

*Service connection* means the terminal end of a service line from the waterworks. If a meter is installed at the end of the service, the service connection means the downstream end of the meter.

*System hazard* means a condition posing an actual or potential danger to the physical properties of the waterworks or a consumer's water system.

*Used water* means any water supplied by a water purveyor from the waterworks to a consumer's water system after it has passed through the service connection.

*Water purveyor* means an individual, group of individuals, partnership, firm, association, institution, corporation, municipal corporation, county or authority which supplies water to any person within this state from or by means of any waterworks.

*Waterworks* means a system that serves piped water for drinking or domestic use to the public, at least 15 connections or an average of 25 individuals for at least 60 days out of the year. The term "waterworks" includes all structures, equipment and appurtenances used in the storage, collection, purification, treatment and distribution of pure water except the piping and fixtures inside the building where such water is delivered, as set forth in Code of Virginia, § 32.1-167.

(Code 1992, § 22-76)

**Cross References:** Definitions generally, § 1-2.

**Sec. 74-112. Penalty.**

Any person or customer found guilty of violating any of the sections of this division or any written order of the town in pursuance thereof shall be deemed guilty of a class 2 misdemeanor for each violation. Each day upon which a violation of this division shall occur shall be deemed a separate and additional violation for the purposes of this division.

(Code 1992, § 22-80)

**Sec. 74-113. Inspections.**

- (a) It shall be the duty of the town council to cause inspections to be made of

properties served by the waterworks where cross connection with the waterworks is deemed possible. The frequency of inspections and reinspections, based on potential health hazards involved, shall be established by the town in the cross connection control and backflow prevention program and as approved by the state department of health.

(b) The town representative shall have the right to enter at any reasonable time properties served by a connection to the town waterworks for the purpose of inspecting the piping system for cross connections. Upon request, the owner or occupant of property served shall furnish to the inspection agency pertinent information regarding the piping system on such property. The refusal of such information or refusal of access, when requested, shall be deemed evidence of the presence of cross connections.

(Code 1992, § 22-77)

#### **Sec. 74-114. Discontinuance of water service.**

The water purveyor may deny or discontinue the water service to a consumer if the required backflow prevention device is not installed. If it is found that the device has been removed or bypassed, if a cross connection exists on the premises, or if the pressure in the waterworks is lowered below ten psi gauge, the purveyor shall take positive action to ensure that the waterworks is adequately protected at all times. Water service to such premises shall not be restored until the deficiencies have been corrected or eliminated in accordance with state waterworks regulations and to the satisfaction of the purveyor.

(Code 1992, § 22-78)

**Sec. 74-115. Protection of potable water supplies from contamination.**

The potable water made available on the properties served by the waterworks shall be protected from possible contamination or pollution by enforcement of this division and the town plumbing code. Any water outlet which could be used for potable or domestic purposes and is not supplied by the potable system must be labeled as "water unsafe for drinking" in a conspicuous manner.

(Code 1992, § 22-79)

**Secs. 74-116--74-140. Reserved.**

**ARTICLE III.**

## SEWERS AND SEWAGE\*

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\* **Charter References:** Sewers and sewage systems, § 13; laying of sewers and special assessments therefor, § 29.

**Cross References:** Digging in street incident to water supply or sewer system, § 58-4.

**State Law References:** Public utilities, Code of Virginia, § 15.2-2109 et seq.; municipal sewage disposal, Code of Virginia, § 15.2-2116 et seq.; sewage disposal when sewers not available, Code of Virginia, § 15.2-2157; sewage disposal generally, Code of Virginia, § 32.1-163 et seq.

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## DIVISION 1.

## GENERALLY

**Sec. 74-141. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*BOD (denoting biochemical oxygen demand)* means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20 degrees Celsius, expressed in parts per million by weight.

*Building drain* means that part of the lowest horizontal piping of a drainage system which receives the discharge from toilets, cleaning waste and other drainage pipes inside the walls of the building and conveys it five feet outside the inner face of the building wall to the building sewer.

*Building sewer* means the extension from the building drain to the public sewer lateral or other place of disposal.

*Combined sewer* means a sewer receiving both surface runoff and sewage.

*Garbage* means solid wastes from the preparation, cooking and dispensing of food and from the handling, storage and sale of produce.

*Industrial wastes* means any sewage from industrial processes, as distinct from sanitary sewage.

*Natural outlet* means any outlet into a watercourse, pond, ditch, lake or other body of surface water or groundwater.

*pH* means the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

*Properly shredded garbage* means 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 in any dimension.

*Public sewer* means a sewer in which all owners of abutting properties have equal rights, and which is controlled by public authority.

*Sanitary sewer* means a sewer which carries sewage and to which stormwater, surface water and groundwater are not intentionally admitted.

*Sewage* means a combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments.

*Sewage treatment plant* means any arrangement of devices and structures used for treating sewage.



*Sewage works* means all facilities for collecting, pumping, treating and disposing of sewage.

*Sewer* means a pipe or conduit for carrying sewage.

*Storm sewer* and *storm drain* mean a sewer which carries stormwater and surface water and drainage, but excludes sewage and polluted industrial wastes.

*Suspended solids* means solids that either float on the surface of or are in suspension in water, sewage or other liquids and which are removable by laboratory filtering by recognized standard methods.

*Watercourse* means a channel in which a flow of water occurs, either continuously or intermittently.

(Code 1992, § 17-1)

**Cross References:** Definitions generally, § 1-2.

**Sec. 74-142. Prohibited disposal of sewage.**

(a) It shall be unlawful for any person to place or deposit in an unsanitary manner upon public or private property within the town or in any area under the jurisdiction of the town any human or animal excrement, garbage or other objectionable waste.

(b) It shall be unlawful for any person to discharge to any natural outlet within the town or in any area under the jurisdiction of the town any sanitary sewage, industrial wastes or other polluted waters, except where suitable treatment has been provided in accordance with this article.

(Code 1992, § 17-2)

**Sec. 74-143. Structures used for human occupancy, abutting public sewer, required to have toilet facilities connected to sewer.**

Each owner of a house, building or other structure used for human occupancy, employment, recreation or congregation situated within the town and abutting on any street, alley or right-of-way in which there is located or may 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 public sewer in accordance with this article within 120 days after date of official written notice from the town to do so.

(Code 1992, § 17-3)

**Sec. 74-144. Private sewage disposal.**

(a) Except as provided in this section, it shall be unlawful for any person to construct or maintain any privy, privy vault, septic tank, cesspool or other private facility intended or used for the disposal of sewage.

(b) Where a public sanitary sewer is not available under section 74-143, the building sewer shall be connected to a private sewage disposal system, the type, capacities, location and layout of which shall comply with all recommendations of the state and county departments of health. No septic tank shall be permitted to discharge to any public sewer or natural outlet or abutting public or private property.

(c) The owner shall operate and maintain his private sewage disposal facilities in a sanitary manner, at no expense to the town, and with no nuisance whatsoever to others.

(Code 1992, § 17-4)

**Sec. 74-145. Permits required for construction of private sewage disposal system.**

No person shall construct, install, alter or enlarge any septic tank or other private sewage disposal system without having a permit from the health director and such other permits as may be required by the building code.

(Code 1992, § 17-5)

**State Law References:** Appeals from denials of septic tank permits, Code of Virginia, § 32.1-164.1.

**Sec. 74-146. Sewer connection permit.**

(a) *Required; issuance.* No person shall make any connection to a town sewer except pursuant to a town permit. Upon approval of an application for such a permit and payment to the town treasurer of the prescribed connection permit fee, the applicant shall be issued such permit by the superintendent.

(b) *Denial if contractor without required license.* In no case will a sewer connection permit be issued where the work is to be done by a contractor unless he is licensed by the town as required by chapter 18, article II.

(Code 1992, §§ 17-6, 17-7)

#### **Sec. 74-147. Sewer fees.**

(a) Fees payable to the town for the use of the town's sewer system and for issuance of sewer connection permits shall be as from time to time prescribed by the town council in a sewer fee schedule which shall be maintained on file in the office of the town clerk.

(b) The minimum fees for sewer use and connections within the town shall be set each year at budget session.

(Code 1992, § 17-8)

**Sec. 74-148. Inspection of work done under connection permit; compliance required.**

When the building sewer construction is completed except for trench recovering and the final connection, the holder of the connection permit shall notify the town manager. The town manager will inspect the work and endorse the permit by signature, if the work is in compliance with this article; the building code; and other laws, ordinances and regulations applicable thereto. Any permissive deviations from the initial application shall be noted by the town manager on the connection permit issued the owner and on the town's copy.

(Code 1992, § 17-9)

**Sec. 74-149. Unauthorized connections, tampering with, damaging or altering public sewers and appurtenances.**

No unauthorized person shall uncover, make any connection with or opening into, damage, use, alter, tamper with or disturb any public sewer or appurtenance thereto or damage, use, alter, tamper with or disturb any part or facility of the town sewage treatment plant or pumping stations, without a written permit to do so from the superintendent.

(Code 1992, § 17-10)

**Sec. 74-150. Rules and regulations.**

The town council may by ordinance or resolution promulgate and from time to time amend such rules and regulations as may be deemed appropriate to implement this article and to regulate the maintenance, operation and use of the town sewer and sewage disposal systems. All such rules and regulations shall be maintained on file in the office of the town clerk. It shall be unlawful for any person to violate or fail to comply with any such rule or regulation.

(Code 1992, § 17-11)

**Sec. 74-151. Violations and penalties; civil remedies.**

It shall be unlawful for any person to violate or fail to comply with any section of this article. The imposition of a penalty upon any person convicted of violating or failing to comply with this article shall not prevent the town from prosecuting any proper civil procedure to prevent the continuance thereof or to enforce any right to which it is entitled.

(Code 1992, § 17-12)

**Secs. 74-152--74-180. Reserved.**

## **DIVISION 2.**

### **BUILDING SEWERS AND CONNECTIONS**

**Sec. 74-181. Classes of building sewer permits; application for permit.**



(a) There shall be two classes of building sewer permits as follows:

(1) For residential, institutional and commercial service.

(2) For service to establishments producing industrial wastes.

(b) For either class of permit, the property owner or his agent shall make application on a form furnished by the town. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the town manager.

(Code 1992, § 17-31)

**Sec. 74-182. Costs of installation; indemnification against loss.**

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

(Code 1992, § 17-32)

**Sec. 74-183. Separate building sewer for each building or dwelling unit; exceptions.**

(a) A separate and independent building sewer shall be provided for every building or dwelling unit, unless it is specifically approved in writing on the permit by the superintendent that more than one building or unit can use a common building sewer. In such a case, the common portion of the building sewer shall be increased in size to not less than six inches to the public sewer lateral, and the connection fee shall be the basic charge times the number of buildings or units or as may be provided otherwise in this article or by any schedule, rule or regulation promulgated pursuant to this article.

(b) The following are recognized as meriting written permission for enlarged common building sewer connections at extra cost:

(1) Where one building on an interior lot stands at the rear or beside another with common ownership and no public or private sewer is available or can be constructed to the interior building through an adjoining alley, court, yard or driveway, the building sewers may be connected and extended to the public sewer lateral.

(2) A duplex dwelling containing separate and distinct families shall be considered as two buildings and a common building sewer may be constructed.

(3) An apartment dwelling with a combined building drain may have a common building sewer constructed. Building sewer enlargement is required for a common connection to more than three apartment units.

(4) An approved trailer court, motel, motor court or a hotel may construct an enlarged building sewer in accordance with special permits.

(Code 1992, § 17-33)

**Sec. 74-184. Use of old building sewers.**

Old building sewers may be used in connection with new or old buildings only when they are found, on examination and test by the town manager, to meet all the requirements of this article, the building code and other applicable laws and ordinances.

(Code 1992, § 17-34)

**Sec. 74-185. Excavations.**

All excavations 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 town and to the resident engineer for the state, if state responsibility is involved.

(Code 1992, § 17-35)

**State Law References:** Uniform marking and signing of highways, Code of Virginia, § 46.2-830.

**Sec. 74-186. Materials and methods.**

Except as may be provided otherwise by the building code:

(1) *Materials.* The building sewer shall be of suitable material approved by the superintendent and shall be one of the following:

- a. Cast iron soil pipe, ASTM specifications A 74-42 or equal.
- b. Vitrified clay sewer pipe, ASTM specifications C 13-54T or equal.
- c. Concrete pipe, ASTM specifications C 14-56.

- d. Other suitable material approved by the superintendent.

No new construction of pipe classified as "orangeburg" or similar plastic will be approved. Joints shall be tight and waterproof. Any part of the building sewer that is located within ten feet of a water service shall be constructed of cast iron soil pipe with leaded joints. The entire pipe installation shall be subject to approval by the town manager.

(2) *Size and slope.* The size and slope of the building sewer shall be subject to the approval of the town manager, but in no event shall the diameter be less than four inches. The slope of such four-inch pipes shall not be less than one-eighth inch per foot. No ells shall be used in the line except with the permission of the town manager. A cleanout plug shall be inserted in each line at a suitable point.

(3) *Elevation.* Whenever possible the building sewer shall be brought to the building at an elevation below the basement floor. The depth shall be laid at uniform grade and in straight alignment. Change in direction shall be made only with properly curved pipe and fittings, approved by the town manager.

(4) *Lift where no gravity flow.* In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such drain shall be lifted

by approved artificial means and discharged to the building sewer, at the expense of the property owner.

(5) *Excavations.* All excavation required for the installation of a building sewer shall be open trench work, unless otherwise approved by the town manager. Pipe laying and backfill shall be performed in accordance with ASTM specifications C 12-19, except that no backfill shall be placed until the work has been inspected by the town manager.

(6) *Joints and connections.* All joints and connections shall be made gastight and watertight. Cast iron pipe joints shall be firmly packed with oakum or hemp and filled with molten lead, Federal Specifications Q.Q-6-156, not less than one inch deep. Molten lead shall be run in one pouring and caulked tight. Lead joints, other than poured, will be permitted only by special approval of the town manager. No paint, varnish or other coatings shall be permitted on a jointing material until after the joint has been tested and approved. All joints in vitrified clay pipe or between such pipe and metals shall be made with approved hot-poured jointing material or cement mortar as follows:

a. Material for hot-poured joints shall not soften sufficiently to destroy the effectiveness of the joint when subjected to a temperature of 160 degrees Fahrenheit, nor be soluble in any of the wastes carried by the drainage system. The joint shall first be caulked tight with jute, hemp or similar approved material.

b. Cement joints in clay and cement pipe will be permitted, but are not recommended. Cement joints shall be made by packing a closely twisted jute or oakum gasket of suitable size to fill partly the annular space between the pipes. The remaining space shall be filled and firmly compacted with mortar composed of one part Portland cement and three parts mortar sand. The material shall be mixed dry, and only sufficient water shall be added to make the mixture workable. Mortar which has begun to set shall not be used or retempered.

c. Other jointing materials and methods may be used only by approval of the town manager.

(Code 1992, § 17-36)

**Secs. 74-187--74-215. Reserved.**

### **DIVISION 3.**

## **EXTENSION OF SANITARY SEWER LINES**



**Sec. 74-216. Within town.**

(a) *Division of costs; size of line installed; liability of property owner.* Sewer main extensions from existing sewer mains within the town limits shall be made by the town unless otherwise provided for and on the availability of funds. The town will, at its cost, extend sewer mains a maximum of 50 feet for each paid connection on the extended line. For extensions in excess of 50 feet, the excess above 50 feet shall be borne by the property owner, who shall reimburse the town for excess footage over 50 feet on the basis of extending an eight-inch sewer line. The size of line installed is to be subject to the recommendations of the town manager and approved by the town council. In distribution of costs, the town shall bear the entire cost of manholes. The property owner agrees in making the extension that he will connect to the sewer extension within six months of completion, and, on failure to do so, the applicant agrees to reimburse the town for the entire cost of making the sewer main extension. The property owner also agrees that title to that portion of sewer line laid at the cost and expense of the applicant shall revert to the town.

(b) *Lien created.* The portion of sewer line cost to be borne by the affected landowner shall constitute a lien on a benefited property until such time as the costs have been paid to the town treasurer.

(c) *Duty of property owners to make connections.* When any sewer in any street is completed and ready for use, the owner of every abutting lot containing an active building whereon sewer is supplied for any human use shall cause such lot to be connected with such sewer main.

(d) *Connection permit required.* No connection shall be made to any sewer lateral except after the written application therefor has been approved by the town manager and the permit obtained.

(Code 1992, § 17-56)

**Sec. 74-217. Beyond town limits.**

(a) *Division of costs; special connection fees.* Extensions of existing sewer lines within the corporate limits to streets or areas outside the town limits may be made or authorized by the town council only after special written application by developers or users and on the availability of funds. In such cases, the user or developer shall pay for all or a portion of the cost of such extension, and the town may establish special connection fees. The extension of a sewer line is to extend to the property owner's line. Extension of the lateral connection from the main to the property line shall not exceed 100 feet.

(b) *Extensions become town property.* Such sewer extensions shall become the property of the town, unless otherwise provided by contract.

(c) *Applicant's contract with town.* Whenever extension approval is granted and before a permit is issued, the town council shall require the applicant to enter into an agreement thereby agreeing to be governed by the town ordinances and laws concerning the sewage works and any special regulations that the town council may, from time to time, adopt and direct.

(Code 1992, § 17-57)

**Secs. 74-218--74-245. Reserved.**

#### **DIVISION 4.**

#### **USE OF SEWERS**

**Sec. 74-246. Waters prohibited in sanitary sewers.**

No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, cooling water or unpolluted industrial process waters to any sanitary sewer.

(Code 1992, § 17-76)

**Sec. 74-247. Waters intended for discharge into storm sewers and natural outlets.**

Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers or to a natural outlet approved by the town manager. Industrial cooling water or unpolluted process waters may be discharged, upon written approval by the town manager, to a storm sewer or natural outlet.

(Code 1992, § 17-77)

**Sec. 74-248. Liquids and solids prohibited in all town sewers.**

Except as provided in this division, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:

- (1) Any liquid or vapor having a temperature higher than 150 degrees Fahrenheit.
  
  
  
  
  
  
  
  
  
  
- (2) Any waters or wastes which may contain more than 100 parts per million by weight of fat, oil or grease.
  
  
  
  
  
  
  
  
  
  
- (3) Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas.
  
  
  
  
  
  
  
  
  
  
- (4) Any garbage that has not been properly shredded.

(5) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, fibers, tar, plastics, wood, animal offal, paunch manure or any other solid or viscous substances capable of causing obstructions to the flow in sewers or other interference with the operation of the sewage works.

(6) Any waters or wastes having a pH lower than 5.5 or higher than 9.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works.

(7) Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any hazard in the receiving waters of the sewage treatment plant.

(8) Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant.

(9) Any noxious or malodorous gas or substance capable of creating a public nuisance.

(Code 1992, § 17-78)

**Sec. 74-249. Grease, oil and sand interceptors.**

(a) *Required; type, capacity and location.* Grease, oil and sand interceptors shall be provided when, in the opinion of the town manager, they are necessary for the proper handling of liquid wastes containing greases in excessive amounts or any flammable wastes, sand and other harmful ingredients. 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 town manager and shall be located as to be readily and easily accessible for cleaning and inspection.

(b) *Specifications.* Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of a substantial construction, watertight and equipped with easily removable covers which when bolted in place shall be gastight and watertight.

(c) *Expense of maintenance.* Where installed, all grease, oil and sand interceptors shall be maintained by the owner at his expense and in continuously efficient operation at all times.

(Code 1992, § 17-79)

**Sec. 74-250. Preliminary treatment facilities.**

Where preliminary treatment facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense and shall be accessible for inspection by the town manager.

(Code 1992, § 17-80)

**Sec. 74-251. Control manholes.**

When required by the town manager, the owner of any property served by a building sewer carrying industrial wastes shall install a suitable control manhole in the building sewer to facilitate observation, sampling and measurements of the wastes. Such manhole, when required, shall be accessibly and safely located and shall be constructed in accordance with plans approved by the town manager. The manhole shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.



(Code 1992, § 17-81)

**Sec. 74-252. Determination of measurements, tests and analyses.**

All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in section 74-248 shall be determined in accordance with Standard Methods for the Examination of Water and Wastewater and shall be determined at the control manhole provided for in section 74-251 or upon suitable samples taken at the manhole. If no special manhole is required by the town, the manhole shall be considered to be the downstream manhole in the public sewer nearest to the point at which the building sewer is connected.

(Code 1992, § 17-82)