

## Welcome to tonight's City Council meeting!

The elected officials of the City of Bonners Ferry are appreciative of an involved constituency. Testimony from the public is encouraged concerning issues when addressed under the Public Hearing portion of the agenda. Any individual who wishes may address the council on any issue, whether on the agenda or not, during the Public Comments period. Normal business will preclude public participation during the business portion of the meeting with the discretion left to the Mayor and Council. Special accommodations to see, hear, or participate in the public meeting should be made at City Hall within two days of the public meeting.

### **Vision Statement**

Bonnors Ferry, "The Friendliest City", strives to achieve balanced growth, builds on community strengths, respects natural resources, promotes excellence in Government, and values quality of life. We are a city that welcomes all people.

**AGENDA**  
**SPECIAL CITY COUNCIL MEETING**  
**Bonnors Ferry City Hall**  
**7232 Main Street**  
**267-3105**  
**January 5, 2022**  
**5:00 pm**

Join video Zoom meeting: <https://zoom.us/j/17672764>

Meeting ID: 176727634

Join by phone: 253-215-8782

### **NEW BUSINESS**

1. **City** – Workshop to consider projects for the American Rescue Plan Act funds {action item}
2. **City** – Consider Resolution 2022-01-05 for intended uses for the American Rescue Plan Act (attachment) {action item}
3. **Sewer** – Consider amendments to Chapter 10, Sewer Ordinance (attachment) {action item}
4. **City** – Discuss Clerk/Treasurer position {action item}

### **ADJOURNMENT**

BONNERS FERRY

RESOLUTION NO. 2022-01-05

A RESOLUTION TO STATE THE INTENDED USES AND ALLOTMENT OF LOCAL FISCAL RECOVERY FUNDS THROUGH THE AMERICAN RESCUE PLAN ACT; AND TO STATE HOW THOSE FUNDS ARE ACCOUNTABLE TO THE BONNERS FERRY CITIZENS.

**WHEREAS**, on March 11, 2021, the United States Congress passed the American Rescue Plan Act of 2021 (ARPA), which provides fiscal relief funds to State and Local Governments, and other program areas aimed at mitigating the continuing effects of the COVID-19 Pandemic; and,

**WHEREAS**, ARPA is intended to provide support to local governments in responding to the impact of COVID-19 and in their efforts to contain COVID-19 in their communities, residents, and businesses; and,

**WHEREAS**, ARPA includes State and Local Fiscal Recovery Funds to

- Support COVID response efforts to decrease the spread of the virus;
- To replace lost public sector revenue to strengthen support for vital public services;
- To support immediate economic stabilization for households and businesses; and
- To address systemic public health and economic challenges that have contributed to unequal impacts of the pandemic on certain populations; and,

**WHEREAS**, the city is the recipient of an estimated \$567,208.00, delivered in two tranches by the State of Idaho, through the US Department of Treasury; and

**WHEREAS**, the City Council understand the importance of these funds and are focused on creating long-term investments with limited long-term liability. It is Council's hope that these investments will create a pathway to economic recovery and future growth.

**NOW THEREFORE**, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF BONNERS FERRY, IDAHO THE FOLLOWING:

Section 1: As set forth more fully below, the Council expresses its intent to expend these funds for eligible, immediate needs within the categories below:

- A. Expenditure of Lost Revenue on Governmental Services
- B. Public Health Measures to Respond to COVID-19
- C. Water and Sewer Infrastructure
- D. Address Negative Economic Impacts of COVID-19

## Section 2: Allocation of Partial Funding

**Investments in Infrastructure:** To assist in meeting the critical need for investment and improvements to existing infrastructure in water, sewer, and broadband, the Fiscal Recovery Fund provides funding to make necessary investments in these sectors. The funds do allow for a broad range of necessary investments in projects that improve access to clean drinking water, improve wastewater and stormwater infrastructure systems, and provide access to high-quality broadband service.

The following infrastructure planning documents are requesting funding with the use of ARPA funding.

Request	Expected Costs	Total Cost	% of Total Cost
Cost of Service Analysis – Water and Sewer Dept	\$50,000.00	50,000.00	100%
Rewrite of City Comprehensive plan	\$20,000.00	70,000.00	28%

### Justification:

#### COSA- Water and Sewer Department

The Cost-of-Service Analysis for the Water and Sewer Department will look to address capital spending and the overall rate the consumer is paying. With the expected growth that is occurring within the city, the cost of delivering safe drinking water is growing. Studying the effects of growth on the system and appropriating the cost burden to all the respective rate payers will ultimately assure the consumer that they are paying their proportionate share of the system, thereby not overburdening a single class and providing equity across the utility.

#### City Comprehensive Plan- City Wide

A Comprehensive Plan provides a roadmap for city and community leaders to address growth and its impacts to quality-of-life issues and it provides guidance for sustainable development.

Local communities are guided in their planning efforts by the Idaho Local Land Use Planning Act, which defines a Comprehensive Plan's scope, considerations of the communities desires, and means of presenting information. Every Plan must either address or provide justification for omitting the following 17 topics as set forth in Idaho Code §67-6508.

1. Property rights;
2. Population;
3. School facilities and transportation;
4. Economic development;
5. Land use;
6. Natural resources;
7. Hazardous areas;
8. Public services, facilities, and utilities;
9. Transportation
10. Recreation
11. Special areas or sites;
12. Housing;
13. Community design;
14. Agriculture;
15. Implementation;
16. National interest electric transmission corridors;
17. Public airport facilities.

The city's current comprehensive plan was last written in 2006 and did not do much, if any, community or public involvement. Considering this, and during this pandemic, it is important to note that the impacts of COVID on the community is one that the plan could and should address as the community navigates the new era of highly transmissible covid variants and their overall impact on the community economics, land use, public services, transportation systems, housing and populations growth. To better understand how to invest the remaining ARPA dollars, the community must first develop the long-range planning tools to address the impacts, even after the ARPA dollars are no longer available.

**CHAPTER 3**  
**SEWER DEPARTMENT**

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**10-3-1: DEPARTMENT ESTABLISHED:**

A sewer department is hereby established. The officers and other employees shall consist of a superintendent and other such personnel as the council may from time to time deem necessary for the efficient administration of the same (1959 Code §3-4-1).

**10-3-2: PURPOSE; GENERAL PROVISIONS:**

This ordinance sets forth uniform requirements for users of the publicly owned treatment works for the city of Bonners Ferry and enables the city to comply with all applicable state and federal laws and the general pretreatment regulations. The objectives of this ordinance are:

- To prevent the introduction of pollutants into the publicly owned treatment works that will interfere with its operation;

- To protect both publicly owned treatment works personnel who may be affected by wastewater and sludge in the course of their employment and the general public;
- To enable the city to comply with its national pollutant discharge elimination system permit conditions, sludge use and disposal requirements, and any other federal or state laws to which the publicly owned treatment works is subject.

A. **APPLICABILITY:** This ordinance shall apply to all users of the publicly owned treatment works. This ordinance authorizes the issuance of individual wastewater discharge permits; providing for individual agreements for those existing users who are not within the city incorporated limits; provides for monitoring, compliance, and enforcement activities; establishes administrative review procedures; and requires user reporting.

B. **PUBLIC HEALTH STATEMENT:** It is hereby determined and declared to be necessary and conducive to and for the protection of the health, safety and welfare of the public and inhabitants of the city, and for the purpose of controlling the use and connection to and for providing an equitable distribution of the costs and expenses of maintenance, operation, upkeep, and repair of the entire sewerage system which includes the sewer collection system and sewage disposal facilities of said city, to charge and collect service charges or fees upon all lots, lands, property and premises served or benefited by the sewerage system of the city, which system and facilities consist generally of pipelines, conduits, catch basins, manholes, clean outs, sewer mains, intercepting sewer, outfall sewers, lift stations, pumps, structures, mechanical equipment and facilities for the treatment and disposal of sewerage or sewage byproducts; to provide for industry cost recovery from all industrial users and to provide for the control, use and administration of the installation of private sewage disposal systems where a public sanitary sewer is not available. The public facility does not include the portion of sewer connecting a building to the sewer main, otherwise known as the lateral sewer line.

**10-3-3 DEFINITIONS:** As used in this chapter, the following words and terms shall have the meanings ascribed to them in this section:

**CITY:** The city of Bonners Ferry, Boundary County, Idaho or its authorized or designated agent, representative or deputy.

**ENGINEER:** The engineer appointed by and acting for the council and shall be an Idaho registered civil engineer.

**LATERAL SEWER LINE:** The portion of a sewer connecting a building sewer to the sewer main.

**PRIVY:** An outdoor toilet located in a small shed outside a house or other building; an outhouse.

**POTW:** Publicly Owned Treatment Works

**SHALL:** Shall is mandatory. "May" is permissive.

**SERVICE AREA:** The city services area is the incorporated boundaries of the city of Bonners Ferry.

**SEWAGE:** A combination of water carried waste from residences, business buildings, institutions and industrial establishments which contains polluted matter subject to pre-treatment or treatment.

**SEWAGE TREATMENT PLANT:** Any arrangement of ponds, devices, and structures used for treating sewage.

**SLUGE-** 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.

**SUPERINTENDENT:** City Water & Sewer Superintendent.

**STORM SEWER OR STORM DRAIN:** A sewer which carries storm and surface or ground waters and drainage but excludes sewage and polluted wastes.

#### **10-3-4 ELIGIBLE SERVICE**

- A. **ELIGIBLE PROPERTIES:** Only those properties located within the city's service area shall be eligible for new sewer service connections by the city sewer department. Existing services located outside of the city's service area shall be allowed to continue, provided they do not require an expansion of capacity.
- B. **SERVICE AREA:** The city services area is the incorporated boundaries of the city of Bonners Ferry.
- C. **LANDS CONTIGUOUS TO SERVICE AREA:** Lands contiguous to the incorporated city limits shall first be annexed before sewer service is provided or extended to those properties.
- D. **EXPANSION OF SERVICE:** Expansion of service includes upsizing of service line(s), extensions of sewer mains, additional sewer lateral connections for a parcel of land or building or adding new connection to building(s). The City Administrator and/or City Engineer shall have final decision over whether a circumstance qualifies as an expansion of service.

#### **10-3-5 PROPERTY OF THE CITY**

All public sewer mains, pipelines, conduits, catch basins, manholes, clean outs, sewer interceptors and sewer outfalls, lift stations, pumps, structures, mechanical equipment and facilities for the treatment and disposal of sewerage or sewage byproducts located in any street, alley or easement in the city shall belong to the city.

Lateral sewer lines, as defined herein, even within the public right-of-way, shall not be owned or maintained by the city and shall be owned and maintained by the property owner served by the line, including maintenance of the main service tap.

**10-3-6 INJURY TO SEWERAGE SYSTEM**

- A. 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 sewerage system.
- B. Any authorized work that results in damages to the public sewer shall be repaired to the satisfaction of the superintendent or city engineer, with the cost being borne by the applicant or authorized person.

**10-3-7 REQUIRED USE OF SEWERS**

- A. CONNECTION REQUIRED: The owner or occupant of any house, building or property used for residential, commercial, industrial, governmental or recreational use, or other purpose, situated within the City which is abutting on or having a permanent right of access to any street, alley or right of way in which there is located a public sewer of said City, is hereby required to cease using any other method of disposing of sewage, waste or polluted water, at the owners expense, connect such building directly with the public sewer in accordance with the provisions of this Chapter. The owner or occupant shall complete this within thirty (30) days after date of official notice from the City; provided that said sewer is within two hundred feet (200') of any property line to be served or common property line in a multiple building development.
- B. NEW SUBDIVISIONS: The developer of any new subdivision, at their expense, shall construct the necessary extensions of the public sewer system to provide public sewer facilities to each lot in the subdivision and where multiple buildings are anticipated on a future lot, the developer shall make sewer available to each building where warranted. These extensions of City's sewer system may include, but not be limited to, the installation of mains, manholes, lift stations, and other facilities for the treatment and disposal of sewerage or sewage byproducts.
- C. UNLAWFUL TO DEPOSIT: It shall be unlawful for any person to place or deposit in any unsanitary manner on public or private property within the City, or in any area under the jurisdiction of said City, any human or animal excrement, garbage or other objectionable waste as described in section 10-3-8 of this chapter.
- D. PRIVIES, SEPTIC TANKS OR CESSPOOLS PROHIBITED: Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facilities intended or used for the disposal of sewage.
- E. PERMIT REQUIRED: No unauthorized person shall uncover, make any connection with or opening into, use alter, or disturb any public sewer or appurtenances or perform any work on any lateral or building sewer without first obtaining a written permit from the city as provided for at section 10-3-14 of this chapter.
- F. ADJACENT PUBLIC SEWER FOR EACH LOT: It shall be the position of the city that each lot be adjacent to a public sewer main. Where such a main does not exist at the time of plat or development, the landowner, property owner or developer may extend a public sewer

main in accordance with applicable sections of this chapter. The City shall avoid approval of lateral sewer lines which cross private property through private easement, where practical.

- G. **PUBLIC SEWER LOCATED IN PUBLIC RIGHT OF WAY:** It shall be the position of the city that any new public sewer system, identified as property of the city, be located, sited, placed, constructed and/or installed within a publicly owned right-of-way. Newly planned public sewer mains placed in private easements or on private property should not be allowed. Where a public sewer main is located within a private easement, the easement shall be no less than 30-feet in width and provide the city with unencumbered public access to the facility to access, maintain, construction or repair the line. Any obstructions placed in said easement may be removed and not replaced by the city should access be required to maintain or operate the system.

**10-3-8 USE RESTRICTIONS; PROHIBITED DISCHARGES:**

The use of the public sewers of the City shall be in accordance with the following regulations:

- A. No person shall discharge or cause to be discharged from any connection any storm water, surface water, ground water, roof runoff, subsurface drainage, cooling water or industrial process waters to any sanitary sewer.
- B. Storm water and all other drainage shall only be discharged to storm sewers specifically designated for that purpose, or to a natural outlet approved by the City.
- C. No person shall discharge or cause to be discharged any of the following described waters or wastes, or substances to any public sewers:
1. Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas.
  2. Septic tank effluent.
  3. 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, constitute a hazard to humans or animals, create a public nuisance or create any hazard in the receiving waters of the sewage treatment plant, including, but not limited to, cyanides in the wastes as discharged to the public sewer.
  4. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow of 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.
  5. Any liquid or vapor having a temperature higher than one hundred fifty degrees (150°) Fahrenheit, (65° centigrade).
  6. Any water or waste containing fats, wax, grease or oil, whether emulsified or not, in excess of one hundred (100) mg/I or containing substances which may solidify or become viscous at temperatures between 32° and 150° Fahrenheit, (0° and 65° centigrade).
  7. Any garbage that has not been properly shredded.

8. Any waters or wastes containing strong acid iron pickling wastes or concentrated plating solutions whether neutralized or not.
  9. Any waters or wastes containing iron, chromium, copper, zinc and similar objectionable or toxic substances; or wastes exerting any 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 City for such materials.
  10. Any waters or wastes containing phenols or other taste or odor producing substances in such concentrations exceeding limits which may be established by the City 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.
  11. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the City in compliance with applicable State or Federal regulations.
  12. Any waters or wastes having a pH less than 6.5 or higher than 9.0 or having any corrosive property capable of causing damage or hazard to sewer structures, equipment, personnel, or adversely affect any sewer treatment process.
  13. 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 sulphate).
    - b. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
    - c. Unusual biological oxygen demand (BOD), chemical oxygen demand (COD) 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.
  14. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes 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.
  15. Waters or wastes if it appears likely in the opinion of the City that such wastes can harm either the sewers, sewage treatment process or equipment, have an adverse effect on the receiving stream or can otherwise endanger life, limb, public property or constitute a nuisance.
- D. If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 10-3-8C of this Chapter, and which in the judgment of the City, may have a harmful effect upon the sewage works, processes, equipment or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the City may:
1. Reject the wastes.
  2. Require pretreatment to an acceptable condition for discharge to the public sewers in accordance with section 10-3-9 of this chapter.

3. Require control over the quantities and rates of discharge.
4. Require plans and specification for any pretreatment system proposed.
5. Require that owner/discharger enter into agreement with City with respect to installation, operation, and maintenance of any pretreatment system.
6. Charge the discharger for the actual cost of the additional operation and maintenance costs borne by the City, that may include the costs of the City hiring a third party to remove the waste material discharged.

In forming its opinion as to the acceptability of wastes, the City will consider 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.

- F. When required by the City, the owner of any property serviced by sewer carrying industrial waste 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 accessibly and safely located, and shall be constructed in accordance with plans approved by the City. The manhole shall be installed by the owner at their expense and shall be maintained by them to be safe and accessible at all times.
- G. All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this Chapter shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by American Public Health Association, or by applicable EPA testing methods, and shall be determined at the control manhole provided or upon suitable samples taken at said 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.
- H. No statement contained in this Chapter 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 therefor, by the industrial concern.
- I. Any property owner or sewer user violating the provisions of this Section shall, upon notice by the City, immediately install such pre-treatment as provide for in section 10-3-9 of this title.

### **10-3-9 DEVELOPMENT OF ON SITE PRE-TREATMENT SYSTEMS AND PLANS**

- A. **PRE-TREATMENT REQUIRED:** The city may require that pre-treatment and/or interceptor be installed where in the opinion of the City, they are necessary for the proper handling of

liquid wastes containing oils, grease, sand, dirt, grit, rags, clothing, or any flammable wastes, or other constituents that may inhibit the flow, pumping, or treatment of waste streams.

B. **PLAN REQUIRED:** A plan shall be submitted to address how the property or business will remove fats, oils, greases, sediment or other harmful discharge and maintenance frequency of the installed removal devices and structures.

C. **PLAN REQUIREMENTS:** The property owner, business owner or other presiding officer or a business, shall provide a written plan showing the actual location of any pretreatment devices and include the following minimum requirements. Prior to installation occurring, the plan shall be submitted to the City and approved by the City Sewer Superintendent and/or the City Engineer.

The plan shall include at a minimum the following:

1. Section and plan views of proposed treatment system that accurately shows the details of the system.
2. Pretreatment Type
3. Frequency of cleaning and required maintenance
4. Other pertinent items as deemed necessary.
5. Where pretreatment or flow-equalizing facilities are provided for any waters or wastes, or substances. Pretreatment or flow equalizing facilities shall be maintained continuously in satisfactory and effective operation by the owner at their expense.

D. **INSPECTION REQUIRED:** All interceptors shall be of a type and capacity approved by the City and shall be located readily and easily accessible for cleaning and inspection. These interceptors shall be adequately maintained and are subject to periodic inspection by the City. Any new interceptors installed shall be only done so in accordance and approval by the City.

### **10-3-10 PUBLIC SEWER SYSTEM CONSTRUCTION OR EXTENSION**

A. **LICENSED CONTRACTORS:** Only Idaho Public Works licensed contractors shall be authorized to perform the work of public sewer construction within the city. The contractor must also be licensed at the appropriate level based on construction cost and Idaho Statute requirements. All terms and conditions of the approval issued by the city to the applicant shall be binding on the contractor.

B. **PERMISSION TO EXTEND:** The mayor and council may authorize the construction or extension of public sewer in accordance with this Chapter. No person shall construct, reconstruct, extend or connect to any public sewer without first obtaining written approval from the city and paying all fees and connection charges and furnishing bonds as required therein. Any person or entity constructing within the city's rights-of-way shall first obtain a right-of-way permit from the city.

C. **ADOPTED SEWER DESIGN STANDARDS:** Staff shall require compliance with any specific sewer standards as adopted from time-to-time by resolution of the city council.

D. **CONSTRUCTION AGREEMENT:** The city council may enter into development and construction agreements with the landowner, developer and/or installer to ensure the public system is protected overall.

**10-3-11 APPLICATION FOR SEWER CONSTRUCTION AND/OR EXTENSION**

- A. An application with completed construction plans showing profiles and specifications, complying with all applicable ordinances, rules and standards, showing all details of the proposed work based on an accurate survey of the ground prepared by an Idaho registered civil engineer shall be submitted to the city for review.
- B. **PLAN APPROVAL:** The application, together with the plans, profiles and specifications shall be examined by the city engineer who shall approve them as filed or require them to be modified as they deem necessary for proper installation.  
**DEQ SUBMISSION AND APPROVAL:** Once plans and specifications are approved by the City Engineer, the applicant must then submit the plans and specifications to the Idaho Department of Environmental Quality (IDEQ) for approval.
- C. **ISSUANCE TO CONSTRUCT:** When the City Engineer and DEQ is satisfied that the proposed work is proper and the plans, profiles and specifications are sufficient and correct, he/she shall order the issuance of a permit predicated upon the payment of all connection charges and fees, and furnishing bonds as required by the city. The permit shall prescribe such terms and conditions as the council finds necessary in the public interest.

**10-3-12 CONSTRUCTION DESIGN STANDARDS**

In addition to any adopted standards, the following construction standards are required for any project that involves sewer extension, construction, alterations or otherwise changing the conveyance system within the city sewer utility.

- A. **GRADE STAKES:** Grade and line stakes shall be set by an Idaho registered civil engineer or land surveyor prior to the start of any work on public sewer construction. The contractor shall be responsible for accurately transferring grades to grade bars and sewer inverts.
- B. **COMPLIANCE WITH REGULATIONS:** Any person constructing a sewer within a street shall comply with all state and city laws, ordinances, rules and regulations pertaining to the cutting of pavement, opening, barricading, lighting and protecting of trenches, backfilling and repaving thereof and shall obtain all permits and pay fees required by the department having jurisdiction.
- C. **MODIFICATION OF STANDARDS BY CITY ENGINEER:**
  - 1. Plans and specifications for any new sewer shall conform to IDEQ's Wastewater rules. The Engineer may permit modifications or may require higher standards where unusual conditions are encountered.
  - 2. As-Built plans are required to be submitted to the city. No less than two (2) sets of As-Built drawings showing actual location of all mains extensions, wyes and laterals shall be filed with the city before final acceptance of the work is completed.

D. SEWER LIFT STATIONS: In areas and subdivision where elevations do not allow for gravity flow to adjacent city sewer collection systems, sewer lift stations will be required to deliver waste to the city system. Required sewer lift stations must be constructed to the city sewer standards and policies as adopted or amended from time to time.

E. EXCAVATIONS

1. Safety Devices: The applicant or contractor shall maintain such barriers, lights and signs as are necessary to always give warning to the public that a sewer line is under construction and of each dangerous conditions to be encountered as a result thereof. They shall also likewise protect the public in the use of the sidewalk against any such conditions in connection with the construction of the sewer.
2. Restorage of the Excavated Area: Streets, sidewalks, pathways and other property disturbed in the course of the work shall be reinstalled in a manner satisfactory to the city.

F. TESTING OF COMPLETED SEWER LINE: Before any acceptance of any sewer line by the city and prior to the admission of any sewer into the city system, the sewer line shall be tested and shall be completed in full compliance with all city and state regulations and to the satisfaction of the City Engineer.

**10-3-13 SEWER LINES IN PLATTED SUBDIVISION:**

- A. All sewer lines shall be installed and accepted by the city or bonded for in accordance with adopted or approved practices by the city before any final subdivision plat is accepted by the council. The final subdivision map shall provide for the dedication for public use of streets, easements or rights of way in which public sewer lines are located.
- B. Easements Or Rights Of Way: In the event that an easement is required for the extension of the public sewer or the making of connections, the applicant shall procure and have accepted by the council a proper easement or grant of right of way sufficient in law to allow the laying and maintenance of such extension or connection.

**10-3-14 BUILDING SEWER AND LATERAL CONNECTIONS**

- A. Building sewers shall be maintained by the owner of the property served thereby.
- B. Permit To Tap Sewer Main: No person shall construct a lateral sewer or make a connection with any public sewer without first obtaining a written permit from the city and paying all fees and connection charges.
- C. Separate Lateral Sewers Required: No two (2) adjacent buildings, on separate parcels shall be permitted to join in the use of the same lateral sewer line. Every commercial building or industrial facility must be separately connected with a public sewer if such public sewer exists in the street upon which the property abuts or in an easement which will serve said property. Individual sewer laterals shall not be connected to sewer pressure mains.

- D. **Construction Requirements And Specifications:** Construction of building sewers and lateral sewers shall be in accordance with any standards and policies of the city as adopted by City Council, and also in conformance with the Uniform Plumbing Code as adopted by the Idaho Division of Building Safety.
- E. **Individual Sewer Lift Stations:** In all buildings in which any sewer is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building sewer shall be lifted by individual sewer lift pump. Sewer lifts shall only be allowed where lift systems pump into a gravity main and will not cause damage to adjacent properties or the public system. All sewer lift stations shall be approved by the sewer superintendent, in coordination with the city engineer
- F. **Damage to system:** Any damage to the public sewer as a result to connection, shall be repaired by the applicant or landowner, to the satisfaction of the city engineer and/or superintendent, with the cost borne by the applicant.
- G. **Lateral connection to Main:** All lateral sewer connections shall follow the following standards when installing or connecting to a city sewer main.
  - 1. **Safety Devices:** All excavations for a sewer service lateral installation shall be adequately guarded with barricades or lights to protect the public from hazard.
  - 2. **Restoration Of Excavated Area:** Streets, sidewalks, parkways, and other property disturbed in the course of the work shall be restored in a manner satisfactory to the city and the county or any other person having jurisdiction thereover.
  - 3. All excavations within City rights-of-way require a city encroachment permit.

**10-3-16 SEWER RATES AND FEES**

**A. SEWER CONNECTION AND PERMIT APPLICATION FEES**

- 1. A capitalization fee is required to be paid for each sewer tap, the fee is set forth on the official fee schedule of the city. The fee shall be paid to the city at the time the application is filed along with any other fees as set forth in the official fee schedule.
- 2. A permit fee, as established on the official fee schedule, shall be paid to the city at the time the application is filed.
- 3. A separate and independent city sewer service connection fee shall be paid for each connection or sewer tap.

**B. SEWER USER RATES:** Sewer service charges are set forth by Council for each connection to the city sanitary sewage system based upon quantity flow of sewage into the system which shall provide revenue sufficient to pay the operation and maintenance, to repay bonded indebtedness and provide for the reserve fund for said system.

**C. ANNUAL REVIEW OF CHARGES- SEWER SURVEY:** The City Council shall annually review user charges and revise the same to reflect the actual treatment works operation and maintenance costs which shall provide revenue sufficient to pay the operation and maintenance, to repay bonded indebtedness and provide for the reserve fund for said system.

**D. BILLING FOR SERVICE:** The City shall bill for sewer service in accordance with the City's billing policy as adopted by Council.

- E. REAL PROPERTY SUBJECT TO RATES: All real property, with or without buildings, shall be subject to sewer rates, so long as a service pipe or capitalization rate has been established on the property.

#### **10-3-17 UNABLE TO SERVE PUBLIC SEWER**

Where a public sanitary sewer is not available under the provisions of this chapter (as provided for at section 10-3-X), the building sewer shall be connected to a private sewer disposal system complying with the provisions of this chapter.

- A. The type, capacities, location, and layout of a private sewage disposal system shall comply with all of the rules and regulations and recommendations of the Idaho Panhandle Health District. No septic tank or cesspool shall be permitted to discharge to any natural outlet.
- B. At such time as a public sewer becomes available to property served by a private sewage disposal system, a direct connection shall be made to the public sewer in compliance with this chapter and any septic tank, cesspool or similar private sewage disposal facilities shall be abandoned and filled with suitable material. The cost for connecting to the City's sewer system will be borne by the owner of the property being connected.
- C. The owners shall operate and maintain the private sewage disposal facility in a sanitary manner at all times and at no expense to the city.
- D. Septic tank pumping shall not be deposited in any manhole, cleanout or sewer opening.
- E. No statement contained in this section shall be construed to interfere with any additional requirements that may be imposed by the department of health and welfare of the state.

#### **10-3-18 ENFORCEMENT**

The city may take all measures as seen fit to ensure the public system is protected from violations of this chapter.

- A. Notification Of Violation: Whenever the City finds that any discharger has violated the prohibitions of this chapter, the City may cause to be served upon such discharger a written notice (either personally or by certified or registered mail, return receipt requested) stating the nature of the alleged violation. Within fifteen (15) days of the date of receipt of the notice, the discharger shall respond personally or in writing or by certified or registered mail, return receipt requested, to the City, advising of its position with respect to the allegations.
- B. Plan For Correction Of Violations: Thereafter, the discharger shall be given the opportunity to meet with a representative of the City to ascertain the veracity of the allegations and establish a plan for the satisfactory correction of the violations and preclusion of a recurrence thereof.

#### **10-3-19 PENALTIES**

- A. Any person found to be violating any provision of this chapter shall be served by the city with written notice stating the nature of the violation and provided a reasonable time limit, but in any event not to exceed ninety (90) days, for the satisfactory correction thereof. The

offender shall, within the period of time stated in such notice, permanently cease all violations.

- B. The city shall have the authority to issue warnings and invoke administrative sanctions as deemed proper by the superintendent or agent for the city.
- C. Any person violating any of the provisions of this chapter shall become liable to the city for any expense, loss or damage occasioned the city by reason of such violation.

**10-3-20 APPEALS/MEDIATION:**

- A. **APPEALS AND REVIEW:** Any person aggrieved by a ruling of City, respecting the interpretation of this act or any officer, department of the city concerning the interpretation of this act may take an appeal to the council in the following manner:
  - 1. Such appellant shall, within fifteen (15) days after staff makes the decision, file a written notice with the city clerk, together with a filing fee as hereinafter required. The city clerk shall forthwith transmit to the council all papers constituting the record upon which this action was taken.
  - 2. The council, upon receipt of any notice of appeal, shall fix a reasonable time for the hearing of the appeal.
  - 3. The council shall hear and decide the appeal within a reasonable time but in no event more than forty-five (45) days after its final adjournment of the hearing. At the hearing, parties in interest may appear in person or by agent or attorney and testify and offer evidence and material relevant to the issue.
  - 4. The council may reverse or affirm, in whole or in part, or may modify the order, requirement, decision or determination as, in its opinion, ought to have been made on the premises.