

~~ORDINANCE~~ NO. January 6, 1999

**RULES AND REGULATIONS
OF
SCOTT COUNTY
REGIONAL SEWER DISTRICT**

An ordinance establishing Rules and Regulations governing the permitting, design, and construction of sanitary sewer collection systems in the unincorporated areas of Scott County, Indiana.

WHEREAS, District Ordinance No. 6-18-92-3 regulates the use of public and private sewers and drains in the area served by the Scott County Regional Sewer District, County of Scott, State of Indiana; and,

WHEREAS, the District recognizes the need to establish Rules and Regulations to further define the permitting, design, and construction of sanitary sewer collection systems and facilities in the unincorporated areas of Scott County;

NOW THEREFORE, be it ordained and enacted by the Scott County Regional Sewer District, County of Scott, State of Indiana, as follows:

ARTICLE I
DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of terms used in these Rules and Regulations shall be as found in Ordinance No. 6-18-92-3.

Additional terms used in this Ordinance are defined as follows:

"BOARD OF TRUSTEES" shall mean the duly appointed governing body of the Scott County Regional Sewer District.

"CONSTRUCTION" means (i) any placement, assembly, or installation of facilities or equipment or (ii) significant site preparation work including clearing, excavation, or removal of existing buildings or structures.

"CUSTOMER" shall mean any Person who has accepted responsibility for any billing for Service of the District.

"DEVELOPER" means any Person or Person's agent, excepting solely the District, which proposes, is completing, or has constructed Wastewater Facilities for Service by the District.

"DISCHARGE" means to deposit, conduct, drain, emit, throw, run, allow to seep, or otherwise release or dispose of, or to allow, permit, or suffer any of these into the Wastewater Facilities.

"EQUIVALENT DWELLING UNITS", "E.D.U.'s" or "EDUs" shall be the unit of measurement of quantities of Service, shall be equivalent to 250 gallons per day of Normal Domestic Wastewater, plus a normal infiltration of 60 gallons per day, for a total design flow of 310 gallons per day, and shall be allocated in whole numbers of one or more (by averaging the number up (.50 or greater) or down (.49 or less)).

"FINAL INSPECTION" means an inspection of an Approved Wastewater Facility about one year after its approval, but prior to its acceptance by the District.

"MANAGEMENT LIAISON" means that person so designated by the Board of Trustees.

"OBSERVATION" means a visual or other examination or review accomplished by the District or the Utility Manager and shall be a good faith effort to determine if the work being done is in accordance with the appropriate codes or requirements of the District. In providing approval or disapproval no warrant or guarantee is made that the work complies or doesn't comply with the codes or requirements, nor that the codes or requirements make any warrant of merchantability.

"SERVICE" shall mean the providing of Wastewater Service by the District and shall be subject to the District's Rules and Regulations and normal and emergency operational requirements of the Wastewater Facilities.

"SERVICE AREA" shall mean the unincorporated area of Scott County, Indiana.

"STANDARD METHODS" means the examination and analytical procedures set forth in the latest edition, at the time of analysis, of "Standard Methods for the Examination of Water and Wastewater" as prepared, approved, and published jointly by

the American Public Health Association, the American Water Works Association, and the Water Environment Federation.

“STOP ORDER” means a corrective order issued by the District having the affect to stop all work to which the District’s rules apply, excepting only work to rectify the infraction, until the infraction is rectified or arrangements acceptable to the District are made for rectification.

“UTILITY MANAGER” shall mean the person duly appointed to the position of Utility Manager by the District, and any employee, agent, representative, or subcontractor of the District so authorized by the Utility Manager.

“UTILITY DEVELOPMENT AGREEMENT” OR “UDA” means an agreement between a Developer and the District for the Construction and conveyance of Wastewater Facilities.

“WASTE” means rejected, unutilized or superfluous substances in liquid, gaseous, or solid form.

“WASTE LOAD ALLOCATION” shall mean a commitment by the District to provide the Service subject to compliance with the District’s rules and regulations. Waste Load Allocations shall be measured in EDUs to a tract or tracts of land, and shall run with that land.

“WASTEWATER TREATMENT PLANT” means facilities designed and properly permitted to receive, treat and discharge Wastewater from Sanitary Sewers.

END OF ARTICLE I - DEFINITIONS

ARTICLE II WASTE LOAD ALLOCATIONS

Section 1. Service.

Service shall be provided only upon the issuance and continued validity of a Waste Load Allocation.

Section 2. Waste Load Allocation Amount.

The EDUs of a Waste Load Allocation to any lot or tract shall be determined based on approved plans and specifications.

Section 3. Waste Load Allocation Issuance.

A Waste Load Allocation shall be issued only by the Board of Trustees.

Section 4. Waste Load Availability Letters.

A Waste Load Availability Letter may be issued for use by the Person in coordination with other governmental agencies. The following procedures shall be utilized to obtain a Waste Load Availability Letter:

- 4.1 Application for Waste Load Availability Letter.** The Applicant shall complete a written Application for Waste Load Availability Letter accompanied by required documentation.
- 4.2 District's Investigation and Determinations.** The Utility Manager shall investigate and make his determinations as to: the availability of capacity in the Wastewater Facilities for the requested Waste Load Availability Letter, and, the requirement to provide any improvements to the Wastewater Facilities necessary to provide the anticipated Service.
- 4.3 Issuance of Waste Load Availability Letter.** If, upon investigation, the Utility Manager determines that adequate capacity exists or is anticipated to exist in the Wastewater Facilities and the anticipated Service is feasible under the District's rules and regulations and according to a design generally indicated on a plan or letter from Applicant's engineer, the Utility Manager shall issue a written "Waste Load Availability Letter" containing statements of the conditions under which the letter has been issued and under which Service is at that time anticipated to be feasible. The Waste Load Availability Letter shall not be construed as a Waste Load Allocation, but shall indicate that, as of the date of the Waste Load Availability Letter, the existing and proposed Wastewater Facilities have or are anticipated to have adequate capacity for the Service contemplated under the Waste Load Availability Letter Application.

Section 5. Waste Load Allocation.

The purpose of a Waste Load Allocation is to reserve and commit capacity from the Wastewater Facilities specifically for Service to an area. The following procedures shall be utilized to obtain a Waste Load Allocation:

5.1 Application for Waste Load Allocation. The Applicant shall complete and submit a written Application For Waste Load Allocation accompanied by required documentation.

5.2 District's Investigation and Determinations. Following the Utility Manager's receipt of all required information, the District, through its Utility Manager, shall investigate and make its determination as to:

5.2.1 the availability of capacity in the Wastewater Facilities for the requested Waste Load Allocation; and,

5.2.2 the requirement to provide for improvements to the Wastewater Facilities necessary to provide the requested Waste Load Allocation.

5.3 Review of Plans and Specifications. The Applicant shall submit engineering plans and specifications fulfilling the Wastewater Facilities improvement requirements necessary for the Service meeting the District's then current design criteria.

The plans shall be signed and sealed in accordance with Indiana law by the person acting as the project engineer, shall be D-sized or nominally 24" x 36" inches in size, bound, and of black-line print, and shall include a title sheet, standard District conditions and details drawings, plats of the area for which Service is proposed Wastewater Facilities, plans of all other proposed and known underground utilities, plans and profiles of all proposed and affected streets, drainage plans for the area for which Service is proposed, a topographical map of the area with minimum two (2) foot contour lines of the existing ground and the technical specifications.

5.4 Pre-Paid Connection Fees. At least five (5) days prior to presentation to the Board of Trustees for approval, the Applicant shall provide the Utility Manager with a check for pre-paid Connection Fees in the amount of one-third (1/3) of the total Connection Fees due for the requested Waste Load Allocation

5.5 Approval by Board of Trustees for Waste Load Allocation. In order to obtain a Waste Load Allocation, the Applicant shall submit the following items to the Board of Trustees:

5.5.1 complete construction plans and specifications for the proposed Wastewater Facilities,

5.5.2 a check for pre-paid Connection Fees, and

5.5.3 a Capacity Reimbursement Agreement, if applicable.

Section 6. Transfer of Waste Load Allocation To Other Lands. A Waste Load Allocation or any portion may not be transferred to another tract or lot without written permission of the Board of Trustees.

Section 7. Design and Construction Criteria for Wastewater Facilities.

All wastewater Facilities shall fully comply with the District's minimum design and Construction criteria. In providing a Waste Load Availability Letter, plan reviews, or review and approval of change orders, the Utility Manager may provide for criteria, as deemed necessary by both the Utility Manager and the Management Liaison, which criteria are stricter or different than those minimum design and Construction criteria. The District shall allow the use on an individual basis of design and Construction criteria for Wastewater Facilities for which specific criteria have not been adopted by the District.

7.1 Design and Construction Criteria. All Wastewater Facilities in or to be served by the District shall be designed and constructed so that they fully comply with the applicable Rules and Regulations for Sewer Systems of the Indiana Department of Environmental Management, and the applicable Recommended Standards for the Design of Wastewater Systems (Ten States Standards), unless it is not foreseen that the sewer will be extended in the future or the Service is to a single residence in a large acreage tract. Unless exception is explicitly granted, all sewers shall be designed at substantially minimum grade and at the lowest depth possible allowing for connection to existing or planned downstream Wastewater Facilities.

7.2 Standard Detail Drawings, Technical Specifications and General Notes.

The Board of Trustees shall adopt general notes for Wastewater Facilities plans and Construction, and technical specifications requirements for Wastewater Facility Construction. All standard detail drawings and general notes applicable to the project shall be incorporated in the plans. All applicable technical specifications shall be incorporated in the Construction contracts. Further, standard detail drawings, technical specifications and general notes for Wastewater Facilities not addressed in the District's standard detail drawings, technical specifications and general notes may be incorporated in plans and contracts presented to the Utility Manager for review.

END OF ARTICLE II - WASTE LOAD ALLOCATION

