# TITLE 9

## WASTEWATER SYSTEM OPERATIONS AND HEALTH AND SAFETY

**CHAPTER**

# CHAPTER 1

# GENERAL HEALTH REGULATIONS

**SECTION**



## 2601. Unwholesome, noisome or offensive houses or places

The owner or occupant of an unwholesome, noisome or offensive house or place shall remove or cleanse the same from time to time, so far as may be necessary for the health or comfort of the inhabitants of the city.

Cross references. City Council powers,
See city charter section 25 (8).
Local board of health, composition, see
18 V. S. A. section 604.
Minimum housing standards ordinance, see
city charter pages 24 - 30.

## 2602. Number of occupants

No person shall authorize, suffer, or permit a dwelling house, building or tenement, belonging to him or of which he shall have the possession, care, or control, to be used or occupied by a greater number of persons than shall be consistent with a due regard to the health of such occupants.

**SECTION**

2603. Sanitation facilities for dwelling houses, public buildings or factories

No person shall occupy or lease to another a dwelling house, building, or tenement, to be used or occupied for dwelling house purposes, or a public building or factory within the limits of this city, which shall not first be provided with suitable toilets, and suitable drains for the accommodation of all persons who may occupy such dwelling house, building, factory, or tenement, to the acceptance of the health officer.

Cross references. Local health officials,
powers, see 13 V. S. A. section 601 et seq.
Appointment of health officer, see city
Charter section 9 (V).

2604. Sewers, connecting of, construction of, penalties

A person owning or having the care of lands or buildings shall connect such lands and buildings into the public sewer, at his own expense, without charge therefor from the city except the actual cost of making the connection; provided that all connections with the public sewers shall be made under the direction of the superintendent of streets, upon the written application of such person. The superintendent of streets shall superintend the making of all such connections.

All private drains connecting with a public sewer shall be constructed of iron pipe or vitrified tile pipe, not less that 4 inches in diameter, or such other pipe as the superintendent of streets may approve, and all points of such drains be so made as to prevent the escape of gas therefrom. Cellar drains shall be laid on an inclination or pitch of not less that one-quarter inch to 2 feet, and all sewage drains shall be laid on an inclination or pitch of not less than one-quarter inch to 1 foot.

A person who shall connect or attempt to connect any private drain with any public sewer of the city without the direction and supervision of the superintendent of streets on written application to him therefore, shall be guilty of a misdemeanor and shall be fined not more than $20 not less than $2.

Cross references. City Council powers,
See city charter section 25 (24).
Owner defined, see section 153.

**SECTION**

2605. Manure, Offal, Refuse, Garbage

(a) No person shall deposit or suffer to remain upon the surface of land owned or occupied by him, manure, offal, filthy water, garbage, or other noxious or filthy substance, within 50 feet of an occupied building or a street in the fire district.

(b) No person shall remove house offal, kitchen refuse, manure, or any other offensive or decaying solid or liquid matter through a street except in tight vessels or vehicles with close-fitting or canvas covers such as will, so far as possible, prevent the dropping of the same or the emission of offensive odors.

Cross references. Placing refuse in Street or public place, see section 4254.

2606. Swine

No person shall maintain a pen or sty for swine so near the dwelling house of another person as to be a nuisance.

2607. Orders of Health Officer

An order of the health officer, made in connection with the duties of his office, shall specify the time within which the same is required to be executed and shall be served by a constable or police officer upon the person to whom the order is directed in the same manner as is provided by law for the service of a writ of summons.

Cross references. Local health Officials, powers, see 18 V. S. A. 601 et seq.

2608. Penalties

A person who disobeys a lawful order of the health officer after the same shall have been served upon him as aforesaid shall be fined $10 and an additional penalty of $1 for each and every day he shall neglect or refuse to obey such order after the expiration of the time specified therein.

**SECTION**

2609. Doing of Work by Health Officer

If a person shall neglect or refuse to obey a lawful order of the health officer properly served upon him, the health officer in his discretion may, after the expiration of the time specified therein, do the work required by the order, and the expense thereof with full costs may be recovered of the person so neglecting or refusing, by a suit in the name of the city; but after the health officer shall commence the work required by the order, such person shall not be liable to a further increase of the penalty provided in the preceding section.

2610. Report of Violations

It shall be the duty of the health officer to report to the city council for prosecution any violation of the provisions of this chapter.

# TITLE 9

## CHAPTER 2

## HEALTH AND PLUMBING ORDINANCE

THE PURPOSE OF THIS ORDINANCE IS TO PROTECT AND IMPROVE THE GENERAL HEALTH AND WELFARE OF THE PEOPLE OF THE CITY OF ST. ALBANS IN THE FIELD OF ENVIRONMENTAL SANITATION, BY ADOPTING AN ACCEPTABLE ORDINANCE CONTROLLING THE INSTALLATION OF PLUMBING SYSTEMS IN EXISTING PROPERTIES WITHIN THE CONFINES OF THE LIMITS OF THE CITY OF ST. ALBANS.

Be it ordained and enacted by the City Council of the City of St. Albans, State of Vermont as follows:

### ARTICLE I

### Definitions

The following words and phrases when used in this ordinance shall be construed as follows:

(a) A "master plumber" shall mean any person, firm or corporation that, as a business, hires or employs a person or persons to do plumbing work, or without hiring any person does that work as a principal business for his or its own account.

(b) A "journeyman plumber" shall mean any person who customarily performs the work of installing plumbing and drainage under the direction of a master plumber or, not being a master plumber as herein defined, does plumbing repair work as a regular part time occupation.

(c) An "apprentice" shall mean any person who is engaged in learning and assisting in the installation of plumbing and drainage under an apprenticeship program properly registered with the Vermont State apprenticeship council.

(d) "Plumbing: is the art of installing in buildings the pipes, fixtures and other apparatus for bringing in the water supply and removing liquid and water carried wastes.

## ARTICLE II

### Sources for Regulations

(a) The "National Plumbing Code ASA A 40.8" adopted by the Department of Health for he State of Vermont for plumbing in Private and Public buildings.

(b) The plumbing rules and regulations that may be adopted by the Department of Health for the State of Vermont, as authorized by Vermont Statutes Annotated, Title 26, Chapter 32, Section 2173; and,

(c) The "Minimum Plumbing Standards for Safety and Health:, a booklet with red cover containing "Extracts from American Standard National Plumbing Code (ASA A40.8 - 1955)", excluding pages 70, 71, and 72, together with comparable sections in the National Plumbing Code (II (a) above), are hereby adopted and incorporated herewith by reference.

(d) Any variance between requirements in (a), (b), and (c) in the matter of plumbing standards shall be and is hereby resolved by adopting the greater requirement.

## ARTICLE III

### Licenses Required: Registration

(a) Master Plumber's License. No individual shall engage in the business of plumbing in the City of St. Albans, unless as a master plumber, journeyman plumber, or registered as an apprentice, as provided under the provisions of the State of Vermont Plumbers Examining Board.

(b) Supervision of work. No individual, firm, partnership, or corporation shall engage in the business of installing, repairing, or altering plumbing, unless the plumbing work performed in the course of such business is under the direct supervision of a licensed master plumber.

(c) Master Plumbers, journeyman plumbers, and registered apprentice plumbers, doing business of performing any work or service in their trade within the limits of the City of St. Albans, shall first register with the Plumbing Inspector and hereafter reregister annually on or before January 10 of each year. Approval of the registration shall be indicated on the State License of each registrant by the Plumbing Inspector.

## ARTICLE IV

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### Permit for Plumbing Work

(a) No plumbing installation shall be undertaken without first securing a permit from the Plumbing Inspector. Plumbing permits shall be issued only to licensed master plumbers, subject to the following exception when requests for plumbing installation shall not require a licensed master plumber;

(1) Installation and maintenance of plumbing in dwellings or Buildings when done by the owner, lessee, or

(2) Any public or private water company.

(3) A person who regularly employs a maintenance man, whose duties include installation and maintenance of plumbing on property of that person.

(4) A person whose occupation is the doing of miscellaneous jobs of manual labor, in the course of which some incidental plumbing repairs or alterations are made by him.

## ARTICLE V

### Requirements for Plumbing Permits

(a) The permit and inspection fee will be the same as described in Title 9, Chapter 10, article 4, section 2 of the City of St. Albans Revised Ordinances.

(b) Plans and Specifications. No permit shall be issued until plans and specifications showing the proposed work in simple but necessary detail have been submitted to the Plumbing Inspector and he has reasonably determined from examination of such plans and specifications that they give reasonable assurance that the work will conform to the provisions of this ordinance. If a permit is denied, the applicant may submit revised plans and specifications. If, in the course of the work, it is found necessary to make any change from the plans and specifications on which a permit has been issued, amended plans and specifications shall be submitted and a supplementary permit, subject to the same conditions applicable to original application for permit, shall be issued to cover the change.

ARTICLE V (Continued):

(c) Any applicant aggrieved from the failure or refusal of the Plumbing Inspector to grant a permit within 7 days shall thereafter have the right to appeal to the City Manager and the Superintendent of Public Works communication in writing setting forth the matters to be determined. The City Manager and the Superintendent of Public Works acting jointly shall determine said appeal by hearing and findings and, if they so conclude, grant and direct the Plumbing Inspector to issue the permit forthwith.

## ARTICLE VI

## Plumbing Inspector

(a) The Manager of the City of St. Albans is hereby authorized to annually appoint a plumbing inspector, who shall also be a member of the Board of Health of the City of St. Albans. The Inspector of Plumbing shall inspect all new plumbing being installed within the regulations hereby adopted, and to give proper notice to violators to correct defective and faulty plumbing so as to assure compliance with the Rules and Regulations hereby adopted.

(b) No Inspector of Plumbing shall inspect or approve any plumbing work done by himself, or by any person by whom he is employed, or who is employed by or with him.

(c) The disqualification of the Plumbing Inspector to perform duties as provided herein, or his absence from the City or his disability because of illness or other inability, provided that any of such events will cause undue delay in the performance of the duties of the Plumbing Inspector, shall be cause for the City Manager to appoint a second Plumbing Inspector with directions to act on any pending matters in a manner as herein prescribed. Said second Inspector shall perform the duties of the Plumbing Inspector during the time that the Plumbing Inspector is disqualified, absent from the City, or otherwise disabled.

## ARTICLE VII

### Work Not To Be Covered Before Inspection Or Test

No building drainage or plumbing system or part thereof shall be covered until it has been inspected or tested, or both, and accepted as prescribed by provisions of this ordinance. If any system or part thereof, which has been installed, altered or repaired, is covered before being inspected, tested and approved, it shall be uncovered for inspection or test after notice to uncover the work has been issued to the holder of the permit by the Plumbing Inspector or Health Officer.

(a) It shall be the duty of the holder of a permit for such work to notify the Plumbing Inspector orally, by telephone, or by writing not less than eight (8) working hours in advance that such work will be ready for inspection or testing. And it shall also be the duty of the Plumbing Inspector to appear and make such inspection or tests within 24 hours of the time set for same.

## ARTICLE VIII

### Prohibited Drainage

No commercial or industrial waste drainage shall be drained into the sanitary sewer system without authorization of the City Council permitting the connection and drainage and certified in writing by the City Clerk.

No roofs, paved areas, yards, courtyards, or other drained areas shall be connected with the City's sanitary sewerage system.

## ARTICLE IX

### Septic Tanks

No individual sewage disposal system nor septic tank shall be constructed or used in the City of St. Albans without authorization of the City Council certified in writing by the City Clerk. Any such disposal system now in use or hereafter authorized and constructed shall be discontinued after public sewers are made available.

## ARTICLE X

## House Traps Mandatory

All new dwellings and all alterations or major repairs to plumbing in dwellings which have not heretofore been provided with a house trap, shall have a house trap installed. The house trap shall be located inside the basement wall and accessible at all times. It shall be a running trap with double hand holes. Into both hubs of the trap shall be leaded brass screw cleanouts. The trap shall be so connected as to permit cleanout to the street. Cleanout hole shall be leaded with brass screws. On the house side of trap there shall be provided a fresh air vent, connected to a tee ahead of trap, which shall vent through cellar or building wall at not less than 18 inches above grade outside of house and be so located as to be not less than 3 feet above the house trap.

# ARTICLE XI

## Applications To Existing Uses

The provisions of the Ordinance shall apply to:

(a) New plumbing systems and parts thereof which care hereafter installed in buildings in the City of St. Albans.

(b) Existing plumbing systems in any building which after the adoption of this ordinance by the City Council is used or occupied for a purpose other than that for which it was occupied or used before the date of adoption.

(c) Existing plumbing systems in a building where the additions or alterations thereto exceed 75% of the total length of soil, waste and vent piping in an existing system, where additions or alterations to existing systems subjects part of the system to excessive loads, then all of such part shall be subject to the provisions of this Ordinance.

## ARTICLE X II

### Protection of City's Potable Water Supply

No cross connection shall be made with, nor maintained between, pipes, tanks or basins carrying the City's water supply and pipes, tanks basins or other equipment which is supplied with or intended to be supplied with water from any other source, regardless of the purpose for which either water supply is used.

### Penalty

Any person, firm, corporation, or association, who, after having received written notice from the Board of Health for the City of St. Albans signed by the Plumbing Inspector, requesting the performance of certain acts in the installation of plumbing or the correction of defects in faults in existing plumbing, fails after a reasonable time to comply with the request contained in said written notice, or who violates the Rules and Regulations hereby adopted, shall be fined not more than $20.00 each day in which any such violation shall continue and shall be deemed a separate offense.

(Added 12-12-66)

# CHAPTER 3

# FOOD REGULATIONS

SECTION



## 2651. Exposure for sale of food; Conveyance through streets; protection.

(a) No person shall convey through any streets, or expose in front of stores or other places, meat, fowl, or fish intended for human consumption, unless the same is so covered that it cannot be contaminated by flies, dust, mud or filth.

(b) No person shall expose fruits, vegetables, or other foodstuffs intended for human consumption outside of stores, markets, or places of sale, unless the contents of the stand or container are protected from flies and dust and unless the bottom of the stand or container is at least 2 feet above the ground.

(c) No person shall expose or sell, or offer for sale for human consumption, any breadstuffs, cake, pastry, candy, confectionery, dried fruits, or shelled nuts outside or inside any building or I any open window or doorway, or any alley, street, sidewalk, or thoroughfare, unless such food is properly protected from insects, dust, dirt, or any other foreign or unwholesome material by suitable coverings.

(d) Any person who violated any of the provisions of subsections (a), (b), or (c), of this section shall, on conviction, be fined not more than $50 for each violation or offense, and each separate day’s violation shall constitute a separate offense hereunder.

SECTION

2651. Exposure for sale of food: Conveyance through streets; protection (Continued):

Cross references. City Council Powers
See city charter 25 (1).
Selling in street or public place,
See section 4257.
State regulation of food establishments,
See 18 V. S. A. section 4301 et seq.

2652. Meat Inspection

It shall be unlawful for any person to have, keep, sell, or expose for sale, or to have in possession with intent to sell for human food within the City of St. Albans flesh of any cattle, calves, sheep, swine, or goats, unless the same shall have been slaughtered and inspected under and in compliance with the provisions of this chapter; provided, however, that this chapter shall not apply to cattle, calves, sheep, swine, or goats slaughtered under the regulations relating to the inspection of meats as prescribed by the Department of Agriculture of the United States and bearing the stamp of such inspection.

2653. Mark, Stamp, or Brand of Inspection

It shall be unlawful for any person to sell, have, keep, or expose for sale, or have in possession with intent to sell for human food within the city the flesh of any cattle, calves, sheep swine, or goats, unless there has been placed on each animal part thereof, by or under the personal supervision of any inspector of the United States, or of the City of St. Albans, a mark, stamp, or brand showing that the same has been inspected and approved for food purposes.

2654. Carcasses Presented for Inspection; Approval; Condemnation Farm Slaughter

Carcasses of animals killed outside the limits of the city which are to be sold within the city, shall be offered for inspection on the following conditions: Carcasses presented for inspection shall have the head, heart, liver, and lungs, held by the natural attachments. Such carcasses, if so offered, shall be inspected and if found to be free from disease and otherwise sound and healthful, and if slaughtered and transported in a sanitary manner, shall be approved and stamped. If found to be diseased, unsound, unwholesome, or otherwise unfit for human food, said carcasses shall be condemned and disposed of in such manner as to prevent their use for human food.

SECTION

2655. Carcasses Presented for Inspection; Approval; Condemnation Farm Slaughter (Continued):

Carcasses of animals fatted and slaughtered by a farmer on the farm owned and occupied by him may be delivered to a retail meat dealer in the city without such inspection, provided that he also delivers to such meat dealer the heart, liver, and lungs removed from such carcass and that he securely attaches to such carcass a tag bearing his name, residence, and the date the animal was slaughtered. It shall be the duty of a retail meat dealer of the city who received from a farmer the carcass, heart, liver and lungs of any animal so delivered to him without such inspection, to notify the meat inspector or his deputy forthwith that the same has been delivered at his place of business and thereupon it shall be the duty of the meat inspector to inspect the same within 8 hours from the receipt of such notice, and it shall be unlawful for such meat dealer to cut or alter the same in any way or to offer the same for food in the city within said time unless the same has been inspected by the meat inspector and if, on the inspection by said inspector, said carcass, or the heart, liver, or lungs removed therefrom, are found to be free from disease and otherwise sound and healthful, the same shall be approved and stamped in accordance with the requirements of this chapter, but if found to be diseased, unsound, or unwholesome, or otherwise unfit for human food, it shall be condemned and disposed of in such manner as to prevent its use for human food.

2656. Unauthorized Possession of Mark, Stamp or Brand

It shall be unlawful for any person, except an authorized inspector or his deputy, to have in his possession, keep, or use, any mark, stamp, or brand provided or used for marking, stamping, or branding, as inspected and approved, any article herein required to be so marked, stamped, or branded, or any mark, stamp, or brand having thereon a device or words similar in character or import to the marks, stamp or brand provided or used for such purposes by the inspector or his deputies.

2657. Slaughterhouses, Inspection of Animals in: Condemned Carcasses; Entry into Meat Establishments for Inspection

It shall be the duty of the inspector or his deputies, and they are hereby empowered, to enter all places in which the slaughtering of animals for food is being carried on and to make such inspection of the said animals as may be deemed necessary to determine their fitness for human food.

SECTION

2656. Slaughterhouses, Inspection of Animals in: Condemned Carcasses; Entry into Meat Establishments of Inspection (Continued):

It shall be unlawful for any person owning or having charge of any place in the city in which animals are slaughtered for food, to permit the removal therefrom of any carcass or part thereof until the same shall have been inspected and stamped as approved or condemned by the meat inspector or his deputies or a Federal Inspector. Condemned carcasses or parts shall not be removed from the slaughterhouse until they have been treated in the presence of the inspector or one of his deputies in such a way as to prevent their future use for human food.

It shall be the duty of the inspector and his deputies, and they are hereby empowered to enter any place where the meat or flesh of any animal mentioned in this chapter, or the products thereof, may be stored, held, kept, exposed or offered for sale; and also every establishment where meat is manufactured into articles of food or preserved, cured, canned, or otherwise prepared for food, and inspect the same, and whenever any carcass or primal part thereof shall, upon inspection and examination be found not marked, stamped, or branded so as to show that the same has been inspected and approved for food purposes, as in this chapter provided, or whenever any such article of food or mead product is found unfit for food purposes, the said inspector or his deputies shall condemn the same and shall order such disposal as will prevent its use as human food.

2657. Transportation of Meat

It shall be unlawful for any person to transport or cause to be transported in any vehicle through the streets or public ways of the city any meat, unless the same is properly wrapped in paper or cloth covering or unless such vehicle is provided with a tight cover which shall be kept closed at all times, during such transportation, so as not to expose the meat to dust, dirt, filth, or other deleterious substances.

SECTION

2658. Slaughterhouses, Inspection of

It shall be the duty of the meat inspector and his deputies to visit, from time to time, places in the vicinity of the city where animals are slaughtered and sent to the city for sale, to see whether such places are clean and sanitary. If, in the opinion of said meat inspector or any one of his deputies, conditions are such as to render meat from such places unfit for food, the inspector shall refuse to allow said meat to be brought into the city. If the owner or person in charge of any such places outside of the city shall refuse to allow the inspector or his deputies to enter and inspect the premises, the inspector shall refuse to allow meat or any other food product from such places to be brought into the city.

Cross references. State regulation of Slaughterhouses, see 18 V. S. A. section 4501 – 4507.

2659. Standards

All meat referred to in this chapter shall be inspected under standards adopted by the United States Department of Agriculture for the inspection of meat, and the meat inspector shall make, promulgate, and enforce, with the approval of the City Council such other rules and regulations as my be necessary to carry into effect the provisions of this chapter.

2660. Fees

All meat offered for inspection within the city to the meat inspector shall be inspected by him without charge, but his deputies may charge and receive reasonable fees for all inspection made by them.

2661. Penalties

Any person who violated any of the provisions of section 2652 – 2660, or any order, rule or regulation of the meat inspector made thereunder to carry the provisions thereof into effect, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding $50.

# CHAPTER 5

## OUTSIDE ICEBOXES, REFRIGERATORS OR FREEZERS

SECTION



### 2751. Icebox, Refrigerator or Freezer in Possession or Upon Premises outside dwelling.

No person shall have at any time in his possession or upon premises under his control, in a place accessible to children outside of a building or dwelling, any icebox, refrigerator, freezer or similar container, not in common use, unless the lock on the same may be released from the inside thereof, or unless the lock or door thereon shall have been first removed.

Cross references. Statutory provision,
See 13 V. S. A. No. 1310.

### 2752. Disposing of or Abandoning Upon Premises of Another.

No person shall dispose of or abandon upon premises of another, in any place accessible to children outside of a building or dwelling, any icebox, refrigerator, freezer or similar container unless the lock on the same may be released from the inside thereof or unless the lock or door thereon shall have been first removed.

### 2753. Violations

Each day during which a violation of section 2751 hereof shall be continued shall be considered a separate offense, and shall be punishable as such hereunder.

### 2754. Person Defined.

The term “person” as used herein shall include firms and corporations.

# CHAPTER 7

## ANIMAL ORDINANCE

SECTION



### 2801. Definition ofTerms.

As used in this ordinance, unless the context otherwise indicates the terms or phrases used herein shall have the following meanings:

(a) "Owner" means any person or persons, partnership, association or corporation owning, keeping or harboring a pet. The head of a household having a pet in its possession shall be presumed to be the owner or keeper of such pet.

(b) . "Pet as.used in these ordinances shall include any dog, cat, ferret, or any other animal harbored, owned or kept as a pet.

(c) "Wolf-hybrid" means an animal which is the progeny or descendant of a dog and a wolf. "Wolf-hybrid" also means an animal which is advertised, registered, licensed or

otherwise described or represented as a wolf-hybrid by its owner or an animal which exhibits primary physical and behavioral wolf characteristics.

(d) "Vicious pet" means a pet which causes reasonable fear of bodily injury by attacking or threatening to attack any person or pet except as such person or pet may be in the act of unlawfully trespassing upon the private property of the owner.

(e) "Running at large" means off the property or premises of the owner and not under the control of the owner or his agent by leash, cord, chain, or other similar means of restraint, or within a motor vehicle under his or his agent's control.

(f) "Kennel" means a place where two or more dogs s are kept for sale or commercial breeding purposes.

(g) "Dog" as used in this ordinance shall include wolf-hybrids as defined.

(h) "Nuisance" shall be those acts of a pet which unreasonably interferes with the peace and quiet of persons of ordinary sensibility. Acts of nuisance shall include, but not be limited to habitual barking, yelping or howling, defecation and examination of garbage cans.

2802. Regulation of Pets; Generally.

It shall be unlawful for any person to own, possessor or harbor any pet in the City of St. Alhans except as provided in this chapter and any failure, neglect or refusal to comply with any of the provisions of this chapter or any act or omission or commission contrary to the terms hereof shall be deemed a violation punishable by the penalties hereinafter provided.

2803. License required; Fees and Requirements.

(a) A person who owns, harbors or keeps a dog more than six (6) months old shall annually on or before April 1 cause it to be registered, numbered, described and licensed with the City Clerk. Such license shall expire on the 31st day of March following the issuance thereof.

(b) The City Council will adopt a schedule of fees in accordance with statutory requirements for the licensing of dogs. Such fee schedule may include license surcharges to help offset the cost of administering this ordinance. The City Council may amend this fee schedule as they deem necessary.

(c) Before a person shall be entitled to obtain a license for a neutered dog, he shall exhibit to the city Clerk a certificate signed by a licensed. veterinarian showing that such dog has been neutered.

(d) Before obtaining a license for a dog six (6) months of age or older, a person shall deliver to the City Clerk a certificate or a certified copy thereof signed by a duly licensed veterinarian, stating that the dog has received a current pre-exposure rabies vaccination, and the person shall certify that the dog described in the certificate or copy is the dog to be licensed.

(e) The City Clerk shall keep the certificates or copies thereof on file. The owner of any such dog shall maintain a copy of the rabies vaccination form and provide it to municipal officials upon the request. For the purposes oflicensing a dog, a current vaccination against rabies means that:

(1) a dog of less than one year of age has been vaccinated;

(2) a dog of one or more years but less than two years of age has been vaccinated within the preceding 12 months; and

(3) A dog of two or more years has been vaccinated within the preceding 24 months. (f) No dog which has been determined to be a vicious dog under Section 2807 shall be licensed in the City of St. Albans. No dog which has been refused a license in any other community shall be licensed in the City of St. Albans without approval of the City Council.

2804. Dogs Obtained after April 1.

A person who becomes the owner after April 1 of a dog six (6) months old which has not been licenses, or a person who owns, keeps or harbors a dog which becomes six (6) months old after April 1 shall within ten (10) days apply for and obtain a licenses for such dog in the same manner as the annual license is obtained. If such application is made after October 1, the fee such license shall be one-half the amount otherwise required.

2805. Display of License Tag.

It shall be the duty of every person owning, keeping or harboring a dog to keep on such dog a collar or harness and to fasten securely to such collar or harness and keep attached to it, the metal license tag issued under 2803 of this ordinance, and a metal tag with the name and address of the owner embossed thereon, whenever such dog shall be off the premises of such licensed owner. It shall be unlawful for any person other than the owner or his agent or the Animal Control Officer to remove a license tag or identification tag from the collar or harness of a dog or to attach a license tag to a dog for which such tag was not issued.

2806. Kennels: License and Fee.

(a) Any owner or keeper of a kennel shall secure from the City Clerk a license therefore.

Such license shall expire on March 31st following the issuance thereof. The Animal Control Officer shall inspect and approve the premises before any kennel license shall be issued.

(b) All kennels shall be kept in sanitary condition, shall be subject to inspection by the Animal Control Officer or Health Officer at any time, and any such license may be revoked by the City Council upon the recommendation of the Animal Control Officer or Health Officer after an opportunity has been afforded the licensee to a hearing. No kennel license shall be issued in any case where such action would be contrary to any law, ordinance, zoning regulation or contrary to property restrictions. A kennel license shall not be required in the case of a licensed female dog having a litter of pups, provided the owner shall sell or dispose of same before such pups reach the age of six (6) months. All dogs kept in kennels shall be licensed individually.

2807. Investigation of Vicious Pet; Order.

(a) When a pet has attacked, threatened to attack, bitten or caused reasonable fear to a person of bodily injury, or has wounded, killed or worried a pet of another person, such person may file a written complaint with the Animal Control Officer or City Council. The complaint shall contain the time, date and place where the attack occurred, the name and address of the victim or victims, and any other facts that may assist the legislative body in conducting its investigation required by subsection (b) of this section.

(b) The Animal Control Officer shall immediately conduct an investigation into the alleged incident, and report same to the City Council.

(c) The City Council shall, within seven days from receipt of the complaint, hold a hearing on the matter. If the owner of the pet which is the subject of the complaint can be ascertained with due diligence, said owner shall be provided with a written notice of the time, date and place of hearing and the facts of the complaint.

(d) If the pet is found to have attacked, threatened to attack, bitten or caused reasonable fear to a person of bodily injury, or has wounded, killed or worried a pet of another person, without provocation, the City Council shall make such order for the protection of persons as the facts and circumstances of the case may require, including, without limitation, that the pet is disposed of in a humane way, muzzled, chained, or confined. The order shall
be sent by certified mail, return receipt required. A person who, after receiving notice, fails to comply with the terms of the order shall be subject to the penalties provided in Section 2819.

(e) The procedures provided in this section shall only apply if the pet is not a rabies suspect.

If the Animal Control Officer or another municipal official determines that the animal is a rabies suspect, the provisions of Section 2812 shall apply.

(f) If it is determined by the Animal Control Officer during the investigation that the pet poses a threat to the general public, the pet shall be impounded according to Section 2813 until final determination by the City Council under this section.

2808. Running at Large Prohibited.

It shall be unlawful for any person owning or possessing a dog to permit it to be at large within the City, and every person owning or having a dog shall confine it to his or her premises when not on a leash, cord, chain or other similar means of restraint and under the immediate control of a competent and responsible attendant.

2809. Nuisances.

No person owning or harboring a pet shall permit such pet to be a nuisance as defined.

2810. Investigation of Nuisances.

(a) When a pet has caused a nuisance to a person, such person may file a written complaint with the Animal Control Officer. The complaint shall contain the time, date, and place where the nuisance occurred, the name and address of the persons affected, and any other facts that may assist the Animal Control Officer in conducting his investigation.

(b) If the pet is found to be a nuisance as defined, the Animal Control Officer shall, without limitation, issue a ticket under Section 2819, order the pet confined, chained, or muzzled, and/or refer the matter to the City Council.

2811. Poisoning Pets.

It shall be unlawful for any person to poison any pet, or to distribute poison in any manner whatsoever with the intent or purpose of poisoning any pet.

2812. Rabies. Control.

(a) Any person who shall have in his or her possession or control a pet which has contracted rabies, been exposed to rabies or is suspected of having rabies or which has broken the skin of any person, shall, upon demand of the Animal Control Officer or of the Health Officer surrender such pet to be held for observation and treatment, the cost of which shall be the responsibility of the owner.

(b) It shall be the duty of every person owning or harboring a pet which has been attacked or bitten by another pet or animal showing the symptoms of rabies to immediately notify

the Animal Control Officer or Health Officer that such person has a pet or other animal in his possession.

(c) Whenever a pet is impounded after having broken the skin of a person and has been determined to have rabies by the State Health Department or if determined necessary and advisable by a licensed veterinarian, cause the pet to be disposed of in a humane manner.

(d) It shall be unlawful for any owner or person harboring any pet, when notified that such pet has broken the skin of any person, to sell or give away such pet, or permit it to be taken beyond the limits of the City except under the care of a licensed veterinarian.

(e) This section shall apply if a pet has broken the skin of another pet or any animal which may come in contact with a person or pet.

2813. Impoundment.

It shall be the duty of the Animal Control Officer to apprehend any pet violating Sections 2803, 2804, 2807, 2808 and/or 2809 of this ordinance, and to impound such dog in a pound to be designated by the City Manager for such purposes. Upon impounding any dog a record shall be made by the impounding officer of the breed, color and sex of the dog, where it was apprehended, name and address of owner, if known, and whether or not it was licensed. The record of the impounding officer shall be filed with the police department.

2814. Notice; Disposition of lmpounded Pets.

Whenever any pet is impounded it shall be the duty of the Animal Control Officer to notify the owner, possessor or person who harbors or keeps the same, ifknown, and if not known to post at the City Hall and at the pound, a notice containing a description of said pet, and when and where caught. If no owner or person entitled to or claiming the possession of any such pet, shall claim the same within seven (7) full days after such notice, the pet may be sold, given away or humanely disposed of by the poundkeeper or any person duly authorized by the City Manager to do so. Any monies generated by the sale of impounded pets shall revert to the poundkeeper.

2815. Redemption of impounded Pets; Fees.

The owner or person entitled to the possession of any impounded pet may reclaim such pet upon payment of all costs and charges incurred in the impounding and maintaining of said pet to include any violation fees.

2816. Animal Control Officer; Appointment.

The City Manager may appoint an Animal Control Officer whose duties shall be the enforcement ofthis ordinance. The Animal Control Officer need not be a resident of the City of St. Albans. Any officer of the Police Department and/or the Health Officer is authorized to carry out any duty or action under this ordinance designated to the Animal Control Officer in his absence.

2817. Designation of City Pound.

The City Manager is authorized to contract with a veterinarian or other person for the furnishing of impounding facilities necessary to carry out this ordinance the provisions of and the pets impounded pursuant to the provisions hereof.

2818. Enforcement and Penalties.

A person who violates any of the provisions of this ordinance shall be fined not more than $500.00 together with the costs ofprosecution, and in the event of a continuing violation, each day shall constitute a separate offense. For enforcement procedures and to determine the amount of the fine, V.S.A. Title 20, Section 3550 shall apply.

2819. Violation Tickets.

(a) For the convenience of the public and economy in enforcement, police officers and the Animal Control Officer are hereby authorized to issue tickets to persons violating this ordinance. Each day the violation continues shall constitute a new offense.

(b) Before a ticket is issued for a violation of Sections 2803, 2804, 2805, 2806, 2808, 2809 and 2810 of this ordinance, a warning will be given. Violations of Sections 2807, 2811 and 2812 do not qualify for a warning.

After the initial warning, a violation of Sections 2803, 2804, 2805, 2806, 2808, 2809 and
2810 ofthis ordinance is subject to a fine of$75.00 a day. A person who admits or does not contest a ticket issued pursuant to this ordinance may satisfy the fine by payment of a waiver fee set as follows:

**First offense-** $30.00
**Second offense** in a one year period from the date of the warning- $50.00
**Third and subsequent offenses** in a one year period from the date of the warning - $75.00
(Change 7/6/06)

(c) Should a person violating this ordinance fail to pay such ticket within 72 hours, a complaint may be filed and prosecution may be commenced in the District Court as in the case of other ordinance violations.

(d) A violation of Sections 2807, 2811 and 2812 of this ordinance is subject to a fine of $125.00 a day. Violations of these sections do not qualify for a warning or for a waiver
of fees.

(e) Should a person violating this ordinance fail to pay such ticket within 72 hours, a complaint may be filed and prosecution may be commenced in the District Court as in the case of other ordinance violations.

2820. Application forms.

The City Clerk shall provide application and license forms requiring and containing such information as he or the state records director may deem necessary in order to carry out the provision hereof. All fees and charges collected hereunder shall be deposited with the City Treasurer.

2821. Separability

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or held unconstitutional by any court of competent jurisdiction such portion shall be deemed a separate and distinct provision and such will not affect the validity of the remaining portions hereof.

# CHAPTER 9

## SMOKE AND CINDERS

SECTION



### 2851. Smoke or Cinders, Prohibition

The emission of dense or thick black or gray smoke or cinders from any smokestack or chimney used in connection with any stationary engine, steam boiler or furnace of any description, within the city limits, to a degree or in such a manner as to be a nuisance, is hereby prohibited.

### 2852. Penalty

The owner, agent, lessee, or occupant, or any other person in charge or control of any building who violates the preceding section shall be deemed guilty of a misdemeanor and upon conviction shall be fined not more than $50.

### 2853. Health Officer report to City Attorney

It shall be the duty of the health officer to report to the City Attorney for prosecution any violation of the provisions of this chapter.

# TITLE 9
# CHAPTER 10
# WASTEWATER SYSTEM OPERATIONS

This Ordinance establishes the policies, rules, regulations and rates necessary to govern and operate the municipal wastewater system of the City of St. Albans, Vermont. This ordinance supersedes all previous rules, regulations and ordinances and applies to all users regardless of the municipality in which they are located. All existing agreements between individual property owners and the City of St. Albans, Vt. shall remain in effect provided such agreement is recorded in the City of St. Albans Clerk's Office.

Be it ordained and enacted by the Council of the City of St. Albans, State of Vermont as follows:

**Section 1. Definitions**

a. "BOARD" shall mean the Council of the City of St. Albans, acting as Board of Water and Sewage Disposal Commissioners under 24 V.S.A., Section 3614.

b. "BOD" (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degrees C, expressed in milligrams per liter.

c. "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet outside the inner face of the building wall.

d. "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.

e. "City" or “COSA” shall mean City of St. Albans.

f. "Combined Sewer" shall mean a sewer receiving both surface runoff and sewage.

g. "Committed Reserve Capacity" is the total wastewater flow (gallons per day) from all project/buildings approved by the BOARD and/or the DEC for discharge to the WWTF, but not yet discharging at the time of the committed reserve capacity calculation.

h. "Connection Fee" shall mean a fee imposed on applicants for the municipality's cost of performing, supplying materials, supervising, inspecting, and administering a connection to the sewage system including any necessary sewer service.

i. " DEC" and DEPARTMENT" shall mean the Vermont Department of

Environmental Conservation.

j. "Development" means the construction if improvements on a tract of land for any purpose, including, but not limited to, residential, commercial, or industrial activity.

k. "Development Wastewater Flow" is the flow resulting from full use of the development at its buildout capacity, which flow shall be calculated using flow quantities, from the DEC Environmental Protection Rules (EPR's), Chapter 1, as promulgated at the time a connection permit application is made.

l. "Discharge Permit" shall mean a permit issued by the DEC pursuant to authority granted in 10 V.S.A., Chapter 47.

m. "Force Main" shall mean the pressurized sewer pipe that a sewage pumping system discharges into. The force main transports the pressurized sewage to a gravity receiving structure such as a sewer manhole or open surface tank or structure.

n. "Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage and sale of produce.

o. "Industrial Wastes" shall mean the liquid wastes from industrial manufacturing processes, trade or business as distinct from sanitary sewage.

p. "Initiate Construction" means the following: for building development – completion of construction of all foundations, framing, siding and roofs.

q. "Low Pressure Sewer" shall mean the sewer pipe that receives ground-up raw wastewater from a grinder-pump, pump station or discharge from a septic tank and transports the pressurized wastewater to an unpressurized wastewater structure such as a gravity sewer or an open tank.

r. "Manager" shall mean the City Manager of the City of St. Albans. Appointed representative of the Mayor and City Council with powers as designated within the City Charter, Section# 9.

s. "Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake, or other body of surface or groundwater.

t. "Owner" shall mean any person, who owns or possesses any property connected to the municipal wastewater collection system or proposes to connect to the municipal wastewater system as applicant.

u. "Permitted Wastewater Flow" is the maximum WWTF flow authorized in the DEC issued Discharge Permit on an annual average (365 day average) basis.

v. "Person" shall mean any individual, firm, company, association, society, corporation, group, institution, partnership, government entity or other entity.

w. "PH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

x. "Plant", see WWTF.

y. "Private Sewage System or Facilities" shall mean all facilities for collecting, pumping, treating, and disposing of sewage that is not owned or operated by the City of St. Albans.

z. "Properly Shredded Garbage" shall mean 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 particles larger than one half (1/2) inch (1.27 centimeters) in any dimension.

aa. "Public Sewage System or Facilities" shall mean all facilities for collection, pumping, treating and disposing of sewage and is controlled, owned and operated by the City of St. Albans.

bb. "Reserve Capacity" shall mean the WWTF permitted wastewater discharge flow minus the actual WWTF wastewater average daily flow during the preceding 12 months.

cc. "Sanitary Sewage" shall mean wastewater of the same character and rage of strength as expected from residential uses: homes, apartments, and mobile homes.

dd. "Sanitary Sewer" shall mean a sewer which carries sewage and to which storm, surface, and groundwater's are not legally admitted.

ee. "Secretary" shall mean the Secretary of the Agency of Environmental Conservation, State of Vermont or its representatives.

ff. "Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground surface, and storm waters as may be present.

gg. "Sewage Treatment Plant" shall mean any arrangement of devices and structures used for treating sewage. See WWTF.

hh. "Sewage Works" shall mean all facilities owned and operated by the City of St. Albans for collecting, pumping, treating and disposing of sewage.

ii. "Sewer" shall mean a pipe or conduit, including manholes, for carrying sewage.

jj. "Sewer Service Area" is constituted by the geographical area of the City of St. Albans as of the effective date of this ordinance or as the aforesaid geographical area may from time to time be altered. Although not part of the sewer service area, existing collection lines owned by the City of St. Albans, but which are located outside of the City of St. Albans, will be maintained in the same manner as collection lines within the sewer service area.

kk. "Shall" is mandatory, "May" is permissive.

ll. "Slug" shall mean any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation.

mm. "Storm Drain" (Sometimes termed "Storm Sewer") shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

nn. "Superintendent" shall mean the Superintendent of Public Works of the City of St. Albans, or his authorized deputy, agent, or representative.

oo. "Suspended Solids" shall mean 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.

pp. "Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

qq. "WWTF" shall mean the municipal Wastewater Treatment Facility owned by the City of St. Albans. See Sewage Treatment Plant.

rr. "WWTF Flow" is the metered wastewater passing through the treatment facility in gallons per day on an annual average basis (365 day average) as reported by the DEC.

**Section 2. Abbreviations**

For the purpose of this ORDINANCE, the following abbreviations shall have the meaning ascribed to them under this ARTICLE. References to standards of the following organizations shall refer to the latest edition of same.

ANSI shall mean American National Standards Institute.

ASME shall mean American Society of Mechanical Engineers. ASTM shall mean American Society for Testing and Materials. AWWA shall mean American Water Works Association.

COSA shall mean City of St. Albans.

CS shall mean Commercial Standards.

GPD shall mean gallons per day.

MGD shall mean million gallons per day.

mg/L shall mean milligrams per liter.

NPC shall mean National Plumbing Code.

PPM shall mean parts per million.

WEF shall mean Water Environment Federation.

WPCF shall mean Water Pollution Control Facility.

WWTF shall mean Wastewater Treatment Facility.

**Section 3. Use of Public Sewers Required**

a. It shall be unlawful to discharge to any natural outlet within the City of St. Albans, or in any area served by said City, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance and the laws and regulations of the State of Vermont.

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

c. The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the City and abutting on

any street, alley, or right of way in which there is now located or may in the future be located a public sewer, is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this ordinance, within ninety (90) days after date of official notice to do so, provided that said public sewer is within one hundred (100) feet of the building requiring connection. The provisions of this section are also substantiated in the City Ordinances under the minimum housing standards.

**Section 4. Building Sewer and Connections**

a. No unauthorized person shall uncover, excavate, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining approval from the Superintendent. Any person proposing a new discharge into the system or a substantial change in the volume or character of pollutants that are being discharged into the system shall notify the Superintendent at least seven (7) days prior to the proposed change or connection.

b. Any person performing work on City public property, or in the City public Right of Way, for the purpose of installing .a building sewer shall file with the Superintendent, or its municipal designee, evidence of adequate insurance coverage for liability and property damage. Minimum amounts of coverage shall be established by the COSA.

**Section 5. Building Sewer Permit**

a. There shall be one building sewer permit for all three user types: (a) residential (b) commercial/residential, and (c) industrial. The owner or his agent shall make application on a special form furnished by the City. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Superintendent. The application fee shall be paid to the City at the time the application is filed. Refer to the COSA Schedule of Rates and Fees.

b. No paving of any COSA street, alley or sidewalk shall be disturbed or broken for the laying of sewer services without the Owner submitting an excavation access permit application, paying the associated fees and receiving a permit. Backfilling of service cuts shall be under the supervision of the Superintendent.

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

d. Upon the completion and restoration of the City street opening, construction undertaken as described by the permit and the satisfactory inspection thereof by the City Manager or its Agent, the City Treasurer shall return to the owner the balance

of funds, if any. If funds are still owed to the City, the City Treasurer will bill the owner for the same.

e. A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, in which the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

f. Existing private building sewers may be used in connection with new buildings only when they are found, on examination and test by the Superintendent, to be of acceptable size, condition and adequate for long term use. Costs examination by the City shall be borne by the Owner of said private sewer.

g. The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench, shall all conform to the requirement of the building and plumbing code or other applicable rules and regulations of the City. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the current A.S.T.M. Manuals of Practice and/or State rules and regulations.

h. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, and to provide frost protection, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

i. No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain, cellar drains, basement sumps, which in turn is connected directly or indirectly to a public sanitary sewer. All such connections which exist shall be disconnected by the Owner at its expense before connection of the building sewer to the COSA sewer.

j. The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the City, or the procedures set forth in appropriate current specifications of the A.S.T.M. the WEF, Manuals of Practice and/or State rules and regulations. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Superintendent before installation.

k. The applicant for the building sewer permit shall notify the Superintendent at least five (5) days before the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Superintendent or its representatives.

l. All excavations for building sewer installation shall be adequately guarded with barricades and lights, provided by the applicants, so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of work shall be restored in a manner satisfactory to the City.

m. Clean outs shall be installed where the distance from the building to the main sewer is greater than one hundred (100) feet or where bends greater than forty-five (45) degrees are used in the building sewer. Clean outs shall be made by installing a "Y" and one-eight (1/8) bends of the same diameter as the building sewer. The clean outs shall ordinarily be installed at the point of connection between the building sewer and the outside part of the house plumbing system, at curbs on the building sewer and on the straight part of the house sewer to the main sewer. The clean out shall be brought up from the building sewer to four (4) inches (10.2 c.m.) below ground level and be properly capped. Locations of all clean outs shall be recorded with three (3) ties and turned over to the Superintendent.

n. Before any portion of the existing plumbing system outside the building is connected to the building sewer, the owner shall prove, to the satisfaction of the Superintendent, that it is clean and conforms in every respect to the ORDINANCE and that all joints are watertight.

o. Where pipe is installed for building sewer, such work shall be performed by a plumber approved by the Superintendent.

p. The Superintendent shall apply appropriate tests to the pipes and the plumber and contractor, at their own expense, shall furnish all necessary tools, labor, materials, and assistance for such tests and shall remove or repair any defective materials when so ordered by the Superintendent.

q. The contractor shall not block any driveway, street, road or railroad at any time without permission of the Superintendent and other controlling agencies. Every effort shall be made to permit the movement of vehicular traffic at all times. Whenever it becomes necessary to cross or interfere with roads, walks, or drives, whether public or private, the Contractor shall maintain, at his own expense, and subject to the approval of the Superintendent, safe bridges or other means of egress.

r. Maintenance of all private sewage facilities including, but not limited to, (1) house plumbing systems, (2) building sewers to the main sewer, (3) house connections,

(4) sewers and (5) appurtenances shall be the responsibility of the Owner, at his or her expense. The Owner shall be solely responsible for continually maintaining such facilities in satisfactory operating condition. Maintenance shall include, but not limited to, (1) maintaining flow, (2) clearing obstructions, (3) maintaining all joints gas and water-tight, (4) repair or replace collapsed, deteriorated or defective materials, and (5) all other work which is necessary and essential to maintaining proper operation and preserving the structural integrity and water- tightness of the system.

**Section 6: Use of Public Sewers**

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

b. Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the Superintendent and the State of Vermont. It is the responsibility of the Owner to obtain that State of Vermont approval that the discharge is in compliance with the current Vermont Stormwater discharge rules. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Superintendent and the State of Vermont, to a storm sewer, combined sewer, or natural outlet.

c. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

    a. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solids, or gas, new or used.

    b. Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant, including but not limited to cyanides in excess of two (2) mg/L as CN in the wastes as discharged to the public sewer.

    c. Any waters or wastes having pH lower than (8.0) or higher than 9.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works.

    d. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works, such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc. either whole or ground by garbage grinders.

d. No person shall discharge or cause to be discharged the following substances, materials, waters, or wastes if it appears likely in the opinion of the Superintendent that such wastes can harm either the sewers sewage treatment process, or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the Superintendent will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The substances prohibited, are:

i. Any liquid or vapor having a temperature higher than one hundred fifty (150 degrees) F.

ii. Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred (100) mg/L or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150) F.

iii. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower or greater shall be subject to the review and approval of the Superintendent.

iv. Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.

v. Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Superintendent for such materials.

vi. Any water or wastes containing phenols or other taste or odor-producing substances, in such concentrations exceeding-limits which may be established by the Superintendent as necessary, after treatment of the composite sewage, to meet the requirements of the State, Federal, or . other public agencies of jurisdiction for such discharge to the receiving waters.

vii. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Superintendent in

compliance with applicable State or Federal regulations.

viii. Materials which exert or cause:

1. Unusual concentrations of inert suspended solids (such as but not limited to, Fullers earth, Lime slurriers, and Lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).
2. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
3. Unusual BOD chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works, such as but not limited to milk products.
4. Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.

e. Water or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

f. If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 4 of this Article, and which in the judgment of the Superintendent, may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Superintendent may:

(a) Reject the wastes,

(b) Require pretreatment to an acceptable condition for discharge to the public sewers,

(c) Require control over the quantities and rates of discharge, and/or,

(d) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges.

g. If the Superintendent permits the pretreatment or equalization of waste flows, the design, plans, specifications and any other pertinent information relating to proposed equipment and facilities; shall be submitted for the approval of the Superintendent and the DEC and no construction of such facilities shall be

commenced until said approvals are obtained in writing. Further, pretreatment facilities must be consistent with the requirement of any State pretreatment permit issued to the industry.

h. Grease, hair and sand interceptors shall be provided when, in the opinion of the Superintendent they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Superintendent, and shall be located as to be readily and easily accessible for cleaning by the Owner and inspection by the Superintendent.

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

j. Where installed, all grease, oil, hair and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times. Materials collected shall not be reintroduced into the public sewerage system.

k. Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

l. When required by the Superintendent, the owner of any property serviced by such a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation sampling, and measurement of the wastes.

Such manhole, when required, shall be accessible and safely located, and shall be constructed in accordance with plans approved by the Superintendent. 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. All industries discharging into a public sewer shall perform such monitoring of their discharges as the Superintendent may reasonably require, including installation, use and maintenance of monitoring equipment, keeping records and reporting the results of such monitoring to the Superintendent. Such records shall be made available upon request by the Superintendent to other agencies having jurisdiction over discharging to the receiving waters. When industrial pretreatment permits are issued by the State of Vermont, monitoring records must also be submitted to the Secretary in accordance with such permit. Records of any monitoring will be supplied by the Superintendent to the Secretary on request.

m. All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb, and property. The particular analyses involved will determine whether a twenty-four (24) hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24-hour composites of all outfalls whereas pH's are determined from periodic grab samples.

n. That any industry held in violation of the provisions of this ORDINANCE may have its disposal authorization terminated.

o. No statement contained in this Article shall be construed as preventing any special agreement or arrangement between City and any industrial concern whereby an industrial waste or unusual strength or character may be accepted by the City for treatment, subject to payment therefore, by the industrial concern. Provided that such agreements do not contravene any requirements of existing Federal Laws and are compatible with any user charge and industrial cost recovery system in effect.

**Section 8. Protection from Damage**

No unauthorized person shall maliciously, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the sewage works. Any person violating this provision shall be subject to immediate arrest under charge of unlawful mischief as set forth in Title 13, Section 3701 of the Vermont Statutes Annotated.

**Section 9. Powers and Authority of Inspectors**

a. The Superintendent and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this Ordinance. The Superintendent or his representatives shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

b. While performing the necessary work on private properties referred to in Article VII, Section 1 above, the Superintendent or duly authorized employees of the City shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the City employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Article V, Section 8.

c. The Superintendent and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all private properties through which the City holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement, pertaining to the private property involved.

d. Notwithstanding any of the foregoing provisions, the City may institute any appropriate action including injunction or other proceeding to prevent, restrain or abate violations hereof.

**Section 10. Penalties**

a. Any person found to be violating any provision of this ordinance except Article VI shall be served by the City with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

b. Any person who shall continue any violation beyond the time limit provided for in Article VIII, Section 1, shall be guilty of a misdemeanor, and on conviction thereof shall be fined for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

c. Any person violating any of the provisions of this ordinance shall become liable to the City for any expense, loss, or damage occasioned the City by reason of such violation.

d. Notwithstanding any of the foregoing provision, the COSA may institute any appropriate action including injunction, or other legal proceeding to prevent, restrain or abate violations hereof, and any other legal and equitable relief to seek compensatory damages & compensation for other fees & expenses as provided in this Ordinance.

**Section 11. VALIDITY**

a. All ordinances or parts of ordinances in conflict with this ordinance herewith are hereby repealed.

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

c. This Ordinance may be amended at any time by the COSA as provided by law.

**Section 12. Wastewater User Charge, Rates, and Fees**

a. There are three types of wastewater charges in the rate schedule:

   1. Base Rate: A flat fee to cover many of the fixed expenses associated with the operations and maintenance of the WWTF.

   2. Use Rate: A usage rate based on metered water consumption to cover the operating costs of the WWTF.

   3. Non-City Users Surcharge: A surcharge on the non-city wastewater system users applicable only to those users who do not participate in the affiliation fee program.

b. The Sewer User Charge Rates and Fees shall be adjusted either up or down by the City Council from time to time to reflect the anticipated cost of the operation and maintenance of the City of St. Albans Sewer System. For current rates and fees refer to the COSA "Water and Wastewater Rates and Fees Summary".

## CHAPTER 11

## WASTE STORAGE AND COLLECTION

### Sec. 11-1. Purpose.

This Waste Storage and Collection Ordinance is adopted under authority conferred by 24 V.S.A. §§2291(12), (13), and (14) and Section 18(6) of the St. Albans City Charter. The purpose of this Ordinance is to protect the health, safety, welfare, and convenience of residents through regulations promoting the orderly storage and collection of Solid Waste, Recyclables and Food Residuals in the City. This Ordinance shall constitute a civil ordinance within the meaning of 24 V.S.A. Chapter 59.

### Sec. 11-2. Definitions.

For the purpose of this Ordinance, the following words and phrases shall have the meaning ascribed by this Section:

"Bulky Waste" shall mean a discarded or unusable Solid Waste item of such size or weight that it cannot be stored in a container, including but not limited to stoves, refrigerators, water tanks, washing machines, furniture, and other large waste materials.

"Commercial Collection" shall mean the collection of Solid Waste, Recyclables, and Food Residuals from business establishments or multiple-family dwellings, by a Person holding a Waste Collection License issued by the City.

"Dumpster" shall mean a mobile waste container having a capacity typically greater than two cubic yards, designed to be emptied or transported by a specially designed truck.

"Enforcement Officer" shall mean the City Manager, Health Officer, Director of Public Works, any law enforcement officer, or any other person designated an Enforcement Officer under this Ordinance by the City Council.

"Food Residuals" shall mean material that is derived from processing or discarding of food and that is recyclable or reusable. Food residual may include pre-consumer and post-consumer food scraps. Food Residuals do not include food material composted by a resident on-site.

"Person" shall mean any individual, partnership, company, corporation, association, unincorporated association, joint venture, municipality, the State of Vermont or any agency, department, or subdivision of the State, a federal agency, or any other legal or commercial entity.

"Residential Collection" shall mean the collection of Solid Waste, Recyclables, and Food Residuals from single-family dwellings, collected individually and not otherwise classified as Commercial Collection by a Person holding a Waste Collection License issued by the City.

"Recyclables" shall mean material which may be reclaimed and/or processed so that it may be used in the production of materials or products. Recyclables include, but are not limited to,

aluminum and steel cans; aluminum foil and aluminum pie plates; glass bottles and jars from foods and beverages; polyethylene terephthalate (PET) plastic bottles or jugs; high density polyethylene (HDPE) plastic bottles and jugs; corrugated cardboard; white and colored paper; newspaper; magazines; catalogues; paper mail and envelopes; boxboard; and paper bags.

"Solid Waste" shall mean garbage, refuse, septage, sludge from a waste treatment plant, water supply plant, or pollution control facility and other material, including solid, liquid, semi- solid, or contained gaseous materials resulting from industrial, commercial, mining, or agricultural operations and from community activities. Solid Waste does not include animal manure and absorbent bedding used for soil enrichment; high carbon bulking agents used in composting; or solid or dissolved materials in industrial discharges that are point sources subject to permits under the Water Pollution Control Act.

"Tote" shall mean a mobile waste container with a fixed, hinged lid, wheels and horizontal handle, having a typical capacity of 65 to 95 gallons.

**Sec. 11- 3. Disposal.**

All Persons shall dispose of all Solid Waste, Recyclables, and Food Residuals generated by them either by delivering such materials to a facility that is legally authorized and permitted to accept such materials or by having a Person holding a Waste Collection License collect and deliver such materials on their behalf.

**Sec. 11-4. Storage.**

A. All Solid Waste, Recyclables, and Food Residuals placed or stored outdoors shall be stored in a container so as to prevent conditions harmful to public health or which create a safety hazard, odor, unsightliness, or a public nuisance. All such containers shall be covered, maintained in clean and sanitary condition, and shall be appropriately sized to store all such materials generated during periods between regularly scheduled collections. Use of uncovered bins that allow Solid Waste, Recyclables, or Food Residuals to blow in the wind is prohibited.

B. Single family dwellings shall store Solid Waste and Recyclables in Totes. Business establishments, multiple family dwellings, and multiple single-family residential units utilizing common containers shall store Solid Waste and Recyclables in Totes or Dumpsters.

C. Totes, Dumpsters, Bulky Waste items, and containers storing Food Residuals shall be kept in a discrete location out of view from the street and adjacent property except when placed out for collection.

**Sec. 11-5. Collection.**

A. Commercial Collection and Residential Collection shall only occur between the hours of 7:00 a.m. and 7:00 p.m. No Person operating a vehicle in the collection of Solid Waste, Recyclables, or Food Residuals shall allow the back up alarm on such vehicle to sound before 7 a.m.

B. Totes, Bulky Waste items, and Food Residual containers shall not be placed out for collection before 9 a.m. of the day preceding collection. Totes and uncollected Solid Waste, Recyclables, Bulky Waste items, and Food Residuals shall be removed from the collection location no later than 9 a.m. on the day following collection.

C. Totes, Bulky Waste items, and Food Residual containers shall be placed for collection in a location that does not impede vehicle or pedestrian traffic.

**Sec. 11-6. Waste Collection License.**

A. No person shall engage in the business of collecting or hauling Solid Waste, Recyclables, or Food Residuals without possessing a valid and current Waste Collection License issued by the City. No person holding a Waste Collection License shall violate the terms, restrictions, or conditions thereof or any provision of this Ordinance.

B. A Waste Collection License shall be issued by the City Manager or his or her designee, upon application, provided the following conditions are satisfied:

1. The applicant has all necessary current State licenses and licenses from the Northwest Vermont Solid Waste Management District;

2. The applicant has properly completed and filed all necessary application forms and provided such information as may be required by this Ordinance;

3. The applicant has paid the license fee as established by the City Council; and,

4. The applicant is not, at the time of application, under suspension or revocation of a Waste Collection License under Section 11-7 D of this Chapter. For the purpose of this subsection, applicant shall mean not only the named applicant but any person or legal entity that has a controlling interest in the applicant's business.

C. For the purpose of administering the provisions of this Ordinance and the licensing program established herein, the City Council shall impose a licensing fee as a condition to issuance and renewal of a Waste Collection License. The amount of the licensing fee shall be $100.00. The license fee may be modified by resolution of the City Council from time to time.

D. Each Waste Collection License shall be valid for a period of one year from the date of issuance. Any renewal application shall comply with the application requirements in this section and be accompanied by the fee as prescribed above.

E. A Waste Collection License may not be assigned or transferred.

F. Each Licensee shall register the Licensee's collection route and day of collection with the City, compliance with which shall be deemed a condition of the Waste Collection License. The City Manager, or his or her designee, may attach to any Waste Collection License such other

reasonable terms, restrictions, and conditions as are necessary to assure that Solid Waste, Recyclables, and Food Residuals are collected and hauled in compliance with this Ordinance.

G. Each Licensee shall affix a sticker, provided by the City, to each Totes and Food Residuals container used by the Licensee's customers. The sticker shall indicate the Licensee's name, the Licensee's collection route and the day of collection.

H. Each Licensee shall keep and maintain such records as will enable the City to determine compliance with this Ordinance, including, but not limited to, records of the amount of Solid Waste, Recyclables, and Food Residuals that are collected or transported and the locations from which such materials have been collected.

**Sec. 11-7 Temporary Roll-off Container Permit.**

A. Large portable waste containers, commonly known as a "roll-off dumpsters" or "roll-off containers" may be used for the collection and removal of debris generated from the construction, reconstruction, renovation, or improvement of structures within the City.

B. Prior to locating a roll-off dumpster or roll-off container in the City, a Roll-off Permit shall be obtained from the City Manager or his or her designee. A Roll-off Container Permit shall be valid for fifteen (15) days. The Permit may be renewed upon the filing of a renewal application, however, no more than four (4) consecutive renewals shall be issued for any Permit. The amount of the permit fee shall be $10.00. The permit fee may be modified by resolution of the City Council from time to time.

C. Roll-off containers shall only be located on private property and shall not be left standing or parked on or along any City street or on any public property. Roll-off containers may be located on City property with approval of the City Manager or his or her designee.

**Sec. 11-8. Civil Penalty; Other Enforcement.**

A. Any Person who violates a provision of this Ordinance or who violates any condition of a Waste Collection License issued under this Ordinance shall be subject to a Civil Penalty of up to $800.00 per day under 24 V.S.A §1974a for each day that such violation continues. An Enforcement Officer shall be authorized to act as an issuing municipal official to issue and pursue before the Vermont Judicial Bureau a municipal complaint. Each day a violation continues shall constitute a separate violation.

B. An Enforcement Officer is authorized to recover Civil Penalties and Waiver Fees in the following amounts for violation of each indicated Section of this Ordinance:

1. Sec. 11-4, Sec. 11-5 C, and Sec. 11-5 D:

| | Civil Penalty | Waiver Fee |
|---|---|---|
| First Offense | $20.00 | $15.00 |
| Second Offense | $30.00 | $25.00 |
| Third Offense | $40.00 | $35.00 |

| | | |
|---|---|---|
| Fourth Offense | $50.00 | $45.00 |
| Fifth and Subsequent Offenses | $60.00 | $55.00 |

2. Sec. 11-5 A, Sec. 11-5 B, Sec. 11-6 A, Sec. 11- 6 G, Sec 11-7 B, and Sec. 11-7 C:

| | Civil Penalty | Waiver Fee |
|---|---|---|
| First Offense | $160.00 | $100.00 |
| Second Offense | $320.00 | $250.00 |
| Third Offense | $480.00 | $400.00 |
| Fourth Offense | $640.00 | $550.00 |
| Fifth and Subsequent Offenses | $800.00 | $700.00 |

If the penalty for all continuing violations is greater than $800.00, or injunctive relief is sought, the action shall be brought in the Criminal Division of the Superior Court.

C. In addition to the enforcement procedures available under 24 V.S.A §1974a, the City may issue and enforce a solid waste order in accordance with 24 V.S.A. §2297a.

D. The City Manager may suspend or revoke a Waste Collection License for any violation of this Ordinance or any term, condition, or restriction contained in the License. Notification of suspension or revocation will be made to the Licensee in writing and delivered in person or by certified mail, return receipt requested. A Licensee may appeal any suspension or revocation within ten (10) business days of receipt of the notice and request a hearing before the City Council. If an appeal is not received within ten (10) business days of notification, the decision of the City Manager to suspend or revoke shall be final and binding upon the Licensee.

**Sec. 11- 9. Other Laws.**

This Ordinance is in addition to all other ordinances of the City of St. Albans and all applicable laws of the State of Vermont, including 24 V.S.A. §2201.

**Sec. 11-10. Severability.**

If any section of this Ordinance is held by a court of competent jurisdiction to be invalid, such finding shall not invalidate any other part of this Ordinance.

**Sec. 11-11 Repeal.**

Sections 2901 – 2910 of the Revised Ordinances of the City of St. Albans, January 8, 2018, Edition and all other City ordinances, insofar as they may conflict with or are inconsistent with the provisions of this Ordinance, are hereby repealed.

**Sec. 11-12. Effective Date.**

This Ordinance shall become effective October 1, 2019.

**Sec. 11-13. Approval and Adoption.**

This Ordinance is hereby Adopted this 13th day of May, 2019.

# CHAPTER 13

## SANITARY LANDFILL

**SECTION**



2951. Fees required

It shall be unlawful for any person, firm or corporation to dump rubbish, garbage or waste matter in the city sanitary landfill maintained by the City of St. Albans without paying to said City the fee or charge for such privilege, as fixed and detrmined by the City Council.

Cross references.
See 24 V. S. A.
Section 2202.

2952. Fees, posting of

The City Manager shall cause to be posted at the entrance of the city sanitary landfill on the Highgate Road, or such other sanitary landfill site as may hereafter be provided, a sign setting forth the schedule of fees or charges for dumping at said city sanitary landfill, as fixed by the city council pursuant to section 2951. Such fees or charges shall be paid to the city sanitary landfill custodian or any other designated city official before any person, firm or corporation shall be entitled to dumping privileges at said sanitary landfill.

2953. Penalties.

Any person who shall violate any of the provisions of this chapter shall be fined not more than twenty-five dollars and imprisoned not more than thirty days, or both.