

ORDINANCE NO: 11153-01, Revision 2

AN ORDINANCE ESTABLISHING RULES AND REGULATIONS FOR THE OPERATION AND THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, PRIVATE SEWAGE DISPOSAL, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM: AND PROVIDING PENALTIES FOR VIOLATION THEREOF; IN THE BLACKWATER REORGANIZED COMMON SEWER DISTRICT (HEREAFTER REFERRED TO AS THE DISTRICT), COUNTY OF JOHNSON, STATE OF MISSOURI.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE BLACKWATER REORGANIZED COMMON SEWER DISTRICT OF JOHNSON COUNTY, MISSOURI, AS FOLLOWS:

ARTICLE I

SECTION 1. The following Rules and Regulations are hereby adopted to govern the sewer services furnished by the municipality in a uniform manner for the benefit of the municipality and its sewer users. They are subject to change from time to time. All such changes must be approved by the State Director of the Rural Development, United States Department of Agriculture, or his successor, so long as the municipality has unpaid obligations which are held by or insured by the United States of America. If any portion of these Rules shall be declared invalid by competent authority, such voidance shall not affect the validity of the remaining portions.

SECTION 2. A sewer volume service charge shall be levied on each sewer system user or contributor who discharges sewage, industrial wastewater, or other liquids either directly or indirectly into the District's sewer system. Subject to the exceptions provided in this chapter, such charge shall be based upon the quantity of water used in or on the premises as the same is measured by a water or sewage meter or meters approved by the District. Additional charges for extra strength sewage, toxic pollutants, and wastewater monitoring shall be levied where applicable.

SECTION 3. Additional charges may be levied on each sewer system user or contributor who discharges sewage, industrial wastewater, or other liquids either directly or indirectly into the District's sewer system. These additional charges may levied evenly to all contributors or premises to cover costs and expenses that are determined by the Board of Trustees of the District to be equally applicable to all users, and not dependant on actual volume usage.

ARTICLE II

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

SECTION 1 “BOD” (denoting Biochemical Oxygen-Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20° C, expressed in milligrams per liter.

SECTION 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.

SECTION 3 “Building Sewer” shall mean the extension from the building drain to the public sewer or other place of disposal.

SECTION 4 “Combined Sewer” shall mean a sewer receiving both surface runoff and sewage.

SECTION 5 “Garbage” shall mean solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage and sale of produce.

SECTION 6 “Industrial Wastes” shall mean the liquid wastes from industrial manufacturing processes, trade or business as distinct from sanitary sewage.

SECTION 7 “Natural Outlet” shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface or groundwater.

SECTION 8 “Person” shall mean any individual, firm, company, association, society, corporation or group.

SECTION 9 “pH” shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

SECTION 10 “Properly Shredded Garbage” shall mean the wastes from the preparation, cooking and dispensing of foods 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 one-half (1/2) inch (1.27 centimeters) in any dimension.

SECTION 11 “Public Sewer” shall mean a sewer in which all owners of abutting properties have equal rights and is controlled by public authority.

SECTION 12 “Sanitary Sewer” shall mean a sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted.

SECTION 13 “Sewage” shall mean a combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such ground, surface and storm waters as may be present.

SECTION 14 “Sewage Treatment Plant” shall mean any arrangement of devices and structures used for treating sewage.

SECTION 15 “Sewage Works” shall mean all facilities for collecting, pumping, treating and disposing of sewage.

SECTION 16 “Sewer” shall mean a pipe or conduit for carrying sewage.

SECTION 17 “Shall” is mandatory; “May” is permissive.

SECTION 18 “Slug” shall mean any discharge of water, sewage or industrial waste 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.

SECTION 19 “Storm Drain” (sometimes termed “storm sewer”) shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

SECTION 20 “Superintendent” shall mean the Superintendent of the Blackwater Reorganized Common Sewer District of Johnson County, Missouri, or his authorized deputy, agent or representative.

SECTION 21 “Suspended Solids” shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquids and which are removable by laboratory filtering.

SECTION 22 “Watercourse” shall mean a channel in which a flow of water occurs, either continuously or intermittently.

SECTION 23 “Municipality” shall mean the Blackwater Reorganized Common Sewer District of Johnson County, Missouri.

SECTION 24 “State Director” shall mean the State Director of Rural Development for Missouri, United States Department of Agriculture, or his successor.

SECTION 25 “Applicant” shall mean any individual, firm, partnership, corporation or other agency owning land within the municipality applying for a sewer service.

SECTION 26 “Board” shall mean the Board of Trustees of Blackwater Reorganized Common Sewer District of Johnson County, Missouri.

SECTION 27 “Inspector” shall mean the person or persons duly authorized by the District to inspect and approve the installation of building sewers and their connection to the public sewer system.

SECTION 28 “Act “ or “the Act” the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U. S. C. 1251 et seq.

SECTION 29 “Pollutant” Any dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, medical wastes, chemical wastes, biological materials,

radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt and industrial, municipal and agricultural wastes, and certain characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity or odor) discharged into water.

A toxic pollutant shall include, but not be limited to any pollutant identified pursuant to Section 307(a) of the Act.

SECTION 30 “Publicly Owned Treatment Works (or POTW)” A “treatment works”, as defined by Section 212 of the Act (33 U.S.C. Sec. 1292) which is owned by the District. This definition includes any devices or systems used in the collection, storage, treatment, recycling and reclamation of sewage or industrial wastes of a liquid nature and any conveyance which convey wastewater to a treatment plant. For the purposes of this article “POTW” shall also include any sewers that convey wastewaters to the POTW from persons outside the District who are, by contract or agreement with the District, users of the District’s POTW.

ARTICLE III

SECTION 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 boundaries of the District, or in any area under the jurisdiction of said District, any human or animal excrement, garbage or other objectionable waste.

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

SECTION 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.

SECTION 4 The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated within the District and abutting on any street, alley or right-of-way in which there is now located or may be in the future be located a public sanitary or combined sewer of the District, is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this ordinance, within ninety (90) days after date of official notice to do so, provided that said public sewer is within one hundred (100) feet (30.5 meters) of the property line.

ARTICLE IV

SECTION 1 Where a public sanitary or combined sewer is not available under the provisions of Article III, Section 4, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this Article.

SECTION 2 Before commencement of construction of a private sewage disposal system the owner shall first obtain a written permit signed by the Inspector. The application for such permit shall be made on a form furnished by the Inspector, which the applicant shall supplement by any plans, specifications and other information as are deemed necessary by the Inspector. A permit and inspection fee of Ten Dollars (\$10.00) shall be paid to the District at the time the application is filed.

SECTION 3 A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Inspector. He shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the Inspector when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within four (4) hours of the receipt of notice by the Inspector if received in the forenoon and within eighteen (18) hours of receipt of notice if received in the afternoon.

SECTION 4 The type, capacities, location and layout of a private sewage disposal system shall comply with all recommendations of the Department of Public Health of the State of Missouri. No permit shall be issued for any private sewage disposal system employing subsurface soil absorption facilities where the area of the lot is less than 43,560 square feet. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

SECTION 5 At such times a public sewer becomes available to a property served by a private sewage disposal system, as provided in Article IV, Section 4, a direct connection shall be made to the public sewer in compliance with this ordinance, and any septic tanks, cesspools and similar private sewage disposal facilities shall be abandoned and filled with suitable material.

SECTION 6 The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the District.

SECTION 7 No statement contained in this Article shall be construed to interfere with any additional requirements that may be imposed by the Health Officer of the State or County.

SECTION 8 When a public sewer becomes available, the building sewer shall be connected to said sewer within sixty (60) days and the private sewage disposal system shall be cleaned of sludge and filled with clean bank-run gravel or dirt.

ARTICLE V

SECTION 1 It is unlawful for any unauthorized person to tamper with, connect or reconnect to, the sanitary sewer system of the District.

SECTION 2 No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Inspector.

SECTION 3 There shall be two (2) classes of building sewer permits: (a) for residential and commercial service and (b) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the District. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the Inspector. A permit and inspection fee of Twenty Five Dollars (\$25) for a residential or commercial building sewer permit and Five Hundred Dollars (\$500) for an industrial building sewer permit shall be paid to the District at the time the application is filed.

SECTION 4 All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the District from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

SECTION 5 A separate and independent building sewer shall be provided for every building; except where one building stands at the rear or another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

SECTION 6 Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Inspector, to meet all requirements of this ordinance.

SECTION 7 The size, slope, alignment, materials of construction of a building sewer and the methods to be used in excavating, placing of the pipe, jointing, testing and back filling the trench shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the District. In the absence of code provisions, utilization of industry appropriate materials in a good and workmanship like manner and/or in a manner consistent with MDNR Regional Office guidance will apply.

SECTION 8 Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

9 8 No person shall make connection of roof downspouts, exterior foundation drains, areaway drains or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.

SECTION 10 The connection of the building sewer into the public sewer shall conform to the requirements of the buildings and plumbing code or other applicable rules and regulations of the District or, in the absence of code provisions, utilize industry appropriate materials in a good and workmanship like manner and/or in a manner consistent with MDNR Regional Office guidance. All such connections shall be made gas tight and water tight. Any deviation from the prescribed procedures and materials must be approved by the Inspector before installation.

SECTION 11 The applicant for the building sewer permit shall notify the Inspector when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Inspector or his representative.

SECTION 12 All excavations for building sewer installations shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the District.

ARTICLE VI

SECTION 1 No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, subsurface drainage, including interior and exterior foundation drains, uncontaminated cooling water or unpolluted industrial process waters to any sanitary sewer.

SECTION 2 Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the Inspector. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Inspector, to a storm sewer, combined sewer or natural outlet.

SECTION 3 No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

- (a) Any gasoline, benzene, naphtha, fuel oil, paint thinner or other organic solvents, photographic chemicals or other flammable or explosive liquid, solid or gas.
- (b) 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 excess of two (2) mg/1 as CN in the wastes as discharged to the public sewer.
- (c) Any waters or wastes having (1) a 5-day biochemical oxygen demand greater than 300 parts per million by weight or (2) containing more than 350 parts per million by weight of suspended solids or (3) having an average daily flow greater than 2 percent of the average sewage flow of the District, shall be subject to the review of the Superintendent. Where necessary, in the opinion of the Superintendent, the owner shall provide, at his expense, such preliminary treatment as may be necessary to (1) reduce the biochemical oxygen demand to 300 parts per million by weight or (2) reduce the suspended solids to 350 parts per million by weight or (3) control the quantities and rates of discharge of such waters or wastes. Plans, specifications and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the Superintendent and no construction of such facilities shall be commenced until said approvals are obtained in writing.

- (d) 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 sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, animal fats and oils, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

SECTION 4 No person shall discharge or cause to be discharged the following described substances, materials, waters or wastes if it appears likely in the opinion of the Inspector 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. In forming his opinion as to the acceptability of these wastes, the Inspector will give consideration to 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. The substances prohibited are:

- (a) Any liquid or vapor having a temperature higher than one hundred fifty (150)^o F (65^oC).
- (b) Any water or waste containing fats, wax, grease or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between thirty two (32) and one hundred fifty (150)^o F (0 and 65^o C).
- (c) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the Inspector.
- (d) Any waters or wastes containing strong acid iron pickling wastes or concentrated plating solutions whether neutralized or not.
- (e) Any waters or wastes containing iron, chromium, copper, zinc and similar objectionable or toxic substances; or wastes exerting an 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 Inspector for such materials.
- (f) Any waters or wastes containing phenols or other taste – or odor – producing substances, in such concentrations exceeding limits which may be established by the Inspector 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.
- (g) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Inspector in compliance with applicable State or Federal regulations.
- (h) Any waters or wastes having pH in excess of 9.5.

(i) Materials which exert or cause:

1. 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 sulfate).
2. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions.)
3. Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment work.
4. Unusual volume of flow or concentration of wastes constituting “slugs” as defined herein.

(j) 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.

(k) No person shall discharge wastewater containing in excess of:

- 1.0 mg/l arsenic
- 1.5 mg/l cadmium
- 4.0 mg/l copper
- 1.0 mg/l cyanide
- 1.0 mg/l lead
- 1.0 mg/l mercury
- 4.0 mg/l nickel
- 1.0 mg/l silver
- 6.0 mg/l total chromium
- 4.0 mg/l zinc

SECTION 5 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 4 of this Article and, which in the judgment of the Inspector, may have a deleterious effect upon the sewage works, processes, equipment or receiving waters or which otherwise create a hazard to life or constitute a public nuisance, the Inspector may:

- (a) Reject the wastes
- (b) Require pretreatment to an acceptable condition for discharge to the public sewers
- (c) Require control over the quantities and rates of discharge and/or
- (d) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of Section 10 of this Article.

If the inspector permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Inspector and subject to the requirements of all applicable codes, ordinances and laws.

SECTION 6 Grease, oil and sand interceptors shall be provided when, in the opinion of the Inspector, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Inspector and shall be located as to be readily and easily accessible for cleaning and inspection.

SECTION 7 Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

SECTION 8 When required by the Inspector, the owner of any property serviced by a building sewer carrying industrial wastes 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 accessible and safely located and shall be constructed in accordance with plans approved by the Inspector. 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.

SECTION 9 All measurements, tests and analysis of the characteristics of waters and wastes to which reference is made in this ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association, and shall be determined at the control manhole provided, 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. 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. (The particular analysis involved will determine whether a twenty-four (24) hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken.) Normally, but not always, BOD and suspended solids analyses are obtained from 24-hour composites of all outfalls whereas pH's are determined from periodic grab samples.

SECTION 10 No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the District and any industrial concern whereby an

industrial waste of unusual strength or character may be accepted by the District for treatment, subject to payment therefor, by the industrial concern.

ARTICLE VII

SECTION 1 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 sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

ARTICLE VIII

SECTION 1 The Inspector and other duly authorized employees of the District bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing in accordance with the provisions of this ordinance. The Inspector or his representatives shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

SECTION 2 While performing the necessary work on private properties referred to in Article VIII, Section 1 above, the Inspector or duly authorized employees of the District shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the District employees and the property owner shall indemnify the company against loss or damage to its property by District employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Article VI, Section 8.

SECTION 3 The Inspector and other duly authorized employees of the District bearing proper credentials and identification shall be permitted to enter all private properties through which the District holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

ARTICLE IX

SECTION 1 Any person found to be violating any provision of this ordinance except Article VII shall be served by the Superintendent of the District with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

SECTION 2 Any person who shall continue any violation beyond the time limit provided for in Article IX, Section 1, shall be guilty of a misdemeanor and on conviction thereof shall be fined in the amount not exceeding One Hundred (\$100.00) Dollars for each violation. Each day in which any such violation shall continue shall be deemed a separate offence.

SECTION 3 Any person violating any of the provisions of this ordinance shall become liable to the District for any expense, loss or damage occasioned the District - by reason of such violation.

ARTICLE X

SECTION 1 The occupant and user of the premises receiving sewer service, or the owner of such premises, shall be jointly and severally liable to pay for such services rendered on such premises. The District shall have the power to sue the occupant or the owner, or both, of such real estate in a civil action to receive any sum or sums due for such services, plus a reasonable attorney's fee to be fixed by the courts.

SECTION 2 The District's operational expenses, debt service charges and sewer coverage requirements shall be evaluated annually to establish sewer charges sufficient to produce revenues to meet these requirements.

SECTION 3 For residential users only, the sewer volume charge shall be based upon winter month's average volume. The winter month's average water volume is determined, for purposes of this section, by water usage during the full months of January, February and March.

The winter month average volume shall be calculated each year and the new average used on the monthly bills with the first month following the March billing cycles. The same charge shall remain in effect for twelve (12) months after which the average is calculated again.

If a residential user has not established a winter month's average, the volume charge shall be based upon a rate of eight hundred (800) cubic feet of water billed per billing cycle, per residential unit.

If a customer uses sufficient amount of water which is not discharged into the sewer system, such user may obtain a separate water company meter for the water used for non-sewer purposes and exempt such meter from sewer charges.

Any single-family dwelling or duplex not having a water meter installed will be billed the average sewer charges for residential users.

SECTION 4 Payments for sewer bills shall be due immediately on receipt and will be delinquent after ten (10) days.

An additional charge of ten (10) dollars shall be added to the unpaid balance per billing cycle.

When payment is delinquent, at the option of the District, sewer services to the premises involved may be disconnected and shall not be reconnected until all past due and unpaid bills for sewer

services are paid in full, together with the actual costs and expenses incurred by the Sewer District in disconnecting and reconnecting such facilities, to include initial installation of sewer shut off valve.

When payment is delinquent for 180 days, at the option of the District, a lien against the property may be filed in accordance with the Missouri Revised Statutes Chapter 204.628

SECTION 5 The District may enter into a contract with an outside service to provide sewer billing services to customers. The actual expenses for the billing services may be passed on to the customer.

ARTICLE XI

SECTION 1 All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 2 The invalidity of any section, clause, sentence or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

ARTICLE XII

SECTION 1 This ordinance shall be in full force and effect from and after its passage, approval, recording and publication as by law provided.

SECTION 2 Passed and approved by the Board of Trustees of the Blackwater Reorganized Common Sewer District of Johnson County, Missouri on the 12th day of March, 2014 by the following vote:

AYES: 5

NAYS: 0

ATTEST:

David Denfeld

President, BRCSD Board of Trustees