

TITLE 18

WATER AND SEWERS<sup>1</sup>

CHAPTER

1. WATER AND SEWERS.
2. SEWAGE DISPOSAL.
3. WATER SUPPLY EMERGENCIES.
4. CROSS CONNECTIONS, AUXILIARY INTAKES, ETC.
5. REGULATIONS OF ANIMAL AND VEGETABLES FATS, OILS, AND GREASE; SOIL; SAND; LINT; AND OTHER COMMERCIAL LAUNDRY SOLIDS; AND PETROLEUM BASED LUBRICANTS.

CHAPTER 1

WATER AND SEWERS

SECTION

- 18-101. Unlawful connections.
- 18-102. Application for permits.
- 18-103. Connections and meter settings.
- 18-104. Deposits, notices to discontinue service, etc.
- 18-105. Meters.
- 18-106. Relocation of meters.
- 18-107. Meter reading and billing; delinquent bills.
- 18-108. Discontinuance of service.
- 18-109. Resumption of service after discontinuance for non-payment of bills, etc.
- 18-110. Turn-on; reconnection charge.
- 18-111. Customers not to supply water to others.
- 18-112. Special service.
- 18-113. Cutoff and repairs.
- 18-114. Interruptions of service.
- 18-115. City not compelled to construct lines.
- 18-116. Garbage and refuse not to be thrown into sewers, etc.
- 18-117. Violations and penalties.
- 18-118. Fluoridation of water supply.
- 18-119. Water and sewer rates and charges.
- 18-120. Extension of services to subdivisions, etc.

---

<sup>1</sup>Municipal code references

Building, utility and housing codes: title 12.

Cross connections: title 18.

Refuse disposal: title 17.

Wastewater treatment: title 18.

18-101. Unlawful connections. It shall be unlawful for any person, firm or corporation to connect water or sewer lines with the city water or sewer mains, sub-mains or laterals except in the manner hereinafter provided. (1984 Code, § 13-101)

18-102. Application for permits. Any person, firm or corporation desiring to connect with a city water or sewer main, sub-main or lateral shall first apply to the board of mayor and aldermen of the City of Waverly, Tennessee, and fill out the proper application blank for such connection. Each application shall be accompanied by the fees as fixed in this chapter. All connections to city sewer and water lines shall be made by forces of the City of Waverly, Tennessee, or by a contractor employed by the city. (1984 Code, § 13-102)

18-103. Connections and meter settings. All connections to the mains and all meter settings for use in the water connection shall be made by the city upon written application. The meter settings for the water connection shall be placed at suitable locations selected by the designated representative of the city. For such connections and meter settings the consumer or property owner at the time of making application therefor shall pay to the city the fees as set forth in this chapter. The materials used in the connection including the meter become the property of the city. (1984 Code, § 13-103)

18-104. Deposits, notices to discontinue service, etc. When the premises have been supplied with a service line to the water main or sewer main and a consumer desires a supply of water and to connect to the sewerage system the consumer shall sign an application as set forth above and shall make a cash deposit to secure payment for the water to be used and for the use of the sewerage system. The amount of the deposit where the consumer desires ordinary or usual service shall be in the amount of \$25. Where, at the time of making application for water and sewerage it is likely that the consumer will require a substantially larger quantity than is used by the average consumer the city may require a larger deposit. However, such increased deposit shall not exceed the annual minimum charge.

Deposits shall not be applied in payment of current monthly bills and such deposit shall in no wise affect the city's rights arising from non-payment of bills as provided in this chapter.

The city will refund the deposit upon written notice to discontinue and upon receipt of payment in full for water metered and for use of the sewerage system by such consumer.

The consumer or property owner shall notify the city at the time each property becomes vacant. The consumer or property owner shall be responsible for any damage to the property of the city and for all water metered and for use of the sewerage system to such property up until receipt of such vacancy notice.

The city will presume service is being rendered from the time water is turned on at the request of the consumer until the consumer or property owner gives it written notice to discontinue the service and charges will be made accordingly. (1984 Code, § 13-104, as amended by Ord. #1988-22, Oct. 1988)

18-105. Meters. At least one water meter shall be required for each dwelling, building, garage, apartment, etc., regardless of its use, and the person designated as being responsible for payment of the charges, both water and sewerage, shall be responsible to the city for all water consumed and also for the sewerage charges.

Meters and meter settings must be accessible at all times and not covered with rubbish or material of any kind. No one other than an authorized agent of the city shall be permitted to repair, adjust, remove or replace any meter or any part thereof.

The consumer shall be responsible for damage to meters and/or meter settings where such damage is caused by a change in grade of the lot or by carelessness or negligence of the consumer or his agent or employee or any member of his family. Such consumer will be billed for the actual cost of repair or replacement and such bill shall be paid within ten (10) days from the date of the mailing thereof. If such bill is not paid within ten (10) days the city may resort to the collection procedures provided in §§ 18-107 and 18-108. (1984 Code, § 13-105)

18-106. Relocation of meters. If any meter is relocated on application of and to suit the convenience of the consumer or because of a change in the grade of the lot, such relocation and setting shall be made by the city at the expense of the consumer. The bill rendered to the consumer for the expense thereof shall be paid within ten (10) days from the date of mailing such bill and if not paid within ten (10) days the city may collect the bill as provided in § 18-107. (1984 Code, § 13-106)

18-107. Meter reading and billing; delinquent bills. Meters will be read and the consumer billed jointly for the water and sewerage each month. All bills shall be payable at the city hall.

The city's meter reading agent or other properly authorized employee shall have access at all reasonable hours to the premises supplied with water, for the purpose of reading, inspecting, repairing or removing meters. When any consumer is delinquent for a period of one (1) month in the payment of his bill the city will shut off and discontinue service to the said consumer. (1984 Code, § 13-107)

18-108. Discontinuance of service. No service shall be discontinued unless the customer is given reasonable notice in advance of such impending action and the reason therefor. The customer shall also be notified of his right

to a hearing prior to such disconnection if he disputes the reason therefor and requests such hearing by the date specified in the notice. When a hearing is requested, the customer shall have the right to have a representative at such hearing and shall be entitled to testify and to present witnesses on his behalf. Also, when such hearing has been requested, the customer's service shall not be terminated until a final decision is reached by the hearing officer and the customer is notified of that decision.

Discontinuance of service by the city 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. (1984 Code, § 13-108)

18-109. Resumption of service after discontinuance for non-payment of bills, etc. If service has been discontinued for non-payment of bills or for any violation of this chapter, service to such consumer will not be resumed by the city until the unpaid bill, or bills have been paid in full and/or the violation of any of the provisions of this chapter has ceased or been eliminated. (1984 Code, § 13-109)

18-110. Turn-on; reconnection charge. Water shall not be turned into any water line for any purpose by anyone except an authorized employee of the city. Whenever water and/or sewer service has been discontinued for non-payment of any bill or because of a violation of any of the provisions of this chapter a charge of ten dollars (\$10.00) payable in advance shall be made to cover the cost of turning the water on again. Provided, however, in the event reconnection is requested by a consumer and approved by the city to be performed after regular business hours, the charge for such reconnection shall be in the amount of \$20 payable in advance. (1984 Code, § 13-110, as amended by Ord. #1988-22, Oct. 1988)

18-111. Consumers not to supply water to others. Consumers shall not supply water or allow water to be carried or run through a hose or pipe to any premises other than that described in the application agreement or contract without first having received written permission from the city. (1984 Code, § 13-111)

18-112. Special service. Persons, firms, or corporations desiring small amounts of water for a short time or service which will require the special attention of an employee of the city will be required to make a deposit, the amount of which will be fixed by the city recorder. For water used by such person a charge will be made at rates fixed by the recorder in keeping with the service rendered. The deposit made shall be applied against such charge and the difference between the deposit and the charge shall be paid by the party owing the same. (1984 Code, § 13-112)

18-113. Cutoff and repairs. The city reserves the right to shut off the water in the mains at any time for the purpose of making repairs or extensions or for other necessary purposes. It will endeavor to give notice of such shut off except in cases of accident or emergency. All owners and consumers having boilers on their premises are hereby cautioned against dangers arising from interrupted service. (1984 Code, § 13-113)

18-114. Interruptions of service. All contracts for furnishing water shall be made subject to interruptions or inability to fulfill the same for any and all causes whatsoever, and the city will not be liable for damages for any failure to furnish water. (1984 Code, § 13-114)

18-115. City not compelled to construct lines. The provisions of this chapter shall in no way be construed as requiring the city to construct water mains and sewer mains on streets, alleys or in private property where such mains are not already laid. (1984 Code, § 13-115)

18-116. Garbage and refuse not to be thrown into sewers, etc. It shall be unlawful to throw or deposit, or cause or permit to be thrown or deposited in any vessel or receptacle connected with a sewer any garbage, hair, ashes, fruit, vegetables, peelings, refuse, rags, cotton, cinders or any other matter or thing whatsoever except feces, urine and the necessary closet paper and liquid house slops; and it is hereby made the duty of all citizens to aid the city in bringing offenders against this section to punishment and also to prevent breaches of the same. (1984 Code, § 13-116)

18-117. Violation and penalties. Any person, firm, corporation or corporations violating any of the foregoing provisions of this chapter shall be guilty of a misdemeanor.

In addition to the fine as provided for in the general penalty clause for this code the city may refuse to furnish water to the premises of any applicant who fails to meet all the applicable conditions and terms of this chapter or it may discontinue service in the event the consumer violates or fails to comply with any of the provisions of this chapter. (1984 Code, § 13-117)

18-118. Fluoridation of water supply. The water department is hereby authorized and instructed to make plans for the fluoridation of the water supply of the City of Waverly, Tennessee; to submit such plans to the Department of Health and Environment 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 the public water supply.

The cost of such fluoridation will be borne by the revenues of the water department. (1984 Code, § 13-118)

18-119. Water and sewer rates and charges. The rates and charges per month for the use of and services rendered by the Waterworks and Sewerage System of the City of Waverly shall be in accordance with the following schedule:

(1) Water Rates.

(a) Inside city rates:

First 2,000 gallons (or less)	\$26.17 per mo.
Next 10,000 gallons	2.71 per M gallons
Next 10,000 gallons	1.94 per M gallons
Next 22,000 gallons (and over)	1.64 per M gallons

(b) Outside city rates:

First 2,000 gallons or less	\$41.48 per mo.
Next 10,000 gallons	4.34 per M/gallons
Next 10,000 gallons	3.10 per M/gallons
All over 22,000 gallons	2.62 per M/gallons

(2) Sewer Rates.

(a) Inside city rates:

(i) Residential: Based on volume of water consumed:

For first 2,000 gallons \$29.80 per month (minimum charge).

For next 3,000 gallons An additional \$1.36 per 1000 gallons or fraction thereof.

For next 3,000 gallons An additional \$ .97 per 1000 gallons or fraction thereof.

For all over 8,000 gallons An additional \$ .82 per 1000 gallons or fraction thereof.

(ii) Commercial: Based on volume of water consumed:

For first 2,000 gallons \$44.40 per month (minimum charge).

For next 10,000 gallons	An additional \$2.71 per 1000 gallons or fraction thereof.
For next 10,000 gallons	An additional \$1.84 per 1000 gallons or fraction thereof.
All over 22,000 gallons	An additional \$1.64 per 1000 gallons or fraction thereof.

(b) Outside city rates:(i) Residential: Based on volume of water consumed:

For first 2,000 gallons	\$40.14 per month (minimum charge)
For next 3,000 gallons	An additional \$2.18 per 1000 gallons or fraction thereof.
For next 3,000 gallons	An additional \$1.55 per 1000 gallons or fraction thereof.
For all over 8,000 gallons	An additional \$1.31 per 1000 gallons or fraction thereof.

(ii) Commercial: Based on volume of water consumed:

For first 2,000 gallons	\$44.40 per month (minimum charge)
For next 10,000 gallons	An additional \$3.71 per 1000 gallons or fraction thereof.
For next 10,000 gallons	An additional \$1.94 per 1000 gallons or fraction thereof.
All over 22,000 gallons	An additional \$1.64 per 1000 gallons or fraction thereof.
All over 50,000 gallons	An additional \$1.94 per 1000 gallons or fraction thereof.

(3) A tap fee for the initial connection of a service line to the main trunk line for a location not already served by an existing water service line and for setting of a meter shall be made on each and every such tap or connecton as follows:

Inside City Limits

For Water:

3/4 inch line .....	\$ 500
1 inch line .....	\$ 700
1-1/2 inch line .....	\$1,200
2 inch line .....	\$1,600
4 inch line .....	\$3,000
6 inch line .....	\$5,000

For Sewer:

4 inch line .....	\$ 900
6 inch line .....	\$1,200

Outside City Limits

For Water:

3/4 inch line .....	\$1,050
1 inch line .....	\$2,100
1- 1/2 inch line .....	\$3,000
2 inch line .....	\$4,200
4 inch line .....	\$6,000
6 inch line .....	\$9,000

For Sewer:

4 inch line .....	\$1,200
6 inch line .....	\$1,800

If the connections actually cost the city more than the amount set forth herein, then the larger amount shall be charged as determined by the superintendent of public works.

(4) The above rates are net with the gross rates being ten percent (10%) higher. In the event the current bill is not paid in ten (10) days from the date of the bill, the gross rates shall apply.

(5) A non-refundable connection service charge or fee shall be made for each and every connection to the city water distribution system where there is an existing service line available, and shall be in accordance with the following schedule:



For new service to the premises . . . . . \$50.00

For service by disconnection of a customer at one location and an immediate reconnection performed at another location . . . . . \$25.00

(6) Any user of the city sewage system may, at his, her, their or its expense, install a metering device satisfactory to the city to meter or measure the gallons of liquified effluent discharged into the city publicly-owned sewage treatment system or works in order to establish the consumption in gallons on which to compute his, her, their or its sewer use rates. Unless such metering device is of such specifications and is installed and maintained by the user to the satisfaction of the city then his, her, their or its sewer use rates, residential or commercial, shall be computed by the city based on water consumption metered to the premises of the user on which water charges are computed. (1984 Code, § 13-119, as amended by Ord. #1988-19, Oct. 1988; Ord. #1993-7, Sept. 1993; Ord. #1994-2, Sept. 1994; Ord. #1995-8, July 1995; Ord. #1996-9, April 1996; Ord. #2003-19, June 2003, Ord. #2007-10, June 2007, and Ord. #2011-16, June 2011)

18-120. Extension of services to subdivisions, etc. Any person or persons, firm or corporation desiring to have water and/or sewerage service made available to a particular area or subdivision within or without the city limits and to be served by the water and/or sewer systems of the City of Waverly, Tennessee, shall at their own expense present detailed plans and specifications for said system, showing the size of the lines, etc. that are proposed in said area or subdivision to the City of Waverly for its consideration. If said plan meets with the approval of the city engineer as to the size, etc. required and recommended for the development of such area, the city may permit the distribution system and/or lines to be connected to the said water and/or sewerage system with the further proviso that the subdivider shall furnish the city a statement or guarantee that all bills and charges for labor, materials or other services in connection with said construction have or will be paid in full and further that said subdivider will execute an agreement with the city acknowledging that said sewer and/or water lines will belong to the city clear and free and unencumbered.

It is fully understood that all current rates for the services will be paid by the customers including a proper deposit together with the customary tap fees and installation charges. However, if it is determined by the city that the completion and addition of the proposed construction will be of benefit to the water and sewer system of said city, then the city may at its discretion allow the developer certain privileges or waive its rights to tap-on fees. Under no circumstances will the city engage in any payback plan from the revenues obtained from said development over a period of years, this amendment

)  
specifically eliminating all payback privileges heretofore allowed under existing ordinances.

Any existing or valid contracts heretofore entered into by the city and developers or properly negotiated prior to the effective date of this chapter shall not be affected hereby. (1984 Code, § 13-120)

## CHAPTER 2

SEWAGE DISPOSAL

## SECTION

- 18-201. Definitions.
- 18-202. Use of public sewers required.
- 18-203. Private sewage disposal.
- 18-204. Building sewers and connections.
- 18-205. Use of public sewers.
- 18-206. Industrial discharge permit system.
- 18-207. Charges and fees.
- 18-208. Penalties-civil and criminal.

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

(1) "The Act" shall mean the Federal Water Pollution Control Act (33 U.S.C. 1251 et. seq.), as amended by the Federal Water Pollution Control Act Amendments of 1972 (PL 92-500) and subsequent amendments.

(2) "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 milligrams per liter by weight.

(3) "Building drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.

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

(5) "Cash flow" shall mean the cash receipts and disbursements of any organization covering a particular period of time.

(6) "C.O.D." (denotes chemical oxygen demand) shall mean the quantity of oxygen utilized in the oxidation of organic matter to carbon dioxide and water expressed in milligrams per liter by weight.

(7) "Collateral" shall mean security provided by banks for cash and securities in their custody.

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

(9) "Compatible wastes" shall mean such wastes as biochemical oxygen demand, suspended solids, pH and fecal coliform bacteria, plus any additional pollutants identified in the publicly-owned treatment works NPDES permit, for which the treatment works is designed to treat such pollutants and in fact does remove pollutants to a substantial degree.

(10) "Dissolved solids" shall mean all solids found in water, sewage, or other liquids, and which are not removable by laboratory filtering.

(11) "Domestic wastewater" shall mean sewage derived principally from dwelling due to domestic activity excluding groundwater, surface water or storm water.

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

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

(14) "Grantee" shall mean the City of Waverly, Tennessee.

(15) "Grab sample" shall mean a sample which is taken from a waste stream on a one-time basis with no regard to the flow in the waste stream and without consideration of time.

(16) "Incompatible waste" shall mean such wastes as outlined in Table I.

(17) "Industrial cost recovery" shall mean recovery by the grantee, from the industrial users of a treatment works, of the grant amount allocable to the treatment of waste from such users pursuant to Section 204(b) of the Act.

(18) "Industrial cost recovery period" shall mean the period during which the grant amount allocable to the construction of facilities for treatment of wastes from industrial users is recovered from the industrial users of such works.

(19) "Industrial user" shall mean a source of indirect discharge which does not constitute a discharge of pollutants under regulations issued pursuant to Section 402 of the Act.

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

(21) "Infiltration" shall mean groundwater entering the sewer system through such means as, but not limited to, defective pipes, pipe joints, connections, or manhole walls. Infiltration does not include, and is distinguished from inflow.

(22) "Infiltration/Inflow" shall mean the total quantity of water from both infiltration and inflow without distinguishing the source.

(23) "Interference" shall mean inhibition or disruption of the sewer system, treatment processes or operation or which contributes to the violation of any requirements of the city's NPDES permit.

(24) "Inflow" shall mean the surface water discharged into a sewer system through such means as, but not limited to, roof leaders, cellar, yard, and area drains, foundation drains, cooling water discharges, drains from springs and swampy areas, manhole covers, cross-connections from storm drains and combined sewers, catch basins, storm waters, surface run-off, street wash waters or drainage. Inflow does not include and is distinguished from, infiltration.

(25) "Letter of intent" shall mean a written statement from an industrial user to a municipality of that user's intent to utilize a specified portion of the publicly owned waste treatment facility for a given length of time.

(26) "Monitoring" shall mean the measurement, continuous or intermittent, of water quality.

(27) "National Pollution Discharge Elimination System or NPDES Permit" shall mean a permit issued to a POTW pursuant to Section 402 of the Act.

(28) "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 (33 U.S.C. 1437) which applies to industrial users.

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

(30) "New source" shall mean any source, the construction of which is commenced after the publication of proposed regulations prescribing a Section 307(c) (33 U.S.C. 1317) categorical pretreatment standard which would be applicable to such source, if such standard is thereafter promulgated within 120 days of the proposal in the Federal Register. Where the standard is promulgated later than 120 days after proposal, a new source means any source, the construction of which is commenced after the date of promulgation of the standard.

(31) "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.

(32) "pH" shall mean the logarithm of the reciprocal of the concentration of hydrogen ions in moles per liter of solution.

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

(34) "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 to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. 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).

(35) "Primary treatment" shall mean preliminary treatment of wastewater resulting in removal of coarse solids, suspended and floating solids.

(36) "Process water" shall mean water that comes in contact with a product or with material incorporated in an end product.

(37) "Properly shredded garbage" shall mean the wastes from the preparation, cooking and dispensing of food that has been shredded to such a

degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch (1.27 centimeters) in any dimension.

(38) "Public sewer" shall mean a sewer which carries sewage and to which storm, surface, and groundwaters are not intentionally admitted.

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

(40) "Sanitary wastewater" shall mean wastewater discharging from the sanitary conveniences at dwellings (including apartment houses and hotels), office buildings, industrial plants, or institutions.

(41) "Secondary wastewater treatment" shall mean the treatment of wastewater to meet secondary effluent limitations as defined in 40 C.F.R. 133, Secondary Treatment Information.

(42) "Sewage" shall mean a combination of the watercarried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and storm waters as may be present.

(43) "Sewage treatment plant" shall mean any arrangement of devices treating and disposing of sewage.

(44) "Sewage works" shall mean all facilities for collecting, pumping, treating and disposing of sewage.

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

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

(47) "Significant industrial user" shall mean:

(a) A nongovernmental user discharges a waste whose characteristics are greater than the following:

Flow	25,000 gallons per day
BOD	62.6 lbs./day
COD	125.1 lbs./day
TKN	12.5 lbs./day
NH <sub>3</sub> -N	6.3 lbs./day
Suspended Solids	62.6 lbs./day
Oil and Grease	20.9 lbs./day

(b) A nongovernmental user whose discharge contains toxic pollutants or hazardous material which are subject to national pretreatment standards; and

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

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

(49) "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.

(50) "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.

(51) "Superintendent" shall mean the Superintendent of Sewage Works and/or Sewage Plant of the City of Waverly, his authorized deputy agent, or representative.

(52) "Suspended solids" shall mean solids that are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.

(53) "Total solids" shall mean all the matter which remains as a residue after water, sewage and/or other liquids are subjected to evaporation at 105°C.

(54) "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.

(55) "Twenty-four hour, 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.

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

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

(58) "Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently. (1984 Code, § 8-201)

18-202. Use of public sewers required. (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 City of Waverly, or any area under the jurisdiction of the said city, any human or animal excrement, garbage, or other objectionable waste.

(2) Discharge of sewage of polluted waters. It shall be unlawful to discharge to any natural outlet within the City of Waverly, or in any area under the jurisdiction of the said city, 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 connection. The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the city and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a

public sanitary or combined sewer of the city, 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 ninety (90) days after date of official notice to do so, provided that said public sewer is adjacent to the owner's abutting property line except where some other unusual circumstance exists. (1984 Code, § 8-202)

18-203. Private sewage disposal. The disposal of sewage by means other than the use of the available sanitary sewage system shall be in accordance with local, county, state, and federal law. The disposal of sewage by private disposal system shall be permissible only in those instances where service from the available sanitary sewage system is not available. (1984 Code, § 8-203)

18-204. Building sewers and connections. (1) Sewer connections. No unauthorized user shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance 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 city. Their permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the superintendent. A permit and inspection fee of ten dollars (\$10.00) shall be paid to the city at the time the application is filed.

(3) Cost of sewer connection. All costs and expense incidental to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the city from any loss or damage that may directly or indirectly be occasioned by the installation of the building permit.

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

(5) Use of existing sewer connection. Old building sewers 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 requirements of the building and plumbing code or other applicable rules and regulations of the city. In the absence of code



provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. Manual of Practice No. 9 shall apply.

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

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

(8) Design considerations for connecting building and public sewers. The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the city, or the procedures set forth in appropriate specifications of the A.S.T.M. and the W.P.C.F. Manual of Practice No. 9. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the superintendent before installation.

(9) Inspection of building sewers. The applicant for the building sewer permit shall notify the superintendent when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the superintendent or the representative.

(10) Excavation. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the city. (1984 Code, § 8-204)

18-205. Use of public sewers. (1) Wastes excluded from discharge into the Waverly sewerage system. No user shall discharge or allow to be discharged into the sewerage system any of the following materials:

(a) Storm water and drainage.

(b) Any liquid or vapor having a temperature higher than one hundred fifty degrees Fahrenheit (150°F), sixty-six degrees Centigrade (66°C).

(c) Ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tars, plastic, wood, pauch manure, lime slurry, lime residue, chemical residue, cannery wastes, painting residues, bulk solids, or any other solid or viscous substance capable of causing obstruction to the flow in the sewers or interference with the proper operation of the sewerage works and sewage treatment plant.

- (d) Gasoline, benzine, naphtha, fuel oil, mineral oil, and other flammable or explosive liquids, solids, or gases.
- (e) Unshredded or improperly shredded garbage.
- (f) Any wastes having a stabilized pH of less than six (6.0) or more than nine (9.0).
- (g) Any waste containing excessive amounts of fat, oil, or grease exclusive of soap, as outlined in § 18-207(4).
- (h) Noxious or malodorous gases or substances which singly or by interaction with other wastes may create a public nuisance, hazard to life, or prevent entry into the sewers for maintenance and repair.
- (i) Waste with an excessive color such as dye waste.
- (j) Any waters or wastes containing suspended solids or other contaminants of such character and quality that unusual attention or expense is required to handle such wastes at the wastewater treatment plant.
- (k) Any wastewaters not conforming to the requirements in Figure 1 and Table 1, which are as follows:

FIGURE I

## POLLUTANT CONCENTRATION LIMITS GUIDE

Concentration Measured at: Type Waste:	Sewage Treatment Plant Influent	Industrial Discharge Into Sewerage System
Compatible Wastes (BOD, COD, TKN, suspended solids, settleable solids, BOD/COD)	Concentration must not exceed plant design limits.	Discharge must meet STP influent limits.* As long as that limit is met, then the discharge may exceed the concentration of normal sewage and the treatment costs covered by a surcharge.
Incompatible Wastes (Heavy metals, cyanides, pesticides, toxic wastes, etc.)	Concentration must not exceed plant design limits. Limits set by technical considerations for STP to meet its effluent permit and to prevent disruption of plant unit operations.	Discharge must meet STP influent limits. Additionally, industrial discharges will be treated to a maximum concentration level set by the practical limits of technology and no variance to this maximum concentration will be given.

\*This limit may be relaxed for systems not having combined sewers. For systems having combined sewers, this requirement is necessary since the large sewer lines required to carry combined sewer hydraulic loads may act as settling basins during dry periods. During wet periods, these pipe deposits may be resuspended and cause a very high BOD and suspended solids load on the STP.

TABLE 1

MAXIMUM CONCENTRATION IN SEWAGE TREATMENT PLANT INFLUENT<sup>1</sup>

<u>Constituent</u>	<u>Instantaneous Maximum Concentration (mg/l)</u>	<u>Recommended Maximum Concentration With Safety Factor (mg/l)</u>
Compatible Wastes:		
Biochemical Oxygen Demand	350	
Chemical Oxygen Demand	400	
Settleable Solids	10	
Total Suspended Solids	650	
Nitrogen (Total Kjeldahl)	50	
Incompatible Wastes:		
Arsenic	0.2	0.05
Boron	1.0	0.2
Cadmium	0.01	BDL <sup>2</sup>
Chromium (Hexavaient)	0.5	0.1
Chromium (Total)	5.0	1.0
Copper	0.5	0.1
Cyanide	0.05	BDL
Lead	0.05	BDL
Mercury	0.05	
Nickel	0.5	0.1
Pesticides	BDL	
Zinc	0.04	BDL

Note: The above maximum concentrations are based on research which has defined tolerance levels of various incompatible wastes relative to sewage treatment plant unit operations. Since there is no safety factor in the above parameter limits, careful judgment must be used to determine at what point corrective action must be taken to prevent incompatible pollutant concentrations from exceeding the maximum allowed in Table 1. It is important to note that cumulative toxicities and synergistic effects due to a mixture of incompatible wastes may have a deteriorious effect on sewage treatment plant processes at concentrations much less than those shown above. The second column indicates these same values with a safety factor applied. (A factor of 5 in most cases).

---

<sup>1</sup>Based on design capacity of plant

Reference: "Pretreatment of Pollutants Introduced into Publicly Owned Treatment Works"; U.S.E.P.A. Federal Guidelines, October 1973.

<sup>2</sup>BDL: Below Detectable Limit

This is the recommended approach to listing incompatible pollutant concentrations in sewer use ordinances to protect the treatment plant. Additionally, the parameters listed in Table 1 are derived on the assumption that an effluent limited permit condition exists. However, in certain cases where the effluent standards for the sewage treatment plant are based on a water quality limited condition, then the concentrations stipulated in Table 1 may have to be adjusted downward to satisfy the permit requirements.

(l) Dilution of any wastewater discharge for the purpose of satisfying these requirements should be considered a violation of the chapter.

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

(n) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the superintendent in compliance with applicable state or federal regulations.

(o) Materials which exert or cause:

(i) Unusual concentrations of inert solids (such as but not limited to Fullers earth, lime slurries, and lime residues) or if dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).

(ii) Unusual BOD and COD concentrations, see § 18-207(4), and Table 1, for chlorine requirement in such quantities as to constitute a significant load on the sewage treatment works. A charge may be established by the superintendent for BOD and COD in excess of the previous figures.

(iii) Unusual volume of flow or concentration of wastes constituting "Slugs" and defined herein.

(p) Waters or wastes containing substances which are not amendable to treatment or reduction by the sewage treatment process employed, or are amendable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

(q) Waters or wastes containing excessive amount of nitrogen and/or settleable solids, see Table 1.

(2) User compliance with waste discharge 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 § 18-205(1) or the criteria established by the Federal Government on discharge of toxic and hazard materials and which in the judgment of the superintendent and the Division of Water Quality Control, Tennessee Department of Health and Environment, 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) Prohibit the discharge of such wastewater;

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

(c) 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.

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

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

(3) Pretreatment construction. (a) All industrial users here or now after shall become subject to the national pretreatment standards as promulgated by the EPA.

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

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

(d) Where pretreatment or equalization of wastewater flows prior to discharge into any part of the wastewater treatment system is required, plans, specifications and other pertinent data or information relating to such pretreatment of flow-control facilities shall first be submitted to the superintendent for review and approval. Such approval shall not exempt the discharge of such facilities from compliance with any applicable code, ordinance, rule, regulation or order of any governmental authority. Any subsequent alterations or additions to such pretreatment or flow-control facilities shall not be made without due notice to and prior approval of the superintendent.

(e) If pretreatment or control of waste flows is required, such facilities shall be maintained in good working order and operated as efficiently as possible by the owner or operator at his own cost and expense, subject to the requirements of these rules and regulations and all other applicable codes, ordinances, and laws.

(4) Personal injury. While performing the necessary work on private properties referred to in § 18-205(8)(c), the superintendent or duly authorized employees of the city shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the city employees and the city shall indemnify the company against loss or damage to its property by community employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions.

(5) Right of entry. The superintendent and other duly authorized employees of the city bearing proper credentials and identification shall be permitted to enter all private properties through which the city holds a duly negotiated easement for the purpose of, but not limited to, inspection, observation, measurement, sampling, within said easement. All entry and subsequent work, if any, on said easement shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

(6) 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. 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.

(7) 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, the facility responsible for such discharge shall immediately notify 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.

(8) Industrial users. (a) All charges and fees will be collected in accordance with §§ 18-205 and 18-207.

(b) All industrial users' waste discharged into the Waverly Municipal Sewer System shall comply with the standards outlined in §§ 18-205 and 18-207.

(c) When required by the superintendent, the owner of any property serviced by a building sewer carrying industrial wastes shall

install a suitable control manhole together with such necessary meters, and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole shall be accessibly and safely located and shall be constructed in accordance with plans approved by the superintendent. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

(d) Every significant industrial user shall file a periodic discharge report at such intervals as are designated by the superintendent. The superintendent may require any other industrial users discharging or proposing to discharge into the treatment system to file such periodic reports.

(e) The discharge report shall include but in the discretion of the superintendent, shall not be limited to, nature of process, volume, rates of flow, mass emission rate, production quantities, hours of operation, concentrations of controlled pollutants or other information which relates to the generation of waste. Such reports may also include the chemical constituents and quantity of liquid materials stored on site even though they are not normally discharged. In addition to discharge report, the superintendent may require information in the form of industrial discharge permit application and self-monitoring reports.

(f) All industrial users who discharge or propose to discharge wastewaters into the wastewater treatment system shall maintain such records of production and related factors, effluent flows, and pollutant amounts or concentrations as are necessary to demonstrate compliance with the requirements of this chapter and any applicable state or federal pretreatment standards or requirements.

(g) Such records shall be made available upon written request by the superintendent, Tennessee Department of Health and Environment, or federal agency. All such records relating to compliance with pretreatment standards shall be made available to all city, state and federal authorities upon receipt of a written request. A summary of such data indicating the industrial user's compliance with this chapter shall be prepared quarterly and submitted to the superintendent.

(h) All measurements, tests, and analyses of the characteristics of water and wastes to which reference is made in this chapter shall be determined in accordance with the latest editions of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association and shall be determined at the control manhole provided, or suitable samples taken at said control manhole. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb, and property. (The particular analyses involved will determine whether a twenty-four (24)



composite of all outfalls of a premises is appropriate to whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24 hour composites of all outfalls whereas pH's are determined from periodic grab samples).

(i) Sampling of industrial wastewater for the purpose of compliance or determination with respect to § 18-205 and Table 1, prohibitions and limitations will be done at such intervals as the superintendent may designate. However, it is the intention of the superintendent to conduct compliance sampling or to cause such sampling to be conducted for all major contributing industries at least once every year. (1984 Code, § 8-205, as amended by Ord. #1993-6, Sept. 1993)

18-206. Industrial discharge permit system. (1) Wastewater discharge permits required. All significant industrial users proposing to connect to or discharge into any part of the wastewater treatment system must first obtain a discharge permit. (All existing significant industrial users connected to or discharging to any part of the city system must obtain a wastewater discharge permit within ninety (90) days from and after the effective date of this chapter).

(2) Permit application. Users seeking a wastewater discharge permit shall complete and file with the superintendent an application on the form prescribed by the superintendent and accompanied by the applicable fee. In support of this application, the user shall submit the following information:

- (a) Name, address, and SIC number of applicant;
- (b) Volume of wastewater to be discharged;
- (c) Wastewater constituents and characteristics including, but not limited, those set forth in § 18-205 and Table 1 of this chapter as determined by reliable analytical laboratory;
- (d) Time and duration of discharge;
- (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 process 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) Number and type of employees, and hours of work;
- (j) Any other information as may be deemed by the superintendent to be necessary to evaluate the permit application;
- (k) The superintendent will evaluate the data furnished by the user and may require additional information. After evaluation and

acceptance of the data furnished, the superintendent may issue a wastewater discharge permit subject to terms and conditions provided herein.

(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 city. 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 unit charge or schedule of user charges and fees for the wastewater to be discharged to the system;
- (b) The average and maximum wastewater constituents and characteristics;
- (c) Limits on rate and time of discharge or requirements for flow regulations and equalizations;
- (d) Requirements for installation of inspection and sampling facilities, and specifications for monitoring programs;
- (e) Requirements for maintaining and submitting technical reports and plant records relating to wastewater discharges;
- (f) 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;
- (g) Compliance schedules;
- (h) Other conditions to ensure compliance with this chapter.

(4) Duration of permits. Permits shall be issued for a specified time period, not to exceed two years. 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 thirty (30) 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 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) Failure of the user to report significant changes in operations or wastewater constituents and characteristics;

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

(d) Violation of 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 Environmental Protection Agency and the Waverly City Council 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 judgment of the user are inappropriate may be appealed to the Waverly City Council by filing a written notice with said board within fourteen (14) days after completion of the first hearing. The city council shall have then forty-five (45) days in which to notify the Environmental Protection Agency 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 the superintendent shall have the right to appeal any and all decisions to the Environmental Protection Agency. Exemptions or variances of the protection criteria established for the system shall not be granted during this appeal procedure. (1984 Code, § 8-206)

18-207. Charges and fees. (1) Purpose of charges and fees. A schedule of charges and fees shall be adopted by the City of Waverly, which will enable it to comply with the revenue requirements of the Federal Water Pollution Control Act Amendments of 1972, PL 92-500. 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 adequate wastewater collection and treatment systems, depreciation, and provide sufficient funds for equitable industrial costs recovery of EPA administered Federal Grants. Such 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 City of Waverly. These charges and fees shall be recovered through the user classification charge 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) Type 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 to include industrial cost recovery provisions of the Federal Act;
- (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	350 milligrams per liter
COD	400 milligrams per liter
TKN	50 milligrams per liter
NH <sub>3</sub> -N	20 milligrams per liter
Suspended Solids	650 milligrams per liter
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 the user which may include, but not limited to, BOD, COD, SS, NH<sub>3</sub> as N, oil and grease, chlorine demand, and volume.

(5) User charges and industrial cost recovery. Each user of the treatment works 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. Each industrial user will be levied a charge for its share of the cost recovery of EPA administered federal grants for wastewater facilities as defined in Subpart E, Part 35, Subchapter D, Ch. 1, Title 40 of the Code of the Federal Regulations. 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 operations

and maintenance (O & M) including replacement for handling its periodic volume of "Normal Wastewater" plus the user's proportionate share for the recovery of federal grant allocable to the treatment of wastes from such users.

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

$$C_u = \frac{C_t}{V_t} (V_u)$$

Where:

$C_u$	=	User's charge for O & M per unit of time.
$C_t$	=	Total O & M cost per unit of time.
$V_t$	=	Total volume contribution from all users per unit of time.
$V_u$	=	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 BOD<sub>5</sub>, suspended solids, and/or other elements in "Normal Wastewater" as defined by subsection (4). The amount of the surcharge shall be determined by the following formula:

$$C_s = (B_c \cdot B \cdot S_c \cdot S + P_c \cdot P) V_u$$

Where:

$C_s$	=	Surcharge for wastewaters exceeding the strength of "Normal Wastewater" expressed in dollars per billing period.
$B_c$	=	O & M cost for treatment of a unit of BOD <sub>5</sub> expressed in dollars per pound.
$B$	=	Concentration of BOD <sub>5</sub> from a user above the base level of 5.42 lbs./1,000 gallons expressed in pounds per 1,000 gallons.
$S_c$	=	O & M cost 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 5.42 lbs./ 1,000 gal. expressed in lbs. per 1,000 gal.
- Pc = 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 a base level. Base levels for pollutants subject to surcharges will be established by the superintendent.
- Vu = 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.

(c) Industrial cost recovery: There shall be levied on each industrial user of the treatment works system a charge equal to that industry's share of all EPA administered federal grants received after March 1, 1973, for the purpose of constructing additions or improvements to the system's facilities. Industrial users shall pay their share, without interest, of all grants for sewerage facilities during the recovery period not to exceed the design life of the facility or thirty (30) years, whichever is less. The recovery period shall commence when industrial utilization of the facility begins. The amount to be recovered shall be based on the industrial loading in relation to each industry and in relation to the design capacity of the facility for which the grants are received.

Any industrial user may be excluded if it is determined that it will introduce only segregated domestic waste or wastes from sanitary conveniences, unless such user's flow or load (e.g. BOD, SS, etc.) equal ten (10) percent or more of the corresponding design flow or load parameters.

The industrial user's share shall not include a charge for the grant allocable to unused capacity unless the industry has formally committed itself to a portion of this unused capacity for future expansions. Fifty percent (50%) of the funds collected under this section will be refunded to the federal government as set forth in Public Law 92-500. The

remaining fifty percent (50%) will be retained by the City of Waverly and utilized as set forth by Public Law 92-500.

The charge for industrial cost recovery of federal grants shall be computed as follows:

$$Cr = \frac{1}{N} (Cv \times \frac{Vu}{Vt} + Cb \times \frac{Bu}{V} + Cx \times \frac{Su}{X})$$

- Where:
- Cr = Recovery cost to user per billing period.
  - N = Number of billing periods per useful life of improvements, expansions, and facilities covered by grant funds.
  - Vu = Industrial flow which equals peak discharge rate for hydraulic facilities such as interceptors, pump stations, and force mains, and average flow for treatment plants, both rates determined by the superintendent.
  - Vt = The appropriate design flow rate for the grant supported treatment works.
  - Bu = Average daily BOD load of industrial user billing period.
  - B = Average daily design loading of BOD for the grant supported treatment works.
  - Su = Average daily load of suspended solids of industrial user during billing period.
  - S = Average daily design loading of suspended solids for the grant supported treatment works.
  - Cv = Cost attributable to flow treatment.
  - Cb = Cost attributable to BOD treatment.
  - Cs = Cost attributable to SS treatment.

Cv, Cb, and Cs are determined as follows:

$$C = C_v + C_b + C_s$$

C = Amount of federal grants for improvements, expansions, and new facilities, excluding those portions of the grant attributable to:

- (i) Infiltration/Inflow correction or treatment.
- (ii) Correction of combined sewer overflow and collection or treatment of storm waters.
- (iii) Projects which will not initially serve industrial users. These projects will be included in C when the first industrial user begins to use them.
- (iv) Unreserved excess capacity of the Treatment of Transportation Facility. This amount will be adjusted when existing or new industrial users begin to use some of the unreserved excess capacity.

Those portions of C which are not directly attributable to flow, BOD, or SS treatment will be spread among the costs associated with treating these characteristics in the following manner:

$$C_v = C_x \times M$$

$$C_b = C_y \times M$$

$$C_s = C_z \times M$$

Where: C<sub>x</sub> = That portion of C which is directly attributable to flow treatment.

C<sub>y</sub> = That portion of C which is directly attributable to BOD treatment.

C<sub>z</sub> = That portion of C which is directly attributable to SS treatment.

$$\text{(Multiplier) } M = \frac{C}{C_x + C_y + C_z}$$

(d) Special exceptions for new-user startups: Notwithstanding the schedules and/or formulae for the computation of user charges,



surcharges and other industrial user cost recoveries as set forth in subsection (5), the board of mayor and aldermen by special order may grant relief from the user charges, surcharges and other industrial cost recoveries hereof. Such relief shall not be for a period in excess of 240 days from the date of an initial startup as determined by the board of mayor and aldermen. During any such period the board may set maximum special user charges, surcharges and other industrial cost recovery charges.

(6) Appeal procedure. An industry shall have the right to appeal any and all charges and fees assessed against them. 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 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 Environmental Protection Agency and the Waverly City Council 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 judgment of the user are inappropriate may be appealed to the Waverly City Council by filing a written notice with said council within fourteen (14) days after completion of the first hearing. The Waverly City Council shall then have forty-five (45) days in which to notify the Environmental Protection Agency that a grievance still exists, and to convene a meeting of the council to hear all unresolved grievances and issues appropriate to decisions. The user and/or the superintendent shall have the right to appeal any and all decisions to the Environmental Protection Agency.

(7) New industry. A "new industry" shall be defined as one which connects to the treatment system after such treatment works have been placed in operation. The industry shall commence payment of fee and charges on the date that use of the system is initiated and shall continue for the unexpired portion of the recovery period, or until the industry ceases utilization of the facility, whichever occurs first. The total payments recovered from a new industry shall be the federal cost of the capacity used multiplied by the ratio of its period of use to the recovery period.

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 City of Waverly 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.

(8) Discontinuance of use by industrial users. If an industrial user discontinues use of the treatment works, including termination of any agreement for reserve capacity, its payment of charges and fees will cease. There shall be no requirement for other industries presently utilizing the treatment works to assume the portion of the payment which is unrecovered due to the departure of an industrial user. Total payments recovered from an industrial concern under such circumstances shall be the federal cost of the capacity used multiplied by the ratio of its period of use to the recovery period. A significant industrial user planning to discontinue use of the treatment facility during the recovery period shall make its intentions known in the letter of intent required under 40 CFR 35.925-12.

(9) Lump sum payment. An industrial user may wish to fulfill its payment obligation by making a lump sum payment for its entire share of the cost of construction of the treatment works. Such payments accepted by the city shall be either processed in the normal manner, or set aside in a separate account to be drawn on annually for the remainder of the recovery period. Lump sum payments will not relieve an industrial user from the obligation of making additional future payments should its wastewater flows or loads increase. No discount shall be awarded for users making advanced payments. Any interest earned by the city on advanced payments will be recoverable in the same manner as if the payments were made as due (40 CFR 35.928-2[a]).

(10) Administration and implementation. The City of Waverly shall maintain, for the duration of the cost recovery period, such records as are necessary to document compliance with the grant requirements. These will generally include the following:

- (a) Documentation of the final grant amount;
- (b) The originally approved industrial cost recovery system and all documentation related thereto;
- (c) All subsequent revisions to the industrial cost recovery system and all documentation related thereto;
- (d) A list of contributing industries and their wastewater loads to the system;
- (e) Information on the total wastewater loading of the system;
- (f) The grantee's notification to EPA of initiation of operation of the industrial cost recovery system;
- (g) All approval(s) of the use of retained funds;
- (h) The record of the grantee's annual payments to EPA and documentation related thereto;
- (i) Records relating to retention and investment of those funds set aside for future expansion and reconstruction. (1984 Code, § 8-207, as amended by Ord. #1993-6, Sept. 1993)

18-208. Penalties-civil and criminal. (1) Violations - generally. Violations of provisions of this chapter may constitute a civil violation for which civil sanctions may be imposed by the city in addition to being punishable under the penal sanctions as criminal violations pursuant to the city charter.

(2) Criminal violations. Prosecution for criminal violations shall be instituted by making a sworn complaint before the city judge or any other official authorized to hear complaints and issue summons and warrants thereon setting forth under oath the facts of a particular alleged violation. If the city judge or such other person finds that probable cause exists to believe that the alleged violation has been committed then such official may proceed to issue a warrant for the arrest of the alleged perpetrator or issue a summons for such person, as such officer shall determine, requiring the arrest of the alleged violator or summoning an appearance before the municipal court to answer such charges.

(3) Criminal penalties. Any person who shall violate any provision of this chapter or any requirement thereof or who shall violate any of the terms or conditions of any permit issued pursuant thereto shall be guilty of a misdemeanor against the city and for such conviction shall be fined an amount not exceeding \$50 for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

(4) Civil violations. Any industrial user who shall fail to comply with any provision of this chapter or who shall fail to comply with the terms and conditions of any permit issued pursuant hereto or who shall fail to pay any fee or assessment when due shall be served by the city manager with a written order stating the nature of such violation and directing such violator to cease and desist such violations, if continuing, and imposing and assessing civil penalties as authorized by this chapter. If a period of time is provided for the correction of any violation the industrial user shall, within the stated period, permanently cease all such violations.

(5) Penalties-civil violations. Any industrial user who shall violate any provision of this chapter or who shall fail to comply with the terms and conditions or standards set forth in any permit issued to such industrial user or who shall fail to promptly pay any fee or assessment when due shall be assessed a civil penalty in an amount of not less than \$1,000 nor more than \$10,000 per day during each day which such violation existed. In addition, service to such industrial user may be discontinued, wholly or in part, permanently or temporarily.

(6) Appeal of civil penalties. Any industrial user aggrieved by an order and assessment made by the city manager pursuant to the provisions of this chapter may appeal the same to the board of mayor and aldermen whose decision thereon shall be final except to the extent that any right exists for judicial review thereof.

(7) Expenses, etc. to be reimbursed to city. Any person violating any of the provisions of this chapter shall pay to the city all expense, loss or damage

incurred by the city by reason of any violation including, but not limited to, any fine or other penalty imposed upon the city by the State of Tennessee or the United States of America by reason of any violation committed by the city which was caused by a preceding or simultaneous violation by any such person. A civil order issued to an industrial user by the city manager pursuant to this chapter may assess such costs to such industrial user.

(8) Other remedies of city. Nothing herein shall prohibit the city from instituting any other civil or criminal prosecution or action permitted by law against any person who shall violate any of the provisions of this chapter or any of the provisions of any permit issued pursuant hereto or who shall fail to pay any fee or assessment imposed hereunder. (Ord. #1990-3, Feb. 1990)

## CHAPTER 3

WATER SUPPLY EMERGENCIES

## SECTION

- 18-301. Prohibition on waste of water during shortages.
- 18-302. Declaration of water emergencies by mayor.
- 18-303. Mayor authorized to establish restrictions on usage.
- 18-304. Non-essential uses during shortages.
- 18-305. Emergency conditions otherwise imposable by board.
- 18-306. Public notice and dissemination of information.
- 18-307. Sanctions for violation of an emergency order.
- 18-308. Leaks.

18-301. Prohibition on waste of water during shortages. No water furnished by the city shall be wasted during periods of emergency water shortages. Waste of water shall include, but is not necessarily limited to any of the following:

- (1) Permitting water to escape down a gutter, ditch, or other surface drain.
- (2) Failing to repair a controllable leak of water.
- (3) Failing to put to reasonable beneficial use any water withdrawn from the city water system. (Ord. #1989-4, May 1989)

18-302. Declaration of water emergencies by mayor. The mayor is authorized to declare a water emergency to exist in accordance with the standards as herein provided. A water shortage emergency shall be designated by the mayor as a "Category 1 Emergency," "Category 2 Emergency" or "Category 3 Emergency" in accordance with conditions as determined by the mayor using the following standards:

- (1) A Category 1 Emergency exists when the water level in the Town Hill Water Storage Tank cannot be brought above a two-thirds (2/3) full mark within a forty-eight (48) hour period.
- (2) A Category 2 Emergency exists when the water level in the Town Hill Water Storage Tank cannot be brought above a one-quarter (1/4) full mark within a forty-eight (48) hour period.
- (3) A Category 3 Emergency exists when regardless of the available supply of water from the city water system, such water is contaminated and unfit for human consumption. (Ord. #1989-4, May 1989, as amended by Ord. #2009-3, Feb. 2009)

18-303. Mayor authorized to establish restrictions on usage. When the city water supply reaches an emergency status the mayor may by executive order prohibit any or all of the uses of water identified as non-essential uses in

or decreased by him from time-to-time as the emergency continues. When the city water supply reaches a Category 3 emergency the mayor shall prohibit all human consumption and may, if necessary, curtail all domestic-use distribution thereof. The prohibitions shall remain in full force and effect until thereafter modified or rescinded by the mayor or by board of mayor and aldermen. (Ord. #1989-4, May 1989)

18-304. Non-essential uses during shortages. (1) The following uses are declared non-essential uses during a Category 1 Emergency:

(a) Any non-residential use in excess of seventy percent (70%) of the amount used during the corresponding billing period for the previous year.

(b) Washing sidewalks, driveways, parking areas, tennis courts, patios, or other exterior paved areas, except by the city for the public safety.

(c) Filling or re-filling a swimming pool.

(d) Non-commercial washing of privately owned motor vehicles, trailers, and boats.

(e) Watering of lawns, flower gardens, and ball fields.

(f) Watering any portion of a golf course.

(g) Use of water for dust control or compaction during construction.

(2) The following uses are declared non-essential uses during a Category 2 Emergency in addition to those listed for Category 1:

(a) Watering of trees, shrubs, or other plants, except by commercial nurseries, in which case item (c) below will apply.

(b) Use by a motor vehicle washing facility.

(c) Any non-residential use in excess of fifty percent (50%) of the amount used by the customer during the corresponding billing period for the previous year.

(d) Water served for drinking purposes at restaurants or other public or non-public eating establishments unless such water is specifically requested by the patron or customer.

(3) If the customer was not operating the previous year, an estimated amount shall be computed by the city from its records. The mayor may increase the percentage for any connection use or customer if he determines that such increase is necessary to protect the public health, safety, and welfare or to spread equitably among the water users of the city the burden imposed by the shortage in the city water supply. (Ord. #1989-4, May 1989)

18-305. Emergency conditions otherwise imposable by board. (1) The board of mayor and aldermen may declare a water emergency notwithstanding whether or not the city water supply has reached Water Shortage Emergency

Status 1, 2 or 3 and may designate prohibited usages other than those set forth herein.

(2) Only the board may modify, rescind, terminate or otherwise end a water emergency declared by it.

(3) The prohibitions imposed during a water emergency declared by the board shall continue in full force and effect until modified, rescinded, terminated or otherwise ended by the board. The board may terminate, modify or increase any limitations on use of water imposed by it. (Ord. #1989-4, May 1989)

18-306. Public notice and dissemination of information. Upon the declaration of the existence of a water emergency by the mayor or by the board, the city manager shall notify the local print and broadcast media thereof and shall furnish detailed information concerning the existence of the water emergency and all prohibited uses. In addition, a newspaper advertisement shall be published once per week during the emergency in a local newspaper informing the public of the water emergency and any prohibitions concerning usage. Every practical effort shall be made to keep the water-using public informed of conditions during any declared water emergency. (Ord. #1989-4, May 1989)

18-307. Sanctions for violation of an emergency order. (1) A customer who shall fail to comply with the requirements of a declared water emergency order may be reported to any official of the city and shall be immediately investigated by the city manager or his designated agent. If non-compliance is found to exist by the city manager, he shall request immediate compliance by the customer. Should the customer fail or refuse to immediately comply with the request, the city manager shall immediately notify the mayor who shall enter an order discontinuing water service to the offending customer.

(2) Any customer whose service is disconnected because of a failure to comply with the requirements of a declared water emergency shall have the right, after the first such disconnection, to have service reinstated upon payment to the city of its customary reconnection charges and upon execution of a written bond in the penal amount of \$1,000 conditioned that the customer shall comply with the requirements of a declared emergency. If service is disconnected because of a subsequent failure to comply, the bond of such customer shall be forfeited and the customer shall have no right to reinstatement of service except upon approval by the board and subject to such terms and conditions as the board shall impose.

(3) A decision of the city manager may be appealed to the mayor. The decision of the mayor thereon may be appealed to the board. A disconnection shall remain in effect until the appeal is heard and decided. A hearing by the mayor shall be conducted within forty-eight (48) hours of the time the request for hearing is made by the customer. A hearing by the board shall be conducted

within two (2) weeks of the time the request for hearing is made by the customer. All requests for a hearing or appeal shall be made to and through the city manager. (Ord. #1989-4, May 1989)

18-308. Leaks. (1) During a declared emergency when curtailment or prohibition of usage is in effect all leaks on the user's side of a meter shall be immediately repaired by the user on discovery or notice thereof. Failure of the user to do so shall result in those sanctions as provided in § 18-307.

(2) During a declared emergency when curtailment or prohibition of usage is in effect leaks on the city's distribution system side of all user meters shall be repaired immediately or, alternatively, those portions of the distribution system where such leaks are detected may be by-passed or taken out of service until the city is reasonably able to make such repairs. (as added by Ord. #2009-3, Feb. 2009)



## CHAPTER 4

CROSS CONNECTIONS, AUXILIARY INTAKES, ETC.<sup>1</sup>

## SECTION

- 18-401. Definitions.
- 18-402. Construction, operation, and supervision.
- 18-403. Statement required.
- 18-404. Inspections required.
- 18-405. Right of entry for inspections.
- 18-406. Use of protective devices.
- 18-407. Unpotable water to be labeled.
- 18-408. Violations.

18-401. Definitions. The following definitions and terms shall apply in the interpretation and enforcement of this chapter:

(1) "Public water supply." The waterworks system furnishing water to the City of Waverly for general use and which supply is recognized as the public water supply by the Tennessee Department of Health and Environment.

(2) "Cross connection." Any physical arrangement whereby the public water supply is connected with any other water supply system, whether public or private, either inside or outside of any building or buildings, in such manner that a flow of water into the public water supply is possible either through the manipulation of valves or because of ineffective check or back pressure valves, or because of any other arrangement.

(3) "Auxiliary intake." Any piping connection or other device whereby water may be secured from a source other than that normally used.

(4) "Bypass." Any system of piping or other arrangement whereby the water may be diverted around any part or portion of a water purification plant.

(5) "Interconnection." Any system of piping or other arrangement whereby the public water supply is connected directly with a sewer, drain, conduit, pool, storage reservoir, or other device which normally contains sewage or other waste or liquid which would be capable of imparting contamination to the public water supply.

(6) "Person." Any and all persons, natural or artificial, including any individual, firm, or association, and any municipal or private corporation organized or existing under the laws of this or any other state or country. (1984 Code, § 8-301)

---

<sup>1</sup>Municipal code references

Plumbing code: title 12.

Water and sewer system administration: title 18.

Wastewater treatment: title 18.

18-402. Construction, operation, and supervision. It shall be unlawful for any person to cause a cross-connection, auxiliary intake, by-pass or interconnection to be made, or allow one to exist for any purpose whatsoever unless the construction and operation of same have been approved by the Tennessee Department of Health and Environment, and the operation of such cross-connection, auxiliary intake, by-pass or interconnection is at all times under the direct supervision of the superintendent of the waterworks of Waverly, Tennessee. (1984 Code, § 8-302)

18-403. Statement required. Any person whose premises are supplied with water from the public water supply, and who also has on the same premises a separate source of water supply, or stores water in an uncovered or unsanitary storage reservoir from which the water stored therein is circulated through a piping system, shall file with the superintendent of the waterworks, a statement of the non-existence of unapproved or unauthorized cross-connections, auxiliary intakes, by-passes, or interconnections. Such statement shall also contain an agreement that no cross-connection, auxiliary intake, bypass, or interconnection will be permitted upon the premises until the construction and operation of same have received the approval of the Tennessee Department of Health and Environment, and the operation and maintenance of same have been placed under the direct supervision of the city's superintendent of the water works. (1984 Code, § 8-303)

18-404. Inspections required. It shall be the duty of the superintendent of waterworks of the City of Waverly 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 reinspections, based on potential health hazards involved shall be established by the superintendent of waterworks of the City of Waverly and as approved by the Tennessee Department of Health and Environment. (1984 Code, § 8-304)

18-405. Right of entry for inspections. The superintendent of the waterworks or his authorized representative shall have the right to enter, at any reasonable time, any property served by a connection to the Waverly Public Water Supply for the purpose of inspecting the piping system or systems therein for cross-connections, auxiliary intakes, by-passes, 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, when requested, shall be deemed evidence of the presence of cross-connections. (1984 Code, § 8-305)

18-406. Use of protective devices. Where the nature of use of the water supplied a premises by the City of Waverly is such that it is deemed:

- (1) Impractical to provide an effective air-gap separation.
- (2) That the owner and/or occupant of the premises cannot, or is not willing, to demonstrate to the official in charge of the system, or his designated representative, that the water use and protective features of the plumbing are such as to propose no threat to the safety or potability of the water supply.
- (3) That the nature and mode of operation within a premises are such that frequent alterations are made to the plumbing.
- (4) There is a likelihood that protective measures may be subverted, altered, or disconnected, the superintendent of the waterworks of the City of Waverly or his designated representative, shall require the use of an approved protective device on the service line serving the premises to assure that any contamination that may originate in the customer's premises is contained therein. The protective device shall be a reduced pressure zone type backflow preventer approved by the Tennessee Department of Health and Environment as to manufacture, model and size. The method of installation of backflow protective devices shall be approved by the superintendent of the waterworks of the City of Waverly prior to installation and shall comply with the criteria set forth by the Tennessee Department of Health and Environment. The installation shall be at the expense of the owner or occupant of the premises.

The department shall have the right to inspect and test the device or devices on an annual basis or whenever deemed necessary by the superintendent of the waterworks or his designated representative. Water service shall not be disrupted to test the device without the knowledge of the occupant of the premises.

Where the use of water is critical to the continuance of normal operations or protection of life, property, or equipment, duplicate units shall be provided to avoid the necessity of discontinuing water service to test or repair the protective device or devices. Where only one unit has been installed and the continuance of service is critical, the superintendent of the waterworks shall notify, in writing, the occupant of the premises of plans to discontinue water service and arrange for a mutually acceptable time to test and/or repair the device. The water system shall require the occupant of the premises to make all repairs indicated promptly, and the expense of such repairs shall be borne by the owner or occupant of the premises. These repairs shall be made by qualified personnel acceptable to the superintendent of the waterworks of the City of Waverly. (1984 Code, § 8-306)

18-407. Unpotable water to be labeled. The potable water supply made available on the properties served by the public water supply shall be protected from possible contamination as specified herein. Any water outlet which could be used for potable or domestic purposes and which is not supplied by the potable system must be labeled in a conspicuous manner as:

WATER UNSAFE  
FOR DRINKING

Minimum acceptable sign shall have black letters at least one-inch high located on a red background. (1984 Code, § 8-307)

18-408. Violations. Any person who now has cross-connections, auxiliary intakes, by-passes or interconnections in violation of the provisions of this chapter shall be allowed a reasonable time within which to comply with such provisions. After a thorough investigation of existing conditions and an appraisal of the time required to complete the work, the amount of time to be allowed shall be designated by the superintendent of the waterworks. In addition to, or in lieu of any fines and penalties that may be judicially assessed for violations of this chapter, the superintendent of the waterworks shall discontinue the public water supply service at any premises upon which there is found to be a cross-connection, auxiliary intake, by-pass, or interconnection, and service shall not be restored until such cross-connection, auxiliary intake, by-pass, or interconnection has been discontinued. (1984 Code, § 8-308)

CHAPTER 5

REGULATIONS OF ANIMAL AND VEGETABLE FATS, OILS AND  
GREASE; SOIL; SAND; LINT AND OTHER COMMERCIAL  
LAUNDRY SOLIDS; AND PETROLEUM BASED LUBRICANTS

SECTION

18-501. Purpose.

18-502. Definition.

18-503. Fats, oils, grease, waste food interceptors.

18-504. Sand, soil, lubricating oil interceptors, and inflow abatement of rainwater.

18-505. Laundries.

18-506. Control plan.

18-507. Control equipment.

18-508. Solvents prohibited.

18-509. Alteration of control methods.

18-510. Enforcement and penalties.

18-511. Severability.

18-501. Purpose. The purpose of this ordinance is to control certain discharges into the publically-owned sewage collection and treatment system of the municipality ("system") which block and plug pipelines and interfere with normal operation of pumps and their controls and which contribute waste of a strength or form beyond the treatment capability of the system. The provisions of this ordinance shall be deemed regulations in addition to and supplemental of the provisions of chapter 2 title 18 of the Waverly Municipal Code. In the even of any conflict the more restrictive provision shall prevail. (as added by Ord. #2007-01, March 2007)

18-502. Definition. In the interpretation and application of this ordinance an "interceptor" is defined to be a device designed and installed to separate and retain for removal through automatic or manual means deleterious, hazardous or undesirable matter from normal waste water while permitting normal sewage waste to be discharged into the system by gravity. (as added by Ord. #2007-01, March 2007)

18-503. Fats, oils, grease, waste food interceptors. An interceptor shall be installed by a system user when it the opinion of the municipality it is necessary for the proper handling of liquid wastes generated by the user containing animal and vegetable fats, oils, and grease, and ground food wastes and solids; or other harmful ingredients in excessive amounts that impact the system. An interceptor shall not be required for a single family residence, but may be required for multiple family residences. All interceptors shall be of a

type and capacity approved by the municipality and shall be located so as to be readily and easily accessible for cleaning and inspection. (as added by Ord. #2007-01, March 2007)

18-504. Sand, oil, lubricating oil interceptors, and inflow abatement of rainwater. Owners and operators of car washes, truck washes, garages, service stations and other sources of sand, soil and lubricating oil discharges shall install effective sand, soil and lubricating oil interceptors. These interceptors will be sized to effectively remove sand, soil and lubricating oils at the expected flow rates. These interceptors will be cleaned on a regular basis to prevent impact on the system. Owners and operators whose interceptors are deemed to be ineffective by the municipality shall change the cleaning frequency and/or increase the size of the interceptors. Owners or operators of car and truck washing facilities shall prevent the inflow of rainwater into the system. (as added by Ord. #2007-01, March 2007)

18-505. Laundries. Commercial laundries shall be equipped with an interceptor with wire basket or similar devise, removable for cleaning, that prevents passage into the system of one-half ( $\frac{1}{2}$ ) inch or larger in size solids such as strings, rags, and buttons as are detrimental to the system. (as added by Ord. #2007-01, March 2007)

18-506. Control plan. (1) Owners constructing or renovating restaurants, cafeterias, hotels, motels, hospitals, nursing homes, schools, grocery stores, prisons, jails, churches, camps, caterers, manufacturing plants, commercial laundries, dry cleaners, car washes, truck washes, garages, service stations, other facilities (collectively hereinafter referred to as "generators") shall submit a control plan that provides for effective control of the discharge of such animal and vegetable fats, oils, and grease, food wastes, sand, soil, lubricating oils, and lint and other commercial laundry solids (collectively hereinafter referred to as "objectionable discharges").

(2) Owners and operators of existing generators shall submit a control plan that will provide for effective control of objectionable discharges if and when the municipality determines that such discharges are causing excessive loading, plugging, damage or operational problems to structures or equipment of the system.

(3) Following approval of a control plan by the municipality the owner or user of facilities connected to the system must implement the control plan within a reasonable amount of time and thereafter continue to service and maintain any interceptor equipment in order to prevent adverse impact on the system. If the municipality determines that a use continues to impact the system then additional pretreatment measures may be required. (as added by Ord. #2007-01, March 2007)

18-507. Control equipment. The equipment or facilities installed to control objectionable discharges must be designed in accordance with the applicable plumbing code of the municipality and Tennessee Department of Environment and Conservation engineering standards. Underground equipment shall be tightly sealed to prevent inflow or rainwater and shall be easily accessible to allow regular maintenance. Control equipment shall be maintained by the owner and operator of the facility so as to prevent a stoppage of the system or the accumulation of objectionable discharges in the lines, pump stations and treatment plant thereof. If the municipality is required to clean out public sewer lines as a result of a stoppage resulting from poorly maintained control equipment, or lack thereof, the owner and operator shall be liable to reimburse the municipality the cost of incurred for labor, equipment, materials and overhead to remedy the same. Nothing in this section shall be construed to prohibit or restrict any other remedy available to the municipality under this ordinance or state or federal law. The municipality retains the right to inspect and approve installation of control equipment. (as added by Ord. #2007-01, March 2007)

18-508. Solvents prohibited. The discharge into the system of degreasing or line cleaning products containing petroleum based solvents is prohibited. (as added by Ord. #2007-01, March 2007)

18-509. Alternation of control methods. The municipality reserves the right to require additional control measures if those taken by an owner, operator or user are insufficient to protect the system form interference due to the discharge of objectionable discharges. (as added by Ord. #2007-01, March 2007)

18-510. Enforcement and penalties. A person who violates these regulations shall be punished by a fine of fifty dollars (\$50.00) and shall pay the costs of the proceeding as ordinarily provided. Each day a violation shall be deemed a separate offense. A violator who persists in repeated violations shall be denied continued access to the system. (as added by Ord. #2007-01, March 2007)

18-511. Severability. Each section, subsection, paragraph sentence, and clause of this ordinance is declared to be separable and severable. (as added by Ord. #2007-01, March 2007)