

Title 13 PUBLIC SERVICES

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13.04.010 Definitions.

As used in this chapter:

"Water superintendent" means the person authorized by the city council to be responsible for the operation and maintenance of the city water supply.

"Water user" means any private individual, residential, any single business establishment, manufacturing or industrial user within or without the city limits.

(Ord. 99-199 § 1)

13.04.020 Domestic and culinary use.

Water supplied by the city of Inkom water- works system is intended to be used for domestic and culinary use. However, water may be supplied for other purposes at the city's discretion.

(Ord. 99-199 § 2)

13.04.030 Compliance with city regulations required.

A water user, as previously defined in this chapter, shall comply with all of the restrictions and regulations adopted by the ordinance codified in this article and as may be established from time to time by the city of Inkom concerning the use of said water.

(Ord. 99-199 § 3)

13.04.040 Adoption of rules and regulations.

That the 1997 Edition of the Idaho Regulation for Public Drinking Water System as promulgated by the Idaho Department of Health and Welfare and as now or hereafter amended, is adopted as law by the city together with all subsequent amendments. The most current version of these regulations shall prevail.

(Ord. 99-199 § 4)

13.04.050 Rates set by resolution.

- A. The rate for the use of water and water deposits shall be set and adopted by resolution of the city council. These rates shall, at a minimum be reviewed annually and if the council deems it necessary, be updated by resolution of the city council to reflect actual costs of operation, maintenance, replacement and financing of the waterworks system. Any revisions of the rates shall be based upon actual operation, maintenance, replacement and financing expenses, and/or upon significant changes in the total number of users or total daily usage. The city may install flow-measuring devices to determine actual water usage as a basis for revision of the user's water rate.
- B. The council shall have the power, by resolution passed at any time, to revoke, pass, or amend any resolution, the hours during which, the amount of water that may be used for sprinkling or irrigating lawns or any other irrigation purposes, and may, from time to time, revoke, and pass or amend or change such resolution.

(Ord. 99-199 § 5)

13.04.060 Billing—Due dates—Termination of service.

All utility charges as herein provided, and as provided by resolution, payable on the first day of each month.

When a user has become delinquent after the tenth day of the month and the account not paid in full within fifteen (15) days of the delinquency (written notice is on the monthly statement), water service will be terminated and may not be reconnected again until all arrears and current charges including a reconnect charge has been paid.

The water reconnect charge shall be as follows:

1st offense\\$10.00

2nd offense\25.00

3rd offense\50.00

Once an account has been disconnected two times within a twelve-month period, the water user will be required to pay a continued fifty dollar (\$50.00) reconnect charge per month they continue to have services disconnected. Once a user has gone twelve (12) consecutive months without a delinquency, they will return to the regular schedule of charges listed above.

The city clerk shall collect, receive all deposits, rentals and money payable pursuant to law by all patrons of the city utilities. He/she shall keep full and complete records of all such moneys received, the date and from whom received and upon what account and shall also keep accurate and complete account of all disbursements showing the date and amount thereof, the person to whom paid and upon what account.

The utility user is entitled to dispute the charges with the city clerk, allowing a minimum of one day prior to the account becoming delinquent. The city clerk will review the disputed bill and rectify any billing errors made by the city.

Any other utility issues that may arise, the utility user must request to be scheduled and be present at the next city council meeting. Any utility disputes, other than billing errors made by the city, must be reviewed and approved by the city council.

(Ord. 99-199 § 6)

(Ord. No. 13-244, 9-12-2013)

13.04.070 Reserved.

Editor's note— Ord. No. 13-244, adopted Sept. 12, 2013, repealed § 13.04.070 in its entirety which pertained to senior citizens and derived from Ord. No. 99-199, § 7.

13.04.080 Unlawful conduct—Enforcement of restrictions.

- A. It is unlawful for any unauthorized person to make connection with any fixtures or connect any pipe with any water main or water pipe belonging to the Inkom city water supply system, without first obtaining permission from the Inkom water superintendent or the Inkom city clerk.
- B. It is unlawful for persons to turn water on after it has been shut off for nonpayment of water service.
- C. It is unlawful for any person or persons to deposit or cause to be deposited or placed into any valve, reservoir, pipeline or any other part of the water system or into the water course or well from which water is taken into the city water system for drinking purposes, any contamination or any substance

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whatsoever that will pollute such water or render the same unfit for drinking purposes. The superintendent of waterworks of the city of Inkom or his authorized representative, or any other legal representative of the city shall have access at all reasonable times to the premises or buildings supplied with water for the purpose of inspecting pipes and fixtures, and in order to properly enforce the rules and regulations governing the use of water on such premises.

- D. No water service connection from the public water supply to any premises shall be installed or continued in use unless the water supply is protected with a backflow device as required by the Idaho Regulations for Public Drinking Water, latest edition. Backflow devices shall be required as in Ordinance 80-138, Cross Connection Control Ordinance.
- E. No person except authorized city employees shall turn water on or off at the city shut off valve or otherwise tamper with the valve. A water valve for the user shall be installed in all building water lines so that water may be turned off and on between the city water valve and the building. Property owner shall be liable for any damage to the city's shut off valve.
- F. It is unlawful to hook a hose to another house and use water in that way either for a trailer, travel trailer, or house, unless it is approved by the city council.
- G. It is unlawful to have open hoses in livestock watering troughs because of the potential hazard of siphoning water back into the city water lines under the right conditions.
- H. It is unlawful for open hoses to be left running without a device on.
- I. It is unlawful for any person to suffer or allow any water used for sprinkling or irrigation or any other purposes, to cause any water to flow into or upon a public street or thoroughfare.
- J. It is unlawful for any person to waste water or allow it to be wasted by imperfect leaking or leaking stops, connections, valves, pipe closets, self-closing valves, or to use water in violation of this ordinance regulating the use of water. The willful wasting of water shall be a misdemeanor. If such waste of water continues after receiving notice from the water department to make repairs and to desist from the waste of water, the city shall shut off the water supply from such premises until the necessary repairs have been done.

(Ord. 99-199 § 8)

13.04.090 Rules and regulations promulgations.

- A. **Connection Fees within the City Limits.** All applications for service installations and for water service shall be made at the city office on forms furnished by the city and shall contain the name of the owner, account number, building permit number if for new building, and when possible the official street number assigned to the premises as shown by the records of the city, and the signature of the applicant agreeing to conform to the rules and regulations of the water department that may be established by the city as conditional for the use of water.
 - 1. All applications for service installations shall be made by the owner of the property to be served, or by his duly authorized agent for the purpose of connecting the city main line and their home or property, and the applicant shall, at the time of making application, pay to the city the amount of the hook-up fee required for the installation of the water service connection.

Such applicant shall be responsible for installing a water line measuring one inch in diameter as well as installing a water meter box for each lot.
 - 2. The required hook-up fee of one thousand two hundred dollars (\$1,200.00), or the actual cost of the hookup, whichever is greater, shall be paid at the time application is made for connection or hookup with such water system.
- B. **Connection Fees Outside City Limits.** An owner of property outside the corporate limits of the city who desires to connect to a public water line shall first obtain approval of the city council and upon such approval shall be granted the water service. Water meters at the owner's expense must be

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installed on all water connections outside the corporate limits of the city. In addition, the owner must pay a hook-up fee of one thousand two hundred dollars (\$1,200.00) or the actual cost of the hookup, whichever is greater. The application requirement in subsection A of this section will also apply. Approval by the city council shall be based on the availability of surplus capacity in the public facility and the council's determination that the connection will not have a detrimental effect on the health, safety, or welfare of the other users of the city's water system.

The foregoing fees are for the privilege of connecting with the city water system and all work necessary for making proper connection shall be done to the satisfaction of and under the supervision of city maintenance and shall be paid for by the person desiring such connection.

(Ord. 99-199 § 9; Ord. 05-223 § 1)

13.04.100 Water deposits.

Upon making application for the use of water from the city waterworks system for the use of any water user, the city clerk must require applicant to make a cash deposit with the city clerk in the amount set by council resolution. The amount so deposited shall be in the form of a guarantee of payment. If water has been shut off for delinquency and the city doesn't have a deposit on file, a current deposit will be required before water can be turned on again. At the applicant's request, water deposits may be returned if the user hasn't been on the delinquent list for a one-year period.

(Ord. 99-199 § 10)

13.04.110 Charge to turn on water.

On written request of the owner of the property, or the user of water on such property, water shall be shut off and no charge will be made for water used on said property until the water is again turned on. But there shall be a charge, set by council resolution, for again turning the water on after it has been so shut off.

(Ord. 99-199 § 11)

13.04.120 Separate service connection for each consumer.

- A. Each property capable of title transfer and each residence located on any one property and not joined with other property thereon inseparable or under the same roof shall be considered as an individual consumer, and each individual consumer shall be supplied through a separate service connection; provided, however, that in case of duplexes or apartments not being capable to separate title transfer, that the owner thereof may, nevertheless, by arrangement with the water department provide for the property multiple service connections to serve each of the various apartments located thereon. All buildings, although joined together by party wall or similar attachments, if capable of separate title transfer shall have for each divisible part thereof, separate service connection. Where water through one service is furnished to two or more residences or buildings occupied by different families on acreage property capable of subdivision and transfer by proper title in fee simple, the plumbing thereon shall be arranged so that each divisible part thereof shall have its own separate service line and connection.
- B. After the applicant has complied with all the prescribed requirements relating to the application for service connection and has paid all charges, the water department shall cause the property described to be connected with the municipal water system. Whenever practicable the service connection shall be made in the street in front of the property to be served. Each service shall consist of a tap and connection with the main pipe, a length of service pipe installed to the extended

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line of the property line of the first property line abutting the main, the direction of the property to be served, a curb cock placed inside of the curb line, together with the necessary covers for the curb cock.

- C. The water department shall have the right to install single service pipe from the main to the curb-line, of sufficient size to supply two or more separate properties and with individual curb cocks for separate properties.
- D. Where a condominium association or homeowner association is to be the party of record responsible for water billing, the association may, after approval of and specifications by the city clerk, obtain water service to multiple residences without the necessity of a separate service connection for each residence thereon.
- E. Each residential user is required to have a shut off fixture on their service line as it comes into the house.

(Ord. 99-199 § 12)

13.04.130 Owners responsible for payment.

Owners of trailer courts, duplexes, apartments and multihousing units with one water connection, are responsible for paying the water bill.

(Ord. 99-199 § 13)

13.04.140 Change of service cost.

Any change made in service installation at the request of the property owner or made necessary due to any act of his after such installation has once been made, whether such change shall involve a change in size of pipe or a change in the location or elevation thereof, shall be made solely at the expense of the applicant who shall pay the entire cost thereof.

(Ord. 99-199 § 14)

13.04.150 Pipe depth.

All new service pipes shall be placed not less than four feet below the established grade of the street, and at an equal depth below the surface of the ground upon all private property for twenty feet from the meter or connection valve. The city shall have the right to increase or decrease this depth where deemed necessary.

(Ord. 99-199 § 15)

13.04.160 Prohibition noncity wells.

Owners or occupants of land are prohibited from drilling or using their own water wells. Reference Ordinance No. 79-131. (Article II of this chapter).

(Ord. 99-199 § 16)

13.04.170 Violation—Penalty.

Any person violating any of the provisions of this article shall be charged with a misdemeanor and upon conviction, shall be punished by a fine in an amount not to exceed one thousand dollars (\$1,000.00).

(Ord. 99-199 § 17; Ord. 05-223 § 4 (part))

Article II. Additional Regulations

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13.04.180 City water required.

No owner or occupant of any land, buildings or premises shall obtain any new or additional supply of water from any source other than the city of Inkom public water system.

(Ord. 79-131 § 1)

13.04.190 Adequate water lines required.

Every such owner or occupant who requires or desires new or additional supplies of water for his property shall install a sufficient water line which shall connect his property to the nearest accessible public water line.

(Ord. 79-131 § 2)

13.04.200 Permits required for extensions.

It is unlawful for any person to extend any private water line beyond the limits of the building or property for which a permit has been given to an additional residence or business without obtaining an additional permit for the desired extension.

(Ord. 79-131 § 3)

13.04.210 Application required.

All persons obtaining water from the city of Inkom water system shall first make application with the city clerk.

(Ord. 79-131 § 4)

13.04.220 Service connections.

Each property capable of title transfer and each residence located on any one property and joined with another property thereon inseparably or under the same roof shall be considered as an individual consumer, and each individual consumer shall be supplied water from the public water line through a private water line installed as required by this chapter; provided, however, that in case of duplexes or apartments not being capable of separate title transfer, the owner thereof may, nevertheless, by arrangement with the city clerk, the arrangement to be approved by the city council, provide for apartments located herein. All buildings, although jointed together by party wall or similar attachments, if capable of separate title transfer shall have for each divisible part thereof, separate service connections.

After the applicant has complied with all the prescribed requirements relating to the application for service connection and has paid all charges, the city shall cause the property described to be connected with the city of Inkom water system. Whenever practicable in the estimation of the city, the service connection shall be made in the street in front of the property to be served. The city shall not be required to cross private property in order to make the service connection.

(Ord. 79-131 § 5)

Chapter 13.08 SEWAGE SYSTEM

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13.08.010 Connection to sanitary sewer required.

Every parcel of land or premises within the boundaries of the city of Inkom, improved for occupancy and occupied or used by any person or persons, or as a commercial business, shall be connected to the public sanitary sewer system on or before September 8, 1987. Thereafter, any owner or person in charge of any parcel of land to be improved for human occupancy or business shall make or cause to be made such connection within sixty (60) days after receiving official notice from the city to so connect. All charges associated with the laying of pipe from the home or facilities to be served to the city's mains and all other costs incurred in connection to the city's mains shall be borne by the property owner. All such connections to the city's mains shall be properly designed and constructed in conformity with requirements specified by the city. Provided, however, that the cement plant shall not be required to hook on the line for other than restroom facilities.

(Ord. 87-172 § 1)

13.08.020 Prohibited discharges.

It is unlawful for any person to discharge or cause to be discharge any stormwater, groundwater, roof runoff, subsurface drainage, cooling water, or other nonpolluted water to any sanitary sewer.

Except as provided by this chapter, no person shall discharge or cause to be discharged any of the following described waste-water to the wastewater collection and treatment system:

- A. Any solids, liquids or gases which may, by themselves or by interaction with other substances, cause fire or explosive hazards or in any other way be injurious to persons, property, or the operation of the wastewater collection and treatment system;
- B. Any noxious or malodorous solids, liquids or gases which either singly or by interaction with other substances are capable of creating a public nuisance or hazard to life or preventing entry into sewers for their maintenance or repair;
- C. Any solids, greases, waxes, slurries or viscous material of such character or in such quantity that it may cause an obstruction to the flow in the sewer or otherwise interfere with the proper functioning of the wastewater collection and treatment system;
- D. Any toxic substance, chemical elements or compounds in quantities sufficient to impair the operation or efficiency of the wastewater treatment facilities and cause the effluent thereof to exceed Idaho State Board of Health requirements for the receiving stream;
- E. Any liquids having a pH lower than 5.5 or higher than 9.0 or having any corrosive property capable of causing damage or hazards to structures, equipment or personnel of the wastewater collection and treatment system;
- F. Any radioactive isotopes;
- G. Any liquid or vapor having a temperature greater than one hundred forty (140) degrees Fahrenheit;
- H. Any garbage that has not been properly ground to such degree that all particles will be carried freely in suspension under the flow conditions normally prevailing in public sewers with no particle greater than one-half inch any dimension;

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- I. Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastic, wood, paunch manure, hair, or other material capable of causing obstruction to the flow in sewers or other interference with proper operation of the wastewater collection and treatment system.

(Ord. 87-172 § 2)

13.08.030 Refusal of use of system.

The city may prohibit the discharge into the public sewer of sewage that does not comply with the limitations set forth in this chapter.

(Ord. 87-172 § 3)

13.08.040 Independent sewer service line required.

The sewer main line and sewer service line(s) shall be so arranged that there is a separate and independent sewer service line to each individual building, place of business, or tract of land.

After the effective date of this chapter, a separate and independent side sewer (building service line) shall be provided for every new building connecting to the sanitary sewer system of Inkom, Idaho. Separate side sewers are not required for each trailer space in overnight trailer courts, nor for each cabin in cabin courts; however, separate side sewers (sewer service lines) are required for trailer houses on individual lots or for long-term trailer rental units in mobilehome courts.

(Ord. 87-172 § 4)

13.08.050 Sewer service line maintenance.

All sewer users shall keep their individual sewer service lines in good repair and shall be responsible for all costs associated with maintaining the service line for all portions of the line outside the city easements or rights-of-way.

(Ord. 87-172 § 5)

13.08.060 Injury to or tampering with sanitary sewer system unlawful.

It is unlawful to disturb, destroy, damage, adjust, molest, meddle, or otherwise interfere with any portion of the city sewage collection or treatment system or its appurtenances, located on either public or private property. Should any damage result, either intentionally or unintentionally, from handling or otherwise tampering with or plugging said sewer system, the violator shall pay for all costs incurred in connection with the repairs of said system and/or for any damage that may result from the tampering with or plugging of said sewer system.

It is unlawful for any person to deposit any substance which may tend to obstruct the flow of the sewer, in any sewer opening.

(Ord. 87-172 § 6)

13.08.070 Grease traps required.

In all cases where a building is used as a hotel, boarding house, restaurant, service station, garage, etc., the owner or occupant shall provide a properly constructed grease trap through which all wastes of a greasy nature shall be drained.

(Ord. 87-172 § 7)

13.08.080 Interceptor or removal facilities required to remove harmful ingredients.

Grease, oil and sand interceptors or other necessary removal facilities shall be installed on the premises when in the opinion of the city, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, high concentrations of blood, fruit, vegetable, or grain liquors, milk wastes, or any flammable wastes, sand, and other harmful ingredients. All interceptors or removal facilities shall be of a type and capacity approved by the city 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 or occupant, at his expense, in continuously efficient operation at all times.

(Ord. 87-172 § 8)

13.08.090 Permits required.

It is unlawful to install or alter any sanitary sewer or plumbing within the city of Inkom, Idaho, or to tap onto or connect to any sanitary sewer line whether lateral, main, or interceptor, without having first obtained from the city a written permit therefor.

It is unlawful for any person to uncover, make any connection with or opening into, use, alter or disturb any public sewer or appurtenance thereof, without first obtaining a written permit to perform the work from the city.

(Ord. 87-172 § 9)

13.08.100 Installation and maintenance of sewer service line.

When a permit for a sewer service line (side sewer) has been granted, the sewer tap at the sewer main and the sewer service line from the sewer main line at the property line shall be installed by the city at the expense of the person or firm desiring sewer service, but thereafter the sewer service line within the public right-of-way or easement shall be maintained by the city at its expense and kept within and under its exclusive control and jurisdiction.

All sewer service lines (side sewers) within any public right-of-way or easements shall be constructed by the city; except that sewer service lines in any new subdivisions may be installed as part of the construction of the new sewer collection system within the new subdivision and provided, further, that the service lines are constructed, inspected, tested and certified as being in conformance with the Idaho Standards for State Public Works Construction governing the construction of sewer service lines. Sewer service lines may also be installed by contract in conjunction with city-sponsored projects or when, in the opinion of the city, it is in the city's best interest to have or allow the sewer service lines to be installed by other than city personnel.

(Ord. 87-172 § 10)

13.08.110 Right to revoke permissions.

Permission given to connect sewers and drains shall be upon the express condition that the city may for good cause revoke the same and the person making such connection, or his successor in interest, shall have no right to claim any damage in consequence of such permission being revoked.

(Ord. 87-172 § 11)

13.08.120 Sewer construction plans, specifications and inspection.

All construction or reconstruction of public, private and side sewers shall be in accordance with the Idaho Standards for State Public Works Construction and subject to inspection by the city.

Plan and profile drawings shall be prepared for all new sewer mains (whether public or private) and for all sanitary sewer extensions, must be reviewed and approved by the city of Inkom or its representative and the Idaho Department of Health and Welfare before any construction work on the sewer lines is started.

(Ord. 87-172 § 12)

13.08.130 Right to enter premises for inspection.

The city shall have the right to enter upon any premises connected with any public sewer at all reasonable hours to determine that there is compliance with the provisions of this chapter. If conflict is noted, the owner of said premises or his agent shall be directed to alter, repair or reconstruct the sewer facilities to conform to the requirements of this chapter within fifteen (15) days.

(Ord. 87-172 § 13)

13.08.140 Industrial wastes.

Each person or firm desiring to make a connection to the public sewer for the purpose of discharging industrial wastes thereto shall prepare and file with the city of Inkom a report that shall include actual or predicated data relating to the quantity and characteristics of the waste to be discharged. Private treatment facilities may be authorized by the city, provided that all federal, state and local laws and regulations are fully complied with.

Industrial waste charges may be based upon the amount of flow, biochemical oxygen demand (BOD), and suspended solids or any combination thereof as may be recommended by the city of Inkom.

Pretreatment of industrial wastes shall be prerequisite to discharge into the city sewer system. Pretreatment of all industrial wastes shall comply with all applicable federal, state and local laws and regulations. All costs related to the pretreatment of industrial wastes are to be borne by the specific user desiring to discharge industrial waste into the public sewer.

(Ord. 87-172 § 14)

13.08.150 Record drawings and engineer's certification.

- A. Record drawing of sewer line plans shall be prepared by a professional engineer on all subdivisions and housing developments and the corrected original drawings or a duplicate mylar copy of the corrected original drawing(s) shall be provided to the city.

- B. Record plans shall include a certification thereon signed by the registered professional engineer in charge of the work that the record plans of the sewer lines are true and correct and that he (the registered professional engineer) has inspected the construction of the sewer line installation and that the materials and installation of same were all done in conformance with the specifications approved by the city for the construction of sanitary sewers.

(Ord. 87-172 § 15)

13.08.160 Monthly sewer rates.

- A. General. This is a user charge system for a small community which follows model number one in Appendix B of the Federal Register dated September 27, 1978. This treatment works is primarily flow dependent and will utilize the equivalent user concept. The equivalent user system has been set up based on flow.

A sewer user charge shall be levied on all users of the sewage collection and treatment facilities to cover the actual or estimated cost of operation, maintenance, replacement and financing of this facility. The user charge system shall distribute these costs to each user or user class in approximate proportion of such user's contribution to the total wastewater load of such facilities. There is adopted by the city council of the city of Inkom, for the purpose of computing the sewer user charge levied on all users of the sewage collection and treatment facility, a certain document known as Inkom Sewer User Charge System of which document not less than three current copies have been and are now filed in the office of the city clerk of the city of Inkom and the same are adopted and incorporated as fully as if set out at length in this chapter and from the date of which this chapter shall take effect.

- B. Basis for Rates. The sewer user rates for each user (or user class) shall be based on the user's contribution to the total wastewater loading of the treatment facilities in comparison to a standard equivalent user as defined below. Each user (or user class) shall be assigned a number of equivalent users to be multiplied by a constant monthly cost factor to determine the basic user monthly rate. Special users contributing sewage of excessive flow and/or strength, for which the tabulated equivalent users below do not apply, shall be individually calculated as provided below. The constant monthly cost factor shall be set by resolution of the Inkom city council. In addition to the monthly rate computed for a user outside the city limits, such users shall pay an additional amount each month of sixty (60) percent of the monthly fee. This additional amount shall be applied to bond repayment and the reserve capital improvement fund.
- C. Equivalent User. One equivalent user shall be defined as contributing three hundred fifty (350) gallons per day of wastewater containing not more than 0.7 pounds of five-day BOD and 0.7 pounds of suspended solids. The equivalent user flow is developed from population and sewer usage records which indicate an average single dwelling unit is 3.5 people contributing one hundred (100) gallons per day per person. Standard engineering data indicates 0.2 pounds of five-day BOD and 0.2 pounds of suspended solids respectively per person per day. The basic equivalent user shall be subject to revision if population, water usage, sewage volume, and/or other information indicates flow and/or strength significantly different from that defined in this chapter. Revisions of the basic equivalent user criteria shall be made upon the recommendation of a registered professional engineer and as approved and adopted by resolution of the city council.
- D. Equivalent User Schedule. The number of equivalent users to be assigned each user and/or user class shall be in accordance with the following equivalent user schedule. Assignment of equivalent users shall apply for one year until the next annual user charge review. Users so indicated or not included in this schedule shall be considered special users and shall be evaluated separately as provided below. The information indicates that if the strength of sewage contributed by any of the following users is in excess in comparison with the allowable limits listed above, then a surcharge shall be levied against such users as provided below. Any of the users in the following schedule may be classified as special users if information on their contribution flow and/or strength indicates a need to do so. A single user having more than one classification of use shall be the sum of the equivalent

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users. The minimum monthly sewer user charge shall be one equivalent user. No quantity discounts will be allowed.

Equivalent User Schedule (1.0 Minimum)

Classification	Equivalent Users
Assembly hall or lodge (no cafe)	1.00
Bar or tavern	2.00
Barber and beauty shops	1.00
Bowling alley (per lane)	.50
Cafe, up to 50 seats	2.00
for each additional 25 seats	1.00
Cafe, drive-in, less than 20 inside seats	2.00
for each additional 20 inside seats	1.00
Car washes, per stall	2.00
Churches (single congregation)	1.00
Multiple congregation for each additional	1.00
Garage or maintenance shop	1.00
Hospitals or medical clinics (with no beds)	3.00
(for each additional bed)	.50
Hotels, motels or rooming house per unit	.50
(additional per unit with kitchen)	.20
Institutions with permanent or temporary residents	1.00

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Rest homes, etc. (plus per resident)	.30
Laundromat, up to 10 washers	2.00
each additional washer	.20
Office, up to 20 employees	1.00
for each additional employee	.03
Schools, no cafeteria, per student	.01
with cafeteria, per student	.02
Service station	1.00
Single dwelling unit (each resident, each apartment, each duplex, each trailer or each camp trailer)	1.00
Store or business, up to 20 employees	1.00
each additional employee	.03
Supermarkets, grocery	2.00
with butcher shop additional	1.00
Warehouses, potato, etc., per 10,000 gallons/month	1.00

- E. Surcharge for Excessive Strength. When any user contributes wastewater having an average BOD and/or suspended solids loading in excess of the designated allowable limits designated in this chapter, a surcharge shall be levied against such user. Said surcharge shall be based on the average charge as provided in the above schedule, or otherwise for special users. The BOD and suspended solids loadings shall be determined from estimates or tests made by city officials or its engineer. The user's monthly surcharge shall be computed by use of the following equation:

$$US = [(b/B-1) + (s/S)-1] \times (UMC), \text{ where}$$

"US" represents the user's monthly surcharge to be added to the basic user's monthly charge.

"UMC" represents the basic user's monthly charge (for treatment only) computed as provided for above.

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"b" represents the average BOD loading above which is a user's wastewater contribution expressed in parts per million.

"B" represents the allowable limit of BOD loading above which a user's surcharge shall be levied, designated as being two hundred (200) parts per million.

"s" represents the average suspended solids loading of the user's wastewater contribution, expressed in parts per million; "S" represents the allowable limit of suspended solids loading above which a user's surcharge shall be levied, designated as being two hundred (200) parts per million, and

"b/B or "s/S" shall not be less than 1.0.

A copy of the list of users surcharged, the characteristics of their sewage, and the surcharge for each shall be kept on file at all times in the office of the city clerk.

- F. Special Users. If, in addition to excessive strength, a user is determined to add flow to the lagoon in excess of ten thousand (10,000) gallons per month, the above formula shall be multiplied by a factor of total flow divided by ten thousand (10,000) gallons per month. In order to determine the flow of this special user, the city may monitor sewage and water flow in order to determine total flow. The value of UMC used in the formula above will be the same value as assigned single dwelling units.

A copy of the list of special users, the characteristics of their sewage, and the special user's monthly charge shall be kept on file at all times in the office of the city clerk. There shall be no discounts permitted for quantity flows.

- G. Review and Revision of Rates. The sewer user charges shall, as a minimum, be reviewed annually and updated by resolution of the council to reflect actual costs of operation, maintenance, replacement and financing of the sewage collection and treatment facilities. Any revisions of the user charges shall be based on actual operation, maintenance, replacement, and financing expenses, and/or on significant changes in the total number of equivalent users, the total daily flow, the total daily BOD, and/or the total daily suspended solids. The city may install flow-measuring devices to determine actual usage as a basis for revisions of the user's charge. Revisions due only to changes in expenses and user class shall be made by the city. Revisions involving user's flow, BOD and/or suspended solids shall be made upon the recommendation of a registered professional engineer. All changes in user charges applicable to this chapter shall be computed by the methods outlined in this chapter.
- H. User Request for Rate Change. Any sewer user who feels his user charge is unjust and inequitable as applied to his premises within the spirit and intent of the foregoing provisions may make written application to the city council requesting a review of his user charge. Said written request shall, where necessary, show the actual or estimated average flow and strength of his wastewater in comparison with the values upon which the charge is based, including how the measurements or estimates were made. Any flow measurements and/or testing of wastewater shall be approved in detail by the city and/or its engineer. Review of the request by the city council shall determine if it is substantiated or not, including recommended further study of the matter for the city and/or user by a registered professional engineer.

(Ord. 87-172 § 16)

13.08.170 Sewer connection fee.

The sewer connection fee after September 8, 1987 shall be as follows:

- A. Each Connection inside the City Limits.

All Sizes of Sewer Connections. For each dwelling unit, the fee shall be the greater of one thousand dollars (\$1,000.00) or the actual cost, which includes administrative fees, materials and labor. This connection fee shall be paid at the time application is made for connection or hookup with the sewer disposal facility.

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- B. Fee for each sewer connection outside of the Inkom city boundaries connecting to the original collection system shall be the applicable above connection fees for inside city limits and in addition thereto sixty (60) percent of such fee.
- C. Fee for each connection to the pressure line outside the city limits shall be one thousand dollars (\$1,000.00) or the actual cost of the hookup, whichever is greater.

All sewer connections made inside and/or outside the city limits of Inkom to the original collection system and/or to the interceptor line shall be made according to the plans and specifications approved by the city of Inkom, which may also limit the number of service connections on a lateral line connecting to the original system in or outside the city limits and/or to the pressure line.

Any special connections not covered by the above schedules shall have fees set by the mayor and city council in each individual situation.

The foregoing fees are for the privilege of connecting with the city sewer and all work necessary for making proper connection shall be done to the satisfaction of and under the supervision of city maintenance and shall be paid for by the person desiring such connection.

(Ord. 87-172 § 17; Ord. 05-223 § 2)

13.08.180 Rules governing connection fees.

- A. Any applicant for a sewer connection to any lot abutting on a street, alley, or other right-of-way containing a main sewer line shall pay the full connection fee therefore.
- B. In case two or more dwellings existing on any lot under the same ownership, and if any of such dwellings are located to the rear of the other or is at least seventy-five (75) feet from the property line abutting on any street, alley or right-of-way containing a main sewer line, the rear dwelling shall be charged the full connection fee even though the owner thereof requested only one stub for dwelling on such lot and the same service lateral is used for all such dwellings.
- C. In any business block or shopping center containing more than one adjoining business or commercial establishment under one ownership, where more than one such establishment is connected with the same lateral, but separate applications for service are made and separate billing requested, each of such establishments shall pay the applicable full connection fee.
- D. Any person owning unimproved real property which does not abut a street, alley or right-of-way containing a main sewer line and who subdivides the same for construction of dwellings shall install collection lines acceptable to the city and connect the same to an existing city main sewer line at a place to be determined by the city council all at the cost and expense of the subdivider. Each dwelling shall pay the current hookup fee.

(Ord. 87-172 § 18)

13.08.190 Billing periods.

All regular billing periods shall be on a monthly basis unless otherwise determined by the council. Domestic or commercial premises occupied a period of less than one month shall be charged the full fee.

(Ord. 87-172 § 19)

13.08.200 Billing procedures and due date.

- A. Water and sewer bills shall be combined and shall be due the first day of each and every month in advance. Bills shall be payable as of that date and shall be deemed delinquent if not paid by the thirtieth day of the month. Water and/or sewer consumers and users shall be notified of this delinquency and if not paid in full within fifteen (15) days of such notification on the water and/or sewer consumer and user, the right to water and sewer services shall cease and terminate unless the water and/or sewer consumer and user requests a pretermination hearing. Should the water and/or sewer consumer and user not request a pretermination hearing or if an adverse decision is rendered against the water and/or sewer consumer and user as a result of the pretermination hearing, the city of Inkom may require the water and/or sewer consumer and user to pay the delinquent water and/or sewer bill attributable to his own use, plus a turn-on charge to be determined by resolution of the council as a condition of receiving water and sewer service again.
- B. The city of Inkom in its delinquency notice to all water and/or sewer consumers and users shall inform in writing all water and/or sewer consumers and users of their right to a pretermination hearing, with such hearing to be held with the due process protection described below; and the city will not discontinue water and/or sewer service to any water and/or sewer consumer and user prior to a fair and impartial hearing, after timely and adequate notice and an opportunity to confront witnesses, to personally appear with or without retained counsel to be judged on facts adduced at the hearing, and to otherwise be heard and defend the claim made by the city of Inkom, if a pretermination hearing is requested by any water and/or sewer consumer and user. The city council shall have the responsibility to hold pretermination hearings. The city council shall make a record of any pretermination hearings. The city council shall render its decision in writing, giving the reasons for its determination. In decisions adverse to the water and/or sewer consumer and user, the city council will inform the water and/or sewer consumer and user of the right to appeal the decision pursuant to the Idaho State Administrative Procedures Act.
- C. The city of Inkom shall not initially deny or discontinue water and/or sewer service to any water and/or sewer consumer because of any delinquent water and sewer bill on that premises that is attributable to the prior water and sewer use of another water and/or sewer consumer. Provided further that the city of Inkom shall not initially deny water and/or sewer service to any water and/or sewer user for whatever reason without informing the water and/or sewer consumer and user of the right to a hearing before the city council on the issue of whether the city of Inkom can initially deny water and/or sewer services. In the case of an initial denial of water and/or sewer service, the city of Inkom is not required to provide water and/or sewer services pending a hearing. However, a hearing upon request of a water and/or sewer consumer and user initially denied water and sewer services shall be held as expeditiously as possible and held in the manner and in accordance with the procedures for pretermination hearings delineated above. In case such water service is discontinued for delinquency, it shall not be restored until such delinquency is paid or arrangements for payment satisfactory to the city have been made, and a fee of ten dollars (\$10.00) for discontinuing and restoring service has been made.

(Ord. 87-172 § 20)

13.08.210 Deposit.

With each and every application for water and service to be supplied through the water and sewer systems of the city of Inkom, Idaho, there shall be deposited with the city clerk and/or city treasurer a sum in cash, the amount to be determined by resolution of the city council. Such deposits shall be held by the city of Inkom so long as the service applied for is supplied by the city, and if and when the service is discontinued or terminated as to any water and/or sewer consumer or user, the amount of the deposit less any amount owing the city or such water and/or sewer service shall be refunded.

(Ord. 87-172 § 21)

13.08.220 Wastewater collection and treatment system improvement fund.

There is established a wastewater collection and treatment system improvement fund to be maintained by the city clerk in managing the fiscal affairs of the city. All revenues derived from the charging of any fees, charges, rates, etc., as such are set forth in this chapter shall be deposited in the fund and shall be disbursed only for the purpose of paying existing or future indebtedness connected with or relating to maintaining, repairing, studying, controlling, enlarging, extending, enhancing or improving the wastewater collection and treatment system of the city of Inkom.

(Ord. 87-172 § 22)

13.08.230 Penalties.

Any person violating any of the provisions of this chapter shall be charged with a misdemeanor and upon conviction, shall be punished by a fine in an amount not to exceed one thousand dollars (\$1,000.00) or imprisonment of thirty (30) days or both. Each day the violation occurs shall constitute a separate offense.

(Ord. 87-172 § 23)

(Ord. No. 13-244, 9-12-2013)

13.08.240 Enforcement upon violation of this chapter or any amendment thereto.

The proper local authorities of the city, county or state, in addition to other remedies, may institute any appropriate action or proceedings to correct or abate any violation of this chapter.

(Ord. 87-172 § 24)

Chapter 13.12 GARBAGE COLLECTION

Sections:

[13.12.010 Definitions.](#)

[13.12.020 Garbage and refuse collection provided.](#)

[13.12.030 Mandatory collection and fee payment.](#)

[13.12.040 Sanitation inspector—Publish rules and regulations.](#)

[13.12.050 Containers.](#)

[13.12.060 Placement of containers.](#)

[13.12.070 Sanitary service fees.](#)

[13.12.080 Delinquent accounts.](#)

[13.12.090 Storing refuse, cleanup days.](#)

[13.12.100 Interfere with sanitation inspector.](#)

[13.12.110 Suppressing nuisances.](#)

[13.12.120 Appeals.](#)

[13.12.130 Violations.](#)

[13.12.140 Other laws.](#)

13.12.010 Definitions.

As used in this chapter:

"Ashes" means the residue from the burning of wood, coal, coke or other combustible materials.

"Collector" means the person holding the contract issued or granted by the city authorizing such person to operate, conduct and maintain a municipal garbage and refuse collection and disposal system upon, on and over streets, alleys and public ways of the city, or the city of Inkom, Idaho, in the event the city operates the system.

"Garbage" means putrescible animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food, grass clippings, paper packaging products and other items of household/commercial waste but not noncollectible refuse as defined below.

"Noncollectible refuse" means large, bulky or heavy items that cannot be handled by the collector's equipment, including, but not limited to: concrete products, tree and tree limbs, discarded furniture or appliances, engine blocks, dirt, dead animals, rocks, roofing boards, or any construction or demolition materials, tires, batteries, automobile parts, waste oil and hazardous waste.

"Owner and occupant" means a person in possession, charge, custody and control of any premises where garbage, refuse and rubbish is collected or accumulated.

"Premises" means land and all buildings and structures therein including, but not limited to, by enumeration, single or multifamily dwellings, rooming houses or apartment houses, restaurants, drive-in establishments, schools and any other places of habitation, offices, shops or establishments or places of conducting a business, trade or occupation.

"Refuse" means all putrescible and non-putrescible solid waste (except body waste), including garbage, rubbish, ashes and street cleanings.

"Rubbish" means nonputrescible solid waste consisting of both combustible and noncombustible waste, such as paper, cardboard, tin cans, yard clippage, wood, glass, bedding, crockery and similar materials.

"Sanitary containers" means sanitary containers or receptacles which shall be any of the following:

1. Ninety (90) gallon plastic containers;
2. Such other containers or Dumpsters as shall be approved by the city council and which containers are compatible with the refuse disposal system and the refuse to be removed.

"Sanitation inspector" means the person designated by the city.

(Ord. 94-188 § 1)

13.12.020 Garbage and refuse collection provided.

The city shall, by such means as the city council deems appropriate, collect and dispose of all garbage, rubbish, paper, glass, tin cans, ashes and other debris, and shall operate thereto until duly amended as provided by law. All garbage and refuse accumulated in the city shall be collected, conveyed and disposed of by the city or its duly authorized contractor. No person shall collect, convey over any of the streets or alleys of the city or dispose of any refuse accumulated in the city except by the terms of this chapter or resolution of the city council. However, nothing contained in this chapter shall prohibit any person from hauling their own private refuse from their own property in their own vehicles at their expense

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without penalty; provided that removal by the person shall not reduce or otherwise affect that person's obligation to pay the sanitary service fees set out in this chapter. Such hauling shall be in vehicles and shall be secured, or covered by some device effective to prevent the rubbish, debris and trash from being strewn and littered about the streets, road and road edges. The right and power to amend this chapter from time to time and to repeal the same is reserved to the city. The city may from time to time grant an exclusive contract for the operation of the municipal refuse collection and disposal service.

(Ord. 94-188 § 2)

13.12.030 Mandatory collection and fee payment.

- A. Collection From Entire City. All garbage, refuse, rubbish and ashes from the entire residential, commercial and industrial sections of the city property placed for collection as provided for in this chapter, shall be collected by the city or its duly authorized contractor necessary to maintain and preserve sanitation to the community. Temporary failure to make such collection due to circumstances beyond the control of the city or contractor shall not relieve the occupant or the owner of the premises from the payment of sanitary service fees prescribed in this chapter.
- B. Collection and Disposal Service Compulsory. No person shall be permitted to refuse to accept the refuse collection and disposal service provided for in this chapter, and the failure of any person to receive or use such service shall not exempt such person from the payment of charges specified in this chapter. The city is authorized to add the garbage collection service charges provided in this chapter to its charge for water service. As added the same will be a separate item with the water bill, and the water department of the city is authorized to discontinue service to any premises if the entire bill shall not be paid including the charge provided in this chapter for garbage service.
- C. If a residence or commercial property is vacant and the water is shut off and no garbage service is required during an entire month, no fee will be charged.

(Ord. 94-188 § 3)

13.12.040 Sanitation inspector—Publish rules and regulations.

The sanitation inspector is empowered to prepare and publish such rules and regulations as may be necessary in connection with the municipal refuse collection and garbage collection and disposal service subject to the approval of the city council and may direct that the city or authorized contractor will not collect garbage and other wastes from premises where rules and regulations are not complied with, and the failure to collect the same by direction, shall not relieve the owner or occupant from the payment of fees or penalties provided in this chapter.

(Ord. 94-188 § 4)

13.12.050 Containers.

- A. Requirements. Sanitary containers or containers authorized under this section shall be provided by the city or contractor. All containers shall be maintained by the user in good condition and at ground level. The sanitation inspector shall have authority to refuse collection service for failure to comply, however such a refusal shall not relieve owner or occupant of the obligation for payment provided in this chapter. It shall be the duty of the user to maintain the same in a reasonably sanitary condition in keeping with reasonable health standards and consistent with health department regulations. The sanitation inspector shall have the responsibility of inspecting containers and to notify the user for failure to maintain the same in a reasonable sanitary condition. It is the responsibility of the user to

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pay for any and all containers and/or damages to the truck caused by their negligence, abuse or neglect.

- B. Garbage Placement. All garbage shall be placed in sanitary containers as defined in this chapter.

(Ord. 94-188 § 5)

13.12.060 Placement of containers.

The garbage, refuse and rubbish in and about any private residence, dwelling house, commercial or industrial building shall be placed in sanitary containers and shall be placed at ground level near the street edge right-of-way, unless the city inspector determines otherwise, so as to be easily seen from street or alleyway. Refuse generating property shall permit ground level access to the city or its contractor or its refuse collection. The ninety (90) gallon containers placed on streets shall be removed from the street edges within twenty-four (24) hours after pickup. Dumpsters and areas surrounding them shall be maintained in a neat and orderly manner. Use of containers or dumpsters by persons not authorized to do so by the city or by the property owners or occupants of premises where containers or Dumpsters are located shall be unlawful and punishable as a misdemeanor.

(Ord. 94-188 § 6)

13.12.070 Sanitary service fees.

Fees for sanitary service shall be set and adopted by resolution of the city council. These rates shall, at a minimum, be reviewed annually for fiscal year budgeting and updated by resolution of the city council to reflect actual costs of the garbage collection service and related charges. The rates for commercial pickup shall be effective July 1, 1994. The rates for residential pickup shall be effective July 1, 1994.

(Ord. 94-188 § 7)

13.12.080 Delinquent accounts.

All accounts shall be considered delinquent if not paid by the twentieth of the month in which service is rendered. All delinquent accounts are subject to stoppage of service without notice. If a delinquent account is not paid within thirty (30) days, the city or its contractor may cease all refuse collection for that account at the discretion of the city council. Service shall be resumed thereafter only on payment of the accumulated fees for the period of collection as well as for the period during which the collection was stopped. Stoppage of service hereunder for nonpayment shall be in addition to the right of the city or its contractor to proceed or the collection of such unpaid charges in a manner provided by law for the collection of amounts due and owing.

(Ord. 94-188 § 8)

13.12.090 Storing refuse, cleanup days.

- A. No person shall place any garbage, rubbish or refuse in any street, street edge or other public place or upon any private property, whether owned by such person or not, within the city, except that placed in proper containers at ground level for collection, under the method provided pursuant to the authority of this chapter. Any unauthorized accumulation of refuse, garbage or rubbish on any premises is declared to be a nuisance and is prohibited. Failure to remove any existing accumulation of refuse within twenty-four (24) hours after notice from the sanitation inspector shall be deemed a violation of this section.

- B. No person shall cast, place, sweep or deposit anywhere within the city any refuse or garbage in such a manner that it may be carried or deposited by the elements upon any street, sidewalk, alley or other public place or in or on any occupied premises within the city. The city may authorize storage of refuse on streets and alleys for spring and fall cleanup. The city shall designate such places and times where such accumulation is allowed by resolution.

(Ord. 94-188 § 9)

13.12.100 Interfere with sanitation inspector.

It is unlawful for any person to interfere with or obstruct the sanitation inspector during the performance of his duties under this section.

(Ord. 94-188 § 10)

13.12.110 Suppressing nuisances.

The sanitation inspector shall take cognizance of all nuisances within the limits of the city and shall take such measures as may be effectual to suppress and abate the same.

(Ord. 94-188 § 11)

13.12.120 Appeals.

Any person aggrieved by regulations under this chapter by the sanitation inspector or any contractor whom the city has contracted for the garbage and refuse collection may appeal to the city council. Such appeal shall be perfected by filing a written specification of grievances with the city clerk. Within a period of not less than ten nor more than thirty (30) days, the city council shall hear such appeal at a regular council meeting. Notice of the time and place of hearing shall be given to the person appealing at the address shown on the person's notice of appeal. The city council shall hear all parties in interest and shall issue its order, its finding of fact and conclusions and order based thereon. Decision of the council shall be final.

(Ord. 94-188 § 12)

13.12.130 Violations.

Any person violating any of the provisions of this chapter shall be charged with a misdemeanor and upon conviction, shall be punished by a fine in an amount not to exceed one thousand dollars (\$1,000.00).

(Ord. 94-188 § 13; Ord. 05-223 § 4 (part))

(Ord. No. 13-244, 9-12-2013)

13.12.140 Other laws.

This chapter is not intended to replace, alter or amend any existing federal laws or regulations, or Idaho state laws or regulations.

(Ord. 94-188 § 15)

Chapter 13.13 ANNEXATION FEE

Sections:

[13.13.010 Annexation fee.](#)

13.13.010 Annexation fee.

The application fee for annexation shall be three hundred dollars (\$300.00). This will be a deposit toward the actual costs incurred by the city in following the procedures set forth in Idaho Code Section 50-201 et seq.

In the event actual cost exceeds the deposit, the applicant shall be required to pay the remaining costs; in the event the actual costs are less than the deposit, the remainder of the deposit will be refunded.

All fees and costs shall be paid by the applicant prior to the final approval of the annexation.

(Ord. 05-223 § 3)

Chapter 13.14 PAYMENTS OF UTILITIES, FEES OR CHARGES

[13.14.010 Payment by credit card.](#)

13.14.010 Payment by credit card.

- A. The city treasurer or other designated municipal official is hereby authorized to accept payment of all amounts due to the city of Inkom from sale of utility services, or other fees or charges by use of a credit card, debit card or electronic transfers.
- B. The amount due shall include all accrued interest and penalties, if any, and shall include a service charge (also referred to as a "convenience fee") for acceptance of the transaction.
- C. All payments made by means of credit cards, debit cards or other electronic transfers will incur a service charge (convenience fee) as set by counsel resolution, which will be indicated prior to confirmation of the total payment.
- D. Service charges (convenience fees) shall include processing fees and actual costs incurred by the city on any such authorized transaction that are over and above the actual amount otherwise due to the city.
- E. The city council is authorized to determine the specific credit cards, debit cards or electronic transfers that will be accepted under this section.
- F. The city treasurer or other designated municipal official is authorized to decline payment under this section from any individual or entity for any amount due to the city where there is an indication that insufficient funds are available to complete the transaction.

(Ord. No. 13-245, § 1, 4-10-2014; Ord. No. 14-246, § 1, 8-13-2014)

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Editor's note— Ord. No. 13-245, § 1, adopted April 10, 2014, added provisions to the Code designated as § 2-187; however, for the purposes of maintaining Code format, said provisions have been redesignated as § 13.14.010 at the discretion of the editor. Subsequently, Ord. No. 14-246, § 3, adopted Aug. 13, 2014, repealed § 13.14.010 in its entirety and enacted a new § 13.14.010 to read as set out herein.