

TITLE 18**WATER AND SEWERS¹****CHAPTER**

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3. SEWER USER CHARGE SYSTEM.
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CHAPTER 1**WATER AND SEWER SYSTEM ADMINISTRATION****SECTION**

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¹Municipal code reference
Refuse disposal: title 17.

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18-101. Application and scope. The provisions of this chapter are a part of all contracts for receiving water and/or sewer service from the town and shall apply whether the service is based upon contract, agreement, signed application, or otherwise. (1988 Code, § 13-101)

18-102. Definitions. (1) "Customer" means any person, firm, or corporation who receives water service from the town under either an express or implied contract.

(2) "Service line" shall consist of the pipe line extending from any water or sewer main of the town to private property. Where a meter and meter box are located on private property, the service line shall be construed to include the pipe line extending from the town's water main to and including the meter and meter box.

(3) "Discount date" shall mean the date ten (10) days after the date of a bill, except when some other date is provided by contract. The discount date is the last date upon which water and/or sewer bills can be paid at net rates.

(4) "Dwelling" means any single structure, with auxiliary buildings, occupied by one or more persons or households for residential purposes.

(5) "Premise" means any structure or group of structures operated as a single business or enterprise, provided, however, the term "premise" shall not include more than one (1) dwelling. (1988 Code, § 13-102)

18-103. Application and contract for service. Each prospective customer desiring water and/or sewer service will be required to sign a standard form of contract before service is supplied, and pay a deposit as is established from time to time by the board of mayor and aldermen. If, for any reason, a customer, after signing a contract for service, does not take such service by reason of not occupying the premises or otherwise, he shall reimburse the town for the expense incurred by reason of its endeavor to furnish said service.

The receipt of a prospective customer's application for service, regardless of whether or not accompanied by a deposit, shall not obligate the town to render the service applied for. If the service applied for cannot be supplied in accordance with the provisions of this chapter and general practice, the liability of the town to the applicant shall be limited to the return of any deposit made by such applicant. (1988 Code, § 13-103)

18-104. Service charges for temporary service. Customers requiring temporary service shall pay all costs for connection and disconnection incidental to the supplying and removing of service in addition to the regular charge for water and/or sewer service. (1988 Code, § 13-104)

18-105. Connection charges. Service lines will be laid by the town from its mains to the property line according to the following schedule of charges which shall be paid by the applicant for service:

Water service lines:	\$200.00
Sewer service lines:	See § 18-205(2).

The location of the service lines will be determined by the town.

When a service line is completed, the town shall be responsible for the maintenance and upkeep of such service line from the main to and including the meter and meter box, and such portion of the service line shall belong to the town. The remaining portion of the service line beyond the meter box (or property line, in the case of sewers) shall belong to and be the responsibility of the customer. (1988 Code, § 13-105, modified)

18-106. Water and sewer main extensions.¹ Persons desiring water and/or sewer main extensions must pay all of the cost of making such extensions.

For water main extensions cement-lined cast iron pipe, class 150 American Water Works Association Standard (or other construction approved by the board of mayor and aldermen), not less than six (6) inches in diameter shall be used to the dead end of any line and to form loops or continuous lines, so that fire hydrants may be placed on such lines at locations no farther than 1,000 feet from the most distant part of any dwelling structure and no farther than 600 feet from the most distant part of any commercial, industrial, or public building, such measurements to be based on road or street distances. Cement-lined cast iron pipe (or other construction approved by the board of mayor and aldermen) two (2) inches in diameter, to supply dwellings only, may be used to supplement such lines. Sewer main extensions shall be constructed of materials and according to the requirements set out in chapter 2 of this title.

All such extensions shall be installed either by town forces or by other forces working directly under the supervision of the town in accordance with plans and specifications prepared by an engineer registered with the State of Tennessee.

Upon completion of such extensions and their approval by the town, such water and/or sewer mains shall become the property of the town. The persons paying the cost of constructing such mains shall execute any written instruments requested by the town to provide evidence of the town's title to such mains. In consideration of such mains being transferred to it, the town shall incorporate said mains as an integral part of the municipal water and sewer

¹Municipal code reference

Construction of building sewers: title 18, chapter 2.

systems and shall furnish water and sewer service therefrom in accordance with these rules and regulations, subject always to such limitations as may exist because of the size and elevation of the mains. (1988 Code, § 13-106)

18-107. Water and sewer main extension variances. Whenever the board of mayor and aldermen is of the opinion that it is to the best interest of the town and its inhabitants to construct a water and/or sewer main extension without requiring strict compliance with the preceding section, such extension may be constructed upon such terms and conditions as shall be approved by the board of mayor and aldermen.

The authority to make water and/or sewer main extensions under the preceding section is permissive only and nothing contained therein shall be construed as requiring the town to make such extensions or to furnish service to any person or persons. (1988 Code, § 13-107)

18-108. Meters. All meters shall be installed, tested, repaired, and removed only by the town.

No one shall do anything which will in any way interfere with or prevent the operation of a meter. No one shall tamper with or work on a water meter without the written permission of the town. No one shall install any pipe or other device which will cause water to pass through or around a meter without the passage of such water being registered fully by the meter. (1988 Code, § 13-108)

18-109. Meter tests. The town will, at its own expense, make routine tests of meters when it considers such tests desirable.

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

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

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

<u>Meter Size</u>	<u>Test Charge</u>
5/8", 3/4", 1"	\$12.00
1-1/2", 2"	15.00
3"	18.00
4"	22.00
6" and over	30.00

If such test shows a meter not to be accurate within such limits, the cost of such meter test shall be borne by the town. (1988 Code, § 13-109)

18-110. Multiple services through a single meter. No customer shall supply water or sewer service to more than one dwelling or premise from a single service line and meter without first obtaining the written permission of the town.

Where the town allows more than one dwelling or premise to be served through a single service line and meter, the amount of water used by all the dwellings and premises served through a single service line and meter shall be allocated to each separate dwelling or premise served. The water and/or sewer charges for each such dwelling or premise thus served shall be computed just as if each such dwelling or premise had received through a separately metered service the amount of water so allocated to it, such computation to be made at the town's applicable water schedule, including the provisions as to minimum bills. The separate charges for each dwelling or premise served through a single service line and meter shall then be added together, and the sum thereof shall be billed to the customer in whose name the service is supplied. (1988 Code, § 13-110)

18-111. Billing. Bills for residential water and sewer service will be rendered monthly. Bills for commercial and industrial service may be rendered weekly, semimonthly, or monthly, at the option of the town.

Both charges shall be collected as a unit; no town employee shall accept payment of water service charges from any customer without receiving at the same time payment of all sewer service charges owed by such customer. Water service may be discontinued for non-payment of the combined bill.

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

The town shall not be liable for any damages resulting from discontinuing service under the provisions of this section, even though payment of the bill is made at any time on the day that service is actually discontinued.

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

payment at the net rate will be accepted by the town if the envelope is date-stamped on or before the final date for payment of the net amount.

If a meter fails to register properly, or if a meter is removed to be tested or repaired, or if water is received other than through a meter, the town reserves the right to render an estimated bill based on the best information available. (1988 Code, § 13-111, modified)

18-112. Termination or refusal of service; notice requirements.

The town shall have the right to discontinue water and/or sewer service or to refuse to connect service for a violation of, or a failure to comply with, any of the following:

- (1) The rules and regulations contained in chapters 1 through 4 of this title.
- (2) The provisions contained in the customer's application for service.
- (3) The provisions contained in the customer's contract for service.

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

Discontinuance of service by the town 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.

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. (1988 Code, § 13-112)

18-113. Re-connection charge. Whenever service has been discontinued as provided for above, a re-connection charge of twelve dollars (\$12.00) shall be collected by the town before service is restored. (1988 Code, § 13-113, modified)

18-114. Termination of service by customer. Customers who have fulfilled their contract terms and wish to discontinue service must give at least three (3) days written notice to that effect unless the contract specifies otherwise. Notice to discontinue service prior to the expiration of a contract term will not relieve the customer from any minimum or guaranteed payment under such contract or applicable rate schedule.

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

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

(2) During the ten (10) day period, the occupant of premises to which service has been ordered discontinued by a customer other than such occupant, may be allowed by the town to enter into a contract for service in the occupant's own name upon the occupant's complying with these rules and regulations with respect to a new application for service. (1988 Code, § 13-114)

18-115. Access to customers' premises. The town's identified representatives and employees shall be granted access to all customers' premises at all reasonable times for the purpose of reading meters, for testing, inspecting, repairing, removing, and replacing all equipment belonging to the town, and for inspecting customers' plumbing and premises generally in order to secure compliance with these rules and regulations. (1988 Code, § 13-115)

18-116. Inspections. The town shall have the right, but shall not be obligated, to inspect any installation or plumbing system before water and/or sewer service is furnished or at any later time. The town reserves the right to refuse service or to discontinue service to any premises not meeting standards fixed by town ordinances regulating building and plumbing or not in accordance with any special contract, these rules and regulations, or other requirements of the town.

Any failure to inspect or reject a customer's installation or plumbing system shall not render the town liable or responsible for any loss or damage which might have been avoided had such inspection or rejection been made. (1988 Code, § 13-116)

18-117. Customer's responsibility for system's property. Except as herein elsewhere expressly provided, all meters, service connections, and other equipment furnished by or for the town shall be and remain the property of the town. Each customer shall provide space for and exercise proper care to protect the property of the town on his premises. In the event of loss or damage to such property arising from the neglect of a customer to care for it properly, the cost

of necessary repairs or replacements shall be paid by the customer. (1988 Code, § 13-117)

18-118. Customer's responsibility for violations. Where the town furnishes water and/or sewer service to a customer, such customer shall be responsible for all violations of these rules and regulations which occur on the premises so served. Personal participation by the customer in any such violations shall not be necessary to impose such personal responsibility on him. (1988 Code, § 13-118)

18-119. Supply and resale of water. All water shall be supplied within the town exclusively by the town, and no customer shall, directly or indirectly, sell, sublet, assign, or otherwise dispose of the water or any part thereof except with written permission from the town. (1988 Code, § 13-119)

18-120. Unauthorized use of or interference with water supply. No person shall turn on or turn off any of the town's stop cocks, valves, hydrants, spigots, or fire plugs without permission or authority from the town. (1988 Code, § 13-120)

18-121. Limited use of unmetered private fire line. Where a private fire line is not metered, no water shall be used from such line or from any fire hydrant thereon, except to fight fire or except when being inspected in the presence of an authorized agent of the town.

All private fire hydrants shall be sealed by the town, and shall be inspected at regular intervals to see that they are in proper condition and that no water is being used therefrom in violation of these rules and regulations. When the seal is broken on account of fire, or for any other reason, the customer taking such service shall immediately give the municipality a written notice of such occurrence. (1988 Code, § 13-121)

18-122. Damages to property due to water pressure. The town shall not be liable to any customer for damages caused to his plumbing or property by high pressure, low pressure, or fluctuations in pressure in the town's water mains. (1988 Code, § 13-122)

18-123. Liability for cutoff failures. The town's liability shall be limited to the forfeiture of the right to charge a customer for water that is not used but is received from a service line under any of the following circumstances:

- (1) After receipt of at least ten (10) days' written notice to cut off water service, the town has failed to cut off such service.
- (2) The town has attempted to cut off a service but such service has not been completely cut off.

(3) The town has completely cut off a service but subsequently the cutoff develops a leak or is turned on again so that water enters the customer's pipes from the town's main.

Except to the extent stated above, the town shall not be liable for any loss or damage resulting from cutoff failures. If a customer wishes to avoid possible damage for cutoff failures, the customer shall rely exclusively on privately owned cutoffs and not on the town's cutoff. Also, the customer (and not the town) shall be responsible for seeing that his plumbing is properly drained and is kept properly drained, after his water service has been cut off. (1988 Code, § 13-123)

18-124. Restricted use of water. In times of emergencies or in times of water shortage, the town reserves the right to restrict the purposes for which water may be used by a customer and the amount of water which a customer may use. (1988 Code, § 13-124)

18-125. Interruption of service. The town will endeavor to furnish continuous water and sewer service, but does not guarantee to the customer any fixed pressure or continuous service. The town shall not be liable for any damages for any interruption of service whatsoever.

In connection with the operation, maintenance, repair, and extension of the municipal water and sewer systems, the water supply may be shut off without notice when necessary or desirable, and each customer must be prepared for such emergencies. The town shall not be liable for any damages from such interruption of service or for damages from the resumption of service without notice after any such interruption. (1988 Code, § 13-125)

18-126. Schedule of rates. All water and sewer service shall be furnished under such rate schedules as the town may from time to time adopt by appropriate ordinances or resolutions.¹ (1988 Code, § 13-126)

¹Administrative ordinances and resolutions are of record in the office of the town recorder.

Municipal code reference

Sewer use and wastewater charges: § 18-303.

CHAPTER 2

SEWER USE AND WASTEWATER TREATMENT¹

SECTION

- 18-201. Purpose and policy.
- 18-202. Definitions.
- 18-203. Use of public sewers required.
- 18-204. Private sewage disposal.
- 18-205. Building sewers and connections.
- 18-206. Use of public sewers.
- 18-207. Protection from damage.
- 18-208. Powers and authority of inspectors.
- 18-209. Penalties.

18-201. Purpose and policy. The purpose of this sewer use chapter is to provide uniform requirements for all users of the Town of Gates' wastewater collection system and treatment works. This chapter will enable the town to comply with the provisions of the Clean Water Act and other applicable federal and state laws and regulations and provide for the public health and welfare and quality for the wastewater discharge into the city's wastewater system. (1988 Code, § 13-201)

18-202. Definitions. Unless the context specifically indicates otherwise, the meaning of terms used in this chapter shall be as follows:

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

(2) "Building drain" shall mean that part of the lowest horizontal piping of 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.

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

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

¹Municipal code reference
Sewer user charges: § 18-303.

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

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

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

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

(9) "pH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

(10) "Properly shredded garbage" shall mean the wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch (1.27 centimeters) in any dimension.

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

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

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

(14) "Sewage treatment plant" shall mean any arrangement of devices and structures used for treating sewage.

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

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

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

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

(19) "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.

(20) "Superintendent" shall mean the superintendent of sewage works and/or of water pollution control of the Town of Gates or his authorized deputy, agent, or representative.

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

(22) "Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently. (Ord. #3, June 1982)

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

(24) "Categorical standards", National Pretreatment Standards.

(25) "Compatible wastes" means 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 publicly-owned treatment works is designed to treat such pollutants and in fact does remove such pollutants to a substantial degree.

(26) "Environmental Protection Agency "EPA" means 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 duly authorized official of said agency.

(27) "Grab sample" 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 duration of time.

(28) "Incompatible wastes", all pollutants other than compatible as defined within.

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

(30) "Interference" means inhibition or disruption of the sewer system, treatment processes or operations or which contributes to violation of any requirement of the town's NPDES permit.

(31) "National pretreatment standards or pretreatment standards" means any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307(b) and (c) of the Act (33 USC 1347) which applies to industrial users.

(32) "National pollution discharge elimination system or NPDES permit", a permit issued to a publicly owned treatment works pursuant to Section 402 of the Act.

(33) "Pretreatment", or the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties and wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into the publicly owned treatment works. The reduction and 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).

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

(35) "Twenty-four hour flow proportional composite sample", a sample consisting of several effluent proportions collected during a twenty-four hour period in which the portions of a sample are proportionate to the flow and combined to form a representative sample. (1988 Code, § 13-502)

18-203. Use of public sewers required. (1) It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the Town of Gates, or in any area under the jurisdiction of said Town of Gates, any human or animal excrement, garbage, or other objectionable waste.

(2) It shall be unlawful to discharge to any natural outlet within the Town of Gates, or in any area under the jurisdiction of said Town of Gates, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this chapter. Any person discharging to a natural outlet shall be required to have a valid national pollutant discharge elimination system permit.

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

(4) The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the Town of Gates 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 Town of Gates, 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 within one hundred (100) feet (30.5 meters) of the property line. Septic tanks, cesspools, and similar private wastewater disposal facilities shall be cleaned of sludge and filled with suitable materials after connection to the sewer system.

(5) The disposal of any wastewater into the public sewer system by any person is unlawful except in compliance with federal standards promulgated pursuant to the Clean Water Act, and any more stringent state and local standards. (1988 Code, § 13-203)

18-204. 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 and state law. The disposal of sewage by private disposal systems shall be permissible only in those instances where service from the available sanitary sewage system is not available. Any person discharging to a natural outlet shall be required to have a valid national pollutant discharge elimination system permit. (1988 Code, § 13-204)

18-205. Building sewers and connections. (1) No unauthorized person 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. No unauthorized person shall make any connections with or opening into any public sewer without first obtaining a written permit from the superintendent.

- (2) There shall be two (2) classes of building sewer permits:
 - (a) for residential and commercial service, and
 - (b) for service to establishments producing industrial wastes.

In either case, the owner or his agent shall make application on a special form furnished by the Town of Gates. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the superintendent. A permit, inspection and tap fee for connecting to the sanitary sewer will be \$250.00 for 4" residential service, \$300.00 for 4" commercial service, and \$350.00 for 6" service. The tap consists of connecting the suitable size service line from the owner's property to the sewer line within the town's easement.

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

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

(5) 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) 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 Town of Gates. 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.

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

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

(9) The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Town of Gates, 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.

(10) The applicant for the building sewer tap 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 his representative.

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

(12) Industrial users applying for discharge permits shall provide the following information with application:

(a) Name, address, and Standard Industrial Classification (SIC) of the applicant.

(b) The volume of wastewater to be discharged.

(c) The constituents and characteristics of the wastewater discharged.

(d) The time and duration of discharge.

(e) The average thirty minute peak wastewater flow rates, including daily, monthly and seasonal variations.

(f) Site and floor plans with mechanical and plumbing plans showing all sewers and drains.

(g) The description of quantities for all materials on the premises which are or could be discharged.

(h) Any other information required by the Town of Gates.

(13) Discharge permits issued to the industrial users shall 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 maximum wastewater constituents and characteristics.

(c) The limit on rate and time of discharge or requirement for flow regulation and equalization.

(d) Requirement for installation of monitoring facilities, including flow monitoring and sampling.

(e) Requirement for maintaining and submitting technical reports of records leading to wastewater discharge.

(f) Daily average and daily maximum discharge rate, or appropriate conditions and pollutants subject to limitation and prohibitions are proposed or present in the user's wastewater discharge.

(g) Compliance schedule.

(14) The duration of a discharge permit to an industrial user shall be for two years. Bi-annual reviews will be scheduled with renewals awarded to those users meeting the current requirements of this sewer user chapter.

(15) Industrial users shall report any substantial change in volume or characteristics of pollutants being introduced into the publicly owned treatment works.

(16) There will be no transferring of industrial user discharge permits. Application for a discharge permit shall be made by the industry which resides at a location where a previous industry had a discharge permit. There will be no tap fee for an existing service; however, a \$25.00 fee for the new industrial resident shall be required for processing the application, inspection and issuance of the discharge permit. No discharges can be made until all requirements of the sewer use chapter are met and inspection by the superintendent has been made.

(17) Records of wastewater measurements, tests and analyses performed by an industry shall be established and maintained properly and a duplicate copy made available for the wastewater system superintendent's files.

(18) Revocation of discharge permits will be based on data collected from the industrial flow monitoring locations. Industrial users which habitually violate the sewer use chapter and/r poor management practices which endangers the sewage works will be subject to revocation. (1988 Code, § 13-205, modified)

18-206. Use of public sewers. (1) No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, sub-surface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.

The discharge of polluted stormwater, surface water, groundwater, roof runoff, or sub-surface drainage, to a sanitary sewer shall be allowed with a written permit form the superintendent.

(2) Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the Tennessee Stream Pollution Control Board. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Tennessee Stream Pollution Control Board, to a storm sewer or natural outlet.

(3) No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

(a) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.

(b) Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant.

(c) Any waters or wastes having a pH lower than 5.5, a pH in excess of 9.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.

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

(4) No person shall discharge or cause to be discharged or deposited into the wastewater treatment system, any wastewater which would cause interference with the unit operations, sludge handling or disposal or pass through of pollutants. The substances prohibited are:

(a) Any liquid or vapor having a temperature higher than one hundred fifty (150)° F (49°C).

(b) Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150)° F (0 and 49°C).

(c) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the superintendent.

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

(e) Any waters or wastes containing objectionable or toxic substances to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the superintendent and/or the Division of Water Quality Control, Tennessee Department of Health, for such materials.

(f) Any waters or wastes containing phenols or other taste-or odor-producing substances, in such concentrations exceeding limits which may be established by the superintendent as necessary, after treatment of the composite sewage, to meet the requirements of the state, federal, or other public agencies of jurisdiction for such discharge to the receiving waters.

(g) 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.

(h) Any waters or wastes having a pH in excess of 9.0.

(i) Materials which exert or cause:

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

(ii) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).

(iii) Unusual BOD (above 200 mg/l), chemical oxygen demand, or chlorine requirement in such quantities as to constitute a significant load on the sewage treatment works.

(iv) Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.

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

(k) Waters or wastes containing suspended solids in excess of 300 mg/l.

(l) Waters or wastes containing chlorides in excess of 50 mg/l.

(m) Waters or wastes containing a total Nitrogen in excess of 35 mg/l.

(n) Incompatible substances with the maximum concentration set on these substances in the influent of the wastewater treatment plant are as follows:

(i)	Ammonia	480 mg/l
(ii)	Arsenic	0.1 mg/l
(iii)	Borate	0.025 mg/l
(iv)	Cadmium	5 mg/l
(v)	Calcium	2500 mg/l
(vi)	Chromium (Hexavalent)	0.50 mg/l
(vii)	Chromium (trivalent)	50 mg/l
(viii)	Copper	1.0 mg/l
(ix)	Cyanide	0.05 mg/l
(x)	Iron	1000 mg/l
(xi)	Lead	0.05 mg/l
(xii)	Manganese	10 mg/l
(xiii)	Mercury	0.05 mg/l
(xiv)	Nickel	0.50 mg/l
(xv)	Silver	5 mg/l
(xvi)	Zinc	0.04 mg/l
(xvii)	Phenol	200 mg/l

(xviii)	Trinitroto- luene (TNT)	10 mg/l
(xix)	EDTA	25 mg/l
(xx)	Nacconol	200 mg/l
(xxi)	Ceepryn	100 mg/l
(xxii)	Benzidine	500 mg/l

(Note: Concentration shown represent influent to processes in dissolved form.)

(5) If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in subsection (4) of this section, and which in the judgment of the superintendent and/or the Division of Water Quality Control, Tennessee Department of Health, may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the superintendent may:

- (a) Reject the wastes,
- (b) Require pretreatment to an acceptable condition for discharge to the public sewers,
- (c) Require control over the quantities and rates of discharge, and/or
- (d) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of subsection (10) of this section.

If the superintendent permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the superintendent and the Tennessee Department of Health and subject to the requirements of all applicable codes, ordinances, and laws.

(6) 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 so located as to be readily and easily accessible for cleaning and inspection. The owner shall be responsible for the proper removal and disposal by appropriate means of captured materials.

(7) 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.

(8) 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, when required, shall be accessible and safely located, and shall be constructed in accordance with plans approved by the superintendent. The manhole shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.

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

(10) All industrial users are subject to the national pretreatment standards as promulgated by the EPA.

(11) All accidental discharges or spills shall be reported to the superintendent immediately.

(12) Records concerning wastewater measurements, tests, and analyses of the sewer system shall be properly established and maintained. Files shall be established to maintain adequate records of every operation of the wastewater system. Individual files shall be established on each industry to record all information concerning its wastewater discharge permit. (1988 Code, § 13-206)

18-207. Protection from damage. No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct. (1988 Code, § 13-207)

18-208. Powers and authority of inspectors. (1) The superintendent and other duly authorized employees of the Town of Gates bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this chapter. The superintendent or his representatives shall have no authority to inquire into any processes, including metallurgical, chemical, oil, refining, ceramic, paper, or other industries beyond

that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

(2) While performing the necessary work on private properties referred to in subsection (1) of this section, the superintendent or duly authorized employees of the municipality 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 Town of Gates employees, and the Town of Gates shall indemnify the company against loss or damage to its property by Town of Gates 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 operations, except as such may be caused by the negligence or failure of the company to maintain safe conditions as required in § 18-206(8).

(3) The superintendent and other duly authorized employees of the Town of Gates as well as representatives of the State of Tennessee and EPA bearing proper credentials and identification shall be permitted to enter all private properties through which the Town of Gates holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement. All entries 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. (1988 Code, § 13-208)

18-209. Penalties. (1) Any person found to be violating any provision of this chapter except § 18-207 shall be served by the Town of Gates with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

(2) Any person who shall continue any violation beyond the time limit provided for in § 18-209(1) of this section shall be guilty of a misdemeanor, and on conviction thereof shall be fined the amount of \$1,000 for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

(3) Any person violating any of the provisions of this chapter shall become liable to the Town of Gates for any expense, loss, or damage occasioned the Town of Gates by reason of such violation.

(4) The Town of Gates shall have the authority to issue cease and desist orders to industrial users who are in violation of the sewer use chapter.

(5) The Town of Gates shall have legal authority to terminate service to those dischargers that have habitually violated this chapter.

(6) In addition to any other method of enforcing the requirement of an owner to connect to the public sewer in accordance with the provisions of § 18-203(4) of this chapter, the Town of Gates may refuse water service to such owner until there has been compliance with said requirement, and may

discontinue water service to an owner failing to comply within ninety (90) days after notice to comply.

(7) Industrial users may appeal their charges of violations of the sewer use chapter to local government officials of the Town of Gates if proper evidence can be presented to show justification and good management practices supporting the industrial user. If not satisfied, the industry may then appeal to the regular court system. (1988 Code, § 13-209)

CHAPTER 3

SEWER USER CHARGE SYSTEM

SECTION

- 18-301. Definition of "user charge."
- 18-302. Application for discharge connection permits.
- 18-303. Distribution of costs.
- 18-304. Binding agreement prerequisite to use of waste treatment facilities.
- 18-305. User charge system effective upon EPA approval.

18-301. Definition of "user charge." "User charge," as defined by the federal law, is a charge levied on users of a treatment works for the cost of operation and maintenance of such works. Sufficient funds must be collected from users each year to cover all operation and maintenance costs. User charges must be proportional to the actual cost of treating the user's wastes. (1988 Code, § 13-301)

18-302. Application for discharge connection permits. Application for discharge connection permits for any potential user will be made at town hall. Type of user service (residential, commercial, industrial), expected waste flow volume, waste strength, flow rate characteristics, and any other pertinent information shall be supplied before service connection may take place. Installation of a service connection shall be according to town specifications and subject to inspection. (1988 Code, § 13-302)

18-303. Distribution of costs. Distribution of the costs associated with the operation and maintenance of waste treatment facilities shall be proportional to the actual cost associated with the user's waste. Users are divided into three categories: residential, commercial, and industrial. Cost per thousand gallons of waste flow are equal for each category except for those users which have 5-day BOD greater than the assumed normal domestic strength waste of 200 mg/l. For those users whose waste strength exceed 200 mg/l, the ratio of actual 5-day BOD/ 200 mg/l 5-day BOD will be multiplied by the cost per 1000 gallons of waste flow of the category to achieve an adjusted user charge for those high strength waste producers.

A sewer charge of \$3.25 per month per service connection plus the additional charge described below, as related to the wastewater contributed by each service per month.

Operation and maintenance costs for residential users are initially set at \$1.80/1000 gal. of water consumption, and commercial and industrial users are initially set at \$2.00/1000 gal. of water consumption.

Annual audits and reviews shall be made and adjustment of user charges will be made to adequately and equitably distribute the operation and

maintenance costs to all sewer users. Accounting records shall be kept for all information associated with the financial operations of the waste treatment facilities. These records shall be kept independently of other financial operations of the town, including potable waste sales revenue. (1988 Code, § 13-303)

18-304. Binding agreement prerequisite to use of waste treatment facilities. Any customer which utilizes the waste treatment facilities in the Town of Gates shall have a binding agreement with the Town of Gates, and said customer shall adopt a user charge system in accordance with guidelines of the Gates User Charge System. The customer shall also provide that sub-entities whose discharges comprise any portion of their waste flow shall also be subject to the terms of this User Charge System. (1988 Code, § 13-304)

18-305. User charge system effective upon EPA approval. This proposed user charge system shall be enacted into the Town of Gates legislation upon approval from EPA after the legislation is passed, the Town of Gates shall have the authority to take appropriate legal action and/or discontinue service to any sewer user or customer which fails to meet the requirements set forth in this user charge system chapter. (1988 Code, § 13-305)

CHAPTER 4

INDUSTRIAL COST RECOVERY SYSTEM

SECTION

- 18-401. Definitions.
- 18-402. Industrial dischargers subject to ICR system.
- 18-403. Application for connection to treatment system.
- 18-404. Distribution of costs.
- 18-405. Industrial cost recovery system to become law.

18-401. Definitions. Industrial Cost Recovery refers to a dollar repayment by significant industrial users of a waste treatment facility for the amount of the federal construction grants necessary to provide facilities for treating the industrial user's waste.

A significant industry is defined as one which discharges in excess of 25,000 gpd or the weight of BOD or SS equivalent to that found in 25,000 gpd of residential waste (in Gates' case -50 pounds/day (240 mg/l)). (1988 Code, § 13-401)

19-402. Industrial discharges subject to ICR system. Any industrial discharges to the Gates waste treatment system by a significant industrial discharger shall be subject to requirements and regulations of the ICR system. A binding agreement shall be made between the Town of Gates and any customer within the jurisdiction of the Gates Sewer Use Chapter which discharges to the Gates System. This agreement shall provide that industrial cost recovery shall be collected in accordance with the Gates ICR system from any industrial user which meets the definition stated above. Each applicable customer shall remit to the Town of Gates all cost recovery payments required. The agreement shall provide the Town of Gates with the legal right to enforce ICR requirements. (1988 Code, § 13-402)

18-403. Application for connection to treatment system. Each industry, before connecting to the waste treatment facilities, shall make application to the Town of Gates for a discharge connection permit. This application shall clearly define the type of service, expected waste volume, strength, flow rate characteristics of waste flow, and any other pertinent information. After all information requirements have been met, connection can proceed with installation being constructed to city specifications and inspection. Provisions for flow monitoring shall be made available to the town at the cost of the industrial user for purposes of identifying actual flows and strengths of wastes. (1988 Code, § 13-403)

18-404. Distribution of costs. Distribution of the costs of the federal grants associated with the waste treatment facilities shall be proportional to the waste facilities needed for the industrial user's load. ICR payments have been developed for each of the following functions: flow (\$551.05/100 gallon/day), five-day biochemical oxygen demand (\$179.04 lb/day), and total suspended solids removal (\$82.93/lb/day). This only applies to significant industrial users.

ICR payments are not to be levied pending Congressional action; however, the method of leviance is outlined as follows:

(1) Each industrial user to which ICR applies will have determinations made of:

(a) Capacity (e.g., maximum daily discharge).

(b) Pollutant concentrations (maximum daily discharge basis).

(2) From the flow and pollutant strengths pounds per day of 5-day BOD and ISS can be calculated.

(3) Applying the ICR payments to the determinations of flow and quantities of pollutants yields the ICR payment requirement.

The resulting ICR requirement is calculated in 30 equal annual installments (with no interest charge).

Accounting records shall be kept on the ICR system independent of other financial records. Lists of industrial users along with waste loading and discharge estimates, shall be kept along with records of ICR payments. (1988 Code, § 13-404)

18-405. Industrial cost recovery system to become law. This proposed industrial cost recovery system chapter shall be enacted into town legislation upon approval from EPA. After becoming a part of the town's municipal code, the Town of Gates shall have the authority to take appropriate legal action and/or discontinue service to any industrial user which fails to abide by the terms of the industry/Town of Gates agreement. (1988 Code, § 13-405)

CHAPTER 5

CROSS CONNECTIONS, AUXILIARY INTAKES, ETC.¹

SECTION

- 18-501. Definitions.
- 18-502. Standards.
- 18-503. Construction, operation, and supervision.
- 18-504. Statement required.
- 18-505. Inspections required.
- 18-506. Right of entry for inspections.
- 18-507. Correction of existing violations.
- 18-508. Use of protective devices.
- 18-509. Unpotable water to be labeled.
- 18-510. Violations.

18-501. 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 town for general use and which supply is recognized as the public water supply by the Tennessee Department of Health.

(2) "Cross-connection." Any physical connection 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 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) "By-pass." 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 does or may contain 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. (1988 Code, § 8-301)

¹Municipal code references

Water and sewer system administration: title 18.

Wastewater treatment: title 18.

18-502. Standards. The municipal public water supply is to comply with Tennessee Code Annotated, §§ 68-221-701 through 68-221-720 as well as the Rules and Regulations for Public Water Supplies, legally adopted in accordance with this code, which pertain to cross connections, auxiliary intakes, bypasses, and interconnections, and establish an effective ongoing program to control these undesirable water uses. (1988 Code, § 8-302)

18-503. Construction, operation, and supervision. It shall be unlawful for any person to cause a cross connection 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 the operation of such cross-connection, auxiliary intake, bypass or interconnection is at all times under the direct supervision of the mayor. (1988 Code, § 8-303)

18-504. 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 mayor a statement of the non-existence of unapproved or unauthorized auxiliary intakes, bypasses, or interconnections. Such statement shall also contain an agreement that no cross connection, auxiliary intake, bypass, or interconnection will be permitted upon the premises. (1988 Code, § 8-304)

18-505. Inspections required. It shall be the duty of the mayor 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 the waterworks and as approved by the Tennessee Department of Health. (1988 Code, § 8-305)

18-506. Right of entry for inspections. The mayor or his authorized representative shall have the right to enter, at any reasonable time, any property served by a connection to the public water supply for the purpose of inspecting the piping system or systems therein for cross connections, auxiliary intakes, bypasses, or interconnections. On request, the owner, lessee, or occupant of any property so served shall furnish to the inspection agency any pertinent information regarding the piping system or systems on such property. The refusal of such information or refusal of access, when requested, shall be deemed evidence of the presence of cross-connections. (1988 Code, § 8-306)

18-507. Correction of existing violations. Any person who now has cross connections, auxiliary intakes, bypasses, or interconnections in violation of the provisions of this chapter shall be allowed a reasonable time within which to comply with the provisions of this chapter. After a thorough investigation of existing conditions and an appraisal of the time required to complete the work, the amount of time shall be designated by the mayor.

The failure to correct conditions threatening the safety of the public water system as prohibited by this chapter and the Tennessee Code Annotated, § 68-221-711, within a reasonable time and within the time limits set by the mayor shall be grounds for denial of water service. If proper protection has not been provided after a reasonable time, the utility shall give the customer legal notification that water service is to be discontinued and physically separate the public water supply from the customer's on-site piping system in such a manner that the two systems cannot again be connected by an unauthorized person.

Where cross connections, interconnections, auxiliary intakes, or bypasses are found that constitutes an extreme hazard of immediate concern of contaminating the public water system, the management of the utility shall require that immediate corrective action be taken to eliminate the threat to the public water system. Immediate steps shall be taken to disconnect the public water supply from the on-site piping system unless the imminent hazard(s) is (are) corrected immediately. (1988 Code, § 8-307)

18-508. Use of protective devices. Where the nature of use of the water supplied a premises by the water department 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 water supply, 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 mayor 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 as to manufacture, model, and size. The method of installation of backflow protective devices shall be approved by the mayor prior to installation and shall comply with the criteria set forth by the Tennessee Department of Health. The installation shall be at the expense of the owner or occupant of the premises.

Personnel of the town public water supply shall have the right to inspect and test the device or devices on an annual basis or whenever deemed necessary

by the mayor 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 it is found that only one unit has been installed and the continuance of service is critical, the superintendent of 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 mayor shall require the occupant of the premises to make all repairs indicated promptly, to keep the unit(s) working properly, and the expense of such repairs shall be borne by the owner or occupant of the premises. Repairs shall be made by qualified personnel acceptable to the mayor.

The failure to maintain backflow prevention devices in proper working order shall be grounds for discontinuing water service to premises. Likewise, the removal, bypassing, or altering the protective devices or the installation thereof so as to render the devices ineffective shall constitute grounds for discontinuance of water service. Water service to such premises shall not be restored until the customer has corrected or eliminated such conditions or defects to the satisfaction of the mayor. (1988 Code, § 8-308)

18-509. Unpotable water to be labeled. In order that the potable water supply made available to premises 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

The minimum acceptable sign shall have black letters at least one-inch high located on a red background. (1988 Code, § 8-309)

18-510. Violations. The requirements contained herein shall apply to all premises served by the Gates Water System whether located inside or outside the corporate limits and are hereby made a part of the conditions required to be met for the municipality to provide water services to any premises. Such action, being essential for the protection of the water distribution system against the entrance of contamination which may render the water unsafe healthwise, or otherwise undesirable, shall be enforced rigidly without regard to location of the premises, whether inside or outside the corporate limits.

Any person who neglects or refuses to comply with any of the provisions of this chapter shall be deemed guilty of a misdemeanor and, upon conviction therefor, shall be fined under the general penalty clause for this municipal code of ordinances. (1988 Code, § 8-310)