

TITLE 18

WATER AND SEWERS

CHAPTER

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CHAPTER 1

WATER

SECTION

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18-101. Application and scope. The provisions of this chapter are a part of all contracts for receiving water service from the municipality and shall apply whether the service is based upon contract, agreement, signed application, or otherwise. (Ord. #__, Jan. 1962)

18-102. Obtaining service. A formal application for either original or additional service must be made and be approved by the municipality before connection or meter installation orders will be issued and work performed. (Ord. #__, Jan. 1962)

18-103. Application and contract for service. Each prospective customer desiring water service will be required to sign a standard form contract before service is supplied. If, for any reason, a customer, after signing a contract for service, does not take such service by reason of not occupying the premises or otherwise, he shall reimburse the municipality for the expense incurred by reason of its endeavor to furnish such service.

The receipt of a prospective customer's application for service, regardless of whether or not accompanied by a deposit, shall not obligate the municipality to render the service applied for. If the service applied for cannot be supplied in accordance with these rules and regulations and general practice the liability of the municipality to the applicant shall be limited to the return of any deposit made by such applicant. (Ord. #__, Jan. 1962)

18-104. Connection charges. Service lines will be laid by the municipality from the main to the property line. The location of such lines will be determined by the municipality.

When a service line is completed, the municipality shall be responsible for the maintenance and upkeep of such service line from the main to and including the meter and meter box, and such portion of the service line shall belong to the municipality. The remaining portion of the service line beyond the meter box shall belong to and be the responsibility of the customer. (Ord. #__, Jan. 1962)

18-105. Tapping fee. There shall be no tapping fee charged prior to or during construction, but after construction of the system is completed there shall be a tapping fee charge of seven hundred and fifty dollars (\$750.00) for each customer whose premises are located within the corporate limits of the Town of Cornersville and a tapping fee of one thousand dollars (\$1,000.00) for each customer whose premises are located outside the corporate limits of the Town of Cornersville. (Ord. #__, Jan. 1962, as amended by Ord. #93-11, Feb. 1994, and Ord. #96-15, Dec. 1996)

18-106. Deposit required. A deposit of fifty dollars (\$50.00) for each water customer and a deposit of four hundred and fifty dollars (\$450.00) for each sewer customer shall be made and required to secure the payment of monthly bills which deposit shall be returned to the subscriber or customer upon termination of the services provided all charges for water service or sewer service have been paid prior to such termination, but in the event the customer or user is in arrears, then such deposits shall be used in whole or in part in liquidation of such charges in arrears. (Ord. #__, Jan. 1962, modified)

18-107. Meters. All meters shall be installed, tested, repaired, and removed only by the municipality.

No one shall do anything which will in any way interfere with or prevent the operation of a meter. No one shall tamper with or work on a meter without the written permission of the municipality. No one shall install any pipe or other device which will cause water to pass through or around a meter without the passage of such water being registered fully by the meter.

When boring is necessary to set a new meter, the customer will be charged and pay the actual cost of boring. (Ord. #__, Jan. 1962, as amended by Ord. #93-11, Feb. 1994)

18-108. Meter tests. The municipality will, at its own expense, make routine tests of meters when it considers such tests desirable.

In testing meters, the water passing through a meter will be weighed or measured at various rates of discharge and under varying pressures. To be considered accurate, the meter registration shall check with the weighed or measured amounts of water within the percentage shown in the following table:

| <u>Meter Size</u> | <u>Percentage</u> |
|--------------------|-------------------|
| 5/8", 3/4", 1", 2" | 2% |
| 3" | 3% |
| 4" | 4% |
| 6" | 6% |

The municipality will also make tests or inspections of its meters at the request of the customer. However, if a test requested by a customer shows a meter to be accurate within the limits stated above, the customer shall pay a meter testing charge in the amount stated in the following table:

| <u>Meter Size</u> | <u>Test Charge</u> |
|-------------------|--------------------|
| 5/8", 3/4", 1" | \$2.00 |
| 1-1/2", 2" | 5.00 |
| 3" | 8.00 |

| | |
|-------------|-------|
| 4" | 12.00 |
| 6" and over | 20.00 |

If such test show a meter not to be accurate within such limits, the cost of such meter test shall be borne by the municipality. (Ord. #__, Jan. 1962)

18-109. Multiple services through a single meter. No customer shall supply water service to more than one dwelling or premise from a single service line and meter without first obtaining the written permission of the municipality. (Ord. #__, Jan. 1962)

18-110. Billing. Bills for residential water service will be rendered monthly.

Bills for commercial and industrial service may be rendered weekly, semimonthly, or monthly, at the option of the municipality.

Water bills must be paid on or before the discount date shown thereon to obtain the net rate, otherwise the gross rate shall apply. Failure to receive a bill will not release a customer from payment obligation, nor extend the discount date.

In the event a bill is not paid on or before five (5) days after the discount date, a written notice shall be mailed to the customer. The notice shall advise the customer that his service may be discontinued without further notice if the bill is not paid on or before ten (10) days after the discount date. The municipality shall not be liable for any damages resulting from discontinuing service under the provisions of this section, even though payment of the bill is made at any time on the day that service is actually discontinued.

Should the final date of payment of bill at the net rate fall on Sunday or a holiday, the business day next following the final date will be the last day to obtain the net rate. A net remittance received by mail after the time limit for payment at the net rate will be accepted by the municipality if the envelope is date-stamped on or before the final date for payment of the net amount.

If a meter fails to register properly, or if a meter is removed to be tested or repaired, or if water is received other than through a meter, the municipality reserves the right to render an estimated bill based on the best information available. Adjustment of bills will be done by following a written policy as from time to time shall be adopted by the board of mayor and aldermen. (Ord. #__, Jan. 1962, as amended by Ord. #94-08, June 1994)

18-111. Discontinuance or refusal of service. The governing body shall have the right to discontinue service or to refuse to connect service for a violation of, or a failure to comply with, any of the following:

- (1) These rules and regulations.

(2) The customer's application for service.

(3) The customer's contract for service.

The right to discontinue service shall apply to all service received through a single connection or service, even though more than one (1) customer or tenant is furnished services therefrom, and even though the delinquency or violation is limited to only one such customer or tenant.

Discontinuance of service by the municipality for any cause stated in these rules and regulations shall not release the customer from liability for service already received or from liability for payments that thereafter become due under other provisions of the customer's contract. (Ord. #__, Jan. 1962)

18-112. Re-connection charge. Whenever service has been discontinued as provided for above, a re-connection charge of twenty-five dollars (\$25.00) shall be collected by the municipality before service is restored. (Ord. #__, Jan. 1962)

18-113. Termination of service by customer. Customers who have fulfilled their contract terms and wish to discontinue service must give at least three (3) days written notice to that effect unless the contract specifies otherwise. Notice to discontinue service prior to the expiration of a contract term will not relieve the customer from any minimum or guaranteed payment under such contract or applicable rate schedule.

When service is being furnished to an occupant of premises under a contract not in the occupant's name, the municipality reserves the right to impose the following conditions on the right of the customer to discontinue service under such a contract:

(1) Written notice of the customer's desire for such service to be discontinued may be required; and the municipality shall have the right to continue such service for a period of not to exceed ten (10) days after receipt of such written notice, during which time the customer shall be responsible for all charges for such service. If the municipality should continue service after such ten (10) day period subsequent to the receipt of the customer's written notice to discontinue service, the customer shall not be responsible for charges for any service furnished after the expiration of the ten (10) day period.

(2) During the ten (10) day period, or thereafter, the occupant of premises to which service has been ordered discontinued by a customer other than such occupant, may be allowed by the municipality to enter into a contract for service in the occupant's own name upon the occupant's complying with these rules and regulations with respect to a new application for service. (Ord. #__, Jan. 1962)

18-114. Access to customers' premises. The municipality's identified representatives and employees shall be granted access to all customers' premises at all reasonable times for the purpose of reading meters, for testing, inspecting, repairing, removing, and replacing all equipment belonging to the municipality, and for inspecting customers' plumbing and premises generally in order to secure compliance with these rules and regulations. (Ord. #__, Jan. 1962)

18-115. Inspections. The municipality shall have the right, but shall not be obligated, to inspect any installation or plumbing system before water service is furnished or at any later time. The municipality reserves the right to refuse service or to discontinue service to any premises not meeting standards fixed by municipal ordinances regulating building and plumbing, or not in accordance with any special contract, these rules and regulations, or other requirements of the municipality.

Any failure to inspect or reject a customer's installation or plumbing system shall not render the municipality liable or responsible for any loss or damage which might have been avoided, had such inspection or rejection been made. (Ord. #__, Jan. 1962)

18-116. Customer's responsibility for system's property. Except as herein elsewhere expressly provided, all meters, service connections, and other equipment furnished by or for the municipality shall be and remain the property of the municipality. Each customer shall provide space for and exercise proper care to protect the property of the municipality on his premises. In the event of loss or damage to such property arising from the neglect of a customer to care for same, the cost of necessary repairs or replacements shall be paid by the customer. (Ord. #__, Jan. 1962)

18-117. Customer's responsibility for violations. Where the municipality furnishes water service to a customer, such customer shall be responsible for all violations of these rules and regulations which occur on the premises so served. Personal participation by the customer in any such violations shall not be necessary to impose such personal responsibility on him. (Ord. #__, Jan. 1962)

18-118. Supply and resale of water. All water shall be supplied within the municipality exclusively by the municipality, and no customer shall, directly or indirectly, sell, sublet, assign, or otherwise dispose of the water or any part thereof except with written permission from the municipality. (Ord. #__, Jan. 1962)

18-119. Unauthorized use of or interference with water supply.

No person shall turn on or turn off any of the municipality's stop cocks, valves, hydrants, spigots, or fire plugs without permission or authority from the municipality. (Ord. #__, Jan. 1962)

18-120. No free water service.

No water service or private fire protection service shall be furnished or rendered free of charge to any person, firm or corporation. (Ord. #__, Jan. 1962)

18-121. Damages to property due to water pressure.

The municipality shall not be liable to any customer for damages caused to his plumbing or property by high pressure, low pressure, or fluctuations in pressure in the municipality's water mains. (Ord. #__, Jan. 1962)

18-122. Cut-off/cut-on fee.

A cut-off fee and cut-on fee of twenty-five dollars (\$25.00) shall be required from each customer for the service of cutting off and cutting on their water service. (Ord. #__, Jan. 1962, modified)

18-123. Restricted use of water.

In times of emergencies or in times of water shortage, the municipality reserves the right to restrict the purposes for which water may be used by a customer and the amount of water which a customer may use. (Ord. #__, Jan. 1962)

18-124. Interruption of service.

The municipality will endeavor to furnish continuous water service, but does not guarantee to the customer any fixed pressure or continuous service. The municipality shall not be liable for any damages for any interruption of service whatsoever.

In connection with the operation, maintenance, repair, and extension of the municipal water system, the water supply may be shut off without notice when necessary or desirable and each customer must be prepared for such emergencies. The municipality shall not be liable for any damages from such interruption of service or for damages from the resumption of service without notice after any such interruption. (Ord. #__, Jan. 1962)

18-125. Schedule of rates.

All water furnished by the municipality shall be measured or estimated in gallons to the nearest multiple of 1,000 and shall be furnished under such rate schedules as the municipality may from time to time adopt by appropriate ordinance or resolution.¹ (Ord. #__, Jan. 1962)

¹Administrative ordinances and resolutions are of record in the office of the
(continued...)

18-126. Fluoridation of water supply. The Water Department of the Town of Cornersville Tennessee, is hereby authorized and instructed to make plans for the fluoridation of the water supply of Cornersville, Tennessee, to submit such plans to the Department of Health of the State of Tennessee for approval, and upon approval to add such chemicals as fluoride to the water supply in accord with such approval as will adequately provide for the fluoridation of said water supply.

The cost of such fluoridation will be borne by the revenues of the Water Department of the Town of Cornersville, Tennessee. (Ord. #__, June 1967)

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CHAPTER 2

SEWER USE ORDINANCE

SECTION

- 18-201. Definitions.
- 18-202. Requirements for proper sewage disposal.
- 18-203. Building sewers permits and proper connections.
- 18-204. Prohibitions and limitations on wastewater discharges.
- 18-205. User compliance with waste discharge standards.
- 18-206. Major industrial discharge permit system.
- 18-207. Charges and fees (user charge system).
- 18-208. Enforcement procedures and penalties.
- 18-209. Schedule of rates and charges.
- 18-210. Billing.

18-201. Definitions. Unless the context specifically indicates otherwise, the meaning of terms used in this chapter shall be as follows:

(1) "The Act" means Federal Water Pollution Control Act Amendment of 1972, also known as the Clean Water Act, (33 U.S.C. 1251 et. seq.), and subsequent amendments.

(2) "Board" shall mean the Board of Mayor and Aldermen of the Town of Cornersville, Tennessee.

(3) "B.O.D." (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 twenty (20) degrees C., expressed in terms of weight and concentration (milligrams per liter (mg/l)).

(4) "Building drain" shall mean:

(a) That part of the lowest horizontal piping of a constructed drainage system which receives the discharge from soil, waste or other drainage pipes inside the walls of a building, conveying the discharge to the building sewer and at the point which it connects to the building sewer, or

(b) For new construction, the length of the building drain shall be no more than five (5) feet (1.5 meters) in length from the building.

(5) "Building sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.

(6) "C.O.D." (denoting chemical oxygen demand) shall mean the quantity of oxygen utilized in the oxidation of organic matter to carbon dioxide and water expressed in terms of weight and concentration (milligrams per liter (mg/l)).

(7) "Town judge" means that person appointed by the Town of Cornersville Board of Mayor and Aldermen to constitute town court and to try all persons charged with violation of the ordinances of the town.

(8) "Combined sewer" shall mean a sewer receiving both surface runoff and sewage.

(9) "Compatible pollutant" shall mean such pollutants as biochemical oxygen demand, suspended solids, pH and fecal coliform bacteria, plus any additional pollutants as are now and may be in the future specified and controlled in the town's NPDES permit for its wastewater treatment works where said works have been designed and used to reduce or remove such pollutants.

(10) "EPA" shall mean the Environmental Protection Agency, an agency of the United States, or where appropriate, the term may be used as a designation for the administrator or other duly authorized official of said agency.

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

(12) "Grab sample" shall mean single sample which is taken from a waste stream on a one-time basis from one sampling point.

(13) "Incompatible pollutant" shall mean any pollutant which is not a "compatible pollutant" as defined in this section.

(14) "Industrial user" shall mean a source of discharge which introduces pollutants into the sanitary sewer from any non-domestic source regulated under Section 307(b), (c) or (d) of the Act.

(15) "Industrial wastes" shall mean liquid wastes resulting from industrial and manufacturing processes and/or trade and business establishments, as distinct from sanitary wastewater.

(16) "Interference wastes" shall mean inhibition or disruption of the sewer systems, treatment processes or operations (including sludge treatment and disposal processes) which contributes to the violation of any requirements of the town's NPDES permit.

(17) "Major industrial user" shall mean any user which meets or exceeds any of the following criteria:

(a) A non-governmental user which discharges a waste whose characteristics are greater than any of the following:

| | |
|--------------------|------------------|
| Flow | Suspended Solids |
| BOD | Oil and Grease |
| COD | |
| TKN | |
| NH ₃ -N | |

25,000 gallons per day
 62 lbs/day
 125 lbs/day
 12 lbs/day
 6 lbs/day
 62 lbs/day
 21 lbs/day

(b) A nongovernmental user whose industrial wastes contain toxic pollutants, hazardous materials or are subject to "National Pretreatment Standards: Categorical Standards"; and

(c) All commercial users of EPA funded individual systems.

(18) "Monitoring" shall mean the measurement, continuous or intermittent, of wastewater quality and quantity.

(19) "National Pollutant Discharge Elimination System" or "NPDES Permit" shall mean a permit for treated wastewater discharge issued to the town pursuant to Section 402 of the Act.

(20) "National pretreatment standard" or "pretreatment standard" shall mean any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307(b) and (c) of the Act which applies to industrial users. These standards are further segregated as:

(a) "National pretreatment standards: Prohibited discharges" - establishes prohibitions on pollutants introduced into the sanitary sewer system pursuant to 40 CFR Section 403.5 and applies to all industrial users.

(b) "National pretreatment standards: Categorical standards" - specifies quantities or concentrations of pollutants or pollutant properties which may be discharged to the sanitary sewer pursuant to 40 CFR Section 403.6 and applies only to specific industrial categories.

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

(22) "New source" shall mean any building, structure, facility, or installation from which there is or may be a discharge, the construction of which commenced:

(a) After proposal of pretreatment standards in accordance with Section 307(c) of the Act which are applicable to such source; or

(b) After proposal of pretreatment standards in accordance with Section 307(c) of the Act which are applicable to such source, but only if the standards are promulgated in accordance with Section 307(c) within 120 days of their proposal.

(23) "Notice" shall mean notice by certified mail return receipt requested or service by a police officer.

(24) "Owner" shall mean the person having control of the property serviced or to be serviced by the town's wastewater system.

(25) "Pass through" shall mean the discharge of pollutants through the treatment system into a natural outlet in quantities or concentrations which are a cause of or significantly contribute to any violation of the NPDES permit, this includes pollutants subject to "National Pretreatment Standards: Categorical Standards".

(26) "Person" shall mean any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity, or the legal representatives, agents, or assigns. The masculine gender shall include the feminine, the singular shall include the plural where indicated by the context.

(27) "pH" means the hydrogen ion activity of a solution and is expressed as the logarithm of the reciprocal of the hydrogen ion activity in moles per liter at a given temperature.

(28) "Pollution" shall mean the man-made or man-induced alteration of the chemical, physical, biological or radiological integrity of water.

(29) "Pretreatment facility" or "pretreatment" shall mean the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of discharging or otherwise introducing such pollutants into the treatment system. The reduction or alteration can be obtained by physical, chemical, or biological processes, process changes or by other means, except as prohibited by 40 CFR Section 403.6(d).

(30) "Pretreatment requirement" shall mean any substantive or procedural requirement related to pretreatment other than a national pretreatment standard, imposed on an industrial user.

(31) "Process water" shall mean "industrial wastes" as described in this section.

(32) "Public sewer" shall mean a sewer in which all owners of abutting properties have equal rights and is controlled by public authority.

(33) "Publicly Owned Treatment Works" or "POTW" shall mean a treatment works as defined by Section 212 of the Act, which is owned by a municipality. This definition includes any sewers that convey wastewater to such a treatment works, but does not include pipes, sewers or other conveyances not connected to a facility providing treatment. The term also means the municipality as defined in Section 502(A) of the Act, which has jurisdiction over the indirect discharges to and the discharges from such a treatment works.

(34) "Replacement" shall mean expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the service life of the wastewater treatment works to maintain the capacity and

performance for which such works were designed and constructed. The term operations and maintenance includes replacement.

(35) "Sanitary sewer" shall mean a sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.

(36) "Sanitary wastewater" shall mean liquid wastes discharges from: the sanitary conveniences at dwellings (including apartment houses and motels), office buildings, industrial plants, or institutions and from the noncommercial preparation, cooking and handling of food, as distinct from industrial wastes.

(37) "Sewage" or "wastewater" shall mean a combination of the water carried wastes from residences, business building, institutions, and industrial establishments, together with such ground, surface, and storm waters as may be present.

(38) "Sewer" shall mean a pipe or conduit for carrying sewage.

(39) "Shall" is mandatory; "May" is permissive.

(40) "Slug" shall mean wastewaters at a flow rate or containing such concentrations or quantities of pollutants that exceeds for any time period longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration, quantities or flow during normal operation and that would cause a treatment process upset and subsequent loss of treatment efficiency.

(41) "Standard Industrial Classification" or "SIC" shall mean a classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1972.

(42) "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.

(43) "Superintendent" shall mean the person appointed by the board of mayor and aldermen.

(44) "Suspended solids" shall mean the total suspended matter that is in suspension or floating on the surface in water, sewage, or other liquids, and which are removable by laboratory filtering, expressed in terms of weight and concentration (milligrams per liter (mg/l)).

(45) "Town" shall mean the Town of Cornersville.

(46) "Toxic pollutant" shall mean any pollutant or combination of pollutants listed as toxic in regulations promulgated by the Administrator of the Environmental Protection Agency under the provisions of 33 U.S.C. 1317.

(47) "Twenty-four hours, flow proportional composite sample" shall mean a sample consisting of several effluent portions collected during a twenty-four (24) hour period in which the portions of sample are proportionate to the flow to combine to form a representative sample.

(48) "Useful life" shall be the estimated period during which a treatment works will be operated.

(49) "User" shall mean any individual, firm, company, association, society, corporation or group.

(50) "User charge" shall mean a charge levied on users of the wastewater treatment works for the cost of operation and maintenance of such works.

(51) "Wastewater treatment works" shall mean all facilities for collecting, pumping, treating and disposal of sewage.

Scientific terms not otherwise defined herein shall be as adopted in the latest edition of Standard Methods for the Examination of Water and Wastewater, published by the American Public Health Association and the American Water Works Association and the Water Pollution Control Federation. (Ord. #86-01, May 1986, as amended by Ord. #94-05, April 1994)

18-202. Requirements for proper sewage disposal. (1) Disposal of human and animal excrements. It shall be unlawful for any user to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the Town of Cornersville or any area under the jurisdiction of the said town, any human or animal excrement, garbage, or other objectionable waste.

(2) Discharge of sewage or polluted waters. It shall be unlawful to directly discharge to any natural outlet within the Town of Cornersville or in any area under the jurisdiction of the said town, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this chapter.

(3) Septic tank, cesspool, privy vault, and privy construction. Except as hereafter 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.

(4) Requirement of sewer connections. (a) Requirements. Except as provided in (5) of this section, the owner of all houses, buildings or properties used for human occupancy, employment, recreation, or other purposes, situated within the town and/or its jurisdictional territory 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 sanitary sewer of the town, 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 chapter, within sixty (60) days after date of official notice to do so, provided that said public sewer is within 500 feet of building drain as defined herein.

(b) Private sewage pumping station. Any residence, office, recreational facility, or other establishment used for human occupancy where the building drain is below the elevation to obtain a grade equivalent to 1/8 inch per foot in the building sewer but is otherwise accessible to a public sewer as provided in this section, the owner shall provide, at their expense, a private sewage pumping station as provided in § 18-203(6)(h).

(5) Private discharge to receiving stream. The owner of a manufacturing facility may discharge wastewater to the waters of the state provided that he obtains an NPDES permit and meets all requirements of the Federal Clean Water Act, the NPDES permit, and any other applicable local, state, or federal statutes and regulations.

(6) Private domestic wastewater disposal.

(a) Availability. (i) Where a public sanitary sewer is not available under the provisions of § 18-202(4), the building sewer shall be connected to a private wastewater disposal system complying with the provisions set forth hereafter.

(ii) Where a public sewer becomes available, the building sewer shall be connected to said sewer at owner's expense within sixty (60) days after date of official notice to do so.

(b) Requirements. (i) A private domestic wastewater disposal system may not be constructed within the service area unless and until a certificate is obtained from the superintendent stating that a public sewer is not accessible to the property and no such sewer is proposed for construction in the immediate future. No certificate shall be issued for any private domestic wastewater disposal system employing subsurface soil absorption facilities where the area of the lot is less than that specified by the superintendent and Marshall County Health Department.

(ii) Before commencement of construction of a private sewage disposal system, the owner shall first obtain written permission from the superintendent and Marshall County Health Department. The owner shall supply any plans, specifications, and other information as are deemed necessary by the superintendent and Marshall County Health Department.

(iii) A private sewage disposal system shall not be placed in operation until the installation is completed to the satisfaction of the superintendent and Marshall County Health Department. They shall be allowed to inspect the work at any stage of construction and, in any event, the owner shall notify the Town of Cornersville and Marshall County Health Department when the work is ready for final inspection, and before any underground

portions are covered. The inspection shall be made within a reasonable period of time after the receipt of notice by the superintendent and Marshall County Health Department.

(iv) The type, capacity, location, and layout of a private sewage disposal system shall comply with all recommendations of the Tennessee Department of Health and the Town of Cornersville and Marshall County Health Department. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

(v) The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the town.

(vi) No statement contained in this section shall be construed to interfere with any additional requirements that may be imposed by the superintendent and Marshall County Health Department. (Ord. #90-08, Sept. 1990)

18-203. Building sewer permits and proper connections.

(1) Sewer connections. No unauthorized user shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenances thereof without first obtaining a written permit from the superintendent.

(2) Building sewer permits. There shall be two (2) classes of building sewer permits:

(a) For residential and commercial service, and

(b) For service to establishments producing industrial wastes.

In either case, the owner or his agent shall make application on a special form furnished by the town. Their permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgement of the superintendent. A permit and inspection fee of ten dollars (\$10.00) shall be paid to the town at the time the application is filed.

(3) Cost of sewer connection. Each owner or user shall be responsible and pay for the construction of the building sewer, including the costs of tap fees and/or hookup charges and acquisition of building sewer easements. The owner or user shall indemnify the town for any loss or damage that may directly or indirectly be caused by the construction of the building sewer.

(4) Users per connection. A separate and independent building sewer shall be provided for every building; except where the superintendent approves more than one connection to a septic tank as provided by the requirements of this chapter. No more than three (3) connections shall ever be made to a single septic tank.

(5) Use of existing sewer connection. Old building sewers, particularly existing service line, may be used in connection with new buildings only when

they are found, on examination and test by the superintendent, to meet all requirements of this chapter.

(6) Design consideration for building sewers. 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 following requirements:

(a) The minimum size of a building sewer shall be four (4) inches.

(b) The minimum depth of a building sewer shall be eighteen (18) inches.

(c) Four (4) inch building sewers shall be laid on a grade greater than 1/8 inch per foot. Larger building sewers shall be laid on a grade that will produce a velocity when flowing full of at least 2.0 feet per second.

(d) Slope and alignment of all building sewers shall be neat and regular.

(e) Building sewers shall be constructed only of:

(i) Concrete or clay sewer pipe using rubber or neoprene compression joints of approved type;

(ii) Cast iron soil pipe with leaded or compression joints;
(iii) Polyvinyl chloride pipe with solvent welded or with rubber compression joints of approved type; or

(iv) Such other materials of equal or superior quality as may be approved by the superintendent. Under no circumstances will cement mortar joints be acceptable.

(f) A cleanout shall be located five (5) feet outside of the building, one as it taps onto the utility lateral and one at each change of direction of the building sewer which is greater than 45 degrees. Additional cleanouts shall be placed not more than seventy-five (75) feet apart in horizontal building sewers of four (4) inch nominal diameter and not more than one hundred (100) feet apart for larger pipes. Cleanouts shall be extended to or above the finished grade level directly above the place where the cleanout is installed. A "Y" (wye) and 1/8 bend shall be used for the cleanout base. Cleanouts shall not be smaller than four (4) inches on a four (4) inch pipe.

(g) Connections of building sewers to the public sewer system shall be made at the appropriate existing wye or tee branch using compression type couplings or collar type rubber joint with corrosion resisting or stainless steel bands. Where existing wye or tee branches are not available, connections of building services shall be made by either removing a length of pipe and replacing it with a wye or tee fitting or

installing a tee-saddle or tee-insert of a type approved by the superintendent. All such connections shall be made gas-tight and watertight.

(h) The building sewer may be brought into the building below the basement floor when gravity flow from the building to the sanitary sewer is at a grade of 1/8 inch per foot or more if possible. In cases where basement or floor levels are lower than the ground elevation at the point of connection to the sewer, adequate precautions by installation of check valves or other backflow prevention devices to protect against flooding shall be provided by the owner. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer at the expense of the owner.

(i) The methods to be used in excavating, placing of pipe, jointing, testing, backfilling the trench, or other activities in the construction of a building sewer which have not been described above shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the town or to the procedures set forth in appropriate specifications of the American Society of Testing Materials (ASTM) and Water Pollution Control Federal (WPCF) Manual of Practice No. 9. Any deviation from the prescribed procedures and materials must be approved by the superintendent before installation.

(j) An installed building sewer shall be gas tight and water tight.

(7) Maintenance of building sewers. Each owner or user shall be responsible and pay for the installation and maintenance of the building drain, POTW, grease trap, grinder or other device peculiar to the use of and located on private property. Installation and maintenance shall be according to town's specifications and repairs or replacements shall be as deemed necessary by the superintendent.

(8) Illegal connections. No user shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of uncontaminated surface runoff or groundwater to a building sewer or building which in turn is connected directly or indirectly to a public sanitary sewer.

(9) Design considerations for connecting building and public sewers.

(a) 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 town, or the procedures set forth in appropriate specifications of the ASTM and the WPCF Manual of Practice No. 9. All such connections shall be made gas tight and water tight. Any deviation from the prescribed procedures and materials must be approved by the superintendent before installation.

(b) The sewer connection and all building sewers from the building to the public sewer main line shall be inspected by the superintendent or his authorized representative before the underground portion is covered.

(10) Inspection of building sewers. The applicant for the building sewer permit shall notify the superintendent when the building is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the superintendent or his representative. (Ord. #86-01, May 1986, as amended by Ord. #90-08, Sept. 1990, and Ord. 94-05, April 1994)

18-204. Prohibitions and limitations on wastewater discharges.

(1) Special agreements. Nothing in this section shall be construed as preventing any special agreement or arrangement between the town and any user of the wastewater treatment system whereby wastewater of unusual strength or character is accepted into the system and specifically treated subject to any payments or user charges as may be applicable. This special agreement shall be implemented by a "Major Industrial Discharge Permit", § 18-205. The making of such special agreements or arrangements between the town and the user shall be strictly limited to the capability of the sewage works to handle such wastes without interfering with unit operations or sludge use and handling or allowing the pass through of pollutants which would result in a violation of the NPDES permit.

(2) Wastes excluded from discharge into Cornersville's sewerage system. All industrial users shall be subject to "National Pretreatment Standards: Prohibited Discharges" as detailed in 40 CFR, section 403.5. In addition, no user shall discharge or allow to be discharged into the sewerage works any of the materials.

(a) Unpolluted waters. This includes uncontaminated storm water, surface water, ground water, roof runoff, subsurface drainage uncontaminated cooling water, or unpolluted industrial process waters to sanitary sewer. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the (Tennessee Stream Pollution Control Board). Industrial cooling water or unpolluted process waters may be discharged, on approval of the (Tennessee Stream Pollution Control Board), to a storm sewer, or natural outlet.

(b) Solid or viscous waters. Solid or viscous substances which will or may cause obstruction to the flow in a sewer, or otherwise interface with the proper operation of the wastewater treatment system. Prohibited materials include, but are not limited to, grease, uncomminuted garbage, animal guts or tissues, paunch manure, cannery wastes, bones, hair, hides or fleshings, entrails, whole blood, feathers,

bulk solids, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wool, plastic, tar, asphalt residues, painting residues, residues from refining or processing of fuel or lubricating oil, and similar substances.

(c) Explosive mixtures. Liquids, solids, or gases which 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 an other way to the sewage works or to the operation of the system. At no time shall two successive readings on an explosion hazard meter, at the point of discharge into the sewer system, be more than five percent (5%) nor any single reading over ten percent (10%) of the Lower Explosive Limit (L.E.L.) of the meter. Controlled materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, zylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides.

(d) Improperly shredded garbage. Garbage that has not been ground or comminuted to such a degree that all particles will be carried freely in suspension under flow conditions normally prevailing in the public sewers, with no particle greater than one-half (1/2) inch (1.27 centimeters) in any dimension.

(e) Corrosive wastes. Any waste which will cause corrosion or deterioration of the wastewater treatment works. All wastes discharged to the public sewer system must have a pH value in the range of five (5) to nine (9) standard units. Prohibited materials, include, but are not limited to acids, sulfides, concentrated chloride and fluoride compounds and substances which will react with water to form acidic products.

(f) Oils and grease. Any waters or wastes containing fats, wax, grease, or oil, 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) or one hundred fifty (150) degrees F (0 and 65°C).

(g) Noxious materials. Noxious or malodorous solids, liquids or gases, which, either single 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 its maintenance and repair.

(h) Discolored materials. Wastes with objectionable color such as dye waste.

(i) Toxic substances. Any toxic substances in amounts exceeding standards promulgated by the Administrator of the United States Environmental Protection Agency pursuant to Section 307 (a) of the Act, and chemical elements or compounds, phenols, or any other

substances which are not susceptible to treatment or which may interfere with the biological processes or efficiency of the treatment system, or that will pass through the system.

(j) Radioactive wastes. Radioactive wastes or isotopes of such half-life or concentration that they do not comply with regulations or orders issued by the appropriate authority having control over their use and which will or may cause damage or hazards to the sewerage facilities or personnel operating the system.

(k) High temperature wastes. Any liquid or vapor having a temperature higher than one hundred four (104) degrees Fahrenheit, forty (40) degrees Centigrade.

(3) Limitation on wastewater discharges. No person shall discharge or convey, or permit, or allow to be discharged or conveyed to a public sewer any wastewater containing pollutants of such character or quantity that will:

(a) Require unusual attention or expense to handle at the wastewater treatment facilities.

(b) Constitute a hazard to human or animal life, or to the stream or water course receiving the treatment plant effluent.

(c) Violate national pretreatment standards as promulgated by the EPA with appropriate effective dates.

(d) Cause the treatment plant to experience problems with unit operations, sludge handling and disposal options or compliance with its NPDES permit limitations. More specifically, concentrations shall not exceed the amounts as detailed in Table 1 "Protection Criteria Parameters." (TABLE 1 FOLLOWS)

TABLE 1

PROTECTION CRITERIA PARAMETERS

| <u>Constituent</u> | <u>Daily Average¹ Concentration (mg/l)²</u> |
|---------------------------|---|
| Compatible Pollutants: | |
| Biochemical Oxygen Demand | 300 |
| Chemical Oxygen Demand | 600 |
| Total Suspended Solids | 300 |
| Nitrogen (Total Kjeldahl) | 60 |
| Fats, Oil and Grease | 100 |

Incompatible Pollutants:

| | |
|-----------------------|------------------|
| Antimony | 5.0 |
| Arsenic | 1.0 |
| Boron | 1.0 |
| Cadmium | 0.02 |
| Chromium (hexavalent) | 0.5 |
| Chromium (Total) | 2.0 |
| Copper | 1.0 |
| Cyanide | 1.0 |
| Lead | 0.1 |
| Mercury | 0.05 |
| Nickel | 3.0 |
| Pesticides | BDL ³ |
| Selenium | 0.1 |
| Silver | 1.0 |
| Zinc | 2.0 |

¹Based on 24-hour flow proportional composite samples.

²Based on design capacity of plant.

³BDL Below Detectable Limit.

TABLE 1 (continued)

(a) Additional constituents shall be added as needed to protect the treatment works.

(b) Dilution of any wastewater discharge for the purpose of satisfying these requirements shall be considered a violation of this chapter.

(c) "Slugs", as defined in § 18-201(40) shall be avoided.

(d) Wastewater discharges which substantially differ in nature or constituents from the users average discharge shall be prohibited unless prior approval is obtained, in writing, from the superintendent.

(e) In the event that the influent at the POTW reaches or exceeds acceptable levels, the superintendent shall initiate technical studies to determine the cause of the influent violation and shall recommend to the town the necessary remedial measures, including, but not limited to, recommending the establishment of new or revised pretreatment levels for these parameters. The superintendent shall also recommend changes to any of these criteria in the event that: the POTW effluent standards are changed, there are changes in any applicable law or regulation affecting same, or changes are needed for more effective operation of the POTW. (Ord. #86-01, May 1986)

18-205. User compliance with waste discharge standards.

(1) Regulatory actions. Disposal into the sewer system by any person is unlawful except in compliance with federal standards promulgated pursuant to the Federal Water Pollution Control Act Amendments of 1972 (FWPCA), and any more stringent state and local standards. If any waters or wastes are discharged or are proposed to be discharged to the public sewers, and contain the substances or possess the characteristics enumerated in § 18-204 or the criteria established by the federal government on discharge of toxic and hazard materials or violates the treatment facilities protection criteria and which in the judgement of the superintendent and/or the Division of Water Quality Control, Tennessee Department of Health, 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) Require a "Major Industrial Discharge Permit" as described in § 18-206.

(b) Prohibit the discharge of such wastewater; this includes the right to disconnect the users connection with sewer system, (§ 18-208(2)).

(c) Require a discharger to demonstrate that in-plant modifications will reduce or eliminate the discharge of such substances in conformity with this chapter.

(d) Require pretreatment, including storage facilities or flow equalization necessary to reduce or eliminate objectionable characteristics or substances so that the discharge will not violate these rules and regulations.

(e) Require grease, oil, and sand interceptors (separation facilities) 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 and inspection.

(f) Require the person making, causing or allowing the discharge to pay any additional cost or expense incurred by the town for handling and treating excess loads imposed on the treatment system.

(g) Take such other remedial action as may be deemed to be desirable or necessary to achieve the purpose of this chapter.

(2) Right of entry. Whenever it shall be necessary for the purpose of these rules and regulations, the superintendent, or his authorized representative, upon the presentation of credentials, may enter upon any property or premises at reasonable times for the purpose of:

(a) Copying any records required to be kept under provisions of this chapter;

(b) Inspecting any monitoring equipment or method; and

(c) Sampling any discharge of wastewater to the treatment works. The superintendent may enter upon the property at any hour under emergency circumstances. EPA and/or state health department representatives may also enter upon properties or premises but only when accompanied by the superintendent.

(3) Personal injury. While performing work on private property, the town's superintendent and employees shall observe all safety rules applicable to the premises established by the owner/user; if such safety rules are made known to the town's superintendent and/or employees. The owner/user shall be held harmless for the injury or death of town employees and the town shall indemnify the owner/user against loss or damage to its property by town employees and against liability claims and demands for personal injury or property damage asserted against the owner/user and growing out of the gauging and sampling operation, except as may be caused by negligence of the owner/user to maintain safe conditions.

(4) Protection from accidental discharge. Each user shall provide protection from accidental discharge of prohibited materials or other wastes regulated by this chapter. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner or

operator's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the superintendent for review, and shall be approved by him before construction of the facility, except as provided in the "Major Industrial Discharge Permit". Review and approval of such plans and operating procedures shall not relieve the user from the responsibility to modify his facility as necessary to meet the requirements of this chapter.

(5) Reporting of accidental discharge. If for any reason a facility does not comply with or will be unable to comply with any prohibition or limitations in this chapter or the users permit, the facility responsible for such discharge shall immediately notify the superintendent so that corrective action may be taken to protect the treatment system. In addition, a written report addressed to the superintendent detailing the date, time and cause of the accidental discharge, the quantity and characteristics of the discharge and corrective action taken to prevent future discharges shall be filed by the responsible facility within five (5) days of the occurrence of the noncomplying discharge. (Ord. #86-01, May 1986, as amended by Ord. #94-05, April 1994)

18-206. Major industrial discharge permit system. (1) Wastewater discharge permits required. All major industrial users (as defined in § 18-201) proposing to connect to or discharge into any part of the wastewater treatment system must first obtain a discharge permit. [All existing major users connected to or discharging to any part of the town system must obtain a wastewater discharge permit within ninety (90) days from and after the effective date of this ordinance]. The superintendent has final authority on who qualifies as a "major industrial user".

(2) Permit application. Users seeking a wastewater discharge permit shall complete and file with the superintendent an acceptable application. In support of this application, the user shall submit the following information:

(Note: the superintendent may, on a case by case bases, either require additional information or delete certain requirements at his discretion).

- (a) Name, address, and SIC number of applicant;
- (b) Volume of wastewater to be discharged;
- (c) Wastewater constituents and characteristics including, but not limited to, those set forth in § 18-204 and Table 1 of this chapter, as determined in accordance with the current edition of "Standard Methods for the Examination of Water and Wastewater";
- (d) Location of discharge point(s), accompanied with appropriate sketches;
- (e) Average and peak wastewater flow rates, including daily, monthly, and seasonal variations, if any;

(f) Site plans, floor plans, mechanical and plumbing plans and details to show all sewers and appurtenances by size, location and elevation;

(g) Description of activities, facilities and plant processes on the premises including all materials and types of materials which are, or could be discharged;

(h) Each product produced by type, amount, and rate of production;

(i) Complete description of pretreatment or flow equalization facilities;

(j) Other information that may be defined by the superintendent for reasonable evaluation of the permit application.

The receipt by the town of a prospective customer's application for wastewater discharge permit shall not obligate the town to render the wastewater collection and treatment service. If the service applied for cannot be supplied in accordance with this chapter or the town's rules and regulations and general practice, the application shall be rejected and there shall be no liability of the town to the applicant of such service.

(3) Permit conditions. Wastewater discharge permits shall be expressly subject to all provisions of this chapter and all other regulations, user charges and fees established by the town. The conditions of wastewater discharge permits shall be uniformly enforced in accordance with this chapter, and applicable state and federal regulations. Permit conditions will include the following:

(a) The average and maximum wastewater constituents and characteristics;

(b) Limits on rate and time of discharge or requirements for flow regulations and equalizations;

(c) Requirements for installation of inspection and sampling facilities, and specifications for monitoring programs;

(d) Requirements for maintaining and submitting discharge reports and plant records relating to wastewater discharges;

(e) Daily average and daily maximum discharge rates, or other appropriate conditions when pollutants subject to limitations and prohibitions are proposed or present in the user's wastewater discharge;

(f) Compliance schedules;

(g) Other conditions to ensure compliance with this chapter.

(4) Duration of permits. Permits shall be issued for a specified time period, not to exceed four (4) years, unless obligated by prior contractual agreement. If the user is not notified by the superintendent thirty (30) days prior to the expiration of the permit, the permit shall automatically be extended for 24 months. The terms and conditions of the permit may be subject to modification and change by the superintendent during the life of the permit.

The user shall be informed of any proposed changes in his permit at least sixty (60) days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

(5) Transfer of a permit. Wastewater discharge permits are issued to a specific user for a specific operation. A wastewater discharge permit shall not be reassigned or transferred or sold to a new owner, new user, different premises, or a new or changed operation.

(6) Revocation of permit. Any user who violates the following conditions of his permit or of this chapter, or of applicable state and federal regulations, is subject to having his permit revoked. Violations subjecting a user to possible revocation of his permit include but are not limited to the following:

(a) Failure of a user to accurately report the wastewater constituents and characteristics of his discharge;

(b) Obtaining a permit by misrepresenting or failing to disclose fully all relevant facts;

(c) Failure of the user to report significant changes in operations or wastewater constituents and characteristics;

(d) Refusal of reasonable access to the user's premises for the purpose of inspection or monitoring; or

(e) Violation of terms and conditions of the permit.

(7) Permit appeal procedure. An industry shall have the right to appeal all items established in the discharge permit. The procedure shall be as follows:

A written notice signed by the person in charge of the industry seeking an appeal hearing, shall be delivered by registered mail to the superintendent outlining the permit provisions which the user wishes to appeal. The superintendent shall then have thirty (30) days from the time of receipt of the notice to notify the Tennessee Department of Health and the Cornersville board of mayor and aldermen that an appeal hearing will be held. A hearing shall then be conducted and all grievances alleged by the user shall be discussed, and appropriate decisions rendered by the superintendent. Any decisions which in the judgement of the user are inappropriate may be appealed to the Cornersville board of mayor and aldermen by filing a written notice with said board within fourteen (14) days after completion of the first hearing. The board of mayor and aldermen shall have then forty-five (45) days in which to notify the Tennessee Department of Health that a grievance still exists, and to convene a meeting of the board to hear all unresolved grievances and issue appropriate decisions. The user and/or superintendent shall have the right to appeal any and all decisions to the Tennessee Department of Health. Exemptions or variances of the

protection criteria established for the system shall not be granted during this appeal procedure.

Nothing in this section shall affect a person's right to appeals provided by state law. (Ord. #86-01, May 1986)

18-207. Charges and fees (user charge system). (1) Purpose of charges and fees. A schedule of charges and fees shall be adopted by the Town of Cornersville which will enable it to comply with the revenue requirements of Section 204 of the Clean Water Act. Charges and fees shall be determined in a manner consistent with regulations of the Federal Grant Program to ensure that sufficient revenues are collected to defray the cost of operating and maintaining, including replacement, adequate wastewater collection and treatment systems. Specific charges and fees shall be adopted by a separate ordinance, this section describes the procedure to be used in calculating the charges and fees. Additional charges and fees to recover funds for capital outlay, bond service costs, and capital improvements may be assessed by the Town of Cornersville. These charges and fees shall be recovered through the user classification established below.

(2) Classification of user. All users shall be classified by the superintendent either by assigning each one to a "user classification" category according to the principal activity conducted on the user's premises, by individual user analyzation, or by a combination thereof. The purpose of such collective and/or individual classification is to facilitate the regulation of wastewater discharges based on wastewater constituents and characteristics.

(3) Types of charges and sewer fees. The charges and fees as established in treatment works schedule of charges and fees, may include, but not be limited to:

- (a) User classification charges;
- (b) Fees for monitoring requested by user;
- (c) Fees for permit applications;
- (d) Appeal fees;
- (e) Charges and fees based on wastewater constituents and characteristics;
- (f) Fees for use of garbage grinders;
- (g) Fees for holding tank wastes.

(4) Basis of determination of charges. Charges and fees may be based upon a minimum basic charge for each premise, computed on the basis of "normal wastewater" from a domestic premise with the following characteristics:

| | |
|--------------------|--------------------------|
| BOD ₅ | 300 milligrams per liter |
| COD | 600 milligrams per liter |
| TKN | 60 milligrams per liter |
| NH ₃ -N | 30 milligrams per liter |

| | |
|----------------------|--------------------------|
| Suspended Solids | 300 milligrams per liter |
| Fats, Oil and Grease | 100 milligrams per liter |

The charges and fees for all classifications of users other than the basic domestic premise shall be based upon the relative difference between the average wastewater constituents and characteristics of that classification as related to those of a domestic premise.

The charges and fees established for permit users shall be based upon the measured or estimated constituents and characteristics of the wastewater discharge of that user which may include, but not be limited to, BOD, COD, SS, NH₃ as N, chlorine demand, and volume.

(5) User charges. Each user shall be levied a charge for payment of bonded indebtedness of the treatment system and for that user's proportionate share of the operations and maintenance costs of the system. A surcharge will be levied against those users with wastewater that exceeds the strength of "Normal Wastewater".

The user charge will be computed from a base charge plus a surcharge. The base charge will be the user's proportionate share of the costs of operation and maintenance (O&M) including replacement for handling its periodic volume of "Normal Wastewater".

(a) Operation and maintenance user charges. Each user's share of operation and maintenance costs will be computed by the following formula:

$$Cu = \frac{Ct}{Vt} X (Vu)$$

Where:

| | | |
|----|---|--|
| Cu | = | User's charge for O & M per unit of time. |
| Ct | = | Total O & M cost per unit of time. |
| Vt | = | Total volume contribution from all users per unit of time. |
| Vu | = | Volume contribution from a user per unit of time. |

Operation and maintenance charges may be established on a percentage of water use charge only in the event that water use charges are based on a constant cost per unit of consumption.

(b) Surcharges. The surcharge will be the user's proportionate share of the O & M costs for handling its periodic volume of wastewater which exceeds the strength of BOD₅, suspended solids, and/or other elements in "Normal Wastewater" including "toxic wastes". The amount of the surcharge shall be determined by the following formula:

$$C_s = [(B_c \times B) + (S_c \times S) + (P_c \times P)] V_u$$

| | | | |
|--------|-------|---|---|
| Where: | C_s | = | Surcharge for wastewaters exceeding the strength or "normal wastewater" expressed in dollars per billing period. |
| | B_c | = | O & M cost for treatment of a unit of BOD_5 expressed in dollars per pound. |
| | B | = | Concentration of BOD_5 from a user above the base level of 2.50 lbs/1,000 gallons expressed in pounds per 1,000 gallons. |
| | S_c | = | O & M costs for treatment of a unit of suspended solids expressed in dollars per pound. |
| | S | = | Concentration of suspended solids from a user above the base level of 2.50 lbs/1,000 gallons expressed in pounds per 1,000 gallons. |
| | P_c | = | O & M cost for treatment of a unit of any pollutant which the publicly-owned treatment works is committed to treat by virtue of an NPDES permit or other regulatory requirement expressed in dollars per pound. |
| | P | = | Concentration of any pollutant from a user above base level. Base levels for pollutants subject to surcharges will be established by the superintendent. |
| | V_u | = | Volume contribution of a user per billing period. (Expressed in thousands of gallons). |

The values of parameters used to determine user charges may vary from time to time. Therefore, the superintendent is authorized to modify any parameter or value as often as necessary. Review of all parameters and values shall be undertaken whenever necessary; but in no case less frequently than annually.

(6) Notification. Each user shall be notified, at least annually, in conjunction with a regular bill, of the rate and that portion of the user charges which are attributable to wastewater treatment services.

(7) Biennial review of operation and maintenance charges. The Town of Cornersville shall review not less often than every two (2) years the wastewater contribution of users and user classes, the total costs of operation and maintenance of the treatment works and its approved user charge system. The town shall revise the charges for users or user classes to accomplish the following:

- (a) Maintain the proportionate distribution of operation and maintenance costs among users and user classes as required herein;
- (b) Generate sufficient revenue to pay the total operation and maintenance costs necessary to the proper operation and maintenance (including replacement) of the treatment works; and
- (c) Apply excess revenues collected from a class of users to the costs of operation and maintenance attributable to that class for the next year and adjust the rate accordingly.

(8) Appeal procedure. An owner or user shall have the right to appeal any and all charges and fees assessed against him. The procedure shall be as follows:

A written notice, signed by the owner or user seeking an appeal hearing, shall be delivered by certified mail to the superintendent outlining the fees and charges which the user wishes to appeal. The superintendent shall then have thirty (30) days from the time of receipt of the notice to notify the Tennessee Department of Health and the board that an appeal hearing will be held. A hearing shall then be conducted and all grievances alleged shall be discussed, and appropriate decisions rendered by the superintendent. Any decisions which in the judgment of the owner or user are incorrect may be appealed to the board by filing notice with the board within fourteen (14) days after Superintendent's decision. The board shall then have forty-five (45) days in which to notify the Tennessee Department of Health that a grievance still exists, and to convene a meeting of the board to hear all unresolved matters and render its decision. The owner/user or the superintendent shall have the right to appeal any and all decisions to the Environmental Protection Agency and/or court having jurisdiction.

(9) Wastewater characteristics. The wastewater characteristics of each industrial user shall be determined by monitoring or where monitoring is not feasible, wastewater characteristics may be estimated using historical records, data from similar industrial users, etc. After initiation of the charges and fee system, major industrial users shall be monitored on a regular basis, not less often than annually. Monitoring of minor industries may be done intermittently. The Town of Cornersville has developed a definition of major and minor industry and a monitoring program for each which reflects its relative impact on the cost of construction of the treatment works (such information is available at the superintendent's office). Monitoring shall be conducted during periods of normal discharge. (Ord. #86-01, May 1986, as amended by Ord. #94-05, April 1994)

18-208. Enforcement procedures and penalties. (1) Violations. Any user found to have violated or to be violating any provision limitation or requirement of this chapter shall be served by the town with written notice stating the nature of the violation and providing a reasonable time limit not to

exceed thirty (30) days, for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all such violations.

It shall be a violation of this chapter for any person to use the town's wastewater system without paying the charges and fees established from time to time by the board. In the event a person's water service has been discontinued for any reason, that person shall be charged and pay for the use of the wastewater system and amount equal to the average of six (6) months sewer billings immediately preceding the discontinuance of water service. It is the intent of this chapter that all persons pay for their use of the town's wastewater system. The payment of such charge shall not prevent the town from seeking penalties hereinafter provided for.

(2) Penalties. Any user who is found to have violated an order of the town or who willfully or negligently failed to comply with any provision of this chapter, and the order, rules, regulations and permits issued hereunder, shall pay a penalty not less than fifty and 00/100 dollars (\$50.00) nor more than five hundred dollars (\$500.00) for each offense. Each day in which a violation shall occur or continue shall be deemed a separate and distinct offense. In addition to the penalties provided herein, the town may recover reasonable attorney's fees, court costs, court reporters' fees and other expenses of litigation by appropriate suit at law against the person found to have violated this chapter or the orders, rules, regulations, and permits issued hereunder.

The superintendent shall have the authority to discontinue service to those users that persistently violate any requirements of this chapter.

(3) Falsifying information. Any person who knowingly makes any false statements, representation or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to this chapter, or wastewater discharge permit, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this chapter, shall, upon conviction be punished by a fine of not more than \$1,000 or by imprisonment for not more than six (6) months, or by both.

(4) Expenses incurred. Any person violating any of the provisions of this chapter shall become liable to the town for any expense, loss or damage incurred by the town by reason of such violation.

(5) Protection from damage. No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the sewage works. All violators will be subject to civil and criminal prosecution. (Ord. #86-01, May 1986, as amended by Ord. #94-05, April 1994)

18-209. Schedule of rates and charges.

| CATEGORY | INSIDE |
|-----------------|----------|
| Tap Fee | \$250.00 |
| Base Charge | \$5.50 |
| Per 1,000 GALS: | |
| 1st 2,000 GAL | \$4.25 |
| Next 3,000 GAL | \$4.65 |
| Next 5,000 GAL | \$5.00 |
| Next 5,000 GAL | \$5.15 |
| Over 15,000 GAL | \$5.25 |

(Ord. #91-05, Sept. 1991)

18-210. Billing. Adjustment of bills will be done by following a written policy as from time to time shall be adopted by the board of mayor and aldermen. (Ord. #94-08, June 1994)

CHAPTER 3

CROSS CONNECTIONS, AUXILIARY INTAKES, ETC.¹

SECTION

- 18-301. Cross connections policy.
- 18-302. Inspections required.
- 18-303. Right of entry for inspections.
- 18-304. Violations.

18-301. Cross connections policy. The town shall adopt a cross connection policy which shall include any physical arrangement whereby the public water supply is connected, directly or indirectly, with any other water supply system, whether sewer, drain, conduit, pool, storage reservoir, plumbing fixture, or other device which contains, or may contain, contaminated water, sewage, or other waste or liquid of unknown or unsafe quality which may be capable of imparting contamination to the public water supply as a result of backflow. Bypass arrangements, jumper connections, removable sections, swivel or change-over devices through which, or because of which, backflow could occur are considered to be cross connections. (Ord. #89-05, March 1989, modified)

18-302. Inspections required. It shall be the duty of the Superintendent of the Public Water System to cause inspections to be made of all properties served by the public water supply where cross connections with the public water supply are deemed possible. The frequency of inspections and reinspection, based on potential health hazards involved, shall be established by the Superintendent of the Cornersville Public Water System and as approved by the Tennessee Department of Health. (Ord. #89-05, March 1989)

18-303. Right of entry for inspections. The superintendent or his authorized representative shall have the right to enter, at any reasonable time, any property served by a connection to the Cornersville Public Water System for the purpose of inspecting the piping system or systems therein for cross connections, auxiliary intakes, bypasses, or interconnections. On request, the owner, lessee, or occupant of any property so served shall furnish to the inspection agency any pertinent information regarding the piping system or systems on such property. The refusal of such information or refusal of access,

¹Municipal code references

Water and sewer system administration: title 18.

Wastewater treatment: title 18.

when requested, shall be deemed evidence of the presence of cross connections. (Ord. #89-05, March 1989)

18-304. Violations. The requirements contained in the town's policy shall apply to all premises served by the Cornersville Public Water System whether located inside or outside of the corporate limits and are hereby made a part of the conditions required to be met for the town to provide water services to any premises. Such action, being essential for the protection of the water distribution system against the entrance of contamination which may render the water unsafe healthwise, or otherwise undesirable, shall be enforced rigidly without regard to location of the premises, whether inside or outside the Cornersville corporate limits. (Ord. #89-05, March 1989, modified)