

## ORDINANCE NO. 251

An Ordinance Regulating the Use of the Public Sewer, Private Sewage Disposal, the Installation and Connection of Building Sewers, and the Discharge of Waters and Wastes into the Public Sewer System in the Town of Berthoud, Colorado, and Repealing Ordinances and parts of Ordinances in Conflict Therewith.

Be It Ordained by the Board of Trustees of the Town of Berthoud, Colorado:

Section 1. Definitions. "Superintendent" shall mean the Superintendent of Sewers of the Town of Berthoud, or his authorized deputy, agent or representative. "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority. "Building sewer" shall mean the extension from the building drain to the public sewer or other place of disposal. "Board" shall mean the Board of Trustees of the Town of Berthoud, Colorado. "Town" shall mean the Town of Berthoud, Colorado. "Person" shall mean any individual, firm, company, association, society, corporation or group.

Section 2. It shall be unlawful for any person to place, deposit, or permit to be deposited in an insanitary manner upon public or private property within the Town or any area under the jurisdiction of the Town any human or animal excrement, garbage or other objectionable waste.

Section 3. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cess-pool or other facility intended or used for the disposal of sewage.

Section 4. The owner of any house, building or property used for human occupancy, employment, recreation or other purpose, situated within the Town 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 sewer of the Town, is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this Ordinance, within ninety days after date of official notice from the Board so to do, provided that said public sewer is within one hundred feet of the property line.

Section 5. It shall be unlawful to construct, maintain or repair a septic tank or cesspool within the corporate limits of the Town without having previously obtained a permit. Such permit may be issued by the Town Clerk, with the approval of the Superintendent, if there is no public sewer within one hundred feet of the property line, upon the written application of the person desiring to construct, maintain or repair such septic tank or cesspool giving location, size and plan of construction. The Superintendent shall have authority to withhold such approval if he considers such action in the best interests of the public health, subject to such action as the Board may decide to take.

Section 6. A Superintendent shall be appointed by the Board and shall hold office at the pleasure of the Board. Said officer shall give bond to the Town, subject to the approval of the Board and in such penal sum as the Board may designate, for the faithful performance of the duties of his office. Said officer shall perform the duties and exercise the powers hereinafter defined, and such other duties as are now or may hereafter be prescribed by ordinance or otherwise.

Section 7. The Superintendent shall have charge and management of the sewer system of the Town, and all sewer mains, pipes and drains connected with the public sewer system and belonging to the Town, and of all other property belonging to or appertaining to said sewer system and shall see that said sewer system, as well as the private sewers connected with the public sewer, are kept properly flushed and cleaned and in proper working order. He shall also superintend all work upon said public sewer system and inspect all work on building sewers as hereinafter stated. He shall personally superintend making of all connections of building sewers with the public sewer, and in accordance with the permit to be issued by the Town Clerk as hereinafter stated; and he shall do and perform all other things necessary and proper for the management of said sewer system and its connections and appurtenances which are not devolved by ordinance upon some other town officer.

Section 8. Before permission shall be granted to any person to connect with said sewer system, such person shall, in addition to the installation permit required by the State of Colorado Plumbing Code

also make application to the Town Clerk for a permit to make such connection and pay a fee of one dollar for said permit if the property to be served is in the Town, and one hundred dollars if the property to be served is outside of the Town. Such application shall be made on blanks supplied by the Town. Before issuing a permit the Town Clerk shall refer the application to the Superintendent. If the proposed connection is found to be in conformity with this Ordinance the Superintendent shall endorse his approval upon the application and no permit shall be issued without such approval.

Section 9. Any person holding a permit to lay a building sewer must, before making a connection of such private sewer with any public sewer, give at least twenty-four hours notice, exclusive of Sundays and legal holidays, to the Superintendent of the time when he will be ready to begin work, and he must not proceed with the work of making such connection until the Superintendent is on the ground. If prevented from working at the time set, the person holding the permit for the work must at once report the fact to the Superintendent and appoint another time for doing the work. Any work done without notice to the Superintendent or without inspection by him or one duly authorized by him, shall be treated as defective work and may be uncovered and, if need be, reconstructed by the Superintendent at the expense of the person to whom the permit was granted for the work.

Section 10. All work relating to connection with the public sewer shall be at the expense of the owner but supervised and inspected by the Superintendent. The materials, workmanship and methods of installation of such connection shall conform to the State of Colorado Plumbing Code.

Section 11. No person or persons shall open or uncover any public sewer, or lay or cause to be laid in any public street, alley or highway, or other public place, any drain or other connection with any sewer located therein, or dig, excavate or cause to be dug or excavated in, through or under any public street, alley, highway or other public place in said Town for any of the purposes aforesaid, except in strict accordance with said permit of the Town Clerk, which permit must be on

the work during the entire time work is in progress and be exhibited to the Superintendent or any authorized person who may ask to see such permit.

Section 12. 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 grease in excessive amounts, or any inflammable wastes, sand and 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 so located as to be readily and easily accessible for cleaning and inspection. Where installed, all grease, oil and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times.

Section 13. It shall be unlawful to throw or deposit, or cause or permit to be thrown or deposited, in any vessel or receptacle connected with a public sewer, any garbage, hair, ashes, fruit or vegetables, peelings or refuse, rags, cotton, cinders, or any other matter or thing whatever, except faeces, urine, the necessary tissue toilet paper, liquid house slops, and properly shredded garbage.

Section 14. No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance or equipment which is a part of the municipal sewage system. Any person violating this provision shall be subject to immediate arrest under a charge of disorderly conduct.

Section 15. The Superintendent and other duly authorized employees of the Town bearing proper credentials and identification shall be permitted to enter upon all properties, at all reasonable times, for the purposes of inspection, observation, measurement, sampling and testing in accordance with the provisions of this Ordinance.

Section 16. Any person found to be violating any provision of this Ordinance, except Section 14, shall be served by the Superintendent 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.

## RECORD OF PROCEEDINGS

100 Leaves

Section 17. Any person who shall continue any violation beyond the time limit provided in section 16 shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in an amount not exceeding one hundred dollars for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

Section 18. Any person violating any of the provisions of this Ordinance shall become liable to the Town for any expense, loss or damage occasioned to the Town by reason of such violation.

Section 19. The invalidity of any section, clause, sentence or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given effect without such invalid part or parts.

Section 20. The provisions of this Ordinance are intended to be in addition to the provisions of the State of Colorado Plumbing Code now or hereafter in force, and it is intended that the said Code shall govern at all times in case of conflict with the provisions of this Ordinance.

Section 21. Ordinances Numbers 78, 89, 131, and all other Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

Passed, adopted and approved this 9th day of October, 1956.

ATTEST:

Viola Barrowman  
Clerk

O. D. May Jr  
Mayor

