

## CHAPTER 18

### SEWERS AND SEWAGE DISPOSAL

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Article I. In General.<sup>1</sup>

Sec. 18-1. Privies and "ideal sanitary closets".

No person shall keep, use or maintain any privy or "ideal sanitary closet" on any lot or land within the Town.

Sec. 18-2. Septic tanks prohibited.

No person shall install, maintain or use a septic tank in the Town.

Article II. Public Sewers.

Division 1. Generally.

Sec. 18-3. Deposit of objectionable waste on property.

It shall be unlawful for any person to place, deposit or permit to be deposited, in any unsanitary manner on public or private property within the Town or in any area under the jurisdiction of the Town, any human or animal excrement, garbage or other objectionable waste. (12-3-69, art. 1, S1)

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<sup>1</sup> For state law as to sewerage systems, generally, see S. C. Code, 1976, SS5-31-10 to 5-31-2040.

Sec. 18-4. Discharge of sewage or polluted water to natural outlets.

It shall be unlawful to discharge to any natural outlet within the Town or in any area under the jurisdiction of the Town any sewage or other polluted water, except where suitable treatment has been provided in accordance with the provision of this chapter. (12-3-69, art. 1, S2)

Sec. 18-5. Use of private sewage disposal facilities restricted.

Except as otherwise provided in this chapter, 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. (12-3-69, art. 1, S3)

Sec. 18-6. Toilet facilities required in buildings; connection with public sewer required.

(a) The owner of all houses, buildings or properties used for human occupancy, employment, commercial, recreation or other similar purposes is hereby required, at his expense, to install suitable toilet facilities therein, and to be connected to the public sewer system of the Town of Sullivan's Island. It shall be unlawful for any person to discharge to or be connected to the public sewer system of the Town for domestic, industrial, commercial, or other purposes without having previously contracted for such service. All privately held parcels shall pay a monthly sewer basic facility charge whether connected or not, unless the public sewer system is not available at a location on or adjacent to the parcel. (12-3-69, art. 1, S4) (7-15-08) (9-16-08)

(b) Notwithstanding anything else in Chapter 18 herein, the Town shall have no obligation to pay for and extend the public sewer system of the Town to undeveloped lots that do not currently have such sewer lines adjacent to them. Any such extension shall require an agreement between the Town and the requesting property owner as to payment of the cost of the extension in addition to the Town's approval of the specifications for construction as well as the final installation. (9-16-08)

(c) As part of an agreement for the property owner to extend sewer lines to an undeveloped lot that does not currently have adjacent sewer lines, the Town reserves the right to require such property owner to construct sewer lines to accommodate service to other adjacent properties along the same service line, at the property owner's cost and expense, subject to reimbursement from other adjacent property owners as provided in subsection (d). (4-17-12)

(d) If the Town requires a property owner to construct sewer lines to accommodate sewer service to adjacent parcels, the Town shall require the owner of each such adjacent parcel to compensate the constructing property owner for a pro-rata cost of construction of the sewer line at the time the adjoining property owner submits an application to the Town for water or sewer service. The pro-rata cost of construction shall be determined by Town Council by dividing the final cost of constructing the sewer line extension by the

number of buildable lots in which sewer service has been provided pursuant to subsection (c). To the extent water service is also extended pursuant to Section 20-1, the construction of the sewer and water line extensions may be performed under the same construction contract. Assessment of a monthly sewer basic facility charge shall not relieve any property owner from the obligation to pay the pro-rata cost of construction as provided herein. (4-17-12)

Division 2. Building Sewers and Sewer Connections.

Sec. 18-7. Permit for sewer connection or opening - Required.

No unauthorized person shall uncover, make any connections with or opening into, or use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Town Council. (12-3-69, art. 2, S1)

Sec. 18-8. Same - Application; fee.

The owner or occupant of any property desiring sewer service shall make application therefore on a special form furnished by the Town. The permit application shall be supplemented by plans, specifications or other information considered pertinent in the judgment of the Town Council. At the time of filing, the applicant shall pay a permit and inspection fee, the amount of which shall be established by resolution of Town Council. (12-3-69, art. 2, S2)

Sec. 18-9. Cost of building sewer to be borne by property owner.

All cost and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer. (12-3-69, art. 2, S3)

Sec. 18-10. Separate building sewer required for each building; exceptions.

Every separate dwelling house on a single lot where the dwelling houses on such lot in excess of one have been declared to be lawful, except under conditions determined by the Committee on Water and Sewer of the Town Council and not conflicting with other provisions of this article, shall be connected with the public sewers. Each dwelling house, servant's house or guest house separate from the main dwelling on the lot shall be regarded as a separate building. No more than one building sewer line shall be used to connect all separate dwelling houses on a single lot with the public sewer without special permit of the Committee on Water and Sewers. (12-3-69, art. 2, S4) (7-15-08)

Sec. 18-11. Use of old building sewers.

Old building sewers may be used in connection with the new buildings only when they are found on examination and test by the Superintendent of Sewers or his designated representative to meet all requirements of this article. (12-3-69, art.2, S5)

Sec. 18-12. Specifications for building sewers.

It shall be unlawful for any person to make connections with the public sewer in any other manner and with any other material than is provided in this section. Every pipe connecting with the public sewers from a point four (4') feet out of the foundation walls or piers of the building shall be strong, sound and impervious in all its parts, shall be solidly laid on a true grade, which grade shall be not less than one (1') foot in one hundred (100') feet, without the written permission of the Committee on Water and Sewers. All lines shall be laid as nearly as possible in a straight line. In ditches where the bottom is unsafe from any cause, the grade shall be made secure by planking, concrete or other means to the satisfaction of the Committee on Water and Sewers or by the use of cast iron fibre pipe of satisfactory quality, as specified in the Standard Plumbing Code adopted by Town Council. All lines shall be jointed in the best manner and covered at least to a depth of one (1') foot with well-rammed earth entirely free from stones and rubbish. All lines of less than one (1') foot shall be of cast iron with well caulked lead joints. If water pipe is laid in the sewer connection trench, it shall be laid well to one side and above the sewer. All lines connected with the public sewer shall be four (4") inches in diameter; except, that six (6") inch lines may be laid in private property where there is not less than ten (10') feet to the closet or slop sink and where there are a number of houses on one lot, and subject in all cases to approval by the Committee on Water and Sewers. (12-3-69, art. 2, S6)

Sec. 18-13 Connection of sources of surface runoff or ground water to building sewers.

No person shall make connections of roof downspouts, exterior foundations drains, interior sumps, areaway drains or other sources of surface runoff or ground water to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer. (12-3-69, art. 2, S7)

Sec. 18-14. Connections to comply with other regulations.

The connection of building sewers to the public sewer shall conform to the requirements of the building and plumbing code and other applicable rules and regulations of the Town. Any deviation from the prescribed procedures and material must be approved by the Town Council before installation (12-3-69, art. 2, S8)

Sec. 18-15. Notice to Town Council when building sewer ready for inspection.

The applicant for a building sewer permit shall notify the Town Council in writing when the building sewer is ready for inspection and has been connected to the public sewer. (12-3-69, art. 2, S9)

Sec. 18-16. Guarding of excavations; restoration of streets, sidewalks, etc., after excavation.

All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Town Council (12-3-69, art. 2, S10)

Sec. 18-17. Record to be kept of connections.

The Town Council shall cause to be kept a permanent and accurate record of the location, depth and direction of all new sewer connections, including such landmarks as may be necessary to make an adequate description (12-3-69, art. 2, S11)

Division 3. Restrictions on Use.

Sec. 18-18. Discharge of storm water, cooling water, etc., into sewers prohibited.

No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, sub-surface drainage, uncontaminated cooling water or unpolluted industrial waters to any sanitary sewer. (12-3-69, art. 3, S1)

Sec. 18-19. Discharge of hazardous substances into sewer prohibited.

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, solid or gas.
- 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 cyanide in excess of two mg/l as CN in the wastes as discharged to the public sewer.
- C. Any waters or wastes having pH lower than 5.5 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 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, ground garbage, cement, concrete, whole blood, paunch manure, hair and fleshing, entrails and paper dishes, cups, milk container, etc., either whole or ground by garbage grinders. (12-3-69, art. 3, S2)

Sec. 18-20. Industrial and other harmful wastes - Restrictions on discharge into sewers.

No person shall discharge or cause to be discharged the following described substances, materials, waters or wastes if it appears likely, in the opinion of the Town Council, 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 or public property or constitute a nuisance. In forming its opinion as to the acceptability of these wastes, the Town Council shall give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of 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:

A. Any liquid or vapor having a temperature higher than one hundred fifty (150F) degrees Fahrenheit or sixty-five (65) degrees centigrade.

B. 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) degrees Fahrenheit or zero (0) and sixty-five (65) degrees centigrade.

C. 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 (0.76 hp metric) or greater shall be subject to the review and approval of the Town Council.

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

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

F. Any waters or wastes containing phenols or other odor-producing substances, in such concentrations as exceeds limits which may be established by the Town Council as necessary, after treatment of the composite sewage, to meet the requirements of the state, federal or other public agencies having jurisdiction over such discharge into the receiving waters.

G. Any radioactive wastes or isotopes of such shelf-life or concentrations as may exceed limits established by the Town Council in compliance with applicable state or federal regulations.

H. Any waters or wastes having a pH in excess of 9.5.

I. Materials which exert or cause:

1. Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but 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.
4. Unusual volume of flow or concentration of wastes which exceeds for more than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flow during normal operation.

J. Waters 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. (12-3-69, art. 3, S3)

Sec 18-21. Same - Authority of Town Council to reject, require pretreatment, etc.

If any waters or wastes are discharged, or are proposed to be discharged into the public sewers which waters contain the substances or possess the characteristics enumerated in Sections 18-23 or 18-24, and which, in the judgment of the Town Council, may have 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 Town Council 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 under the provisions of Section 18-20.

If the Town Council permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Town Council, and subject to the requirements of all applicable codes, ordinances and laws. (12-3-69, art. 3, S4)

Sec. 18-22. Grease, oil and sand interceptors may be required.

Grease, oil and sand interceptors shall be provided by the owner at his expense when, in the opinion of the Town Council, 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 Town Council, and shall be located as to be readily and easily accessible for cleaning and inspection. (12-3-69, art. 3, S5)

Sec. 18-23. Maintenance of preliminary treatment and flow-equalizing facilities.

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. (12-3-69, art. 3, S6)

Sec. 18-24. Control manhole and meters may be required.

When required by the Town Council, the owner of any property serviced by 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 manholes, when required, shall be accessible and safely located, and shall be constructed in accordance with plans approved by the Town Council. 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. (12-3-69, art. 3, S7)

Sec. 18-25. Standards for measurements, tests and analysis.

All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this article 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 such control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream 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 of life, limb, and property. (The particular analysis involved will determine whether a twenty-four (24) hour composite of all outfalls of premises is appropriate or whether a grab sample or samples should be taken.) Normally, but not always, BOD and suspended solids analyses are obtained from twenty-four (24) hour composites of all outfalls whereas pH's are determined from periodic grab samples. (12-3-69, art. 3, S8)

Sec. 18-26. Discharge of other wastes into sewer system prohibited.

No other material and substances, chemicals or chemical compounds or industrial wastes will be permitted to be discharged into the public sewer systems, except as heretofore provided. (12-3-69, art. 4, S2)

Division 4. Scavengers' Wastes.

Sec. 18-27. Disposal in sewer system prohibited.

Scavenger wastes will not be permitted to be disposed of in the sewer system. Scavenger wastes are considered to be any putrid or offensive matter, the contents of privies, septic tanks and cesspools. (12-3-69, art. 4, S1)

Sec. 18-28. Methods of disposal.

Scavenger wastes may be disposed of within the Town in accordance with the rules and regulations of the State Board of Health and Environmental Control and County Health Department. (12-3-69, art. 4, S3)

Division 5. Sewer Service Charges and Contracts.

Sec. 18-29. Contracts to be on an annual basis; contracting party to furnish Town correct address.

All contracts for sewer service for commercial or residential use will be on an annual basis covering the period from January 1 through December 31 of each year and automatically renewable. All residential and commercial parcels occupied or vacant, shall contract with the Town for sewer service for the purpose of paying the monthly basic facility charge unless the public sewer system is not available at a location on or adjacent to the parcel. Persons entering into contracts with the Town for sewer service shall be responsible for ascertaining and paying sewer service charges hereinafter provided as such charges accrue. The Town Council will mail notices of accruing charges to sewer users at mailing addresses furnished by the contracting parties, but it is the responsibility of the contracting party that the Town be advised of this current and correct address. (12-3-69, art. 5, S1) (7-15-08)

Sec. 18-29a. Whenever any residential and/or commercial property owner, who has the public sewer system available at a location on or adjacent to the owner's parcel, fails to contract with the Town for the monthly basic facility charge, any monthly usage charge, any penalties and interest,

if any, shall accrue and become the obligation of the owner. In addition, a lien shall be placed upon the property. (7-15-08)

Sec. 18-29b. The amount owed to the Town under this section along with any penalties, fines, interest and cost of collection including attorney fees are declared to be a charge and continuing lien upon the property (lot) and shall run with the land. The Town shall have the right to enforce the lien by bringing an action to The Small Claims Court for Charleston County of The Circuit Court. The cost of collection including but not limited to filing fee, process of service and attorney fees shall be the responsibility of the property owner and shall become a part of the lien. (7-15-08)

Sec. 18-29c. Where an Institutional Mortgagee obtains title to the property (lot) as a result of foreclosure of its first mortgage or deed in lieu of foreclosure, such Institutional Mortgagee shall not be liable for the amount due and owing pertaining to that property (lot) that became due prior to the acquisition of title by such Mortgagee as a result of the foreclosure or deed in lieu thereof, unless the amount due and owing is secured by a claim of lien recorded prior to the recording of the applicable mortgage. (7-15-08)

Sec. 18-30. Number of contracts per lot.

Only one (1) contract for sewage service for residential use shall be entered into with respect to any one Town residential lot; provided, that separate contracts may be permitted for each separate dwelling house on a single lot where the dwelling houses on such lot in excess of one have been declared to be lawful; and provided further, that there shall be no limitation as to the number of separate contracts for sewer service for commercial purposes on any one commercial lot. (12-3-69, art. 5, S2)

Sec. 18-31. Sewer service charges; flat rate for properties not using Town water.

The Town Council shall establish by resolution and from time to time may so revise residential and commercial sewer service charges, which shall be based on water service charges. (12-3-69, art. 5, S3; 7/15/08)

Sec. 18-32. Billing date for sewer service charges; when bills payable; discontinuance of service for non-payment of service for non-payment; service restoration charge.

Meters will be read each month of the year. Bills for sewer shall be rendered by the First (1st) day of each month, and said bills shall be payable when rendered at the office of the Town Council. Bills shall become past due after the fifteenth (15th) day of the month in which they were rendered. No further notice or billing will be required. Under no circumstances shall a partial payment of a sewer bill be accepted. If the bill is not paid by the first (1st) of the month following rendition, the sewer service will be discontinued. The Town Council by resolution shall establish and from time to time may revise "turn on" fees which shall be paid in addition to the regular bill as a charge for restoring service which has been discontinued for non-payment. (12-20-90) (7-15-08)

Sec. 18-33. Sewer and water service may be terminated for failure to pay sewer service charges.

Upon failure of a person having a contract for sewer service to pay for such service when due, the Town may terminate sewer service and water service, or either, to such person and such service shall not be resumed until all back charges are paid. (12-3-69, art. 5, S5)

Sec. 18-34. Water distribution agency to collect sewer service charges, etc.

The water distribution agency of the Town is hereby designated, pursuant to SS5-31-2010 to 5-31-2040, Code of Laws of South Carolina, 1976, as the agent of the Town Council, for the purpose of collecting such sewer service charges as the Town shall from time to time impose upon those using its sewage disposal facilities, and such water distribution agency is hereby empowered as such agent to disconnect water service upon failure of any user to pay such sewer service charges. (9-20-71)