7.0204 When Private Sewage Disposal Permitted

1. Where a public sanitary or combined sewer is not available under the provisions of section 7.0203 (4), the building sewer shall be connected to a private wastewater disposal system complying with the provisions of this article.

2. Before commencement at construction of a private wastewater disposal system the owner shall first obtain a written permit signed by the Superintendent. 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 deemed necessary by the Superintendent.

3. A permit for a private wastewater disposal system shall not become effective until the installation is completed to the satisfaction of the Superintendent. The Superintendent shall be allowed to inspect the work at any stage of construction, and in any event, the applicant for the permit shall notify the Superintendent when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within 24 hours of the receipt of notice by the Superintendent.

4. The type, capacities, location and layout of a private wastewater disposal system shall comply with all recommendations and/or regulations of the North Dakota State Department of Health. No permit shall be issued for any private wastewater system not meeting these conditions. No septic tank or cesspool shall be permitted to discharge to any natural outlet or to the ground surface.

1. that is removable by laboratory filtering as prescribed in "Standard Methods for the Examination of Water and Wastewater" and referred to as non-filterable residue.

23. "Unpolluted Water" is water of quality

equal to or better than the effluent criteria in effect or water that would not cause violation or receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.

24. "Wastewater" shall mean the spent water of a community from the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions, together with any groundwater, surface water and storm-water that may be present.

25. "Wastewater Facilities" shall mean the structures, equipment and processes required to collect, carry away and treat domestic and industrial wastes and dispose of the effluent.

26. "Wastewater treatment Works" shall mean an arrangement of devices and structures for treating wastewater, industrial wastes and sludge. Sometimes used as synonymous with "waste treatment plant" or "wastewater treatment plant" or "water pollution control plant."

27. "Watercourse" shall mean a natural or artificial channel for the passage of water either continuously or intermittently.

28. "Hearing Board" shall mean panel -chat board appointed according to the provisions of Section 7.0209.

7.0203 Use of Public Sewers Required

1. It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the City of Fessenden, North Dakota, or in any area under the jurisdiction of said Fessenden, North Dakota, any human or animal excrement, garbage or other objectionable waste.

2. It shall be unlawful to discharge to any natural outlet within the City of Fessenden, North Dakota, or in any area under the jurisdiction of said City of Fessenden, North Dakota, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.

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