CHAPTER 13.06 - SEWER SYSTEM

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13.06.010 Sewer use Required Generally

It is unlawful to place, deposit, or permit to be deposited in an unsanitary manner any human or animal excrement, garbage, or any other objectionable waste on public or private property within the City, or in any area under the jurisdiction of the City.

History: Enc Ord 385 December 21, 1995, Amended Ord 395 July 1, 1998, Amended Ord 467 March 18, 2020

13.06.020 Privies, Septic Tanks and Cesspools Prohibited

Except as hereinafter provided, it is unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of wastewater.

1. Installation of Sealed Vault Facilities. Upon recommendation of a permit by the Water and Sewer Committee and approval of the City Council of the City of Dillon, sealed vault facilities may be installed within the City of Dillon.
2. Criteria for Approval. Sealed vault facilities may be installed within the City of Dillon when the following criteria are satisfied:
3. in areas utilized by substantial numbers of the public upon frequent intervals, and
4. in situations where the facility would not be subject to continuous supervision, and
5. where the provision of water, and/or sewer, and/or electrical utilities to the site, would be overly expensive when compared to the frequency of use, and
6. where the usage would be primarily seasonal and/or for provisions of services to a recreational gathering location, and
7. where public restroom facilities are not otherwise, and available within a reasonable distance, and
8. where the property owners or occupants of the area within two hundred (200) feet of the proposed site of the facility do not object within fifteen (15) days of their receipt of written notice of the application.
9. Notice of Application. The Director of Operations must mail a written notice of any application to install a sealed vault facility, whether from an applicant not a part of the city government, or from a department of, or entity related to the city government to all persons residing within, or owning property within two hundred (200) feet of the proposed facility site, and not of the property boundary. The notice must describe the character and appearance of the proposed facility, and notify the recipient of a date not less than fifteen (15) days after the mailing of the notice when that person may either file a written protest with the city, or appear before the Water and Sewer Committee to register their objection to the proposed installation of the facility.
10. Overruling of Protest. If not more than fifty-one (51) percent of the owners of properties, (not fifty-one (51) percent of the property owned) within two hundred (200) feet of the proposed site of the facility register protest, and the City Council deems it is in the public interest, the protest may be overruled and the facility installed. Overruling the protest requires six (6) votes of the full council to be effective.
11. Application to Existing Ordinances. Installation of facilities under DMC Chapter 15.24 pursuant to permits obtained subsequent to the effective date of this ordinance is subject to the requirements of this ordinance.
12. Facility Requirements. All facilities installed under this ordinance must meet all requirements of construction and installation required by the State of Montana Department of Environmental Quality.

History: Enc Ord 395 July 1, 1998, Amended Ord 401 May 21, 2003, Amended Ord 467 March 18, 2020

13.06.030 Lift Stations

When it is necessary to move sewage to the wastewater treatment facility utilizing a lift station, this lift station must be constructed by the developer and must remain the responsibility of the developer for the operation of the lift station unless otherwise assumed by the City Council.

History: Enc Ord 385 December 21, 1995, Amended Ord 395 July 1, 1998, Amended Ord 467 March 18, 2020

13.06.040 Private Wastewater Use

Where a public sanitary sewer is not available under the provisions of DMC Section 13.08.010 of this Title, the building sewer must be connected to a private wastewater disposal system (septic tank) that must be approved by the Beaverhead County Sanitarian.

History: Enc Ord 385 December 21, 1995, Amended Ord 395 July 1, 1998, Amended Ord 467 March 18, 2020

13.06.050 Separate Sewers Required - Exception

A separate and independent building sewer must be provided for every building; except where one building stands at the rear of another on an interior lot and when no private sewer is available or cannot be constructed to the rear building through an adjoining alley, court, yard, or driveway, then the sewer from the front building may be extended to the rear building. The sewer department does not and will not assume any obligation or responsibility for damage caused by or resulting from this type of sewer connection.

History: Enc Ord 385 December 21, 1995, Amended Ord 395 July 1, 1998, Amended Ord 467 March 18, 2020

13.06.060 Use of Old Building Sewers

Existing sewers may be used in connection with new constructions only when they are determined by the water/sewer department to meet all requirements of this ordinance.

History: Enc Ord 385 December 21, 1995, Amended Ord 395 July 1, 1998, Amended Ord 467 March 18, 2020

13.06.070 Compliance with Codes Required

The size, slope, alignment, materials of construction of all sanitary sewers and the methods to be used in excavation, placing of pipe, jointing, testing, the connection of the building sewer into the public sewer, and backfilling the trench must conform to the requirements of the plumbing codes or other applicable rules and regulations of the City and the State of Montana.

History: Enc Ord 385 December 21, 1995, Amended Ord 395 July 1, 1998, Amended Ord 467 March 18, 2020

13.06.080 Non-waste Water Prohibited in Sewer

Connection of any roof down spouts, foundation drains, areaway drains, cellar sump pumps, or any other source of surface runoff or groundwater must not be allowed to a building sewer or building drain which is in turn connected directly or indirectly to a sanitary sewer unless such connection is approved by the City for purposes of disposal of polluted surface drainage.

History: Enc Ord 385 December 21, 1995, Amended Ord 395 July 1, 1998, Amended Ord 467 March 18, 2020

13.06.090 Prohibited Discharges Designated

The following described water or wastes must not be discharged or caused to be discharged into any sanitary sewer:

1. Any gasoline, benzene, naphtha, fuel, oil, or other flammable or explosive liquid, solid or gas.
2. Any waters containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to contaminate the sludge of the municipal system, 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 or have an adverse effect on the waters receiving any discharge from the treatment works. Each user whom discharges any toxic pollutants which cause an increase in the cost of managing the effluent or the sludge of the treatment works must pay for such incurred costs.
3. Any waters or wastes having a pH factor lower than five and one-half (5.5) or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the wastewater works.
4. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the wastewater facilities such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, underground garbage, whole blood, paunch manure, hair and fleshing, entrails, and paper dishes, cups, milk containers, etc., either whole or ground by garbage disposals.
5. Septic tank wastes.

History: Enc Ord 385 December 21, 1995, Amended Ord 395 July 1, 1998, Amended Ord 467 March 18, 2020

13.06.100 Limited Substances Designated

The following described substances, materials, waters, or waste must be limited in discharges to the municipal systems to concentrations or quantities which will not harm either the sewers, wastewater treatment process or equipment, will not have an adverse effect on the receiving stream, or will not otherwise endanger lives, limb, public property, or constitute a nuisance. The City may set limitations lower than the limitations established in the regulations below if in its opinion such more severe limitations are necessary to meet the above objectives. In forming its opinion as to the acceptability, the City must give consideration to such factors as the quantity of waste in relation to flows and velocities in the sewers, materials of construction of the sewers, the wastewater treatment process employed, capacity of the wastewater treatment plant, degree of treatability of the waste in the wastewater treatment plant, and other pertinent factors. The limitations or restrictions on materials or characteristics of waste or wastewaters discharged to the sanitary sewer which must not be violated without prior approval by the City are as follows:

1. Wastewater having a temperature higher than one hundred fifty (150) degrees Fahrenheit (sixty-five (65) degrees Celsius);
2. Wastewater containing more than twenty-five (25) milligrams per liter of petroleum oil, non-biodegradable cutting oils, or product of mineral origin;
3. Wastewater from industrial plants containing floatable oils, fat or grease;
4. Any garbage that has not been properly shredded. Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments, or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers;
5. Any waters or wastes containing arsenic, iron, chromium, copper, mercury, zinc, and similar objectionable or toxic substances to such a degree that any such material received in the composite wastewater at the wastewater treatment works exceeds the limits established by the City for such materials;
6. Any waters or wastes containing odor-producing substances exceeding limits which may be established by the City;
7. 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;
8. Quantities of flow, concentration, or both which constitute a “slug” as defined in this chapter;
9. Waters or wastes containing substances which are not amenable to treatment processes employed, or are amenable to treatment only to such a degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters;
10. Any water or wastes, which, by interaction with other water or wastes in the public sewer system, release obnoxious gases, form suspended solids that interfere with the collection system, or create a condition deleterious to structures and treatment processes;
11. Any water or wastes containing DDT, PBB, PCB or other carcinogenic compounds to such a degree that any such materials received in the composite wastewater at the wastewater treatment facility exceeds the limits established by the City for such materials.

History: Enc Ord 385 December 21, 1995, Amended Ord 395 July 1, 1998, Amended Ord 467 March 18, 2020

13.06.110 Pretreatment or Rejection of Discharges

1. If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, of which waters contain the substances or possess the characteristics enumerated in this Chapter, and which in the judgment of the City may have a deleterious effect upon the wastewater facilities, 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;
	3. Require control over the quantities and rates of discharge; and/or
	4. Require payment to cover the added cost of handling and treating the wastes not covered by the existing taxes or sewer services charged under the provisions of this Title.
2. When considering the above alternative the City must give consideration to the economic impact of each alternative on the discharge. If the City permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment must be subject to the review and approval of the City and the Montana Department of Environmental Quality (DEQ).

History: Enc Ord 385 December 21, 1995, Amended Ord 395 July 1, 1998, Amended Ord 467 March 18, 2020

13.06.120 Grease, Oil and Sand Interceptors

1. Grease, oil, and sand interceptors must be provided when, in the opinion of the City, they are necessary for the proper handling of liquid wastes, sand or other harmful, ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors must be of a type and capacity approved by the City and must be located as to be readily and easily accessible for cleaning and inspection.
2. In the maintaining of these interceptors the owner(s) shall be responsible for the proper removal and disposal by appropriate means of the captivated material and must maintain records of the dates, and some means of disposal which are subject to review by the City. Any removal and hauling of the collected materials not performed by owner(s) personnel must be performed by currently licensed waste disposal firms. All interceptors must be reviewed and approved by the Montana Department of Environmental Quality (DEQ).

History: Enc Ord 385 December 21, 1995, Amended Ord 395 July 1, 1998, Amended Ord 428 December 1, 2010, Amended Ord 467 March 18, 2020

13.06.130 Pretreatment Facilities - Maintenance

Where pretreatment or flow-equalizing facilities are provided or required for any waters or wastes, the facilities must be maintained continuously in satisfactory and effective operation by the owner(s) at their expense.

History: Enc Ord 385 December 21, 1995, Amended Ord 395 July 1, 1998, Amended Ord 467 March 18, 2020

13.06.140 Sampling and Testing Facilities

When required by the City, the owner(s) of any property serviced by a building sewer carrying industrial waste or excess flows, DE, BOD or TSS must install a suitable structure together with such necessary meters and other appurtenances in the building’s sewer to facilitate observation, sampling, and measurement of the wastes. Such structures, when required, must be accessible and safely located, and must be constructed in accordance with plans approved by the City. The structure must be installed by the owner at their expense, and must be maintained by them so as to be safe and accessible at all times.

History: Enc Ord 385 December 21, 1995, Amended Ord 395 July 1, 1998, Amended Ord 467 March 18, 2020

13.06.150 Determination of Compliance - Information Required

The City may require a user of sewer services to provide information needed to determine compliance with this chapter. These requirements may include:

1. Wastewaters discharge peak rate and volume over a specified time period;
2. Chemical analyses of wastewaters;
3. Information on raw materials, processes, and products affecting wastewater volume and quality;
4. Quantity and disposition of specific liquid, sludge, oil, solvent, or other materials important to sewer use control;
5. A plot plan of sewers of the user’s property showing sewer and pretreatment facility location;
6. Details of wastewater pretreatment facilities;
7. Details of systems to prevent and control the losses of materials through spills to the municipal sewer.
8. In order to provide a means of monitoring the dates and means of disposal required by preceding parts A & B of this section, all persons in charge of facilities with Grease, Oil and/or Sand Interceptors must file with the Director of Operations of the City a copy of the records of the dates or removal and dates and type of disposal of the material removed from any Grease Oil, and/or sand interceptor.

History: Enc Ord 385 December 21, 1995, Amended Ord 395 July 1, 1998, Amended Ord 467 March 18, 2020

13.06.160 Grease, Oil and Sand Interceptors Maintenance Plan & Report

1. All facilities connected to or using the municipal sewer system which have grease, oil and/or sand interceptors annually on the first (1st) business day of the month after the effective date of this ordinance the owner or operator of any facilities connected to or using the municipal sewer system which have grease, oil and/or sand interceptors must file with the Director of Operations of the City a planned schedule of grease oil and/or sand interceptor maintenance and cleaning actions for the remainder of the calendar year and annually during the first (1st) week of January of each year thereafter.
2. The schedule must describe the frequency and estimated dates such maintenance and/or cleaning will occur, and the type of cleaning and/or maintenance action that occurs.
3. The Director of Operations may require a particular form to be used for filing the plan. The plan may be amended at any time, if the frequency or type of maintenance and/or cleaning is not necessary as frequently as estimated, or more often if required. All amendments to the plan must be filed with the Director of Operations.
4. For the purpose of monitoring the cleaning requirements of DMC Section 13.06.120 Grease, Oil and Sand Interceptors part B, duly authorized employees of the city may enter and inspect the facilities as provided in DMC Section 13.06.200 Authority.
5. Each Grease, Oil, and Sand Interceptor within the City must be inspected by a City employee at least once a year.

History: Enc Ord 428 December 1, 2010, Amended Ord 467 March 18, 2020

13.06.170 Enforcement of Grease, Oil and Sand Interceptors Requirements

Failure of the owner or person in charge of the facility to prepare and file the plan of maintenance and cleaning as required by DMC Section 13.06.160 of this code or failure to maintain and file the records of the cleaning and disposal of the captivated material as required by DMC Section 13.06.120(B) of this code is grounds for turning off the water to premises after the notice provided for in DMC Section 13.02.060(C) Billing Delinquency.

History: Enc Ord 428 December 1, 2010, Amended Ord 467 March 18, 2020

13.06.180 Determination of Compliance - Standard Methods

All measurements, tests, and analyses of the characteristics of water and wastes to which reference is made in this chapter are determined in accordance with the latest edition of “Standard Methods for the Examination of Water and Wastewater’” published by the American Public Health Association. Sampling methods, location, times, durations, and frequencies are to be determined on an individual basis, subject to approval by the City.

History: Enc Ord 385 December 21, 1995, Amended Ord 395 July 1, 1998, Amended Ord 467 March 18, 2020

13.06.190 Special Agreements Permitted

Statements contained in this Chapter must not 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.

History: Enc Ord 385 December 21, 1995, Amended Ord 395 July 1, 1998, Amended Ord 467 March 18, 2020

13.06.200 Inspection - Authority

The duly authorized employees of the City bearing proper credentials and identification must be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing pertinent to discharge to the community system in accordance with the provisions of this chapter.

History: Enc Ord 385 December 21, 1995, Amended Ord 395 July 1, 1998, Amended Ord 467 March 18, 2020

13.06.210 Inspection - Confidentiality

The duly authorized employees are authorized to obtain information concerning industrial processes which have a direct bearing on the kind and source of discharge to the wastewater collection system. The industry may withhold information considered confidential. The industry must establish that the revelation to the public of the information in question might result in an advantage to competitors.

History: Enc Ord 385 December 21, 1995, Amended Ord 395 July 1, 1998

13.06.220 Multiple Family Housing

Where there are multiple families living in one (1) premise with only one (1) water hookup to the premise, all families shall be charged the base sewer rate and for any sewer construction bonds payments.

History: Enc Ord 385 December 21, 1995, Amended Ord 395 July 1, 1998, Amended Ord 467 March 18, 2020