



## **SECTION II SANITARY SEWER USERS**

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### **A. APPLICATION FOR CONNECTION TO SEWER SYSTEM**

Connection to the sanitary sewer system of the Board may be made upon the written application of the Owner of the premises to be served (or his duly authorized agent), upon an application form provided by the Board, conditioned upon the agreement of the Owner to be bound by the Board's Rules and Regulations, as defined herein. Each applicant shall install at his expense the service pipe or sewer lateral line between the Board's sanitary sewer main and the premises to be served, including all appurtenant fittings, fixtures and appliances. The size, type and kind of material that the Owner desires to use shall be subject to approval of the Board and installation thereof shall be made by a Plumber, who shall also be bound by the Board's Rules and Regulations, as defined herein.

Connection to the sanitary sewer system shall comply with the Board's Rules and Regulations, specifications for sanitary sewer, and all applicable state and local laws, codes, regulations and rules.

- (1) In order to apply for sanitary sewer service, the Owner must state his name, the character and extent of the service desired, a description of the premises, including the name of street and house number, if any, the size of the meter through which water will be or is being supplied, and such other information as may reasonably be required by the Board to enable it to give the desired service. No sewage service will be furnished through any new connection until a certificate has been issued by the City Plumbing Inspector certifying that all plumbing and fixtures have been installed in accordance with the City Plumbing Code and the Owner has paid the sanitary sewer capacity fee established by the Board as outlined in the then current and applicable fee schedule. The sanitary sewer capacity fee is based on the size and number of domestic water meters that serve the premises. Irrigation water lines and fire lines are not considered in the determination of the sanitary sewer capacity fee. Sanitary sewer capacity fees shall be utilized by the Board to fund construction of new wastewater treatment plants or expansions of existing wastewater treatment plants, and at the Board's discretion can be utilized for construction of major extensions of its sanitary sewer collection system. Sanitary sewer capacity fees are in addition to any amount that might be expended by the Owner for water and sewer

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improvements or other Board fees, including, but not limited to: tap, meter and box fees and water capacity fees. The capacity fee is assigned to the premises served and is not transferable

- (2) In every instance that application is made for approval of development plans or a subdivision plat prior to completion of new mains and appurtenances, the Owner must execute an indemnity agreement, acceptable to the Board, in which the Owner guarantees that all newly constructed mains and appurtenances will be installed in accordance with the Board's standard subdivision specifications. In addition, the Owner must provide security for the indemnity agreement in either (a) a performance bond from a bonding company licensed to do business in the State of Alabama and in good standing with the Alabama Department of Insurance, which bond may not be executed in an amount greater than ten percent (10%) of the policyholders surplus of the company, (b) a letter of credit issued in favor of the Board by a bank licensed to do business in Alabama and insured by the Federal Deposit Insurance Corporation, (c) a certified check made payable to the Board or (d) other guaranty acceptable to the Board for the performance of the terms of said indemnity agreement. The security provided will be returned to the Owner upon satisfactory completion and acceptance of the subject mains and appurtenances by the Board, in accordance with the terms of said indemnity agreement. A maintenance period, extending for one year from written approval by the Board of the installation of new mains and appurtenances or until the last layer of asphalt required by the City has been applied, whichever period is longer, follows written approval by the Board of the completed installation. The Board shall not be responsible for repairs to said new mains and appurtenances or for any damages arising from the installation until said maintenance period expires, at which time the Board will accept said new mains and appurtenances for maintenance.
- (3) Where a development is proposed and the developer wishes to operate their own wastewater collection and treatment or their own water supply and distribution system, the Board shall have the right to declare it a separate utility and as such may require the developer to purchase water or wastewater services at a point of delivery or taking and require certain safeguards be put into place in order to protect its system and the general public and the Board will not have any maintenance requirements on said system(s).

### **B. USE OF THE SANITARY SEWER**

- (1) Responsibilities:
  - (a) It is the responsibility of the Owner to maintain sewer laterals in accordance with the Board's Rules and Regulations. The Board assumes no monitoring or maintenance responsibility, obligation, duty or liability of any kind or under any circumstances for sewer laterals. The Board will, in no case, assume any liability for damage, including

personal injury and property damage, whether real or personal, resulting from any break, leak or structural failure, or back-up in the sewer lateral.

- (b) The Board will make necessary repairs to Board sanitary sewer mains and lateral connections to the main, at no expense to the Owner, when it is determined by Board inspection that the service fitting is broken or that the lateral connecting to the main has dropped into the main.
- (c) Failure of a property owner to replace a clean-out cap removed or otherwise missing from his lateral is grounds for disconnection of the Owner's water and/or sewer service. When requested to do so by the Owner, the Board will replace the Owner's missing clean-out cap for a charge to be determined by the Board from time to time.
- (d) During the operation and maintenance of its sewer system, the Board will from time to time utilize investigative methods, i.e. smoke testing, closed circuit television inspection, dye water testing, etc., to determine the location of sewer system defects that might allow storm water inflow and infiltration into the sewer system. If in the course of its investigation the Board determines that there is a break, leak, or structural failure in the lateral, the Board will notify the Owner and make demand on the Owner to make any such repairs. The Owner shall comply with the Board's demand and have such break, leak, or structural failure, whether in the City's right-of-way or the Owner's private property, repaired immediately. Failure or refusal of the Owner to make the repairs will be grounds for immediate disconnection of the Owner's water/sewer service. (See Section (e) concerning Residential Property Sewer Repair Policy).
- (e) When requested to do so by the Owner of residential property consisting of four units or less the Board will make repairs necessary due to any break, leak, or structural failure in the lateral that in the Board's determination may be a source of storm water inflow or infiltration to the Board's main, at no cost to the Owner, to that part of the Owner's lateral located within the limits of the City of Montgomery's rights-of-way. Prior to contacting the Board to make such repair, the location of such defects must be documented by the Owner's Plumber at the Owner's expense. The Board will not be responsible for: (1) the cost of the location of such defects, or (2) the cost of plumbing services to remove blockages of any nature at any point in the lateral. The Owner shall remain responsible for any third party costs, such as plumbing services incurred in identifying and making the repair, and for any and all loss or damages incurred as a result of the circumstances creating the need for repair. The Board will, in no case, make repairs to a lateral located within the limits of the City of Montgomery's rights-of-way when any break, leak, or structural failure in the lateral was caused by the Owner, his agent, tenant, contractor, subcontractor, or any third party.

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- (f) The Board shall, in no case, pay for repairs to laterals located in private rights-of-way, County rights-of-way or easements.
- (2) No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof run-off, sub-surface drainage, cooling water or unpolluted industrial process waters into any sanitary sewer.
- (3) Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described substances into any public sewer:
  - (a) Any liquid vapor or waste having a temperature higher than 150 degrees F.
  - (b) Any water or waste which may contain more than 100 parts per million by weight of fat, oil or grease. Grease and oil include hydrocarbons, fatty acid, soaps and waxes.
  - (c) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.
  - (d) Any garbage that has not been properly shredded.
  - (e) Any ashes, cinders, sand, mud, straw, shaving, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works.
  - (f) Any substance having a PH lower than 6.0 or higher than 9.0 or having any other corrosive property capable of causing damage to structures, equipment, or personnel of the Board.
  - (g) Any toxic or poisonous substance or any other materials that could interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any hazard in the receiving waters of the sewage treatment plant.
  - (h) Any substance containing suspended solids of such character or quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant.
  - (i) Any noxious or malodorous gas or substance capable of creating a public nuisance.
  - (j) Any substance having a Chemical Oxygen Demand in excess of 1000 parts per million by weight.
  - (k) Any substance containing more than 250 parts per million by weight of suspended solids.
  - (l) Any substance having an objectionable color, which is not removable in the existing sewage treatment plant processes.
  - (m) Any unpolluted waters or unpolluted wastes.

- (n) Any long half-life (over 100 days) of toxic radioactive isotopes, without special permit. The radioactive isotopes I-131 and P-32 used at hospitals are not prohibited, if properly diluted at the source.
  - (o) Any substance containing more than 50 parts per million by weight of ammonia as nitrogen, not to exceed 15 per cent of the maximum water pollution control plant allowable loading.
  - (p) Any substance containing more than 250 parts per million of Biochemical Oxygen Demand, not to exceed 15 per cent of the maximum pollution control plant allowable loading. No statement contained in this section shall be construed as preventing any special agreement or agreement between the Board and any person whereby an industrial waste of unusual strength of character may be admitted into the sanitary sewer by the Board after approved pretreatment.
- (4) Grease, oil and sand interceptors shall be required on any service when, in the opinion of the Board, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, and other harmful ingredients. All restaurants, fast food restaurants, and catering services are required to have a grease interceptor and/or grease trap; all truck washes are required to have a sand trap and oil separator; all car washes are required to have a sand trap; and all truck and car washes prior to being installed shall present to the Board's Engineering Department an approved set of drawings of the facility. Sizing of interceptors shall be as outlined in the Engineering Design Manual. Such interceptors shall not be required for single-family dwelling units. All interceptors shall be of a type of capacity approved by the Board and shall be located as to be readily and easily accessible for cleaning and inspection.

Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction; watertight, and equipped with easily removable covers which when bolted in place shall be gas tight and watertight.

- (5) Where installed, all grease, oil and sand interceptors and garbage disposals shall be maintained by the Owner, at his expense, in continuously efficient operation at all times.
- (6) The admission into the public sewers of any substance having (a) a 5-day Biochemical Oxygen Demand greater than 250 parts per million by weight, or (b) containing more than 250 parts per million by weight of suspended solids, or (c) containing any quantity of substance having the characteristics described in paragraph B(3) of this Section, or (d) having an average daily flow greater than 2% of the average daily sewage flow of the City of Montgomery shall be subject to the review and approval of the Board. When necessary in the operation of the Board, the Owner shall provide, at his expense, such preliminary treatment as may be necessary to (a) reduce the Biochemical Oxygen Demand to 250 parts per million and suspended solids to 250 parts per million by weight, or (b) reduce objectionable characteristics or constituents to within the maximum limits

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provided for in paragraph B(3), or (c) control the quantities and rates of discharge of such substances. Plans, specifications, any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the Board, and no construction of such facilities shall be commenced until said approvals are obtained in writing.

- (7) Where preliminary treatment facilities are provided for any substances, they shall be maintained continuously in satisfactory and effective operation by the Owner at his expense.
- (8) When required by the Board, the Owner of any property served by a sewer carrying industrial wastes shall install a suitable control manhole (sampling manhole) in the main sewer lateral to facilitate 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 Board. The manhole shall be installed by the Owner at his expense and shall be maintained by him so as to be safe and accessible at all times.
- (9) All measurements, tests, and analyses of the characteristics of substances to which reference is made in this Section shall be determined in accordance with "Standard Methods" and shall be determined at the control manhole provided for in paragraph 8 of this Section or upon suitable samples taken at said control 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.
- (10) No statement contained in this article shall be construed as preventing any agreement or arrangement between the Board and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Board for treatment, subject to payment therefore by the industrial concern.
- (11) Sewage from septic tanks and portable toilets must be discharged into special manholes located at one or more of the Board's sewage treatment plants and designated for this purpose by the Board. A charge per 1,000 gallons of sewage with a minimum charge per truckload will be assessed for discharge as provided above, and the charge shall be determined by the Board. Collectors, haulers, and those engaged in the business of hauling sewage from septic tanks and portable toilets are required to enter into a written contract with the Board on such form as may be prescribed by the Board from time to time.
- (12) All new extensions of the Board's sanitary sewer system shall be done in accordance with the Board's Specifications.

**C. POWERS AND AUTHORITY OF INSPECTION**

A duly authorized representative of the Board, bearing proper credentials and identification, is entitled to enter upon all properties of Consumers for the purposes of inspection, observation, measurement, sampling, and testing.

**D. ENFORCEMENT**

- (1) Any person who neglects or refuses to comply with any of the Board's Rules and Regulations governing the service to sewer users shall be given notice in writing by the Board and unless full compliance with these rules, as described in said notice, is made within sixty (60) days from the date thereof, the Board shall discontinue sewer and water service to such person and shall not be obligated to restore such service until there has been a full compliance with these Rules and Regulations.
- (2) Whenever service has been discontinued as provided above the Board may impose a reasonable charge, not to exceed \$500.00, which shall be paid before service is reestablished.
- (3) A Consumer's failure or refusal to comply with any of the Board's Rules and Regulations governing service to sewer users shall be sufficient cause for the Board to discontinue water and sewer service to such Consumer subject to all the Rules and Regulations applicable to users of water and sewer services.
- (4) Anyone to whom the Board's water supply is not available who desires to connect to and use the Board's sanitary sewer system for normal domestic sewage, while maintaining his own well water supply, shall pay a flat rate amount as determined by the Board to be invoiced monthly. By connecting to and using the Board's sanitary sewer system pursuant to this rule, the Consumer agrees to connect onto the Board's water system, at his own expense, when, in the Board's opinion, its water mains are available to him.
- (5) The Board may accept those part(s) of sanitary sewer mains, lines, manholes, and appurtenances on private property as a part of its system for maintenance purposes, at the request of the Owner, where the Owner provides the Board with necessary easements, mortgage subordination agreements, releases of liens, and title assurance, and the Board determines that acceptance of the mains and manholes is beneficial and essential for the Board's systems operation and/or for future public use. The decision of whether to accept any part of a sanitary sewer main, line, manhole, or appurtenance is in the sole discretion of the Board.
- (6) The Owner of premises served by the Board shall be responsible for any damage, including personal injury, property damage and environmental injuries, caused by his failure to properly maintain his sewage service lateral or service line or by his failure to adhere to these Rules and Regulations, and he shall hold the Board harmless for any and

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all fines, claims, damages, or any other liabilities that the Board incurs as a result of said failure by Owner