



RULES AND REGULATIONS NORWOOD SANITATION DISTRICT

An ordinance regulating the use of public and private sewers and drains, private wastewater disposal, the installation and connection of building sewers, and the discharge of waters and wastes into the public sewer system; and providing penalties for violations thereof; in the Norwood Sanitation District, County of San Miguel, State of Colorado.

Be it ordained and enacted by the Board of the Norwood Sanitation District, State of Colorado and follows:

ARTICLE I DEFINITIONS

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

- Sec. 1. “Biochemical oxygen demand (BOD)” shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degrees centigrade, expressed in milligrams per liter.
- Sec. 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.
- Sec. 3. “Building sewer” shall mean the extension from the building drain to the public sewer or other place of disposal, also called the house connection.
- Sec. 4. “Combined sewer” shall mean a sewer intended to receive both wastewater and storm or surface water.
- Sec. 5. “Easement” shall mean an acquired legal right for the specific use of land owned by others.
- Sec. 6. “Floatable oil” is oil, fat, or grease in the physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. The wastewater shall be considered free of floatable fat if it is properly pre-treated, and the wastewater does not interfere with the collection system.
- Sec. 7. “Garbage” shall mean the animal and vegetable waste resulting from the handling, preparation, cooking and serving of foods.

- Sec. 8. "Industrial wastes" shall mean the wastewater from industrial processes, trade, or business as distinct from domestic or sanitary wastes.
- Sec. 9. "Natural outlet" shall mean any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake or other body of surface or groundwater.
- Sec. 10. "May" is permissive (see "shall," Sec. 18).
- Sec. 11. "Person" shall mean any individual, firm, company, association, society, corporation, or group.
- Sec. 12. "pH" shall mean the logarithm of the reciprocal of the hydrogen-ion concentration. The concentration is the weight of hydrogen-ions, in grams, per liter of solution. Neutral water, for example, has a pH value of 7 and hydrogen-ion concentration of 10^7 .
- Sec. 13. "Properly shredded garbage" shall mean 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 $\frac{1}{2}$ inch (1.27 centimeters) in any dimension.
- Sec. 14. "Public sewer" shall mean a common sewer controlled by a governmental agency or public utility.
- Sec. 15. "Sanitary sewer" shall mean a sewer that carries 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.
- Sec. 16. "Sewage" is the spent water of a community. The preferred term is "wastewater," Sec. 24.
- Sec. 17. "Sewer" shall mean a pipe or conduit that carries wastewater or drainage water.
- Sec. 18. "Shall" is mandatory (see "may", Sec. 10.)
- Sec. 19. "Slug" shall mean any discharge of water or wastewater which in concentration of any given constituent or in quantity of flow exceeds for a 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.
- Sec. 20. "Storm drain" (sometimes termed "storm sewer") shall mean a drain or sewer for conveying water, groundwater, subsurface water, or unpolluted water from any source.
- Sec. 21. "Superintendent" shall mean the (superintendent of the wastewater facilities, and/or of wastewater treatment works, and/or of water pollution control) of the Norwood Sanitation district, or his authorized deputy, agent, or representative.
- Sec. 22. "Suspended solids" shall mean 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 a nonfilterable residue.

Sec. 23. "Unpolluted water" is 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 benefitted by discharge to the sanitary sewers and wastewater treatment facilities provided.

Sec. 24. "Wastewater" shall mean the spent water of a community. From the standpoint of course, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any groundwater, surface water, and stormwater that may be present.

Sec. 25. "Wastewater facilities" shall mean the structures, equipment, and processes required to collect, carry away, and treat domestic and industrial wastes and dispose of the effluent.

Sec. 26. "Wastewater treatment works" shall mean 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."

Sec. 27. "Watercourse" shall mean a natural or artificial channel for the passage of water either continuously or intermittently.

ARTICLE II USE OF PUBLIC SEWERS REQUIRED

Sec. 1. It shall be unlawful for any person to place, deposit, or permit to be deposited in the unsanitary manner on public or private property within the Norwood Sanitation District, or in any area under the jurisdiction of said District, any human or animal excrement, garbage, or other objectionable waste.

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

Sec. 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 wastewater.

Sec. 4. The owner(s) of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the Norwood Sanitation District and abutting on any street, alley, or right-of-way in which there is now located, or may in the future be located, a public sanitary or combined sewer of the Norwood Sanitation District, is hereby required at the owner(s) 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 60 days after date of official notice to do so, provided that said public sewer is within 100 feet of the property line.

ARTICLE III SANITARY SEWERS, BUILDING SEWERS AND CONNECTIONS

Sec. 1. No unauthorized person(s) shall uncover, make any connections with or opening with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the (superintendent).

Sec. 2. There shall be two (2) classes of building sewer permits: (a) for residential and commercial service, and (b) for service of establishments producing industrial wastes. In either case, the owner(s) or his/her 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 judgement of the (superintendent). A permit and inspection fee of \$50 dollars for a residential or commercial building sewer permit and \$100 dollars for an industrial building permit shall be paid to the District at the time the application is filed.

Sec. 3. All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner(s). The owner(s) shall indemnify the District from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

Sec. 4. 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 to the rear building and the whole considered as one building sewer, but the District does not and will not assume any obligation or responsibility for damage caused by or resulting from any such connection afore mentioned.

Sec. 5. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the (superintendent), to meet all requirements of this ordinance.

Sec. 6. The size, slope, alignment, materials of construction of all sanitary sewers including building sewers, 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 suitable code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. Manuals of Practice No. 9 shall apply.

Sec. 7. Whenever possible, the building's 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.

Sec. 8. No person(s) shall make connection of roof downspouts, 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 unless such connection is approved by the (superintendent) for purposes of disposal of polluted surface drainage.

Sec. 9. The connection of the building sewer into the public sewer shall conform to the building and plumbing code or other applicable rules and regulations of the District, or the procedures set forth in appropriate specifications of the A.S.T.M. and the W.P.C.F. Manual of Practice No. 9. All such connections shall be made gastight and watertight and verified by proper testing. Any deviation from the prescribed procedures and materials must be approved by (superintendent) or his/her representative.

Sec. 10. The applicant for the building sewer permit shall notify the (superintendent) when the building sewer is ready for inspection and connection to the public sewer. The connection testing shall be made under the supervision of the (superintendent) or his/her representative.

Sec. 11. 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 District.

ARTICLE IV USE OF THE PUBLIC SEWER

Sec. 1. No person(s) shall discharge or cause to be discharged any unpolluted waters such as stormwater, surface water, groundwater, roof runoff, subsurface drainage, or cooling water to any sewer, except stormwater runoff from limited areas, which stormwater may be polluted at times, may be discharged to the sanitary sewer by permission of the (superintendent).

Sec. 2. Stormwater other than that exempted under Section 1, Article IV 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 (superintendent) and other regulatory agencies. Unpolluted industrial cooling water or process waters may be discharged, on approval of the (superintendent), to a storm sewer, combined sewer, or natural outlet.

Sec. 3. No person(s) shall discharge or cause to be discharged any of the following described water or wastes to any public sewer:

(a) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.

(b) Any water containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to contaminate the sludge or any municipal system, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in or have an adverse effect on the waters receiving any discharge from the treatment works.

(c) Any waters or wastes having a pH lower than (5.5), or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the wastewater works.

(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 wastewater facilities such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, wood, un-ground garbage, whole blood, paunch manure, hair, plastics, fleshing, entrails, paper dishes, cups, milk containers, any wet wipes (including those labeled as "flushable"), and etc., either whole or ground by garbage grinders.

Sec. 4. The following described substances, materials, water, or waste shall be limited in discharges to municipal systems to concentrations or quantities which will not harm either the sewers, wastewater treatment process or equipment, will not have an adverse effect on the receiving stream, or will not otherwise endanger lives, limbs, public property, or constitute a nuisance. The (superintendent) may set limitations lower than the limitations established in the regulations as necessary to meet the objectives. In forming his/her opinions as to the acceptability, the (superintendent) will give consideration to such factors as the quantity of subject waste in relation to flows and velocities in the sewers, materials of construction of the sewers, the wastewater treatment process employed, capacity of the wastewater treatment plant, degree of treatability of the waste in the wastewater treatment plant, and other pertinent factors. The limitations or restrictions on materials or characteristics of waste or wastewaters discharged to the sanitary sewer which shall not be violated without approval of the (superintendent) are as follows:

- (a) Wastewater having a temperature higher than 150 degrees Fahrenheit (65 degrees Celsius).
- (b) Wastewater containing more than 25 milligrams per liter of petroleum oil, non-biodegradable cutting oils, or product of mineral oil origin.
- (c) Wastewater from industrial plants containing floatable oils, fat or grease.
- (d) Any garbage that has not been properly shredded (see Article I Section 13). Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments, or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers.
- (e) Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances to such degree that any such material received in the composite wastewater at the wastewater treatment works exceeds the limits established by the (superintendent) for such materials.
- (f) Any waters or wastes containing order-producing substances exceeding limits which may be established by the (superintendent).
- (g) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the (superintendent) in compliance with applicable state or federal regulations.
- (h) Quantities of flow, concentrations, or both which constitute a "slug" as defined herein.

- (i) Waters or wastes containing substances which are not amendable to treatment or reduction by the wastewater treatment processes employed, or are amendable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of the other agencies having jurisdiction over discharge to receiving waters.
- (j) Any water or wastes which, by interaction with other water or wastes in the public sewer system, release obnoxious gases, from suspended solids which interfere with the collection system, or create a condition deleterious to structures and treatment process.

Sec. 5. If any waters or wastes are discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 4 of these Articles, and which in the judgment of the (superintendent), may have a deleterious effect upon the wastewater facilities, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the (superintendent) 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.

When considering the above alternatives, the (superintendent) shall give consideration to the economic impact of each alternative on the discharger. If the (superintendent) 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 (superintendent).

Sec. 6. Grease, oil, and sand interceptors shall be provided when, in the opinion of the (superintendent), they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts as specifically outlined in Section 4 (c), 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 (superintendent), and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors the owner(s) shall be responsible for the proper removal and disposal by appropriate means of the captivated material and shall maintain records of the dates, and means of disposal which are subject to review by the (superintendent). Any removal and hauling of the collected materials not performed by owner(s) personnel must be performed by currently licensed waste disposal firms.

Sec. 7. Where pretreatment or flow-equalizing facilities are provided or required for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner(s) at his/her expense.

Sec. 8. When required by the (superintendent), the owner(s) of any property serviced by a building sewer carrying industrial wastes shall install a suitable structure together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such structures, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the (superintendent). The structure shall be installed by owner at his/her expense, and shall be maintained by him/her so as to be safe and accessible at all times.

Sec. 9. The (superintendent) may require a user of sewer services to provide information needed to determine compliance with this ordinance. These requirements may include:

- (a) Wastewaters discharge peak and volume over a specified time period.
- (b) Chemical analysis of wastewaters.
- (c) Information on raw materials, processes, and products affecting wastewater volume and quality.
- (d) Quantity and disposition of specific liquid, sludge, oil, solvent, or other materials important to sewer use control.
- (e) A plot plan of sewers of the user's property showing sewer and pretreatment facility location.
- (f) Details of wastewater pretreatment facilities.
- (g) Details of systems to prevent and control the losses of materials through spills to the municipal sewer.

Sec. 10. All measurements, tests, and analyses 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 of Examination of Water and Wastewater" published by the American Public Health Association. Sampling methods, location, times, durations, and frequencies are to be determined on an individual basis subject to approval by the (superintendent).

Sec. 11. No statement contained in this article shall be construed as preventing any special agreement or arrangement between the Norwood Sanitation District and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Norwood Sanitation District for treatment.

ARTICLE V

Sec. 1. No person(s) shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance or equipment which is a part of the wastewater facilities. Any person(s) violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

ARTICLE VI POWERS AND AUTHORITY OF INSPECTORS

Sec. 1. The (superintendent) and other duly authorized employees of the Norwood Sanitation District 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 ordinance.

Sec. 2. The (superintendent) or other duly authorized employees are authorized to obtain information concerning industrial processes which have a direct bearing on the kind and source of discharge to the wastewater collection system.

The industry may withhold information considered confidential. The industry must establish the revealing of such information in question might result in an advantage to competitors.

Sec. 3. While performing the necessary work on private properties referred to in Article VI, Section 1, above, the (superintendent) or duly authorized employee of the Norwood Sanitation District shall observe all safety rules applicable to the premises established by company, and the company shall be held harmless for injury or death to the Norwood Sanitation District's employees and against the company 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 required in Article V, Section 8.

Sec. 4. The (superintendent) and other duly authorized employees of the Norwood Sanitation District bearing proper credentials and identification shall be permitted to enter all private properties through which the Norwood Sanitation 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 wastewater facilities lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with terms of the duly negotiated easement pertaining to the private property involved.

ARTICLE VII RESPONSIBILITIES OF CUSTOMERS

Sec. 1. Acceptance of the rules. By accepting the District's sewer service, the customer consents to be bound by the rules and all amendments thereto.

Sec. 2. Accurate information. All information provided by customers to the District must be accurate.

Sec. 3. The customer shall install his/her service line to the District's specifications and in compliance with all applicable local, state, and federal health laws, including but not limited to applicable plumbing and other codes. The customer shall have ten (10) days following the receipt of written notice from the District or an inspector to bring his/her service line into compliance with all such requirements. If the customer does not comply within this period, the District may discontinue the customer's sewer service.

Sec. 4. Enter and inspect. An employee of the District, bearing proper credentials, shall be permitted to enter the property of a customer or applicant for District sewer service to inspect, observe, sample, test, or for any necessary purpose, in accordance with the rules.

Sec. 5. Easements. The customer shall provide the legal description for, grant the District or obtain for the District's benefit, and record any easements for the District facilities which are needed for the installation and/or maintenance of the District service to the customer's property.

Sec. 6. Change of ownership. The customer shall promptly notify the District on a District approved form of any change in ownership of property served by the District and of any change in the party to be billed for District sewer service. The District assumes no responsibility for agreements between sellers and buyers or between tenants and property owners.

ARTICLE VIII UNAUTHORIZED USE OF THE SEWER SYSTEM

Sec. 1. Unauthorized use. No person shall uncover, make any connection with, use, alter, or disturb any District facilities, without prior written permission from the District.

Sec. 2. Unlawful connection. No person shall fail to remove any unlawful connection after being so ordered, in writing, by the District or the Colorado Department of Public Health and Environment.

Sec. 3. Penalty for violation of the rules. Any person violating any of the provisions of the rules shall be liable to the District for any expense, loss or damage caused by the violation, including but not limited to the cost of the reconstruction of any District facilities, together with all fees for engineering, inspection, materials, and right-of-way costs.

Any person who violates the provisions of Section 9 of the rules shall be charged with a misdemeanor and upon conviction thereof shall be fined in an amount established by the court and/or shall be assessed a fee by the District in the amount of attorneys' fees and incidental and/or consequential damages.

A customer shall be liable for all collection, court or legal expenses incurred by the District in enforcing the rules in reference to that customer.

ARTICLE IX PLANT INVESTMENT FEES

Sec. 1. Plant investment fee. The customer shall pay in cash, check, or credit card for one residential plant investment fee for each residence on a customer's property and a non-residential plant investment fee for each non-residential structure on the customer's property.

The plant investment fee does not include the cost of materials, the cost of the extension of District facilities, or installation of the customer's tap or service line. Where a residence and a business occur in the same building each use shall be considered independently, and plant investment owed shall be cumulative of residential or non-residential uses. Where more than one building exists on a property, each building will be considered independently and will owe a plant investment fee. If two buildings on a lot have different uses, one may be residential and the other non-residential.

Sec. 2. Separate connections. Each separately owned parcel of land and each structure(s) thereon must have a separate connection and pay current plant investment fees. The board may, in its sole discretion, grant a variance and permit fewer than one connection per structure on a property. In the making such a determination, the board may consider factors including, but not limited to, convenience to the consumers, engineering feasibility and maintenance and repair difficulties.

The customer, however, shall pay plant investment fee(s) for all residential and non-residential uses regardless of the number of physical taps.

Sec. 3. Plant investment fees for changed service.

3.1 Remodeling. If customer remodels a structure receiving District sewer service without (i) a changed use of the property, (ii) an increase in the number of residences, or (iii) a change of the non-residential use, no additional plant investment fee is required.

3.2 Non-residential use of property. If the customer wishes to change the non-residential use of a property, the customer shall pay, based on the tap size deemed required to serve the changed use, the difference in the plant investment fee for the line size deemed necessary for the old use and the

tap size deemed necessary for the new use. If a customer changes the non-residential use of the property to one with fewer sewer fixtures, no plant investment is refunded.

3.3 Change in number of residential/commercial units. If the property has residences, and an additional residence/shop is added, the customer shall pay a plant investment fee for the new residence/shop.

3.4 Connection construction costs. The customer shall pay all equipment and construction costs related to the installation of a connection in addition to the required plant investment fee(s).

3.5 Property line. No service line may cross the boundary lines of the property on which a connection is made for use outside the property.

3.6 Transfer prohibited. A connection shall serve only the property designation in the sewer service contract, and shall not be transferred to any other place.

ARTICLE X APPLICATION FOR SEWER SERVICE

Sec. 1. Application and fees. A property owner or duly authorized agent may request new District sewer service by executing an application on a District approved form, accompanied by an application fee and any other required fees.

1.1 The District may require an applicant to furnish satisfactory evidence of ownership of the property for which the sewer service is requested.

Sec. 2. Billing Account Transfers. If the service is to be billed to a tenant, the property owner and tenant must submit a billing transfer application together with the required deposit. If the account is past due, and/or includes current charges, the account must be paid in full before the application will be accepted and sewer service transferred. The account transfer fee is a charge for changing the District's records.

2.2 The District shall refund the tenant deposit upon discontinuance of service and the payment of all sewer service fees under the rules. The deposit shall be forfeited and may be applied by the District against any unpaid sewer service fees not paid within 30 days after discontinuance of service.

2.3 If the service is discontinued for non-payment of sewer service fees, the deposit shall be forfeited and applied against the fees. Sewer service will not be re-established until the fees are paid in full along with the standard re-connection fee. Application of the deposit to any unpaid District fees does not relieve the customer or property owner of liability for all fees owed. A new deposit and reconnection fee will be required before service is restored to the property.

Sec. 3. Engineering Feasibility Study. If the District has technical concerns about the feasibility of any requested service, the District may require the customer to provide an engineering feasibility study at the customer's expense.

Sec. 4. Denial of Service. The District may review all proposed sewer uses as to their effect on the District sewer system and may deny an application for service for any of the following reasons:

- 4.1 The service would create an excessive seasonal or other demand on the District facilities.
- 4.2 The applicant misrepresented the improvements on the property or the use to be made of the sewer supply.
- 4.3 Service to the property, in the best judgment of the Board, is not feasible based upon engineering and economic considerations.
- 4.4 The applicant's accounts with the District are not current.
- 4.5 Applicant failed to adequately document easements for new sewer line installations to serve the property.
- 4.6 Granting the application would not be in the best interest of the District and its customers.

ARTICLE XI SEWER MAINS AND COLLECTION LINE EXTENSIONS

In addition to the requirements of Article 10, above, the following requirements apply to service involving sewer main and collection line extensions:

Sec. 1. Ownership. All approved and accepted sewer mains and collection lines are the property of the District.

Sec. 2. Customer Installation of Sewer Mains and/or Collection Line Extension. Where service to a customer's property requires the extension of the District's sewer main and/or collection line, the customer shall install at the customer's expense, and pay for the installation of, the needed extension pursuant to District specifications and all applicable local, state and federal regulations.

Sec. 3. Application for Sewer Main and/or Collection Line Extension. All applications for sewer main or collection line extension shall be made by submitting an executed Sewer Service Contract to the District, together with: 1) complete engineering construction drawings of the extension, consistent with the District's specifications, prepared by applicant's engineer at applicant's expense; 2) an engineering feasibility study; 3) the application fee, and 4) deposit for engineer's review. The construction drawing shall be reviewed, by the District's engineer, at the applicant's expense.

Sec. 4. Construction Process. All customer's line extension plans and specifications shall be reviewed and approved by the District prior to the start of construction. The customer shall have the prior written approval of the District and its engineer for any materials which differ from those in the District specifications and for any other deviations from the District specifications.

4.1 The customer shall not begin construction of the line extension prior to the District's execution of the customer's Sewer Service Contract.

4.2 The customer shall give the District notice twenty-four (24) hours prior to the commencement of line extension construction.

4.3 The customer shall perform all clearing and grading for the pipeline alignment. In new subdivisions or along new roadways, the rough grading of the right-of-way shall be completed and approved by officials of the appropriate County prior to any pipeline construction. Survey pins for the right-of-way shall be in place by the licensed surveyor. All work shall be done in accordance with good construction practice.

4.4 The District has the right to inspect sewer mains and/or collection line installations before burial. The customer seeking the line extension shall pay for the services of an inspector to inspect the line extension installation prior to the burial of the new line. Any line extension work buried without a prior inspection shall be rejected.

If, in the inspector's determination, the customer does not have sufficient equipment, labor, and materials to properly construct a quality line, work shall be discontinued until the customer remedies the deficiencies. The District must approve and accept the construction in place before the customer provides sewer service through the new sewer main and/or collection line.

4.5 The physical connection to the District's facilities shall be done by the District at the customer's expense.

4.6 Main and Line Location. Where feasible, such line extensions shall be made in a dedicated alley right-of-way or sewer easement.

4.7 First Year Maintenance. The developer shall assume responsibility for maintenance of the line for a period of one year following acceptance by the District.

4.8 Including of Land in the District. Any person wishing to be included in the District must first petition the Board. The petitioner is responsible for the cost of updating and recording of the District Boundary Map.

ARTICLE XII
SEWER SERVICE RATES, FEES, AND BILLING PROCEDURES

Sec. 1. Minimum Sewer Service Fee. Upon the execution of a service contract, the customer will pay the monthly minimum set forth by the District.

Sec. 2. Changes in Fees and Sewer Rates. District fees, tap fees, and monthly minimum rates may be changed by the District at any time in the best interest of the District, after publication of notice of the contemplated increase is published in a newspaper of general circulation in the Town of Norwood at least ten days before the District takes action. District may also choose to utilize social medial platforms to publish the proposed changes, but not to the exclusion of publishing in a local newspaper. Commercial users are subject to periodic inspections for use of rate review.

Sec. 3. Billing Statements. Billing statements for sewer service shall be mailed to customers on a monthly basis. Payments shall be due by the 20th of each month.

Sec. 4. Delinquent Accounts – Shut-off. Sewer bills not paid within 60 days of statement billing, the District may shut-off service by mailing notice to the customer at customers billing address, advising the customer of the overdue bill and informing the customer of the date that service will be discontinued.

Sec. 5. Notice of Delinquent Account. The district shall notify the owner of property, if not the customer, by mail at the owner’s last known address, when any District account for the property is delinquent over ninety (90) days. Penalties and interest may accrue on the account. Account may be sent to collections after 90 days.

Sec. 6. Liability of Payment. The property owner and occupant are jointly and severally liable for the charges of the District. The District assumes **no** responsibility for any agreements between a landlord and tenant, regardless of whether the District has been notified of such agreement.

Sec. 7. Charges as Statutory Lien. Until paid, all District fees, interest penalties constitute a perpetual lien against the property served. The lien may be foreclosed in the manner provided by Colorado law or pursuant to State Statute 13-20-105, C.R.S., the District may elect to certify to the county treasurer for collection of any delinquent sewer service charges, to be collected by the county treasurer and paid over to the District in the same manner as for the collection of real property taxes pursuant to Title 31 of the Colorado Revised Statutes.

ARTICLE XIII
CHANGE IN CUSTOMER SERVICE

Sec. 1. Procedure. A customer must execute a new sewer service contract for changed service when property is sold. An “Application for Billing Transfer” must be completed in full by property

owner and occupant and presented to the District before billing can be changed. A deposit of \$50 and a Transfer Fee of \$50 shall be required before the service is turned on. The property owner is ultimately responsible for all fees incurred for service.

ARTICLE XIV PENALTIES

Sec. 1. Any person found to be violating any provision of the ordinance except Article V shall be served by the Norwood Sanitation 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.

Sec. 2. Any person who shall continue any violation beyond the time limit provided for the Article VIII, Section 1, shall be guilty of a misdemeanor, and on conviction thereof shall be fined in the amount not exceeding \$100 dollars for each violation. Each day in which any such violation shall continue to be deemed a separate offense.

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

ARTICLE XV VALIDITY

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

Sec. 2. The invalidity of a 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.

NORWOOD SANITATION DISTRICT SUMMARY OF FEES AND SEWER RATES

| | |
|---|----------|
| Application Fee (New Service) | \$ 50.00 |
| Billing Transfer Upon Sale of Property Service Charge | \$ 50.00 |
| Transfer Upon Sale of Uninstalled Tap | \$500.00 |
| Engineer's Review Deposit | \$500.00 |

| | |
|---|------------------|
| Minimum Monthly Service Charge – Inside District | \$ 25.50 per EQR |
| Minimum Monthly Service Charge – Outside District | \$ 30.75 per EQR |
| Tenant Billing Transfer Fee | \$50.00 |
| Tenant Guarantee Deposit | \$50.00 |
| Vacant Lots (Inside District) | \$ 11.00 |
| Vacant Lots (Outside District) | \$ 13.50 |
| Right to Serve Fee | \$ 6.00 |
| Reconnect Fee | \$100.00 |
| Renter Guarantee Deposit | \$ 50.00 |
| Returned Check (Any Reason) | \$ 36.00 |
| Service Calls (Greater than 3 calls) | \$ 50.00 |

PLANT INVESTMENT FEES

Each separately owned parcel of land or structure thereon must be served by an individual service line. Plant Investment Fees shall be paid pursuant to the following schedule:

| | |
|------------------|-----------------|
| Inside District | \$3,000 per EQR |
| Outside District | \$4,000 per EQR |

Sewer Use Rates:

Sewer use rates, as well as sewer tap fees, will be calculated on the basis of a single-family dwelling. An equivalency factor (EQR) will be applied to the rate to scale fees to normal usage for the particular structure or business. Commercial customers will be subject to periodic inspections for the purpose of rate review.

Rate Structure:

| <u>Facility</u> | <u>EQR Rate</u> |
|--|------------------------|
| 1. <u>Single Family Dwelling</u> Per Unit | 1.00 |

| | |
|---|--------------------|
| 2. <u>Multiple Family Dwelling/Townhouse/Condominium</u> | |
| Per Unit | 1.00 |
| 3. <u>Apartment Building</u> | |
| Per Apartment | 1.00 |
| Public washing machine | 0.25 per machine |
| 4. <u>Permanent Trailers/Mobile Home Parks</u> | |
| Mobile Home Spaces | 1.00 |
| 5. <u>Travel Trailer/Overnight Mobile Home Park/R.V. Park</u> | |
| Manager's Unit | 0.50 |
| Space with Sewer Hookup | 0.50 per space |
| All Other Spaces | 0.20 per space |
| Public Dump Station | 1.00 |
| Public Washing Machines | 0.25 per machine |
| 6. <u>Hotels/Motels/Bed & Breakfasts</u> | |
| Manager's Unit | 0.50 |
| Beds | 0.16 per bed |
| Kitchen Facilities | 0.20 per facility |
| To be added: | |
| Swimming pool, hot tub, etc. | 0.05 per 1000 gal |
| Public washing machines | 0.25 per machine |
| Laundry | 0.09 per bed |
| Food service | Use food service |
| 7. <u>Hospitals/Nursing Home</u> | |
| Beds | 0.20 per bed space |
| 8. <u>Churches</u> | |
| Parsonages | 1.00 |
| 9. <u>Private Clubs</u> | |
| Seating Capacity | 0.01 per seat |
| Social Area/Kitchen | 0.70 per facility |
| Bar | 1.00 per bar |
| 10. <u>Schools</u> | |
| Students | .025 per student |
| 11. <u>Commercial, Offices, Retail stores, with no process water.</u> | |
| Residences or eating facilities of up to 3000 square feet including two restrooms which have a total of two lavatories and two toilets (one each per restroom). | 1.00 |
| A. For each additional toilet or urinal with manual flush. | 0.30 |

- B. For each additional toilet or urinal with continuous flush. 1.00
- C. For each additional lavatory. 0.15
- D. For each shower or bath or combination. 0.30
- E. For each manual operated drinking fountain. 0.10
- F. For each continuous flow drinking fountain. 1.00
- G. For each additional 100 square feet of floor space above 3000 square feet. 0.02

12. Grocery Store/Market

Size of Space 1.00 per 3000 sq. ft.

13. Service Stations

Fuel Pumps 0.50 per pump

14. Car Wash

Wash Bays 1.00 per wash bay

15. Laundry Business

Commercial/Public Use 2.00 for the first 10,000 gallons of water used and \$.70 per thousand thereafter.

16. Taverns/Bars

Seating Capacity 2.00 per 1st 40 seats and 0.60 per each add'l 10 seats.

17. Food Service

Seating Capacity 1.00 per 1st 40 seats and 0.60 per each add'l 10 seats.

18. Deli/Ice Cream Parlor

Seating Capacity 1.00 per 1st 40 seats and 0.30 per each add'l 10 seats.

19. Beauty/Barber Shops

Property 1.00 per Property

20. Private Swimming Pools

Capacity 0.05 per 1000 gallon of pool capacity

The current sewer rates are as follows:

\$25.50 per EQR Inside District
 \$30.75 per EQR Outside District

Special Charges:

** If any user is discharging toxic or other pollutants in concentrations higher than that of a residential user which causes increased treatment or system costs, a surcharge may be imposed based upon the excess concentrations.

**Industrial or commercial customer whose strength or volume of discharge is materially different than an average residential customer, they shall have a separate rate determined by the District, based upon the nature of their discharge.

**Unfinished floor space within a commercial building will be deferred until a certificate of occupancy is issued by the local government building inspector.

**A business, of 500 Sq. Ft. or less, located in a Primary residence will be 1 EQR. Additional Sq. Ft. see Item 11. Bed & Breakfasts see Item 6.

Bed & Breakfasts that can accommodate less than 10 patrons and serve breakfast **only are exempt from food service charges.