

TITLE 18

WATER AND SEWERS¹

CHAPTER

1. SEWER USE.
2. SEWER RATES, FEES AND CHARGES.

CHAPTER 1

SEWER USE

SECTION

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18-101. Definitions. The following words, terms, and phrases, wherever used in this chapter, shall have the meanings respectively ascribed to them in this section unless the context plainly indicates otherwise or that a more restricted or extended meaning is intended.

(1) "Accidental discharge." Any release of wastewater that, for any unforeseen reason, fails to comply with any prohibition or limitation in this chapter.

(2) "Act" or "the Act." The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. §§ 1251, *et seq.*

(3) "Approval authority." The director and/or the Division of Water Pollution Control of the Tennessee Department of Environment and Conservation (TDEC) or his designee.

(4) "Best Management Practices (BMPs)." Consistent maintenance practices to ensure that the grease trap and/or grease interceptor effluent and structure are in compliance with this chapter. Such practices include, but are

¹Municipal code reference
Building, etc.: title 12.

not limited to, regular cleanout schedules, posted cleanout procedures, and grease reduction guidelines.

(5) "Biochemical Oxygen Demand (BOD)." The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures in five (5) days at twenty degrees (20°C) (sixty-eight degrees (68°F)) expressed in terms of weight and volume (mg/L).

(6) "Building sewer." The connecting pipe from a building, beginning five feet (5') outside the inner face of the building wall, to a sanitary sewer.

(7) "Bypass." The intentional or unintentional diversion of waste streams from any portion of a user's facility.

(8) "City." The City of Blaine, Tennessee.

(9) "Commercial user." any user of the wastewater system who discharges "commercial waste," as that term is defined below, into the wastewater system.

(10) "Commercial waste." The liquid and waterborne wastes resulting from processes or operations generated by commercial establishments.

(11) "Compatible pollutant." BOD, suspended solids, pH, fecal coliform bacteria, and additional pollutants as are now, or may be in the future, specified and controlled in the city's SOP permit for its wastewater treatment plant.

(12) "Composite sample." A sample made by combining a number of grab samples collected over a defined period of time. A "composite sample" may be either a:

(a) "Flow proportional composite sample." A sample composed of sample aliquots combined in proportion to the amount of flow occurring at the time of their collection. Such samples may be composed of equal aliquots being collected after equal predetermined volumes of flow pass the sample point or of flow proportional grab sample aliquots being collected at predetermined time intervals so that at least eight (8) aliquots are collected per twenty-four (24) hours; or

(b) "Time proportional composite sample." a sample composed of equal sample aliquots taken at equal time intervals of not more than two (2) hours over a defined period of time.

(13) "Control authority." The City of Blaine, Tennessee.

(14) "Cooling water." The wastewater discharged from any use, such as air conditioning, cooling, or refrigeration, to which the only pollutant added is heat.

(15) "Direct discharge." The discharge of treated or untreated wastewater directly to the waters of the State of Tennessee.

(16) "Director." The director of the wastewater system for the city or his duly authorized agent or representative.

(17) "Domestic waste." The liquid and waterborne pollutants from the noncommercial preparation, cooking, and handling of food; or containing human excrement and similar matter from the sanitary conveniences of dwellings, commercial establishments, industrial facilities, and institutions.

(18) "Environmental Protection Agency (EPA)." The U.S. Environmental Protection Agency or, where appropriate, the term may also be used as a designation for the administrator or other duly authorized official of said agency.

(19) "Flammable" shall be defined § 18-105(3)(a) and (b).

(20) "FOG." Fats, oils, grease, and related substances of similar characteristics.

(21) "Food service establishment." A commercial or institutional facility discharging kitchen or food preparation wastewaters, such as restaurants, motels, hotels, cafeterias, delicatessens, meat cutting or preparation facilities, bakeries, hospitals, schools, bars, or any other facility that, in the city's discretion, may require a grease trap or interceptor installation by virtue of its operation.

(22) "Grab sample." A sample that is taken from a waste stream on a one (1) time basis and collected over a period of time not to exceed fifteen (15) minutes with no regard to the flow in the waste stream and without consideration of time.

(23) "Grease interceptor." A device utilized to effect the separation of grease and oils in wastewater effluent from a food service establishment, an interceptor is a vessel of the outdoor or underground type, normally of one thousand (1,000) gallon capacity or more, constructed of concrete, steel, or fiberglass.

(24) "Grease trap." A device utilized to effect the separation of grease and oils in wastewater effluent from a food service establishment. A trap is an under-the-counter or floor package unit, which is typically less than one hundred (100) gallons, constructed of steel or fiberglass.

(25) "Holding tank waste." any waste from holding tanks, including by way of example but not limitation, vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump tank trunks.

(26) "Incompatible pollutant." Any pollutant that is not a compatible pollutant, as defined above.

(27) "Indirect discharge" or "discharge." The discharge or the introduction from any non-domestic source regulated under § 307(b), (c), or (d) of the Act (33 U.S.C. § 1317), into the wastewater system, including holding tank waste discharged into the wastewater system.

(28) "Industrial user." Any user of the wastewater system who discharges industrial waste, as that term is defined below, into the wastewater system.

(29) "Industrial waste." The liquid and waterborne wastes resulting from processes or operations generated by industrial facilities. "Infiltration" is the water entering sanitary sewers and building sewers from the soil through defective joints, broken or cracked pipe, improper connections, manhole walls, or other defects in sanitary sewers as defined below, or building sewers as defined above.

(30) "Infiltration" does not include and is distinguished from inflow.

(31) "Inflow." The water discharged into sanitary sewers and building sewers from such sources as downspouts, roof leaders, cellar and yard area drains, commercial and industrial discharges of unpolluted wastewater as defined below, drains from springs and swampy areas, etc. It does not include and is distinguished from infiltration.

(32) "Interference." The inhibition or disruption of the city's wastewater treatment processes or operations, or acts or discharges that may cause damage to any portion of the wastewater system or that contribute to a violation of any requirement of the city's NPDES permit. The term includes interference with wastewater sludge use or disposal in accordance with state or federal criteria, guidelines, or regulations, or any state or federal sludge management plan applicable to the method of disposal or use employed by the wastewater system, such as, but not limited to, § 405 of the Act, the Solid Waste Disposal Act (42 U.S.C. §§ 6901, *et seq.*), and the Clean Air Act.

(33) "May." Permissive.

(34) "Medical waste." Isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and other wastes that may cause interference.

(35) "Natural outlet." Any outlet into a watercourse, pond, ditch, lake, or other body of surface or groundwater.

(36) "Non-contact cooling water." Water used for cooling that does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

(37) "Normal sewage." A waste having average concentrations of two hundred (200) mg/L of BOD or less and two hundred (200) mg/L of Total Suspended Solids (TSS) or less as determined by samples taken before entering the wastewater system.

(38) "Pass through." A discharge that exits the wastewater treatment plant into the disposal system in quantities or concentrations that, alone or with discharges from other sources, causes a violation, including an increase in the magnitude or duration of a violation, of the SOP permit.

(39) "Person." Any individual, firm, company, partnership, corporation, association, group, or society, and includes the State of Tennessee and agencies, districts, commissions, and political subdivisions created by or pursuant to state law. Where used herein, the masculine gender shall include the feminine; the singular shall include the plural where indicated by the context.

(40) "pH." A measure of the acidity or alkalinity of a substance, expressed as standard units, and calculated as the logarithm (base 10) of the reciprocal of the concentration of hydrogen ions expressed in grams per liter (g/L) of solution.

(41) "Pollutant." Any "waste" such as dredged soil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, medical wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or

discarded equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste, and certain characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor).

(42) "Pretreatment." The reduction in the amounts of pollutants, the elimination of pollutants, the alteration of the nature of pollutants, or the alteration in the nature of pollutant properties in wastewater to a less harmful state prior to discharging or otherwise introducing such pollutants into the wastewater system.

(43) "Pretreatment standards." Prohibited discharge standards.

(44) "Properly shredded garbage." The organic waste resulting from the preparation, cooking, and dispensing of foods that have been shredded to such degree that all particles will be carried freely under flow conditions normally prevailing in sanitary sewers with no particle being greater than one-half inch (1/2") in any dimension.

(45) "Public sewer." A sewer that is controlled by the city.

(46) "Receiving stream." That body of water, stream, or watercourse receiving the discharge from a wastewater treatment plant.

(47) "Sanitary sewer." A public sewer controlled by the city that carries liquid and waterborne waste from residences, commercial establishments, industrial facilities, or institutions, together with minor quantities of ground and surface waters that are not intentionally admitted.

(48) "Septage." Liquid and solid waste pumped from a sanitary sewage septic tank or cesspool.

(49) "Sewer." A pipe or conduit for carrying wastewater.

(50) "Sewer System Overflow (SSO)." An unintentional occurrence where wastewater discharges from the wastewater system to the surrounding ground surface or to the waters of the state.

(51) "Shall." Mandatory.

(52) "Slug." Any discharge of wastewater for any duration during which the rate of flow or concentration of any constituent increases to such magnitude so as to adversely affect the operation of the wastewater system or the ability of the wastewater treatment plant to meet applicable water quality objectives and SOP permit compliance.

(53) "Standard methods." The analytical procedures set forth in the latest edition of *Standard Methods for the Examination of Water and Wastewater*, published by the American Public Health Association, or *EPA Methods for Chemical Analysis of Water and Wastes*. All procedures must conform to 40 CFR part 136.

(54) "Standard Operating Permit (SOP)." A permit issued by the state under delegation from EPA.

(55) "State." The State of Tennessee.

(56) "Storm sewer" or "storm drain." A sewer that carries storm and surface waters and drainage, but that excludes wastes.

(57) "Stormwater." Any flow occurring during or following any form of natural precipitation and resulting therefrom.

(58) "Strength of waste." The concentration of pollutants or substances contained in a wastewater.

(59) "Total Suspended Solids (TSS)." The total solid matter that either floats on the surface of or is suspended in wastewater and that is removable by laboratory filtration.

(60) "Toxic pollutant." Any pollutant or combination of pollutants listed as toxic in federal or state law or regulations promulgated by EPA or the state.

(61) "Twenty-five percent (25%) rule." All grease traps and grease interceptors shall be cleaned when the accumulation of floatable FOG has reached a depth no greater than twenty-five percent (25%) of the total operating vessel depth.

(62) "Unpolluted wastewater." Wastewater not containing any pollutants limited or prohibited by the effluent standards in effect, or wastewater that will not cause any violation of receiving water quality standards when discharged.

(63) "Upset of pretreatment facilities." An exceptional incident in which there is an unintentional and temporary noncompliance with the effluent limitations of the user's permit because of factors beyond the reasonable control of the user. An upset does not include noncompliance caused by operational error, improper design or inadequate treatment facilities, lack of preventive maintenance, or careless or improper operations.

(64) "User." Any person or facility who discharges, causes, or permits the discharge of wastewater into the wastewater system.

(65) "Waste." Any physical, chemical, biological, radioactive, or thermal material, which may be a solid, liquid, or gas, and that may be discarded from any industrial, municipal, agricultural, commercial, institutional, or domestic activity.

(66) "Wastewater." The liquid and water-carried commercial, industrial, institutional, or domestic wastes from dwellings, commercial establishments, industrial facilities, and institutions together with any groundwater, surface water, and storm water that may be present, whether treated or untreated, which is discharged into or permitted to enter the city's wastewater system.

(67) "Wastewater system." All facilities for collecting, pumping, transporting, treating, and disposing of wastewater.

(68) "Wastewater treatment plant." The facilities of the city for treating and disposing of wastewater.

(69) "Waters of the state." All streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, that are contained within, flow through, or border upon the state of any portion thereof. (Ord. #O-04-10, Oct. 2010)

18-102. Use of public sewers required. (1) 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 city or in any area under the jurisdiction of the city, any wastewater, human or animal excrement, garbage, or other objectionable waste.

(2) It shall be unlawful to discharge to any natural outlet within the city, or any area under the jurisdiction of the city, any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with the provisions of this chapter.

(3) Except as provided herein, 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 wastewater.

(4) 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, property, or right-of-way in which there is now located or may in the future be located a public sewer of the City of Blaine, is hereby required at his expense to install suitable sanitary facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this chapter, within ninety (90) days after the date of official notice from the city to do so, provided that said public sewer is available within three hundred feet (300') of the closest point to the real property, except as provided for herein. If the property owner has a private wastewater disposal system that is in good working condition in accordance with all local, state and federal requirements, the property owner may request a waiver from connecting to the public sewer. If the city grants a waiver, the property owner must connect to the public sewer at such time in the future that his private wastewater disposal system no longer meets all local, state and federal requirements. The property owner shall not repair the private wastewater disposal system for continued use once the public sewer is available to his property. During such time that the connection waiver is in effect, the property owner must pay the monthly minimum fee. When the connection to the public sewer is complete in the future, the property owner shall pay all applicable rates, fees and charges applicable to all users. (Ord. #O-04-10, Oct. 2010)

18-103. Private wastewater disposal. (1) Where any residence, office, commercial, industrial, or recreational facility, or other establishment used for human activity is not accessible to a public sewer, the property owner shall provide a private sewage disposal system.

(2) Where the building drain of any residence, office, commercial or recreational facility, or other establishment used for human activity is below the elevation to obtain a one percent (1%) grade in the building sewer, the property owner shall provide a private sewage disposal system.

(3) A private wastewater disposal system may not be constructed within the city limits unless and until a certificate is obtained from the director

stating that a public sewer is not accessible to the property and no such sewer is proposed for construction in the immediate future.

(4) Any private wastewater disposal system must be constructed in accordance with the requirements of the state, the appropriate county health department, and the city and must be inspected and approved by the authorized representative of the appropriate county health department.

(5) The property owner shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times.

(6) When a public sewer becomes available, the building sewer shall be connected to such public sewer within ninety (90) days of the date of notice from the city to do so, and the private wastewater disposal system shall be abandoned by cleaning the sludge from the tank, cracking or drilling the tank bottom foundation, and filling the tank with suitable compacted material, such as soil or gravel.

(7) Holding tank waste, septage, and any other waste from private wastewater disposal systems within the city shall not be discharged into the wastewater system under the any conditions such as, but not limited to, the following:

(a) Persons owning or operating vacuum-pump trucks or trucks hauling septage or other liquid waste transport trucks shall not discharge wastewater directly or indirectly from such trucks into the wastewater system.

(b) No person shall discharge any other holding tank waste or any other waste, including industrial waste, into the wastewater system.

(c) Notwithstanding any of the forgoing, no holding tank waste, septage, or any other waste from outside the city shall not be discharged directly or indirectly into the wastewater system.

(d) No person shall operate a dumping station for the discharge of wastewater from recreation vehicles into the wastewater system.

(8) Nothing in this section shall be construed to allow waste haulers access to the wastewater system even if such access may be implied or directed by other local or state agencies. (Ord. #O-04-10, Oct. 2010)

18-104. Building sewers and connections. (1) No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb a public sewer or appurtenances thereof without first obtaining written approval from the director.

(2) The person requesting any action described in subsection (1) above shall make application on the appropriate 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 director. An application fee shall be paid by all new applicants, including transferals. The application fee shall be nonrefundable. Applicants for commercial building sewer permits shall

provide a description of the constituents of the wastewater and all other information that may be requested by the city.

(3) All residential, commercial, and industrial users to whom a public sewer is accessible shall connect to the sewer as provided in § 18-102(4) following payment of all fees and charges associated with such connection. Residential, commercial, and industrial users will be charged based on the number of individual units to be served, regardless of whether the complex is to be used as apartments, retail shops, duplexes, or multiple businesses. There will be one (1) sewer bill for each individual unit to be served. The user charge for monthly sewer use shall be based on the sewer rate schedule adopted and current as of the date of the connection. In addition, the city shall not be responsible for any cost that a developer may incur in the installation of public sewers.

(4) All costs and expenses incident to the installation and connection of the building sewer shall be borne by the user through the applicable rates, fees and charges. The user shall indemnify the city from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer. Connection to public sewers shall be made only by the city or a plumber or contractor duly licensed and approved by the city.

(5) Old building sewers may be used in connection with new buildings only when they are found, on examination by the director, to meet all requirements of this chapter.

(6) The building sewer may be brought into the building below the basement floor when gravity flow from the building to the public sewer at a grade of one percent (1%) or more is possible. In cases where basement or floor levels are lower than the ground elevation at the point of connection to the public sewer, adequate precautions, by installation of check valves or other backflow prevention devices, to protect against flooding shall be provided by the owner of said building. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, wastewater carried by such building drain shall be pumped to the building sewer as approved by the director at the expense of the owner of the building.

(7) (a) 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 that in turn is connected directly or indirectly to a public sewer.

(b) No person shall cover, construct, build, or erect any structure that will interfere with the accessibility, service, or removal of any sewer appurtenance that is maintained by the city. If an obstruction is found upon inspection by city personnel, the responsible party shall be notified immediately that the obstruction is to be removed permanently within a specified time limit as determined by the director. The responsible party includes, but is not restricted to, owner, leaseholder, contractor, developer, and person(s) who are using or causing a discharge

into the public sewer. A violation of this subsection shall be punishable by fine, upon conviction as authorized by law, and each day shall constitute a separate offense.

(8) The connection of a building sewer into the public sewer shall conform to the rules, regulations, policies, and standards of the city. All such connections shall be made gas-tight and watertight as verified by proper testing.

(9) The applicant for the building sewer shall notify the director when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the director or his authorized representative.

(10) At least one (1) cleanout shall be provided for each building sewer. The cleanout shall be located as near to the building as possible. Additional cleanouts are recommended at any horizontal change in direction in the building sewer requiring a forty-five (45) degree or greater bend.

(11) All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazards. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the city.

(12) Destruction or malice to any city-owned appurtenances, pumps, or lines shall be the responsibility of the owner. A charge for replacement of said equipment and associated labor shall be rendered.

(13) Upon review by the city and director, a service charge may be imposed on any commercial or residential user for foreign material, such as, but not limited to, plastic, cloth, metal, wood, etc., or breakage of the pump station.

(14) A service charge may be imposed if the director determines that abuse or neglect of a wastewater disposal device has occurred by the owner, whether it involves the cleaning or repair of a pit or other appurtenance of the city that was taken out of service or abused by the owner of said property.

(15) Upon the inspection of property, if the city finds breakage, abuse, or leakage of service lines from buildings to the city equipment or lines, the city shall give the owner time to correct the problem as determined by the director. If the problem is not corrected within a specified period, the city shall have the right to repair and charge the owner for corrections or discontinue water service. (Ord. #O-04-10, Oct. 2010)

18-105. Excluded wastes. (1) General prohibitions. The following general prohibitions apply to all users of the wastewater system:

(a) All users shall take all reasonable steps to prevent any discharge in violation of the user's permit and this chapter. Pollutants, substances, wastewater, or other wastes prohibited by this chapter shall not be processed or stored in such a manner that they could be discharged to the wastewater system.

(b) No user shall increase the use of potable or process water or in any other way attempt to dilute the discharge as a partial or complete

substitute for adequate treatment to achieve compliance with the limitations contained in the user's permit.

(c) No user shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater that causes interference or pass through with the operation or performance of the wastewater system.

(d) All users operating food service establishments may, at the discretion of the director, be required to provide fats, oils, and grease (FOG) interceptors or traps for the proper handling of liquid waste containing FOG or other harmful ingredients. All interceptors or traps shall be of a type and capacity approved by the city, and shall be located so as to be readily and easily accessible for cleaning and inspection. All interceptors or traps shall be supplied and properly maintained for continuous, satisfactory, and effective operation by the user at his expense.

(e) The discharge of any hazardous material, listed in 40 CFR part 261, is expressly forbidden.

(f) All users shall comply with the general prohibitive discharge standards in 40 CFR part 403.5 (a) and (b) of the federal pretreatment regulations.

(g) No person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof runoff, subsurface drainage, cooling water, or unpolluted industrial process waters in any public sewer.

(2) Prohibited wastes. No user shall discharge or deposit any of the following materials, waste materials, waste gases, or liquids into any public sewer forming a part of the city's wastewater system, except where these may constitute occasional, intermittent inclusions in the wastewater discharged from residential premises:

(a) Any wastewater having a temperature that will inhibit biological activity in the wastewater treatment plant or result in other interference with the treatment process, but in no case wastewater with a temperature that exceeds sixty degrees Celsius (60°C) (one hundred forty degrees Fahrenheit (140°F)) at its introduction into the wastewater treatment plant.

(b) Visible floatable fats, oils, or grease (FOG) of animal or vegetable origin in concentrations greater than fifty (50) mg/L or in amounts that, in the discretion of the director, may cause interference or pass through.

(c) Visible floatable petroleum oil, cutting oil, or products of mineral origin in amounts that, in the discretion of the director, may cause interference or pass through.

(d) Substances that will solidify or become viscous at temperatures between zero degrees Celsius (0°C) (thirty-two degrees

Fahrenheit (32° F)) and sixty degrees Celsius (60°C) (one hundred forty degrees Fahrenheit (140°F)).

(e) Any garbage that has not been properly shredded so that no particles are any greater than one-half inch (1/2") in any dimension.

(f) Any waste capable of causing abnormal corrosion, abnormal deterioration, damage, or hazard to structures or equipment of the wastewater system or to humans or animals, or cause interference with proper operation of the wastewater treatment plant. All waste discharged to the wastewater system must have a pH value in the range of six (6) to nine (9) standard pH units. Prohibited materials include, but are not limited to, concentrated acids and alkalis; high concentrations of compounds of sulfur, chlorine, and fluorine; and substances that may react with water to form strongly acidic or basic products.

(g) Any waste having a color that is not removable by the existing wastewater treatment processes and that would cause the plant effluent to exceed color requirements of the State of Tennessee for discharge to the receiving stream, if applicable.

(3) Specific prohibited wastes. No user shall discharge or deposit any of the following materials, waste materials, waste gases, or liquids into any public sewer forming part of the city wastewater system.

(a) Pollutants that create a fire or explosive hazard, including, but not limited to, waste streams with a closed cup flashpoint of less than sixty degrees Celsius (60° C) (one hundred forty degrees Fahrenheit (140°F)) using the test methods specified in 40 CFR 261.21.

(b) Any liquids, solids, or gases that by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any way to the wastewater system or to the operation of the wastewater system. At no time shall two (2) successive readings (fifteen (15) to thirty (30) minutes between readings) on an explosion hazard meter at the point of discharge into the wastewater system be more than five percent (5%), nor any single reading over ten percent (10%), of the Lower Explosive Limit (LEL) of the meter. Prohibited materials covered by this subsection include, but are not limited to, gasoline, kerosene, naphtha, benzene, fuel oil, motor oil, mineral spirits, commercial solvents, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, and hydrides.

(c) Any trucked or hauled pollutants, except at discharge point(s) designated by the director in accordance with § 18-202.

(d) Any solid or viscous substances in quantity or character capable of causing obstruction to flow in public sewers, interference with proper operation of the city's wastewater system, or risks to the health and safety of the city's personnel. Prohibited materials covered by this subsection include, but are not limited to, eggshells from egg processors,

ashes, cinders, ceramic waste, stone or marble dust, sand, mud, straw, shavings, grass clippings, thread, glass, glass grinding or polishing wastes, rags, metal, feathers, bones, tar, plastics, wood, paunch manure, insulation materials, fibers of any kind, stock or poultry feeds, processed grains, spent hops, animal tissues, hair, hides, or fleshings, entrails, whole blood, viscera or other fleshy particles from processing or packing plants, lime or similar sludges, and residues from refining or processing of fuel or lubricating oils.

(e) Any noxious or malodorous solids, liquids, or gases that, either singly or by interaction with other wastes, are capable of creating a public nuisance or hazard to life or are or may be sufficient to prevent entry into a sewer for maintenance and repair.

(f) Any pollutants that result in the presence of toxic gases, vapors, or fumes within the wastewater system in a quantity that may cause worker health and safety problems.

(g) Any substances that may cause wastewater treatment plant effluent, or any other products of the wastewater system such as residues, sludges, or scums, to be unsuitable for reclamation and reuse or to cause interference with the reclamation process. In no case shall a substance discharged to the wastewater system cause the wastewater system to be in noncompliance with sludge use or disposal criteria, guidelines, ordinances, or regulations developed by local, state, or federal authorities.

(h) Any wastewater containing pollutants, including oxygen-demanding pollutants (BOD, etc.), in sufficient quantity, flow, or concentration (either singly or by interaction with other pollutants) to cause interference with the wastewater treatment plant.

(i) Any substance that will cause the sewerage system to violate its SOP permit or water quality standards of the receiving stream.

(j) Any waste that, by interaction with other waste in the wastewater system, may release obnoxious gases, form suspended solids that cause interference with operation of the public sewer, or create conditions deleterious to structures and wastewater treatment processes.

(k) Any form of inflow as defined by § 18-101, including stormwater.

(l) Infiltration determined to be excessive by the director.

(m) Any unpolluted wastewater as defined by § 18-101, except as specifically permitted by the director.

(4) Specific pollutant limitations. No user shall discharge into any public sewer forming part of the city wastewater system any of the following materials in concentrations exceeding the limits stated below:

(a) Any wastes that contain more than ten (10) mg/L of hydrogen sulfide, sulfur dioxide, or nitrous oxide.

(b) Any toxic or poisonous substance or any other materials in sufficient quantity to cause interference with the operation of the city's wastewater treatment plant, to constitute a hazard to humans or animals, or to cause a violation of the water quality standards or effluent standards for the disposal system receiving the effluent from the wastewater treatment plant, or to exceed limitations established by the director or set forth in applicable pretreatment standards as referenced in 40 CFR 403.

(c) Any waste containing suspended solids of such character and quantity that unusual provisions, attention, or expense is required to handle such materials at the city's wastewater treatment plant.

(d) Any waste containing quantities of radium or naturally occurring or artificially produced radioisotopes in excess of presently existing or subsequently accepted limits for drinking water as established by current drinking water regulations promulgated by EPA.

(e) No person shall discharge wastewater containing concentrations of the constituents listed below in excess of the upper limits listed below.

(i) No person with a permit to discharge industrial/commercial waste shall discharge in excess of the following limits.

Protection Criteria

<i>Parameter</i>	<i>Monthly Average (mg/L*)</i>	<i>Daily Maximum (mg/L*)</i>
Chromium, hexavalent	1.0	70
Chromium, trivalent	N/A	2,200
Nickel	56	1100
Cyanide	3.5	52
Zinc	47	180
Cadmium	0.012	1.5
Copper	20	30
Iron	1,500	3,000
Antimony	1,600	9,000
Arsenic	40	440
Lead	0.75	74

Protection Criteria

<i>Parameter</i>	<i>Monthly Average (mg/L*)</i>	<i>Daily Maximum (mg/L*)</i>
Mercury	0.02	4.1
Selenium	35	260
Silver	0.6	1.2
Phenols	N/A	300

* Milligram/liter

These limits are established to comply with published thresholds or ranges for inhibitory effects on the unit operations of the treatment plant. Limits on the concentrations of other metallic constituents and/or toxic substances that may have a detrimental effect on the wastewater treatment plant may be established by the director and/or the state, unless the prospective discharger can prove to the aforementioned parties that such substances are amenable to treatment at the treatment plant. The concentrations listed for the specific pollutants in this paragraph are daily average maximum concentrations in mg/L based on twenty-four (24) hour flow proportional composite samples. The city shall monitor the wastewater treatment plant for each parameter in the above table. In the event that the influent of the wastewater treatment plant reaches or exceeds the level established by this table, the director shall initiate technical studies to determine the cause of the violation and shall recommend to the city the necessary legal measures, including, but not limited to, recommending the establishment of new or revised pretreatment levels.

(ii) Unless specifically authorized by a permit to discharge industrial/commercial waste, no person shall discharge wastewater continuing concentrations of the constituents listed in § 18-105(4)(e) above in excess of levels currently established for wastewater in the city. Such concentration levels shall be established by the director.

(f) The admission into the wastewater system of any waste having a Biochemical Oxygen Demand (BOD) in excess of two hundred (200) mg/L on a twenty-four (24) hour composite basis or any single grab sample having a BOD concentration in excess of one thousand (1,000) mg/L may be subject to review by the director. Where necessary, in the discretion of the director, the user shall provide and operate, at his own expense, such pretreatment facilities as may be required to reduce the BOD to meet requirements specified by the director.

(g) The admission into the wastewater system of any waste having a Total Suspended Solids (TSS) concentration in excess of three hundred (300) mg/L on a twenty-four (24) hour composite basis or for any single grab sample having a TSS concentration in excess of one thousand (1,000) mg/L will be subject to review by the director. Where necessary, in the discretion of the director, the user shall provide and operate, at his own expense, such pretreatment facilities as may be required to reduce the TSS content to meet requirements specified by the director.

(h) The admission into the wastewater system of any waste having a total oil and grease (combined polar and non-polar) content in excess of one hundred (100) mg/L. If the waste stream is of mineral hydrocarbons (non-polar), the content shall not exceed fifty (50) mg/L. If the waste stream is of biological lipids (polar), the content shall not exceed one hundred (100) mg/L. Where necessary, in the discretion of the director, the user shall provide and operate, at his own expense, such pretreatment facilities as may be required to reduce the oil and grease (polar and non-polar) content to meet requirements specified by the director.

(i) The admission into the wastewater system of any waste in volumes or with constituents such that existing conditions in the public sewer or at the city's wastewater treatment plant would be affected to the detriment of the wastewater system will be subject to review by the director. Where necessary, in the discretion of the director, pretreatment or equalizing units may be required to bring constituents or volumes of flow within the limits previously prescribed or to an otherwise acceptable level and to hold or equalize flows so that no peak flow conditions may hamper the operation of any unit of the wastewater system. Said equalization or holding unit shall have a capacity suitable to serve its intended purpose and be equipped with acceptable outlet control facilities to provide flexibility in operation and accommodate changing conditions in the waste flow.

(j) If any federal categorical pretreatment standards are more stringent than limitations imposed by this chapter, the federal categorical pretreatment standards shall immediately supersede the limitations imposed under this chapter. All affected users shall notify the director of the applicable reporting and monitoring requirements imposed by the federal standards within thirty (30) days of passage.

(k) State requirements and limitations shall apply in any case where they are more stringent than federal requirements and limitations or those of this chapter.

(l) The city reserves the right to establish more stringent limitations or requirements on discharges to the wastewater system.

(5) Standards and requirements for food service establishments. Food service establishments, as defined in § 18-101, shall provide means of

preventing grease and oil discharges to the wastewater system. Where a grease and oil interceptor currently exists or is required by the city, it shall be maintained for continuous, satisfactory, and effective operation by the owner, leaseholder, or operator at his expense. Grease and oil interceptors shall be of a type and capacity approved by the city and shall be located as to be readily accessible for cleaning and inspection.

(a) All food service establishments shall have grease-handling facilities approved by the city. Establishments whose grease-handling facilities or methods are not adequately maintained to prevent Fats, Oils, or Grease (FOG) from entering the wastewater system shall be notified in writing by the director of any noncompliance and required to provide a schedule whereby corrections will be accomplished.

(b) All food service establishments' grease-handling facilities shall be subject to review, evaluation, and inspection by the city's representatives during normal working hours. Results of inspections will be made available to the owner or operator. The city may make recommendations for correction and improvement.

(c) Each facility will be issued a grease interceptor/trap maintenance log upon initial inspection. Failure to maintain a log shall constitute a violation of this chapter.

(d) Food service establishments receiving two (2) consecutive unsatisfactory evaluations or inspections shall be subject to penalties or other corrective actions as provided for in this chapter. Two (2) consecutive satisfactory inspections need to be conducted to bring the facility into compliance.

(e) Food service establishments that continue to violate the city's grease standards and requirements shall be subject to additional enforcement action, including termination of service.

(f) Food service establishments whose operations cause or allow excessive FOG to discharge or accumulate in the city's collection system shall be liable to the city for costs related to city service calls for line blockages, line cleanings, line and pump repairs, etc., including all labor, materials, and equipment. If the blockage results in a Sewer System Overflow (SSO), and the city is penalized for the SSO, the penalty shall be passed along to the food service establishment.

(g) Regularly scheduled maintenance of grease-handling facilities is required to ensure adequate operation. In maintaining the grease interceptors and/or grease traps, the owner, leaseholder, or operator shall be responsible for the proper removal and disposal of grease by appropriate means and shall maintain an on-site record of dates and means of disposal.

(h) All grease traps and/or grease interceptors shall be cleaned based on the twenty-five percent (25%) rule or when the discharge exceeds fifty (50) mg/L.

FOR EXAMPLE: If the Total Depth (TD) of the grease interceptor (GI) is forty inches (40"), the maximum allowable depth (d) of floatable grease equals forty inches (40") multiplied by 0.25 or $d=TD \times 0.25$ -10 inches. Therefore, the maximum allowable depth of floatable grease of the vessel should not exceed ten inches (10").

(i) The exclusive use of enzymes, grease solvents, emulsifiers, etc., is not considered acceptable grease trap maintenance practice.

(j) Any food service establishment whose effluent discharge to the wastewater system is determined by the city to cause interference in the conveyance or operation of the wastewater system shall be required to sample the grease interceptor and/or grease trap discharge and have it analyzed for FOG at the expense of the owner, leaseholder, or operator. The city shall approve the sampling plan and shall witness the taking of the samples. The analyses shall be performed by a certified laboratory and the report of such analyses shall be provided to the city.

(k) All grease interceptors and/or grease traps shall be designed and installed to allow for complete access for inspection and maintenance of the inner chamber(s) and viewing and sampling of effluent wastewater discharged to the public sewer. These chambers shall not be visually obscured with soil, mulch, floorings, or pavement of any material.

(l) Food service establishments shall adopt Best Management Practices (BMPs) for handling sources of floatable FOG originating within their facility. A notice shall be permanently posted at a prominent place in the facility advising employees of the BMPs to be followed. The city may render advice regarding the minimization of waste.

(m) Food service establishments shall develop and implement a waste minimization plan pertaining to the disposal of FOG and food particles. The city may render advice or make suggestions regarding the minimization of waste.

(6) Construction standards for new food service establishments. All new food service establishments shall be required to install an outdoor grease interceptor, the design and location of which must be approved in writing by the city prior to installation.

(a) Grease interceptors shall be adequately sized, with no interceptor less than one thousand (1,000) gallons total capacity unless otherwise approved by the city.

(b) The inlet chamber of the vessel will incorporate a PVC open sanitary tee that extends equal to or greater than twelve inches (12") below the water surface. The outlet chamber of the vessel will incorporate a PVC open sanitary tee that extends two-thirds (2/3) below the water surface. The sanitary tees (both inlet and outlet) will not be capped, but opened for visual inspection of the waste stream.

(c) All grease interceptors, whether singular or two (2) tanks in series, must have each chamber directly accessible from the surface to

provide means for servicing and maintaining the interceptor in working and operating condition.

(d) All pot and pan wash, pre-rinse sinks, and scullery and floor drains will connect and discharge to the grease interceptor.

(e) Where automatic dishwashers are not installed, the discharge from those units will discharge directly into the building drainage system without passing through a grease trap, unless otherwise directed by the city.

(f) Where automatic dishwashers are installed, the discharge from those units will discharge directly into the grease interceptor, before entering the building drainage system.

(g) The pre-rinse sink of the automatic dishwasher will discharge directly into the grease interceptor and/or grease traps.

(h) Where food waste grinders are installed, the waste from those units shall discharge directly into the building drainage system without passing through grease interceptor and/or grease traps.

(i) The grease trap is to be installed at least fifteen feet (15') from the last drainage fixture, except as may be approved by the Director.

(j) The grease interceptor is installed at least nine feet (9') from the exterior wall, except as may be approved by the director.

(k) The grease interceptor is not to be installed within a drive-thru pick-up area, underneath menu boards, or in the vicinity of menu boards.

(l) A grease trap may be installed in lieu of a grease interceptor, at the discretion of the city. This determination will be based on engineering concepts that dictate the grease interceptor installation is not feasible. The design and location of the grease trap must be approved in writing prior to installation by the city.

(m) The gallonage capacity of a grease trap shall be equal to or greater than double the gallonage capacity of all drainage fixtures discharging to the grease trap. These fixtures and other potentially grease-containing drains connecting to the grease trap will be determined and approved by the city prior to installation.

(n) No new food service establishments will be allowed to initiate operations until all grease-handling facilities are approved, installed, and inspected by the city.

(o) A basket, screen, or other intercepting device shall prevent passage into the drainage system of solids one-half inch (1/2") or larger in size. The basket or device shall be removable for cleaning purposes.

(7) Construction standards for existing food service establishments. All existing food service establishments shall have grease-handling facilities. Food service establishments without any grease-handling facilities will be given a compliance schedule to have grease-handling equipment installed. Failure to do

so will be considered a violation of this chapter and shall subject the establishment to penalties and/or corrective actions.

(a) In the event that an existing food service establishment's grease-handling facilities are either under-designed or substandard in accordance with this chapter, the owner(s) will be notified in writing of the deficiencies and required improvements and given a compliance schedule.

(b) For cases in which outdoor grease interceptors are infeasible to install, existing food service establishments will be required to install approved under-the-counter grease traps.

(c) Factory-installed flow control fittings must be provided to the inlet side of all under-the-counter grease traps to prevent overloading of the grease trap and to allow for proper operation.

(d) City approval of grease trap design will be obtained prior to installation.

(e) The location of under-the-counter units must be determined and approved by the city prior to installation.

(f) Wastewater from garbage grinders should not be discharged to grease interceptors.

(g) Wastewater from automatic dishwashers should be discharged to grease interceptors.

(h) Wastewater from the pre-rinse sink of the automatic dishwasher shall discharge directly into grease interceptors.

(i) In maintaining grease interceptors, the owner(s) shall be responsible for the proper removal and disposal of captured material and shall maintain records of the dates and means of disposal.

(j) The exclusive use of enzymes, grease solvents, emulsifiers, etc., is not considered acceptable grease trap maintenance practice. All grease interceptors must be cleaned based on the twenty-five percent (25%) rule. (Ord. #O-04-10, Oct. 2010)

18-106. Extension of sewer service. Extensions or modifications of the wastewater system shall be accomplished in accordance with the sewer service extension policy of the city, as may be amended from time to time. (Ord. #O-04-10, Oct. 2010)

18-107. Conflict. (1) Conflict with other ordinances and regulations. All other ordinances and regulations and parts of other ordinances and regulations inconsistent or conflicting with any part of this chapter are hereby repealed to the extent of such inconsistency or conflict. This chapter shall not affect any litigation or other proceedings pending at the time of its adoption.

(2) Conflict with federal, state, or local law. Nothing in this chapter is intended to affect any requirements, including standards or prohibitions established by federal, state, or local law, so long as federal, state, or local

requirements are not less stringent than the requirements set forth in this chapter. (Ord. #O-04-10, Oct. 2010)

18-108. Amendments. The city reserves the right to amend this chapter. (Ord. #O-04-10, Oct. 2010)

18-109. Violations and penalty. Wherever in this title an act is prohibited or is made or declared to be unlawful, the violation of such provision shall be punishable by a civil penalty not to exceed a fifty dollar (\$50.00) fine, in addition to any administrative and/or court costs and fees, and/or in addition to any applicable state or federal penalties. Each day of violation constitutes a separate offense.

CHAPTER 2

SEWER RATES, FEES AND CHARGES

SECTION

18-201. Rates.

18-202. Fees and charges.

18-201. Rates. (1) Free service prohibited. Wastewater service shall not be furnished or rendered free of charge to any person or user, as defined in chapter 1.

(2) Wastewater usage rates. Wastewater service shall be charged at rates established by the City of Blaine. Users will be charged a minimum based on the number of water meters installed unless one (1) water meter is used to serve multiple units. In such cases, each unit will be charged at least the minimum monthly fee for each individual unit served. The monthly wastewater rate schedule shall be on as follows:

City of Blaine Wastewater Fee Schedule

Residential

Thirty-four dollars (\$34.00) (minimum bill) for the first one thousand (1,000) gallons of water used.

All additional gallons of water used are billed at the rate of fifteen dollars (\$15.00) per one thousand (1,000) gallons

Commercial

Thirty-four dollars (\$34.00) (minimum bill) for the first five hundred (500) gallons. Then an additional fifteen dollars (\$15.00) for the first five hundred to one thousand (500-1,000) gallons, then fifteen dollars (\$15.00) for each additional 1,000 gallons used.

Well Users

Thirty-four dollars (\$34.00) (minimum bill). If two (2) or more people reside at the same residence they will be billed for a minimum of two thousand (2,000) gallons (an additional fifteen dollars (\$15.00)) unless proof is made that you use less than two thousand (2,000) gallons a month.

Any residence within three hundred feet (300') of the main sewer line shall be accessed the minimum bill even if they are not connected to the City of Blaine's sewer system.

(3) Delinquent payments. (a) Wastewater usage charges shall be paid by the due date.

(b) Usage charges that are not paid by the due date shall be assessed a penalty in the amount of ten percent (10%) of the amount due. Should wastewater usage charges and related penalties remain unpaid by the tenth day of the month following the due date, the water meter may be removed from service, unless there are extenuating circumstances in the opinion of the city.

(c) It shall be the responsibility of the person to whom the wastewater usage charges are assessed to pay all charges and past due amounts before reconnection of service. (Ord. #O-19-02, _____)

18-202. Fees and charges. (1) Application fee. A non-refundable application fee in the amount of one hundred dollars (\$100.00) shall be paid by the applicant for wastewater service at the time the application is filed with the city.

(2) Connection (tap) fee. A non-refundable fee in the amount appropriate in the following table shall be paid prior to beginning construction of the wastewater facilities to be completed by the applicant, including individual service connections, to cover the cost of the connection to the wastewater system.

Table of Capacity Fees

	<u>Description of Service</u>	<u>Amount</u>
(a)	Single family residential tap fee	\$800.00
(b)	Commercial tap fee	\$800.00

The customer must provide installation of E-1 pumping station, installation of sewer line and any excavation or road bore. Specs for pump and installation can be obtained at Blaine City Hall.

(3) Returned check charge. A charge of thirty dollars (\$30.00) or the amount of the check, whichever is lesser, will be applied to any user or potential user whose check for payment of any rates, fees or charges related to wastewater service is returned to the city due to insufficient funds, or for any other reason.

(4) Reconnection charge. A charge of twenty-five dollars (\$25.00) will be applied to any user which has been disconnected for non-payment before reinstatement will be permitted. (Ord. #O-19-02, _____)