

**Chapter 22
UTILITIES***

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**ARTICLE I.
IN GENERAL**

Secs. 22-1--22-20. Reserved.

**ARTICLE II.
SEWERS***

DIVISION 1. GENERALLY

Sec. 22-21. Conditions for laying new sewer lines.

New sewer lines will be laid by the city upon the following conditions:

- (1) When the city engineer and the city manager shall concur in the opinion that the proposed line would be practicable from an engineering standpoint.
- (2) When the city engineer and city manager shall concur in the opinion that the street to be served by the particular line has such development potential that the city might reasonably expect to recover a substantial portion of the cost of the line.

Sec. 22-22. New septic tanks prohibited generally; exceptions; existing septic tanks in serviceable condition permitted; when connection to sewer line required.

- (a) No further installations of septic tanks will be allowed unless, in each case:

- (1) The location of the property line is more than three hundred (300) feet from an existing sewer line;
 - (2) The city engineer and the city manager shall concur in the opinion that the location is such that it would be impracticable to serve with a sanitary sewer line within a reasonable time; and
 - (3) The department of health and environmental control approves the installation.
- (b) In the case of existing construction, where there is already in existence a septic tank in serviceable condition, the use of the septic tank may be continued as long as it is serviceable and sanitary; when, however, it becomes unserviceable or unsanitary and needs major repairs to bring it up to a reasonable standard of serviceability and sanitation, the owner of the lot will be required to connect to the city sanitary sewer.

Sec. 22-23. Sewer connection charges.

- (a) *Enumerated.* The following charges shall be made for all connections to sewer lines:
- (1) A single-family dwelling shall pay a connection charge of one hundred fifty dollars (\$150.00).
 - (2) A multifamily dwelling (two (2) or more dwelling units) shall pay a connection charge of one hundred fifty dollars (\$150.00) for the first dwelling unit and one hundred dollars (\$100.00) for each additional dwelling unit.
 - (3) Hotels and motels shall pay a connection charge of three hundred dollars (\$300.00) for the first bath and twenty-five dollars (\$25.00) for each additional bath.
 - (4) Any other structure or building including but not limited to schools, hospitals, public and commercial buildings shall pay a charge for each connection to a sewer line of three hundred dollars (\$300.00) for the first fixture unit or less and five dollars (\$5.00) for each additional fixture unit.
- (b) *Determination of fixture units.* In determining the number of fixture units applicable to a given building or structure, the provisions and tables as set forth in the Standard Plumbing Code as it may be amended from time to time will be applicable in determining the connection charges under this section.

- (c) *Buildings outside city limits.* Any building or structure located or constructed outside the city limits shall pay the connection fee set forth in subsection (a) provided the owner of the property agrees by a recordable instrument to annex the property to the city when the property is contiguous and can be annexed under the laws of the state. If the owner of residential property fails to agree to annex, then, in that event, the property owner will pay either the proportional cost of installation of the sewer necessary to serve the area as determined by the city engineer or an annual sewer charge equivalent to the real property taxes payable if the building or structure were located inside the city. Provided, however, the owner of residential property contiguous to the city must annex in order to be eligible to receive sewer service from the city.
- (d) *Payment for new construction.* In the case of new construction, the connection fee required by this section shall be paid to the finance director at the time of securing a building permit.
- (e) *Payment for connecting existing septic tanks from residential units.* When an existing septic tank is connected to the sanitary sewer line, in accordance with section 22-22, the owner of the lot connected shall be required to pay the applicable connection fee, either in cash or, at his election, in five (5) equal annual payments. The first installment thereof shall be due with the application for the permit to connect and the remaining installments shall be due respectively in one (1), two (2), three (3) and four (4) years from the date of the first installment, with interest on unpaid installments at a rate as shall be established by city council, together with a lien on the lot to secure the unpaid installments.

Secs. 22-24--22-45. Reserved.

**DIVISION 2.
USE OF SANITARY SEWER SYSTEM***

Sec. 22-46. Generally.

No person shall discharge or cause to be discharged in the sanitary sewer system of the city any stormwater, surface water, groundwater, run-off water, water from roof drains, subsurface drainage or any unpolluted cooling water or unpolluted industrial or commercial process water.

Sec. 22-47. Prohibited discharges.

No person shall discharge or cause to be discharged any of the following waters or wastes into the sanitary sewer system of the city:

- (1) Any clothing, rags, textile remnants or waste, cloth and scraps;
- (2) Any vapor or liquid having a temperature higher than one hundred sixty (160) degrees Fahrenheit;
- (3) Any waters or wastes containing more than one hundred (100) parts per million by weight of fats, oils or grease;
- (4) Any solids, liquids or gases which by themselves or by interaction with other substances may cause fire or explosion, or in any way be injurious to persons or the sewerage facilities of the city;
- (5) Any liquid wastes in which the suspended solids exceed three hundred (300) parts per million by weight;
- (6) Any liquid wastes having a BOD of more than two hundred fifty (250) parts per million;
- (7) Any waters or wastes having a stabilized pH lower than 6.0 or higher than 8.5, or having any other corrosive properties capable of causing damage or hazard to structures, equipment or personnel of the city;
- (8) Any noxious or malodorous gas or substance capable of creating a public nuisance, or hazard to life, or are or may be sufficient to prevent entry into a sanitary sewer for its maintenance or repair;
- (9) Any garbage that has not been properly shredded;
- (10) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, bones, feathers, tar, plastics, wood, paunch manure, butcher's offal, gasoline, cleaning solvents, fuel and lubricating oils, acetylene, slug, slug and wastes from septic tanks or any other solid or viscous substances capable of causing obstruction to the flow in sewer pipes or other interference with the proper operation of the sewerage facilities of the city;
- (11) Any wastes or waters which interfere with or cannot be removed through the normal operation of the sewage disposal facilities of the Spartanburg Sewer District;

(12) Any wastes or waters prohibited by and not permitted by the rules and regulations of the Spartanburg Sanitary Sewer District.

Sec. 22-48. Termination of discharge to or use of system.

Any person using the sewers or sewer system of the city in a manner prohibited by this article or prohibited by the rules and regulations of the Spartanburg Sanitary Sewer District shall immediately terminate such action.

Sec. 22-49. Maintenance of connections to sewer system.

Every person using the sanitary sewer system of the city shall maintain the line connecting with the city's sewer system from his residence or business in good condition and in accordance with the requirements of the Standard Plumbing Code.

Sec. 22-50. Penalty for violations.

Any person violating any of the provisions of this division shall be guilty of a misdemeanor and upon conviction shall be punished in accordance with section 1-11.

Secs. 22-51--22-70. Reserved.

**DIVISION 3.
SEWER USER CHARGES***

Sec. 22-71. Charge imposed; basis.

A sewer service user charge is hereby imposed upon all persons utilizing the sanitary and storm sewer collection system of the city which shall be based on a fixed rate or unit of volume of flow for metered water service with a minimum monthly volume of four hundred (400) cubic feet of water.

Sec. 22-72. Determination of amount of charge; billing.

The sewer user charge shall be an amount fixed annually by city council per one hundred (100) cubic feet of billed water service. The sewer user charge will be billed on a monthly or bi-monthly basis through the commissioners of public works of the city who are the operators of the water system of the city.

Sec. 22-73. Disposition of revenues.

The revenues derived from the sewer service user charge shall be used exclusively to pay the cost of operating, maintaining and improving an adequate wastewater collection system, including a provision of sufficient funds for recurring capital expenditures, bond service costs, sewer replacement and reconstruction and sewer extension.

Sec. 22-74. Industrial cost recovery charge.

An industrial cost recovery charge is hereby imposed upon all industrial users of the sewer system which shall be determined on the following formula. The industrial cost recovery charge will equal the cost of the new sewer line or rehabilitated sewer line times the percentage of use applicable to the industrial user divided by thirty (30) years or the useful life of the line, if less. An industrial user is a nongovernmental or nonresidential user as defined in the rules and regulations of the Spartanburg Sanitary Sewer District and or the Water Pollution Control Act of 1972 or the rules and regulations issued pursuant thereto.

Sec. 22-75. Collection, disbursement of revenues.

The city manager is authorized to provide for and administer the collection of such revenues and to disburse the revenues in accordance with the annual budget adopted by city council.

Sec. 22-76. Review of rate used in determining charge.

The rate used in determining the sewer user charge shall be reviewed on an annual basis by city council at the time of the adoption of the annual budget and such rate shall be fixed in the ordinance adopting the annual budget.

Secs. 22-77--22-100. Reserved.

**ARTICLE III.
WATER**

Sec. 22-101. Enforcement of drought response regulations.

- (a) The purpose of this section is to assist to the fullest extent permitted by law the enforcement of drought response regulations adopted or promulgated by the commissioners of

public works of the city, ("commission"), by making available to such commission the law enforcement resources of the city for the punishment of violations of such regulations.

- (b) The city council does hereby provide and require to the fullest extent permitted by law that the city public safety department shall enforce the provisions of all regulations promulgated by the commission to the end that all violations of such regulations shall be punished according to law.
- (c) To the fullest extent permitted by law and consistent with those regulations the city does hereby adopt as ordinances of the city the provisions, terms and prohibitions of said regulations and incorporates the same herein as fully as if set forth in their entirety, as ordinances pertaining to the city.
- (d) The city council does hereby call upon all citizens of the city to obey the regulations of the commission which supplies water for the city's purposes.

Editor's note--Inclusion herein of Ord. No. D-32, §§ 1--4, adopted July 18, 1988, as § 22-101, was at the discretion of the editor, the ordinance not being specifically amendatory of the Code.

The city has advised that the drought response regulations referred to in this section are kept on file and available for public inspection at the office of the commission of public works of the City of Spartanburg.

Sec. 22-102. Duty of commissioners of public works to promulgate and enforce rules and regulations relative to furnishing inhabitants with adequate supply of drinking water.

The commissioners of public works of the city are hereby authorized and empowered to adopt such rules, regulations and policies as may be necessary and incidental to the performance of their duties in furnishing the inhabitants of the city with an adequate supply of the best available drinking water and at all times protecting the properties, reserves and sources of supply.

Any rules, regulations or policies which may be adopted by the commissioners of public works of the city, as herein provided, shall have the force and effect of a city ordinance and adequate police power is hereby delegated to the commissioners of public works of the city to enforce such rules, regulations and policies as it may hereafter adopt.