

NOTICE AND AGENDA

Notice is hereby given that the Millville City Council will hold their regularly scheduled council meeting on Thursday, August 11, 2016, at the Millville City Office, 510 East 300 South in Millville, Utah, which meeting shall begin promptly at 7 p.m. (Please note the time given to each agenda item is an approximate time.)

1. Call to Order / Roll Call – Mayor Michael Johnson.
2. Opening Remarks / Pledge of Allegiance – Councilmember Julianne Duffin.
3. Approval of agenda and time allocation.
4. Approval of minutes of the previous meeting – July 28, 2016.
5. Action Items—
 - A. Report on Refurbishing of City Signs for Eagle Scout Project – Brock Norris – 7:05 p.m.
 - B. City Parking Plan for High School Area – Councilmember Ryan Zollinger – 7:10 p.m.
 - C. Consideration of Proposed Ordinance regarding Disposal of a Parcel of Real Property / Set Public Hearing – Mayor Michael Johnson – 7:18 p.m.
 - D. Consideration of changing the “Stop Signs” at the intersection of 100 North and 100 East [the proposed change would have the signs removed from the current north/south traffic flow and have them installed to stop the east/west traffic flow] – Mayor Michael Johnson – 7:22 p.m.
 - E. PUBLIC HEARING – 7:30 p.m.
The purpose of the hearing is to receive public input on a proposed ordinance to establish a sewer service system within Millville City.
 - F. Consideration for adopting of An Ordinance to Establish a Sewer Service System within Millville City – Mayor Michael Johnson – 7:35 p.m.
 - G. Bills to be paid.
6. Discussion Items—
 - A. City Reports.
 1. Roads/Sidewalks – Superintendent Gary Larsen.
 2. City Parks – Superintendent Larsen.
 3. Culinary Water System – Superintendent Larsen.
 - B. Councilmember Reports.
 - C. Other items for Future Agendas.
7. Adjournment.

In compliance with the American with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during public meetings should notify Rose Mary Jones at (435)752-8943 at least three working days prior to the meeting.

Notice was posted on August 8, 2016, a date not less than 24 hours prior to the date and time of the meeting and remained so posted until after said meeting. A copy of the agenda was sent electronically to the Utah Public Meeting Notices website (<http://www.utah.gov/pmn/index.html>) on August 8, 2016.


Rose Mary A. Jones, Recorder

MILLVILLE CITY COUNCIL MEETING
City Hall – 510 East 300 South – Millville, Utah
July 28, 2016

PRESENT: Michael Johnson, Michael Callahan, Cindy Cummings, Mark Williams, Rose Mary Jones, Tara Hobbs, Gary Larsen, Harry Meadows, Chad Kendrick, Paul Inkenbrandt, Roger Roundy, Bob Fotheringham, Cameron Jensen, Francene Jensen, Trevyn Jensen

Call to Order/Roll Call

Mayor Michael Johnson called the City Council Meeting to order for July 28, 2016 at 7:07 p.m. The roll call indicated Mayor Johnson and Councilmembers Michael Callahan, Cindy Cummings, Mark Williams were in attendance with Councilmembers Julianne Duffin and Ryan Zollinger excused. Also Recorder Rose Mary Jones and Treasurer Tara Hobbs were present.

Opening Remarks/Pledge of Allegiance

Councilmember Cindy Cummings welcomed and thanked all for being in attendance at the Council Meeting. She invited all to join with her as she led the pledge of allegiance.

Approval of agenda and time allocations

The agenda for the City Council Meeting of July 28, 2016 was reviewed.

Councilmember Cummings moved to approve the agenda for July 28, 2016.

Councilmember Williams seconded. Councilmembers Callahan, Cummings, and Williams voted yes with Councilmembers Duffin and Zollinger excused. (A copy of the agenda is included as Attachment "A".)

Approval of minutes of the previous meeting

The Council reviewed the minutes of the City Council Meeting for July 14, 2016.

Councilmember Williams moved to approve the minutes for July 14, 2016.

Councilmember Cummings seconded. Councilmembers Callahan, Cummings, and Williams voted yes with Councilmembers Duffin and Zollinger excused. (A copy of the minutes is included as Attachment "B".)

Report on P & Z Meeting held July 21, 2016

Councilmember Callahan had been in attendance at the Planning Commission Meeting held July 21, 2016. He reported the Commission had discussed the process for approving permits and felt it should remain as is, with reviews being made by many eyes to avoid overlooking something. (A copy of the draft minutes for the meeting is included as Attachment "C".)

Consideration of Conditional Use Permit for a Residential Assisted Living Facility located at approximately 305 East 450 North/Set Public Hearing

Roger Roundy reviewed with the Council the proposed placement of a Residential Assisted Living Facility on parcel 02-129-0014 as well as a picture of the projected exterior of the building. (A copy of this information presented is included with the minutes as Attachment "D".) Mr. Roundy indicated the drawings have not been finalized but these pictures would show what is tentatively proposed.

Councilmember Williams moved to set a public hearing for August 25, 2016 at 7:15 p.m. Councilmember Cummings seconded. There was discussion on what information should be sent to those within the 600-foot radius of the parcel. Councilmembers Callahan, Cummings, and Williams voted yes with Councilmembers Duffin and Zollinger excused.

Presentation on the Aquifer Storage and Recovery

Paul Inkenbrandt representing The Utah Geological Survey made a presentation to the Council reporting on the final report for the Aquifer Storage and Recovery project which has been completed. (A copy of this report is included with the minutes as Attachment "E".) He reported the way the report had been drafted would meet the requirements to apply for approval for the development of this storage and recovery system.

Mr. Inkenbrandt reviewed the first phase of the project which had been funded in cooperation with the Utah Geological Survey, Cache County, Division of Drinking Water, and Millville City. The study ensued because of an increased amount of nitrates showing up in the water sampling. The study was to see if storing fresh water in the well could then be drawn back out and if this would decrease the nitrate levels. There was also consideration looking for any other chemical reactions that may occur. There was significant testing on the water showing that a lot of the nitrates were from antibiotics, caffeine, and septic systems. There was also some evidence that all of the nitrates were not just from Millville residences but could be from Providence residences also, where an old cistern or septic system was not being properly maintained. In this testing phase, there had been a small amount of water injected into the Glen Ridge Well which was then pumped out within a couple of months. It was determined the water injected into the ground went down with the slope of the water table. The nitrate level showed some decrease.

In the next testing phase, there was about 125 acre feet of water which had been gravity fed and injected into the well over the winter months. This water was also pumped; however, not nearly as much of the injected water was recovered. The modeling indicated water was flowing to the northwest of the well site. Other wells in the area had also been tested and watched for increased nitrate levels; there was increased nitrates detected in the Alder well.

Mr. Inkenbrandt felt this study showed a lot of positive reinforcements to pursue developing an Aquifer Storage and Recovery System at the Glen Ridge well. He indicated a permit would need to be applied for; however, one of the stipulations would be for Millville City to identify how they are planning to shrink the nitrate levels. It was suggested this may be through public education and better maintenance of the systems within our community. Candace Cady, with the Division of Environmental Quality, would be the individual to work with to pursue the permit process, as well as the Division of Drinking Water and the Utah Division of Water Rights; all three agencies would be involved in the permit process. According to Mr. Inkenbrandt, if the City wants to pursue this, the permit request would need to be submitted by autumn time to Ms. Cady, and she felt there could be approval for this by January.

Superintendent Larsen expressed his appreciation to Mr. Inkenbrandt for the excellent job and all the help he had given to Millville City with these studies. This has been a considerable cost-saving venture to the City in having all of this information prepared at a nominal fee.

Mr. Fotheringham indicated the County was involved to help with securing additional water resources in our area. He felt that a water district may go before the people in the County to vote on this coming fall. The County is also planning to do a similar injection project at the mouth of Green Canyon.

Superintendent Larsen reported this could possibly save the City thousands of dollars in the future by using this system.

Mr. Inkenbrandt was thanked for all of his help with this project and service to our community.

Consideration for Eagle Scout Project Proposal for Emergency Management Pamphlets

Trevyn Jensen proposed an Eagle Scout Project to the City Council to organize and deliver Emergency Management Pamphlets, which had been previously developed and printed, to all Millville residents and those in the south fields. He will organize the routes and recruit scouts and family members to help him with this project. It was suggested that the pamphlets be placed in a plastic bag to prevent weather damage and hung on a door at each residence.

Councilmember Cummings moved to approve Trevyn's proposal for this Eagle Scout Project. Councilmember Callahan seconded. Councilmembers Callahan, Cummings, and Williams voted yes with Councilmembers Duffin and Zollinger excused.

The Council requested that Trevyn report back to the Council after the project is completed.

Bills to be paid

The bills were presented. They are as follows:

Mike Johnson	50.00	Water
Rose Mary Jones	54.23	General
Tara Hobbs	33.85	Water
Questar	17.70	NorthPark/Building
Staples	111.77	Water
ACN Communications	17.03	General
Comcast	75.88	Building
Olson & Hoggan	441.00	Legal
Utah Local Governments Trust	319.87	Insurance
CenturyLink	190.45	General
CNH Capital	14.84	Road
Kilgore	974.70	Road
Cache County Service Area	10,511.65	Sanitation
Cache County Service Area	1,725.00	9-1-1
IPACO	188.79	Road
Turf-It Landscaping	525.00	Park
Don Aslett's Cleaning	92.50	Building
Cache Valley Concrete Cutting	200.00	Road
Peterson Plumbing Supply	25.51	Park
O'Reilly Auto Parts	27.72	Road
LeGrand Johnson Construction	36,597.92	COG Road
LeGrand Johnson Construction	22,671.75	Road
Thomas Petroleum	111.24	Road
Cache County Recorder	81.00	General
DWA Construction	15,282.42	Road
Caselle	2,950.00	
CapFacReplacement/Water Meterworks	1,270.60	
CapFacReplacement/Water HD Supply Waterworks	42,600.00	
CapFacReplacement/Water Justin Murphy	4.26	Water
Richmond Irrigation Company	226.00	Water
Visionary Homes	75.00	Water
Mason Smith	75.00	Water
Thatcher Company	480.95	Water
South Fork Hardware	5.98	Water
Rural Water Association of Utah	100.00	Water
Utah Division of Water Quality	550.00	Stormwater
Watkins Printing	1,068.18	General/Water
Jones Simkins	494.50	General/Water
J-U-B Engineering	22,322.78	General/Water

BILLS (Continued)--

Salary Register

10,459.25

Councilmember Cummings moved to pay the bills for July 28, 2016. Councilmember Callahan seconded. Councilmembers Callahan, Cummings, and Williams voted yes with Councilmembers Duffin and Zollinger excused.

City Reports

Roads/Sidewalks:

Superintendent Larsen reported the road chip and seal project is completed for the year.

The street light which had been purchased by the school district will be installed by TEC Electric at approximately 300 West 500 North.

Superintendent Larsen reported on the change in traffic flow on 100 North and 100 East. Currently there are stop signs for the north/south traffic; however, because of the Mond-Aire Subdivision and the amount of traffic from this area, he suggested the Council consider changing the stop signs and having the east/west traffic stop. The Council requested having this item continued to the next Council Meeting for action.

City Parks:

Superintendent Larsen reported the splash pad is requiring a considerable amount of manpower to maintain the area. Additional restroom maintenance and garbage control is ongoing as well as trying to juggle the watering schedule for the park.

Superintendent Larsen reported that Chad has been looking at a truck he would like to order. It has been budgeted in this year's budget. It is a Chevrolet ¾ ton pickup. There was some discussion about the City truck currently being used and what would be done with it. There was also discussion about the storage of the City's vehicles.

Superintendent Larsen reported there is no more room in the shop for any additional vehicles to be housed.

Culinary Water System:

Superintendent Larsen reported there are 300 ¾-inch meters that have been delivered. They will be installed as time permits. The auto-meter read system had been linked with our computer system and had been tried out today. It seems to work fine and there had been several meters read in a matter of minutes. It was suggested that the system could be set up to have the information sent to the City Office without actually driving around

the City. The system also identifies possible leaks in services or homes (six had been identified during the test run). Superintendent Larsen indicated that Meterworks had been great to work with and felt this had been a good choice for meeting our community's needs.

The well that is to water the fields, etc. at the high school is still not up and running. The City has been able to provide water to the school district to meet their needs. This water is being metered.

There are still several items to be addressed at the high school. The open house is set for August 9.

Councilmember Reports

Councilmember Cummings reported she had been contacted regarding concerns at the City Cemetery where drugs are being distributed, as it is a dark location. The Sheriff's Department have been notified and will patrol the area.

A copy of the Councilmember Reports list is included with the minutes as Attachment "F".)

Other items for Future Agendas

Development Coordinator Harry Meadows reported to the Council that proposed subdivisions are not being required to install the infrastructure for all companies to provide telecommunications. He had checked with the companies and the developer must request to have this installed in their development. He explained that the Mond-Aire Subdivision has provided for Comcast but not for CenturyLink. The Council did not feel it was necessary to provide infrastructure for all companies.

Development Coordinator Meadows also reviewed the construction deposit required by the City for \$2,000. He reported the Manual of Construction and Design has specific guidelines for cuts that can be made in the curb; this is not being followed or enforced in the development of the current subdivisions. He will work with Superintendent Larsen to identify some type of a checklist that will be given to the homeowners that would indicate what is required in order to have this deposit returned.

Mayor Johnson reviewed with the Council a letter received from the Sheriff's Office regarding the safety of the public during a parade. It was suggested that no candy be

thrown from vehicles. The Council did not see this as a concern at this time and did not wish to pursue it.

Mayor Johnson also discussed with the Council the passing of our City Attorney. He had received a letter from Brent Hoggan of Olson and Hoggan expressing their desire to continue to serve our community. The consensus of the Council was to have their firm remain as our legal counsel. Contacts for legal concerns are to be addressed to Attorneys Miles Jensen and Seth Tate.

Adjournment

Councilmember Cummings moved to adjourn the meeting. Councilmember Williams seconded. Councilmembers Callahan, Cummings, and Williams voted yes with Councilmembers Duffin and Zollinger excused. The meeting adjourned at 8:25 p.m.

ORDINANCE 2016-

An Ordinance to Address Disposal of a Significant Parcel of Real Property

WHEREAS, the Millville City Council has previously acquired property; and

WHEREAS, the property will be used in partial as a right of way for infrastructure; and

WHEREAS, the City Council has determined it may be in the best interest of the community to sell the remaining property;

WHEREAS, as required by State Statute the municipality must have an ordinance in place to authorize disposal of real property; and

WHEREAS, the Council shall require an appraisal of real property and require the sale of the property be purchased at the appraised price; and

WHEREAS, the Council proposes to have this ordinance in place for any future sale of real property owned by the City; and

WHEREAS, a public hearing was held to receive input on this ordinance on _____;

NOW THEREFORE, be is ordained, the following is adopted in the Millville City Code as follows:

Chapter 12.28

DISPOSAL OF A SIGNIFICANT PARCEL OF REAL PROPERTY

12.28.010: AUTHORITY

12.28.020: DEFINITIONS:

12.28.030: NOTICE OF HEARING

12.28.010: AUTHORITY

The city shall have the authority to sell, lease, convey or otherwise dispose of real and personal property for the benefit of the city, as provided by Utah Code Annotated Title 10 Chapter 8 part 1 section 2, as amended, effective 5/13/2014

12.28.020: DEFINITIONS:

As used in this chapter:

NOTICE OF PUBLIC HEARING

The Millville City Council will hold a public hearing on Thursday, August 11, 2016, beginning at 7:30 p.m. or as soon thereafter as possible, at the Millville City Office, 510 East 300 South, Millville, Utah, 84326, for the purpose of receiving public input on a proposed ordinance to establish a sewer service system within Millville City.

A copy of the information is available for inspection by contacting City Recorder Rose Mary Jones at (435)752-8943, 145 East 300 North, Millville, Utah 84326 or at the City Office, 510 East 300 South, PO Box 308, Millville Utah 84326. Interested persons are encouraged to attend and make comment or submit written comment prior to the hearing.

In compliance with the American with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during public meetings should notify Rose Mary Jones at (435)752-8943 at least three working days prior to the meeting.

**SEWER SERVICE SYSTEM
2016-3**

**AN ORDINANCE TO ESTABLISH A SEWER SERVICE SYSTEM
WITHIN MILLVILLE CITY**

WHEREAS, Millville City has been on septic system for waste water disposal for many years included in the current City Ordinance as Chapter 13.20; and

WHEREAS, Millville City joined with Nibley City in 2000 when Nibley City went to full construction for their sewer system; and

WHEREAS, Millville City upgraded the sewer line capacity in the Nibley City system to allow use of this system when full construction of the Millville City sewer would take place; and

WHEREAS, the Cache County School District purchased property on the west part of Millville City to build a high school in 2013; and

WHEREAS, the Ridgeline High School is built and scheduled for occupancy in August, 2016; and

WHEREAS, there was a need to have the high school be connected to the Nibley City sewer system; and

WHEREAS, an Interlocal Agreement between Millville City and Nibley City allows for this service; and

WHEREAS, additional requirements are to be included in the Millville City Ordinances;

NOW, THEREFORE, the Millville City Council, after giving notice of the required public hearing on _____, 2016, and holding the required public hearing on _____, 2016, hereby adopts, passes and publishes the following:

REPEAL: Ordinance 13.20.010: Individual Wastewater (Sewage) Disposal Code Adopted, and 13.20.020: Small Underground Wastewater Disposal System Code Adopted.

ADOPT:

13-20.010 Wastewater (Sewage) System Policy (Effective west of 100 West)

SECTION:

13-20.010 Definitions

13-20.020 Use Of Public Sewers

13-20.030 Private Wastewater Disposal

13-20.040 Sanitary And Building Sewers And Connections; Rates

13-20.050 Annual Review

13-20.060 Use Regulations

13-20.070 Powers And Authority Of Inspectors

13-20.080 Penalty

13-20.010 Definitions

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

ACTIVE SANITARY SEWER: Any sanitary sewer pipe that is connected to the existing collection system outfall to a wastewater treatment works through any combination of pipes, manholes, pump stations, force mains or other system components is considered active. When any inactive sewer components are connected to the active sewer system, that portion of the sewer is then considered active.

BIOCHEMICAL OXYGEN DEMAND (BOD): The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty degrees centigrade (20°C) expressed in milligrams per liter.

BUILDING DRAIN: 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 feet (5') (1.5 meters) outside the inner face of the building wall.

BUILDING SEWER: The extension from the building drain to the public sewer or other place of disposal, also called "house connection".

CESSPOOL: An underground reservoir for liquid waste (as household sewage).

CITY: Millville City, Cache County, Utah.

EASEMENT: An acquired legal right for the specific use of land owned by others.

FLOATABLE OIL: Oil, fat or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. Wastewater shall be considered free

of floatable fat if it is properly pretreated and the wastewater does not interfere with the collection system.

GARBAGE: All waste resulting from residences, commercial trades or businesses and institutions. Commercial and industrial waste shall be distinct from domestic or household sanitary systems.

GOVERNING BODY: The mayor and council members of Millville City.

INACTIVE SEWER: Sewer pipes that have been installed as part of a development project for future use, which are not connected to the outfall through other collection system components are considered inactive sewers. When any inactive sewer components are connected to the active sewer system, that portion of the sewer is then considered active.

INDUSTRIAL WASTE: The wastewater from industrial processes, trade or business as distinct from domestic or sanitary wastes.

MAY: Permissive. See definition of Shall.

NATURAL OUTLET: Any outlet, into a watercourse pond, ditch, lake or other body of surface or ground water.

PERSON: Any individual, firm, company, association, society, corporation or group.

pH: The logarithm of the reciprocal of the hydrogen ions concentration. The concentration is the weight of hydrogen ions, in grams per liter of solution. Neutral water, for example, has a pH value of seven (7) and a hydrogen ion concentration of 10^{-7} .

PRETREATMENT: Treatment of wastewater flows for removal of harmful chemicals or substances or alteration of the wastewater flow characteristics prior to entering the public wastewater facilities to prevent damage to the wastewater facilities.

PROPERLY SHREDDED GARBAGE: The wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch (1/2") (1.27 centimeters) in any dimension.

PUBLIC SEWER: A common sewer controlled by a governmental agency or public utility.

RESIDENTIAL EQUIVALENT: A structure, building or unit discharging effluent into the system placing no more burden or discharging no more effluent than "residential flows", as defined hereinafter.

RESIDENTIAL FLOWS: The assumed average and/or standard flow expected from a single-family dwelling based on wintertime culinary water usage. A residential flow volume strength is 250 mg/l TSS (total suspended solids, see definition of Suspended Solids) and 200 mg/l BOD (biochemical oxygen demand, see definition of Biochemical Oxygen Demand (BOD)).

SANITARY SEWER: A sewer designed to carry liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions, together with minor quantities of ground, storm and surface waters that are not admitted intentionally.

SEPTIC TANK: A tank in which the solid matter of continuous flowing sewage is disintegrated by bacteria.

SEWAGE: The spent water of a community. The preferred term is "wastewater", as defined herein.

SEWER: A pipe or conduit designed to carry wastewater or drainage water.

SHALL: Mandatory. See definition of May.

SLUG: Any discharge of water or wastewater 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 and shall adversely affect the collection system and/or performance of the wastewater treatment works.

STATE: State of Utah

STORM DRAIN (Sometimes Termed STORM SEWER): A drain or sewer for conveying water, ground water, subsurface water or unpolluted water from any source.

SUPERINTENDENT: The superintendent of wastewater facilities, and/or of wastewater treatment works, and/or of water pollution control of Millville City, or his authorized deputy, agent or representative.

SUSPENDED SOLIDS: Total suspended matter that either floats on the surface of, or is in suspension in water, wastewater or other liquids, and that is removable by laboratory filtering as prescribed in "standard methods for the examination of water and wastewater" and referred to as non-filterable residue.

SYSTEM: The sewer or wastewater facilities of the City.

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

WASTEWATER: The spent water of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions, together with any ground water, surface water and storm water that may be present.

WASTEWATER FACILITIES: The structures, equipment and processes required to collect, carry away and treat domestic and industrial wastes and dispose of the effluent.

WASTEWATER TREATMENT WORKS: An arrangement of devices and structures for treating wastewater, industrial wastes and sludge. Sometimes used as synonymous with "waste treatment plant" or "wastewater treatment plant" or "water pollution control plant".

WATERCOURSE: A natural or artificial channel for the passage of water, either continuously or intermittently.

13-20.020 Use Of Public Sewers

- A. Deposits: It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the City, or in any area under the jurisdiction of said City, any human excrement, garbage or other objectionable waste.
- B. Discharges: It shall be unlawful to discharge to any natural outlet within the City, or in any area under the jurisdiction of said City, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this chapter.
- C. Sewer Main and Lateral Maintenance: Unless provision is expressly made for the ownership of sewer mains by means of a written agreement, all sewer mains shall be deemed to be the property of the City of Millville and subject to its absolute control and supervision even though actual installation may have been performed by a developer or other property owner. The property owner shall be responsible for:
 - 1. Maintenance of all connecting lines or laterals running from the main line to the point of connection at the facility served by such connecting line.
 - 2. Any physical or piping failures along the connecting lines or laterals.
 - 3. All blockages or similar impediments of the waste water flows for the entire length of the lateral line from the main line to the facility being served. The city of Millville accepts no liability nor responsibility for any blockage in the lateral line whether it is under public property or private property.

13-20.030 Private Wastewater Disposal

- A. Permitted: Where an existing active sanitary sewer is not available at the time a building is constructed, the building sewer shall be connected to a private wastewater disposal system complying with the provisions of this section.
- B. Permit: Fee: Before commencement of construction of a private wastewater disposal system, the owner shall first obtain a written permit from the governmental entity with jurisdiction. The application for such permit shall be made on a form furnished by the appropriate governmental entity, which the applicant shall supplement by any plans, specifications and other information as are deemed necessary. A permit and inspection fee shall be paid as required at the time the application is filed.
- C. Compliance; Inspection: Permission to use the system for a private wastewater disposal system shall not become authorized until the installation is completed in compliance with the approved plans applicable with all State and local codes, and this chapter. Authorized

City employees shall be allowed to inspect the work at any stage of construction. The applicant for the permit shall notify the City Public Works Superintendent when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within forty eight (48) hours of the receipt of notice by the City Public Works Superintendent.

- D. State Compliance: The type, capacities, location and layout of a private wastewater disposal system shall comply with all recommendations of the Department of Environmental Quality of the State of Utah. No septic tank or cesspool shall be permitted to discharge to any natural outlet.
- E. Maintenance: The owner shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times, and at no expense to the City.
- F. Additional Requirements: No statement contained in this section shall be construed to interfere with any additional requirements that may be imposed by the Utah State Department of Environmental Quality.

13-20.040 Sanitary And Building Sewers And Connections; Rates

- A. Permit Required: 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 City.
- B. Classifications; Equivalent Residential Units; Application; Fee:
 - 1. There shall be two (2) classes of sewer connections to be known as "residential" and "commercial". Each connection type shall be measured by ERUs (equivalent residential units). Each residence served by the wastewater system will be considered to be a "residential" connection and will be considered to be equal to one ERU. In cases where there is more than one dwelling unit in a residence, each will be counted as a separate ERU. Each establishment served by the City's wastewater system that is not residential in nature will be considered a "commercial" connection charged equal to the average number of ERUs of flow contributed to the system in a one year period. In the City, an ERU is equal to eight thousand eight hundred (8,800) gallons per month.
 - 2. Prior to connecting to the wastewater system, a preliminary study shall be conducted to determine the ERU value for each "commercial" connection. Flows from zero to and including 8,800 gallons per month will be considered one (1) ERU. Flows from 8,801 to 17,600 gallons per month are considered two (2) ERUs, and so forth. There will be no partial ERUs. One year from the date the connection occurs, actual flows shall be used to confirm the ERU value for the connection. The flow data will be updated annually.
 - 3. Where a commercial connection does not have a wastewater effluent meter, the culinary water flows exclusive of irrigation use collected by the water meter will be used to determine the wastewater flow and ERUs.
 - 4. In every case, the owner or agent shall make application on a form obtained from the City. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the public works director.
 - 5. Fees associated with the Wastewater System are adopted by Resolution.

6. Impact fee: An Impact Fee may be adopted by the City to cover the expenses associate with the impact by a new or enlarged structure or use. The maximum impact fee amount will be determined in accordance with State statute and the final amount will be approved by the City Council.
 7. Connection Fee: A Connection Fee will be required by the City to cover the cost of the connection from the location of use to the main line through the lateral. Costs may include administration, inspection, design, materials, construction, and other associated items with the connection of the structure or use to the wastewater system.
 8. Use Fee: A Use Fee will be assessed according to the use amount of the wastewater system. The basic unit of the Use Fee is an ERU. The Use Fee includes a base fee to cover fixed costs such and administration and equipment costs associated with the system. The Use Fee will also include a conveyance fee associated to the amount of wastewater collected from the structure or use.
 9. Wastewater Strength Fee: A Wastewater Strength Fee may be assessed if it is determined by the City or treatment facility that treatment of the wastewater may enhance deterioration on the wastewater facilities, or wastewater treatment works.
 10. Pretreatment Fee: Where pretreatment is required by the City or treatment facility, a fee may be charged by the City or treatment facility.
- C. Mandatory Connection; Penalty: Each individual connection to the sewer system shall execute an application on a form provided by the City.
 - D. Installation of Building Sewer: All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.
 - E. Separate And Independent Building Sewer Required; Exception: A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of 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 system will be considered as one building sewer. The City does not and will not assume any obligation or responsibility for damage caused by or resulting from any such single connection as described herein.
 - F. Old Building Sewers: Old building sewers may be used in connection with new buildings only when they are examined and tested by the City Public Works Superintendent and found to meet all requirements of this chapter.
 - G. Construction Code Compliance: The size, slope, alignment, materials or construction of all sanitary sewers, including building sewers, and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the City and the State. In the absence of these code provisions or in amplification thereof, the materials of the ASTM and WPCF (Water Pollution Control Facility) manual of practice no. 9 shall apply.
 - H. Elevation: Whenever possible, the building sewer shall be brought from 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. Where such means are necessary, the owner shall be responsible for all installations, maintenance and operating costs for their operation.

- I. Surface Runoff Or Ground Water: No person shall make connection of roof downspouts, foundation drains, field drains, or other sources of surface runoff or ground water, to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer unless such connection is approved by the City and the Utah State department of environmental quality for purposes of disposal of polluted surface drainage.
- J. Connection Code Requirements: The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the City, and the State, or the procedures set forth in appropriate specifications of nationally recognized publications of what are known as the ASTM and the WPCF Manual of Practice no. 9. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the City before installation.
- K. Excavations; Protection: All excavation for building sewer installation 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 City.
- L. Responsibility For Payment: Irrespective of the occupant, user, tenant, cotenant, permissive user, or any other person, firm, partnership, corporation or entity being in possession of the premises to which there is a sewer connection, the owner of the premises according to the records of the Cache County Recorder shall be legally responsible for the payment of all charges, fees, assessments and any other payment or obligation or liability of a user. If any delinquent sewer connection, sewer user charge, repairs, maintenance or any other obligation is imposed against any premises, property, buildings or structures, the obligation shall be deemed by the City as an obligation of the owner of the real property on which any use is made from a sewer connection. Water services to delinquent property shall be turned off by the City for failure to pay any and all sewage and wastewater fees, assessments, charges or liability and will not be turned on again to those premises where a delinquency occurs unless and until all liabilities to the City for sewer service are paid in full.
- M. Interest Charge On Delinquent Or Past Due Connection Fees: The mayor and City council may, at their discretion and in circumstances that are equitable, impose interest at the rate of twelve percent (12%) per annum on all past due accounts either for connection fees, user charges, maintenance, repair or any other charge which is provided for, imposed or authorized by this chapter.

13-20.050 Annual Review

- A. Required: The City shall review the total annual cost of operation and maintenance, long-term debt service relating to wastewater collection and treatment, as well as each user's wastewater contribution percentage not less often than every year, and will review the user charge system as necessary to assure equity of the system established herein and to assure that sufficient funds are obtained from the City's user charge system to: 1) adequately finance wastewater collection and treatment; and 2) cover said debt service. The City will

apply excess revenues collected from a class of users to the costs of operation and maintenance attributable to that class for the next year, and adjust this rate accordingly.

13-20.060 Use Regulations

- A. No person shall discharge or cause the discharge of any unpolluted waters such as storm water, surface water, ground water, roof runoff, subsurface drainage, or cooling water to any sewer; except storm water runoff from limited areas, which may be polluted at times, may be discharged to the sanitary sewer by permission of the City and Utah State Department of Environmental Quality.
- B. Storm water, other than that exempted under subsection A of this section, and all other unpolluted drainage, shall be discharged to such sewers as are specifically designated as storm sewers, or to natural outlets approved by the City and the Utah State department of environmental quality. Unpolluted industrial cooling water or process waters shall also be discharged to a storm sewer or natural outlet.
- C. The most recent adaptations of City of Logan "ordinance Chapter 13.12" and "Logan's regional enforcement response plan for sewer pretreatment" are hereby adopted into this chapter. All flow contributors into the City wastewater system shall be required to meet all requirements, stipulations and policies required by these public documents as well as all current State and federal law concerning discharge into sanitary sewers.
- D. If any water or wastes are discharged, or are proposed to be discharged to the public sewers, which contain the substances or possess the characteristics enumerated in any of Utah State laws or Logan City's sanitary sewer ordinances or policies, and which are determined by Logan, Nibley or Millville City to 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, Logan, Nibley or Millville 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 wastes not covered by existing taxes or sewer charges under the provisions of this chapter. If Logan, Nibley or Millville City permits the pretreatment or equalization of waste flow, the design and installation of the plants and equipment shall be subject to the review and approval of Logan, Nibley or Millville City and the Utah State department of environmental quality;
 - 4. Require a plot plan of sewers of the user's property showing sewer and pretreatment facility location.
 - 5. Require details of wastewater pretreatment facilities.
 - 6. Require details of systems to prevent and control the losses of materials through spills to the municipal sewer.
- E. All measurements, tests and analysis 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 the American Public Health Association. Sampling methods, location, times, duration and frequencies are to be determined on an individual basis subject to approval by the City.
- F. 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 Logan or Millville City for treatment.

13-20.070 Powers And Authority of Inspectors

- A. Entrance Upon Premises: Duly authorized employees of the City or representatives of the City permitted by the City or Wastewater Treatment Works representatives, bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling and testing pertinent to discharge to the community system in accordance with the provisions of this chapter.
- B. Obtain Information: Duly authorized inspectors are authorized to obtain information concerning industrial processes that have a direct bearing on the kind and source of discharge to the wastewater collection system. Industrial users may withhold information when they have established that the revelation of said information to the public might result in an advantage to competitors.
- C. Information to Determine Compliance: The City may require any user of sewer services to provide information needed to determine compliance with this chapter. These requirements may include:
 - 1. Wastewater's discharge peak rate and volume over a specified time period.
 - 2. Chemical analysis 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 control.
- D. Safety Rules Observed: While performing the necessary work on private properties referred to herein, duly authorized inspectors shall observe all safety rules applicable to the premises established by the company.
- E. Premises with Easement: Duly authorized inspectors bearing proper credentials and identification shall be permitted to enter all private properties through which the City 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 wastewater facilities 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.

13-20.080 Penalty

- A. Notice of Violation: 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 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.
- B. Misdemeanor Penalty: Any person who shall continue any violation beyond the time limit provided for in subsection A of this section shall be guilty of a Class B Misdemeanor and upon conviction thereof, shall be subject to penalty as provided in Chapter 1.16 of this code for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

Councilmember Reports

August 11, 2016

Sign into Millville – Mayor Johnson/Councilmember Duffin

Fees in Lieu of Water Rights – Gary Larsen/Bob Fotheringham

Review of Group Residential Facilities – Coordinator Harry Meadows

Volunteerism Always Pays (VAP) Projects provided by Wal-Mart – Mayor Johnson

City Artifacts – Councilmember Callahan

Old Mill Day Committee – Councilmember Cummings

CERT Training Program – Councilmember Cummings

Water Rights Recommendation from Planning Commission – Mayor Johnson

High School – Councilmember Zollinger

Schedule for Newsletter Article – September, Councilmember Duffin; October, Councilmember Williams; November, Councilmember Zollinger; December, Mayor Johnson; January, Councilmember Callahan; February - Councilmember Cummings. (To be turned in by the 6th of each month)