

**TITLE 18****WATER AND SEWERS****CHAPTER**

1. CROSS-CONNECTIONS REGULATIONS.
2. CROSS-CONNECTION CONTROL PLAN.
3. WATER.
4. WATER SHORTAGES.
5. SEWERS.
6. SEWER USE ORDINANCE.
7. FATS, OILS, AND GREASE.

**CHAPTER 1****CROSS-CONNECTIONS REGULATIONS<sup>1</sup>****SECTION**

- 18-101. Objectives.
- 18-102. Definitions.
- 18-103. Compliance with *Tennessee Code Annotated*.
- 18-104. Regulated.
- 18-105. Permit required.
- 18-106. Inspections.
- 18-107. Right of entry for inspections.
- 18-108. Correction of violations.
- 18-109. Required devices.
- 18-110. Non-potable supplies.
- 18-111. Statement required.
- 18-112. Discontinuance of water supply.
- 18-113. Provision applicable.
- 18-114. Violations and penalty.

**18-101. Objectives.** The objectives of this chapter are:

- (1) To protect the public potable water system of Alamo water system from the possibility of contamination or pollution by isolating within the customer's internal distribution system, such contaminants or pollutants that could backflow or backsiphon into the public water system;

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<sup>1</sup>Municipal code references

Plumbing code: title 12 chapter 2.

Water and sewer system administration: title 18.

Wastewater treatment: title 18, chapter 6.

(2) To promote the elimination or control of existing cross-connections, actual or potential, between the customer's in-house potable water system and non-potable water systems, plumbing fixtures, and industrial piping systems; and

(3) To provide for the maintenance of a continuing program of cross-connection control that will systematically and effectively prevent the contamination or pollution of all potable water systems. (Ord. #2018-4, Aug. 2018)

**18-102. Definitions.** The following words, terms and phrases shall have the meanings ascribed to them in this section, when used in the interpretation and enforcement of this chapter.

(1) "Air-gap" shall mean a vertical, physical separation between a water supply and the overflow rim of a non-pressurized receiving vessel. An approved air-gap separation shall be at least twice the inside diameter of the water supply line, but in no case less than six inches (6"). Where a discharge line serves as receiver, the air-gap shall be at least twice the diameter of the discharge line, but not less than six inches (6").

(2) "Atmospheric vacuum breaker" shall mean a device, which prevents backsiphonage by creating an atmospheric vent when there is either a negative pressure or sub-atmospheric pressure in the water system.

(3) "Auxiliary intake" shall mean any water supply, on or available to a premises, other than that directly supplied by the public water system. These auxiliary waters may include water from another purveyor's public water system; any natural source, such as a well, spring, river, stream, and so forth; used, reclaimed or recycled waters; or industrial fluids.

(4) "Backflow" shall mean the undesirable reversal of the intended direction of flow in a potable water distribution system as a result of a cross-connection.

(5) "Backpressure" shall mean any elevation of pressure in the downstream piping system (caused by pump, elevated tank or piping, steam and/or air pressure) above the water supply pressure at the point which would cause, or tend to cause, a reversal of the normal direction of flow.

(6) "Backsiphonage" shall mean the flow of water or other liquids, mixtures or substances into the potable water system from any source other than its intended source, caused by the reduction of pressure in the potable water system.

(7) "By-pass" shall mean any system of piping or other arrangement whereby water from the public water system can be diverted around a backflow prevention device.

(8) "Cross-connection" shall mean any physical connection or potential connection whereby the public water system is connected, directly or indirectly,

with any other water supply system, sewer, drain, conduit, pool, storage reservoir, plumbing fixture or other waste or liquid of unknown or unsafe quality, which may be capable of imparting contamination to the public water system as a result of backflow or backsiphonage. By-pass arrangements, jumper connections, removable sections, swivel or changeover devices, through which or because of which backflow could occur, are considered to be cross-connections.

(9) "Double check valve assembly" shall mean an assembly of two (2) independently operating, approved check valves with tightly closing resilient seated shut-off valves on each side of the check valves, fitted with properly located resilient seated testcocks for testing each check valve.

(10) "Double check detector assembly" shall mean an assembly of two (2) independently operating, approved check valves with an approved water meter (protected by another double check valve assembly) connected across the check valves, with tightly closing resilient seated shut-off valves on each side of the check valves, fitted with, properly located resilient seated testcocks for testing each part of the assembly.

(11) "Fire protection systems" shall be classified in six different classes in accordance with AWWA Manual M14 - Second Edition 1990. The six (6) classes are as follows:

(a) Class 1 shall be those with direct connections from public water mains only; no pumps, tanks or reservoirs; no physical connection from other water supplies; no antifreeze or other additives of any kind; all sprinkler drains discharging to the atmosphere, dry wells or other safe outlets.

(b) Class 2 shall be the same as Class 1, except that booster pumps may be installed in the connections from the street mains.

(c) Class 3 shall be those with direct connection from public water supply mains, plus one (1) or more of the following: elevated storage tanks, fire pumps taking suction from above ground covered reservoirs or tanks, and/or pressure tanks (all storage facilities are filled from or connected to public water only, and the water in the tanks is to be maintained in a potable condition).

(d) Class 4 shall be those with direct connection from the public water supply mains, similar to Class 1 and Class 2, with an auxiliary water supply dedicated to fire department use and available to the premises, such as an auxiliary supply located within one thousand seven hundred feet (1,700') of the pumper connection.

(e) Class 5 shall be those directly supplied from public water mains and interconnected with auxiliary supplies, such as pumps taking suction from reservoirs exposed to contamination, or rivers and ponds; driven wells; mills or other industrial water systems; or where antifreeze or other additives are used.

(f) Class 6 shall be those with combined industrial and fire protection systems supplied from the public water mains only, with or without gravity storage or pump suction tanks.

(12) "Inter-connection" shall mean any system of piping or other arrangements 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 system.

(13) "Manager" shall mean the manager of the Alamo water system or his duly authorized deputy, agent or representative.

(14) "Person" shall mean 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.

(15) "Potable water" shall mean water, which meets the criteria of the Tennessee Department of Environment and Conservation and the United States Environmental Protection Agency for human consumption.

(16) "Pressure vacuum breaker" shall mean an assembly consisting of a device containing one (1) or two (2) independently operating spring loaded check valves and an independently operating spring loaded air inlet valve located on the discharge side of the check valve(s), with tightly closing shut-off valves on each side of the check valves and properly located test cocks for the testing of the check valves and relief valve.

(17) "Public water supply" shall mean the Alamo water system, which furnishes potable water to the public for general use and which is recognized as the public water supply by the Tennessee Department of Environment and Conservation.

(18) "Reduced pressure principle backflow prevention device" shall mean an assembly consisting of two (2) independently operating approved check valves with an automatically operating differential relief valve located between the two (2) check valves, tightly closing resilient seated shut-off valves, plus properly located resilient seated test cocks for the testing of the check valves and the relief valve.

(19) "Water system" shall be considered as made up of two (2) parts, the utility system and the customer system.

(a) The utility system shall consist of the facilities for the storage and distribution of water and shall include all those facilities of the water system under the complete control of the utility system, up to the point where the customer's system begins (i.e., the water meter);

(b) The customer system shall include those parts of the facilities beyond the termination of the utility system distribution system that are utilized in conveying domestic water to points of use. (Ord. #2018-4, Aug. 2018)

**18-103. Compliance with Tennessee Code Annotated.** The Alamo water system shall be responsible for the protection of the public water system from contamination or pollution due to the backflow of contaminants through the water service connection. The Alamo water system shall comply with *Tennessee Code Annotated*, § 68-221-711, as well as the *Rules and Regulations for Public Water Systems and Drinking Water Quality*, legally adopted in accordance with this code, which pertain to cross-connections, auxiliary intakes, by-passes and inter-connections; and shall establish an effective, on-going program to control these undesirable water uses. (Ord. #2018-4, Aug. 2018)

**18-104. Regulated.** (1) No water service connection to any premises shall be installed or maintained by the Alamo water system unless the water supply system is protected as required by state laws and this chapter. The owner or person, in control of any premises may be cited into town court and assessed a civil fine of fifty dollars (\$50.00) per day the violation exists or water service shall be discontinued by the Alamo water system if a backflow prevention device required by this chapter is not installed, tested, and/or maintained; or if it is found that a backflow prevention device has been removed, by-passed, or if an unprotected cross-connection exists on the premises. Service shall not be restored until such conditions or defects are corrected.

(2) 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 Environment and Conservation, and the operation of such cross-connection is at all times under the direction of the manager of the Alamo water system.

(3) If, in the judgment of the manager or his designated agent, an approved backflow prevention device is required at the water service connection to a customer's premises, or at any point(s) within the premises, to protect the potable water supply, the manager shall compel the installation, testing and maintenance of the required backflow prevention device(s) at the customer's expense.

(4) An approved backflow prevention device shall be installed on each water service line to a customer's premises at or near the property line or immediately inside the building being served; but in all cases, before the first branch line leading off the service line.

(5) For new installations, the manager or his designated agent shall inspect the site and/or review plans in order to assess the degree of hazard and to determine the type of backflow prevention device, if any, that will be required, and to notify the owners in writing of the required device and installation criteria. All required devices shall be installed, tested and operational prior to the initiation of water service.

(6) For existing premises, personnel from the Alamo water system shall conduct inspections and evaluations, and shall require correction of

violations in accordance with the provisions of this chapter. (Ord. #2018-4, Aug. 2018)

**18-105. Permit required.** (1) New installations. No installation, alteration, or change shall be made to any backflow prevention device connected to the public water supply for water service, fire protection or any other purpose without first contacting the Alamo water system for approval.

(2) Existing installations. No alteration, repair, testing or change shall be made of any existing backflow prevention device connected to the public water supply for water service, fire protection or any other purpose without first securing the appropriate approval from the Alamo water system. (Ord. #2018-4, Aug. 2018)

**18-106. Inspections.** The manager or his designated agent shall inspect all properties served by the public water supply where cross-connections with the public water supply are deemed possible. The frequency of inspections and re-inspection shall be based on potential health hazards involved, and shall be established by the Alamo water system in accordance with guidelines acceptable to the Tennessee Department of Environment and Conservation. (Ord. #2018-4, Aug. 2018)

**18-107. Right of entry for inspections.** The manager or his authorized representative shall have the right to enter, at any reasonable time, any properly served by a connection to the Alamo water system public water system for the purpose of inspecting the piping system therein for cross-connection, auxiliary intakes, by-passes or inter-connections, or for the testing of backflow prevention devices. Upon request, the owner, lessee, or occupant of any property so served shall furnish any pertinent information regarding the piping system(s) on such property. The refusal of such information or refusal of access, when requested, shall be deemed evidence of the presence of cross-connections, and shall be grounds for civil fines and/or disconnection of water service. (Ord. #2018-4, Aug. 2018)

**18-108. Correction of violations.** (1) Any person found to have cross-connections, auxiliary intakes, by-passes or inter-connections 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 the existing conditions and an appraisal of the time required to complete the work, the manager or his representative shall assign an appropriate amount of time, but in no case shall the time for corrective measures exceed ninety (90) days.

(2) Where cross-connections, auxiliary intakes, by-passes or inter-connections are found that constitute an extreme hazard, with the immediate possibility of contaminating the public water system, the Alamo

water system shall require that immediate corrective action be taken to eliminate the threat to the public water system. Expeditious steps shall be taken to disconnect the public water system from the on-site piping system unless the imminent hazard is immediately corrected, subject to the right to a due process hearing upon timely request. The time allowed for preparation for a due process hearing shall be relative to the risk of hazard to the public health and may follow disconnection when the risk to the public health and safety, in the opinion of the manager, warrants disconnection prior to a due process hearing.

(3) The failure to correct conditions threatening the safety of the public water system as prohibited by this chapter and *Tennessee Code Annotated*, § 68-221-711, within the time limits established by the manager or his representative, shall be grounds for civil fines and/or denial of water service. If proper protection has not been provided after a reasonable time, the manager shall cite the customer to town court or give the customer legal notification that water service is to be discontinued, and shall physically separate the public water system from the customer's on-site piping in such a manner that the two systems cannot again be connected by an unauthorized person, subject to the right of a due process hearing upon timely request. The due process hearing may follow disconnection when the risk to the public health and safety, in the opinion of the manager, warrants disconnection prior to a due process hearing. (Ord. #2018-4, Aug. 2018)

**18-109. Required devices.** (1) An approved backflow prevention assembly shall be installed downstream of the meter on each service line to a customer's premises at or near the property line or immediately inside the building being served, but in all cases, before the first branch line leading off the service line, when any of the following conditions exist:

- (a) Impractical to provide an effective air-gap separation;
- (b) The owner/occupant of the premises cannot or is not willing to demonstrate to the Alamo water system that the water use and protective features of the plumbing are such as to pose no threat to the safety or potability of the water;
- (c) The nature and mode of operation within a premise are such that frequent alterations are made to the plumbing;
- (d) There is likelihood that protective measures may be subverted, altered or disconnected;
- (e) The nature of the premises is such that the use of the structure may change to a use wherein backflow prevention is required; and
- (f) The plumbing from a private well or other water source enters the premises served by the public water system.

(2) The protective devices shall be of the reduced pressure zone type (except in the case of certain fire protection systems and swimming pools with no permanent plumbing installed) approved by the Tennessee Department of

Environment and Conservation and the Alamo water system, as to manufacture, model, size and application. The method of installation of backflow prevention devices shall be approved by the Alamo water system prior to installation and shall comply with the criteria set forth in this chapter. The installation and maintenance of backflow prevention devices shall be at the expense of the owner or occupant of the premises.

(3) Premises requiring reduced pressure principle assemblies or air gap separation; high risk high hazards. Establishments which pose significant risk of contamination or may create conditions which pose an extreme hazard of immediate concern (high risk high hazards), the cross-connection control inspector shall require immediate or a short amount of time (fourteen (14) days maximum), depending on conditions, for corrective action to be taken. In such cases, if corrections have not been made within the time limits set forth, water service will be discontinued.

High risk high hazards require a reduced pressure principle (or detector) assembly. The following list is establishments deemed high risk high hazard and require a reduced pressure principle assembly:

- (a) High risk high hazards.
  - (i) Mortuaries, morgues, autopsy facilities;
  - (ii) Hospitals, medical buildings, animal hospitals and control centers, doctor and dental offices;
  - (iii) Sewage treatment facilities, water treatment, sewage and water treatment pump stations;
  - (iv) Premises with auxiliary water supplies or industrial piping systems;
  - (v) Chemical plants (manufacturing, processing, compounding, or treatment);
  - (vi) Laboratories (industrial, commercial, medical research, school);
  - (vii) Packing and rendering houses;
  - (viii) Manufacturing plants;
  - (ix) Food and beverage processing plants;
  - (x) Automated car wash facilities;
  - (xi) Extermination companies;
  - (xii) Airports, railroads, bus terminals, piers, boat docks;
  - (xiii) Bulk distributors and users of pesticides, herbicides, liquid fertilizer, etc.;
  - (xiv) Metal plating, pickling, and anodizing operations;
  - (xv) Greenhouses and nurseries;
  - (xvi) Commercial laundries and dry cleaners;
  - (xvii) Film laboratories;
  - (xviii) Petroleum processes and storage plants;
  - (xix) Restricted establishments;
  - (xx) Schools and educational facilities;



- (xxi) Animal feedlots, chicken houses, and CAFOs;
- (xxii) Taxidermy facilities; and
- (xxiii) Establishments which handle, process, or have extremely toxic or large amounts of toxic chemicals or use water of unknown or unsafe quality extensively.

(b) High hazard. In cases where there is less risk of contamination, or less likelihood of cross-connections contaminating the system, a time period of (ninety (90) days maximum) will be allowed for corrections. High hazard is a cross-connection or potential cross-connection involving any substance that could, if introduced in the public water supply, cause death, illness, and spread disease. (See Appendix A of manual)

(4) Applications requiring backflow prevention devices shall include, but shall not be limited to, domestic water service and/or fire flow connections for all medical facilities, all fountains, lawn irrigation systems, wells, water softeners and other treatment systems, swimming pools and on all fire hydrant connections other than those by the fire department in combating fires. Those facilities deemed by Alamo water system as needing protection.

(a) Class 1, Class 2 and Class 3 fire protection systems shall generally require a double check valve assembly; except: a double check detector assembly shall be required where a hydrant or other point of use exists on the system; or a reduced pressure backflow prevention device shall be required where:

(i) Underground fire sprinkler lines are parallel to and within ten feet (10') horizontally of pipes carrying sewage or significantly toxic materials;

(ii) Premises have unusually complex piping systems; or

(iii) Pumpers connecting to the system have corrosion inhibitors or other chemicals added to the tanks of the fire trucks.

(b) Class 4, Class 5 and Class 6 fire protection systems shall require reduced pressure backflow prevention devices.

(c) Wherever the fire protection system piping is not an acceptable potable water system material, or chemicals such as foam concentrates or antifreeze additives are used, a reduced pressure backflow prevention device shall be required.

(d) Swimming pools with no permanent plumbing and only filled with hoses will require a hose bibb vacuum breaker be installed on the faucet used for filling.

(5) The manager or his representative may require additional and/or internal backflow prevention devices wherein it is deemed necessary to protect potable water supplies within the premises.

(6) Installation criteria. The minimum acceptable criteria for the installation of reduced pressure backflow prevention devices, double check valve

assemblies or other backflow prevention devices requiring regular inspection or testing shall include the following:

(a) All required devices shall be installed in accordance with the provisions of this chapter, by a person approved by the Alamo water system who is knowledgeable in the proper installation. Only licensed sprinkler contractors may install, repair or test backflow prevention devices on fire protection systems;

(b) All devices shall be installed in accordance with the manufacturer's instructions and shall possess appropriate testcocks, fittings and caps required for the testing of the device (except hose bibb vacuum breakers). All fittings shall be of brass construction, unless otherwise approved by the Alamo water system, and shall permit direct connection to department test equipment;

(c) The entire device, including valves and testcocks, shall be easily accessible for testing and repair;

(d) All devices shall be placed in the upright position in a horizontal run of pipe;

(e) Device shall be protected from freezing, vandalism, mechanical abuse and from any corrosive, sticky, greasy, abrasive or other damaging environment;

(f) Reduced pressure backflow prevention devices shall be located a minimum of twelve inches (12"), plus the nominal diameter of the device above either: the floor; the top of opening(s) in the enclosure; or maximum flood level, whichever is higher. Maximum height above the floor surface shall not exceed sixty inches (60");

(g) Clearance from wall surfaces or other obstructions shall be at least six inches (6"). Devices located in non-removable enclosures shall have at least twenty-four inches (24") of clearance on each side of the device for testing and repairs;

(h) Devices shall be positioned where a discharge from the relief port will not create undesirable conditions. The relief port must never be plugged, restricted or solidly piped to a drain;

(i) An approved air-gap shall separate the relief port from any drainage system. An approved air-gap shall be at least twice the inside diameter of the supply line, but never less than one inch (1");

(j) An approved strainer shall be installed immediately upstream of the backflow prevention device, except in the case of a fire protection system;

(k) Devices shall be located in an area free from submergence or flood potential, therefore never in a below grade pit or vault. All devices shall be adequately supported to prevent sagging;

(l) Adequate drainage shall be provided for all devices. Reduced pressure backflow prevention devices shall be drained to the outside whenever possible;

(m) Fire hydrant drains shall not be connected to the sewer, nor shall fire hydrants be installed such that backflow/backsiphonage through the drain may occur;

(n) Enclosures for outside installations shall meet the following criteria:

(i) All enclosures for backflow prevention devices shall be as manufactured by a reputable company or an approved equal.

(ii) For backflow prevention devices up to and including two (2") inches, the enclosure shall be constructed of adequate material to protect the device from vandalism and freezing and shall be approved by the Alamo water system. The complete assembly, including valve stems and hand wheels, shall be protected by being inside the enclosure.

(iii) To provide access for backflow prevention devices up to and including two (2") inches, the enclosure shall be completely removable. Access for backflow prevention devices two and one-half inches (2 1/2") and larger shall be provided through a minimum of two access panels. The access panels shall be of the same height as the enclosure and shall be completely removable. All access panels shall be provided with built-in locks.

(iv) The enclosure shall be mounted to a concrete pad in no case less than four (4") inches thick. The enclosure shall be constructed, assembled and/or mounted in such a manner that it will remain locked and secured to the pad even if any outside fasteners are removed. All hardware and fasteners shall be constructed of 300 series stainless steel.

(v) Heating equipment, if required, shall be designed and furnished by the manufacturer of the enclosure to maintain an interior temperature of forty degrees Fahrenheit (+40°F) with an outside temperature of negative thirty degrees Fahrenheit (-30°F) and a wind velocity of fifteen (15) miles per hour.

(o) Where the use of water is critical to the continuance of normal operations or the protection of life, property or equipment, duplicate backflow prevention devices shall be provided to avoid the necessity of discontinuing water service to test or repair the protective device. Where it is found that only one device has been installed and the continuance of service is critical, the Alamo water system shall notify, in writing, the occupant of the premises of plans to interrupt water services and arrange for a mutually acceptable time to test the device. In such cases, the Alamo water system may require the installation of a duplicate device; and

(p) The Alamo water system shall require the occupant of the premises to keep any backflow prevention devices working properly, and to make all indicated repairs promptly. Repairs shall be made by

qualified personnel acceptable to the Alamo water system. Expense of such repairs shall be borne by the owner for occupant of the premises. The failure to maintain a backflow prevention device in proper working condition shall be grounds for civil fines and/or discontinuance of water service to a premises. Likewise, the removal, by-passing or alteration of a backflow prevention device or the installation thereof, so as to render a device ineffective shall constitute a violation of this chapter and shall be grounds for civil fines and/or 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 Alamo water system.

(7) Testing of devices. Devices shall be tested at least annually by the Alamo Water System or by a qualified person possessing a valid certification from the Tennessee Department of Environment and Conservation, Division of Water Resources for the testing of such devices. If tests are performed by the Alamo water system, a record of this test will be on file with the Alamo water system and a copy of this report will be supplied to the customer. If a qualified private tester is used, the Alamo water system shall be provided a copy of the test results. Water service shall not be disrupted to test a device without the knowledge of the occupant of the premises. The Alamo water system will charge a fee of sixty dollars (\$60.00) per device if they are requested to perform the annual test plus any required retesting. The customer who owns the device will be responsible for the costs of all testing. (Ord. #2018-4, Aug. 2018, modified)

**18-110. Non-potable supplies.** (1) The potable water supply made available to a premises served by the public water system shall be protected from contamination as specified in the provisions of this chapter. Any water pipe or outlet which could be used for potable or domestic purposes and which is not supplied by the potable water system must be labeled in a conspicuous manner such as:

### **WATER UNSAFE FOR DRINKING**

(2) The minimum acceptable sign shall have black letters at least one (1") inch high located on a red background. Color-coding of pipelines, in accordance with (OSHA) Occupational Safety and Health Act guidelines, shall be required in locations where in the judgment of the Alamo water system, such coding is necessary to identify and protect the potable water supply. (Ord. #2018-4, Aug. 2018)

**18-111. Statement required.** Any person whose premises are supplied with water from the public water system, and who also has on the same premises a well or other separate source of water supply, or who stores water in an uncovered or unsanitary storage reservoir from which the water is

circulated through a piping system, shall file with the Alamo water system a statement of the nonexistence of unapproved or unauthorized cross-connections, auxiliary intakes, by-passes or inter-connections. Such statement shall contain an agreement that no cross-connections, auxiliary intakes, by-passes or inter-connections will be permitted upon the premises. Such statement shall also include the location of all additional water sources utilized on the premises and how they are used. Maximum backflow protection shall be required on all public water sources supplied to the premises. (Ord. #2018-4, Aug. 2018)

**18-112. Discontinuance of water supply.** (1) Any person who neglects or refuses to comply with any of the provisions of this chapter may be deemed guilty of a misdemeanor and subject to a fine.

(2) Independent of and in addition to any fines or penalties imposed, the manager may discontinue the public water supply service to any premises upon which there is found to be a cross-connection, auxiliary intake, by-pass or inter-connection; and service shall not be restored until such cross-connection, auxiliary intake, by-pass or inter-connection has been eliminated. (Ord. #2018-4, Aug. 2018)

**18-113. Provision applicable.** The requirements contained in this chapter shall apply to all premises served by the Alamo water system and are hereby made part of the conditions required to be met for the Alamo water system to provide water services to any premises. The provisions of this chapter shall be rigidly enforced since it is essential for the protection of the public water distribution system against the entrance of contamination. Any person aggrieved by the action of the ordinance is entitled to a due process hearing upon timely request. (Ord. #2018-4, Aug. 2018)

**18-114. Violations and penalty.** The requirements contained herein shall apply to all premises served by the town 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 town to provide water services to any premises. Such action, being essential for the protection of the water distribution system against the entrance of contamination which may render the water unsafe healthwise, or otherwise undesirable, shall be enforced rigidly without regard to location of the premises, whether inside or outside the corporate limits.

Any person who neglects or refuses to comply with any of the provisions of this chapter shall be subject to a penalty under the general penalty provision of this code. Each day a violation is allowed to occur shall be a separate offense.

## CHAPTER 2

### CROSS-CONNECTION CONTROL PLAN

#### SECTION

- 18-201. Introduction.
- 18-202. Authority for cross-connection control.
- 18-203. Program to be pursued.
- 18-204. Procedures for Inspections.
- 18-205. Premises requiring reduced pressure principle assemblies or air gap separation.
- 18-206. Premises allowing double check valve assemblies.
- 18-207. Inspection and testing of backflow prevention assemblies.
- 18-208. Parallel units.
- 18-209. Records.
- 18-211. Modifications to plan.

**18-201. Introduction.** (1) Goal. The goal of the Alamo Water System is to supply safe water to each and every customer under all foreseeable circumstances. Each instance where water is used improperly so as to create the possibility of backflow due to cross-connections threatens the health and safety of customers and chances of realizing this goal. The possibility of backflow due to improper use of water within the customer's premises is especially significant because such cross-connections may easily result in the contamination of our water supply mains. Such situations may result in the public water system becoming a transmitter of diseased organisms, toxic materials, or other hazardous substances that may adversely affect large numbers of people. The only protection against such occurrences is the elimination of such cross-connections or the isolation of such hazards from the water supply lines by properly installed approved backflow prevention assemblies. The Alamo Water System must continue maintenance of a continuing program of cross-connection control to systematically and effectively prevent the contamination or pollution of all potable water systems.

(2) Plan of action. The Alamo Water System is determined to take every reasonable precaution to ensure that cross-connections are not allowed to contaminate the water being distributed to its customers. This cross-connection plan outlines a course of action designed to control cross-connection within the area served by the utility. This plan is intended to be a practical guide for safeguarding the quality of water distributed from becoming contaminated or polluted through backflow. By following the plan of action, the water provider will ensure that all aspects of the ordinance on cross-connection control are being followed by customer. (Ord. #\_\_\_\_\_, Aug. 2018)

**18-202. Authority for cross-connection control.** This chapter expresses clear determination on the part of the board that the water system is to be operated free of cross-connections that endanger the health and safety of those depending upon the public water supply. This chapter is considered to be a sound basis for the control of cross-connection hazards by the operating staff and management of the Alamo Water System. The provisions, contained within this chapter, are in keeping with the requirements set forth in § 68-221-711(6) of *Tennessee Code Annotated* and § 1200-5-1-.17(6.) of Tennessee Department of Environment and Conservation *Rules Governing Public Water Systems*. (Ord. #\_\_\_\_\_, Aug. 2018)

**18-203. Program to be pursued.** The Alamo Water System will establish an active on-going cross-connection control program. This program is to be a continuing effort to locate and correct all existing cross-connection hazards and to discourage the creation of new problems. Safeguarding the quality of water being distributed to our customers is a high priority concern of the management of the Alamo Water System.

(1) Staffing. The Alamo Water System has designated an individual to see that the program to control cross-connections is pursued in an aggressive and effective manner. It is proposed that ample time will be devoted to the program to ensure its effectiveness. Additional personnel will be added as is deemed necessary.

(2) Cross-connection control surveys/inspections. A representative of the water system will survey the distribution for all customers, both residential and nonresidential, for possible cross-connections. If it is determined from the surveys that possible cross-connections may exist, the premise will be inspected. The need for backflow protection will be determined based on the results from the inspection. Notification of the type of backflow prevention assembly required and a date of compliance will be sent to the customer.

(a) Non-residential. All new installation nonresidential and commercial establishments are required to have an approved backflow preventer installed, if needed, that is in agreement to the hazard present or be inspected every five (5) years. The inspections will be performed on all new establishments before water service is established or within ninety (90) days of connection. If there are existing establishments that have not been inspected, a list agreed upon by the state (based on risk and public safety) and time line for inspection by the water provider will be generated. All non-residential establishments not requiring an assembly will be inspected (every five (5) years maximum). If establishment changes ownership (name listed on water bill), if plumbing permits are issued or irrigation systems installed, then an inspection will need to be performed (no later than ninety (90) days). The need for backflow protection will be determined based on the results from the inspection. Notification of the type of backflow prevention assembly

required and a date of compliance will be sent to the customer. (A list of criteria for requiring assemblies - Appendix A.)<sup>1</sup>

(b) Residential. For new residential customers, a written questionnaire will be given upon request for water service. If the survey reveals that a potential cross-connection may be present, an inspection is to be performed. The need for backflow protection will be determined based on the results from the inspection. Notification of the type of backflow prevention assembly required and a date of compliance will be sent to the customer. Each new residential customer will agree to not create cross-connections and a brochure is given to each new customer describing cross-connections and the responsibility of the customer in not creating one.

If the written questionnaire reveals that the new customer may have any of the following, an inspection will be required:

- (i) Lawn irrigation systems.
- (ii) Residential fire protection systems (closed loop systems will require a double check valve minimum).
- (iii) Pools, saunas, hot tubs, fountains.
- (iv) Auxiliary intakes and supplies-wells, cistern, ponds, streams, etc.
- (v) Home water treatment systems.
- (vi) Hobbies that require extensive amounts of toxic chemicals (taxidermy, metal plating, biodiesel, ethanol production, etc.).
- (vii) Any other situations or conditions listed in the manual or conditions deemed a threat by the water system.

Written questionnaires will be sent to existing residential customers to determine if potential cross-connections exist. The distribution system will be entirely surveyed within five (5) years. The distribution system will continue to be surveyed in this manner. Questionnaires that reveal potential cross-connections based on the criteria above will be inspected and a determination if backflow prevention assemblies are needed.

The system will be surveyed (or residential lawn irrigation systems through questionnaires received and by secondary meters. All residential lawn irrigation systems will require a reduced pressure principle assembly. Residential customers with pools, saunas, hot tubs not filled by a hard pipe directly or indirectly connected may be allowed to use an air gap (and may be requested to use an atmospheric vacuum breaker at the hose bibb). However, if the pool or vessels is connected directly or

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<sup>1</sup>Appendix A is available in the office of the recorder.



indirectly by a hard line, a reduced pressure principle assembly is required at minimum.

Residential customers required to have backflow prevention assemblies will be informed of possible thermal expansion problems within the establishment and correction of the condition.

(c) Well system inspections. Wells drilled on properties that are supplied by a public water system, particularly those designed for chemigation and fertigation, will need to be inspected to ensure separation or the premises will require an approved assembly.

Wells that are drilled within the area of the distribution system within the last calendar year are inspected and a well user agreement is signed between the community water-system and the customer. A list of existing wells that do not have a well user's agreement within the distribution area. will be generated and ten (10) wells per year will be inspected until the entire list has been completed. Any well system that is connected directly or indirectly to the water system is required to disconnect or install a reduced pressure principle assembly. The customer will be required to sign a well user agreement if no assembly is required. It is recommended that inspections be performed on new listings within the year, and then perform inspections on existing, un-inspected wells. The list is updated at the local environmental field office and is available to the water system.

New lines that are constructed in areas where residential areas have been mainly supplied by well systems are surveyed and inspected.

(3) Public education and awareness efforts. The Alamo Water System recognizes that it is important to inform its customers of the health hazards associated with cross-connections and to acquaint them with the program being pursued to safeguard the quality of water being distributed. The water system will seek to use every practical means available to acquaint the customers with the health hazards associated with cross-connections in an effort to get cooperation. Use of customer surveys and annual newspaper notices will be incorporated into the notification plan.

Information will be provided to all customers about cross-connection control and backflow prevention by individual pamphlets or through a notice in the local newspaper at least once per year. A brochure will be given to all new customers requesting water service describing cross-connections and prevention of backflow.

The following measures may also be used to inform customers about the need to control cross-connections:

(a) Posters at the counter where the water bills are paid displayed one (1) month out of the year

(b) (i) Personal visits to commercial, industrial, institutional, and agricultural customers to explain the need for controlling cross-connections.

(ii) Whenever possible, any such potential customer will be informed of needed cross-connection measures in the design or construction stage.

(4) Customer's responsibility. Cross-connections, created and maintained by the customer for his convenience endanger the health and safety of all who depend upon the public water supply. Therefore, the customer who creates a cross-connection problem shall bear the expense of providing necessary backflow protection and for keeping the protective measures in good working order. This includes repair, testing, installation, etc.

(5) Enforcement. Where cross-connections are found to exist, the Alamo Water System will require the problem to be eliminated or isolated by a properly installed, approved backflow prevention assembly to prevent the possibility of backflow into the distribution system. Such protective measures will include a backflow prevention assembly on the customer's water service line ahead of any water outlets. Every effort will be made to secure the voluntary cooperation of the customer in correcting cross-connection hazards. If voluntary action cannot be obtained with time set forth by written notice (ninety (90) days maximum for high and low hazard, fourteen (14) days maximum for high risk high hazards) to the customer, the owner or controller of the premises may be cited to city court and fined up to fifty dollars (\$50.00) per day the violation exists and/or water service will be discontinued until conditions are in line with the water provider's ordinance for the protection of the health and safety of the water distribution system.

After surveys or inspections have been completed, the establishments will be contacted by written correspondence outlining any correction (adding or repairing backflow prevention devices) needed and the time schedule allowed for correction of conditions. If the conditions have not been corrected by the time allotment (ninety (90) days maximum for high and low hazard, fourteen (14) days maximum for high risk high hazards), the water service will be discontinued to the establishment, along with any fines or other penalties deemed necessary by the Alamo Water System.

The Alamo Water System may give additional warnings of discontinuance and/or bring about penalties before the water service is discontinued. The time period for correction will be determined by the water provider, based on the seriousness of the hazard and risk of contamination, ranging from immediate correction or time period of up to ninety (90) days. The maximum allowable time for correction will be no more than ninety (90) days. Those sites deemed high risk high hazard are corrected within a maximum limit of fourteen (14) business days, preferably immediate correction. If the conditions do not satisfy the ordinance or plan within ninety (90) days, fines may be issued and/or water service will be discontinued. In the case of backflow prevention devices on fire systems, it is recommended that the fire marshal be contacted before water service is discontinued, to prevent harm to anyone in case a fire occurred in a

public building. The fire marshal can condemn the building, thus not allowing anyone to enter.

Water service will not be allowed to the establishment until all corrections have been made and all conditions of the ordinance have been satisfied. (Ord. #\_\_\_\_\_, Aug. 2018)

**18-204. Procedures for inspections.** The Alamo Water System hopes that its efforts to acquaint its customers with the hazards of cross-connections will be successful to the point that the customer will try to maintain their internal water delivery system free of cross-connections. It is recognized that many customers may not recognize that they have a situation that would permit backflow into the water supply lines. Therefore, a thorough investigation will be made of all premises considered likely to have cross-connections. Such inspections will involve the customer's entire water using equipment, and other system components in an effort to locate all actual and potential cross-connections. The findings will be reported to the owner or occupant in writing along with a request for needed corrective action necessary to properly protect the public water system.

(1) Field visit procedures. During the inspection, a field sheet will be completed showing details of significant findings. The hazards which cross-connections pose will be explained fully to the persons assisting the inspection. The customer will be informed that the information gathered during the inspection will be reviewed by the water system's cross-connection control coordinator and that a written report containing any recommendations and requirements will be mailed to them as soon as possible.

(2) Reports to customers. The findings of the investigation will be summarized and a written report will be sent to the person assisting in the investigation, or the ranking management official of the establishment. Cross-connections found will be described briefly along with recommended method of correction. An effort will be made to keep the description of the findings and recommendations clear, concise and as brief as possible. The correspondence will indicate a willingness to assist with questions. The customer will be given a time limit for making the needed corrections depending (maximum of ninety (90) days) upon the seriousness of the cross-connections involved and upon the complexity and difficulty of correcting the problems.

(3) Follow-up visits and re-inspections. Follow-up visits will be made as needed to assist the customer and to assure that satisfactory progress has been made. Such visits will continue until all corrective actions have been completed to the satisfaction of the water system.

(4) Installation of backflow prevention devices. Where the customer is asked to install a backflow prevention assembly, the customer will be supplied with a list of acceptable and approved assemblies. In addition, minimum acceptable installation criteria will be supplied. It will be pointed out that a unit cannot be accepted until the water system has verified that the installation fully

meets the installation criteria and has been tested to verify that the assembly has a status of "passed." Such backflow prevention assemblies must have a make, model, and orientation currently listed as acceptable by the both the water system and Tennessee Department of Environment and Conservation.

(5) Technical assistance. The customer will be urged to notify the water system when they are ready to begin installing other a reduced pressure or double check valve type backflow preventer assembly. The water system cross-connection representative will visit the site to detail how the units must be installed to achieve the desired protection and to minimize maintenance and testing problems. (Ord. #\_\_\_\_\_, Aug. 2018)

**18-205. Premises requiring reduced pressure principle assemblies or air gap separation.** (1) High risk high hazards. Establishments which pose significant risk of contamination or may create conditions which pose an extreme hazard of immediate concern (high risk high hazards), the cross-connection control inspector shall require immediate or a short amount of time (fourteen (14) days maximum), depending on conditions, for corrective action to be taken. In such cases, if corrections have not been made within the time limits set forth, water service will be discontinued.

High risk high hazards require a reduced pressure principle (or detector) assembly. The following list is establishments deemed high risk high hazard and require a reduced pressure principle assembly:

- (a) High risk high hazards.
  - (i) Mortuaries, morgues, autopsy facilities.
  - (ii) Hospitals, medical buildings, animal hospitals and control centers, doctor and dental offices.
  - (iii) Sewage treatment facilities, water treatment, sewage and water treatment pump stations.
  - (iv) Premises with auxiliary water supplies or industrial piping systems.
  - (v) Chemical plants (manufacturing, processing, compounding, or treatment).
  - (vi) Laboratories (industrial, commercial, medical research, school).
  - (vii) Packing and rendering houses.
  - (viii) Manufacturing plants.
  - (ix) Food and beverage processing plants.
  - (x) Automated car wash facilities.
  - (xi) Extermination companies.
  - (xii) Airports, railroads, bus terminals, piers, boat docks
  - (xiii) Bulk distributors and users of pesticides, herbicides, liquid fertilizer, etc.
  - (xiv) Metal plating, pickling, and anodizing operations.
  - (xv) Greenhouses and nurseries.

- (xvi) Commercial laundries and dry cleaners.
- (xvii) Film laboratories.
- (xviii) Petroleum processes and storage plants.
- (xix) Restricted establishments.
- (xx) Schools and educational facilities.
- (xxi) Animal feedlots, chicken houses, and CAFOs.
- (xxii) Taxidermy facilities.
- (xxiii) Establishments which handle, process, or have extremely toxic or large amounts of toxic chemicals or use water of unknown or unsafe quality extensively.

(2) High hazard. In cases where there is less risk of contamination, or less likelihood of cross-connections contaminating the system, a time period of (ninety (90) days maximum) will be allowed for corrections. High hazard is a cross-connection or potential cross-connection involving any substance that could, if introduced in the public water supply, cause death, illness, and spread disease. (See Appendix A.)<sup>1</sup> (Ord. # \_\_\_\_\_, Aug. 2018)

**18-206. Premises allowing double check valve assemblies.**

Low hazard. Low hazard is a cross-connection or potential cross-connection involving any substance that would not be a health hazard but would constitute a nuisance or be aesthetically objectionable if introduced into the public water supply. Low hazards are protected by double check valve assemblies at minimum. Double check valve (and detector) assemblies used for main line protection are allowed only on Classes 1-3 fire protection systems (AWWA Classifications for Fire Systems). (Ord. # \_\_\_\_\_, Aug. 2018)

**18-207. Inspection and testing of backflow prevention assemblies.**

(1) Approval of new installations. The water system will not consider the installation of assemblies to be complete until:

- (a) The installation has been inspected, and approved by the water system based on installation criteria; and
- (b) Assembly is tested initially and has a status of "passed."

(2) Routine inspection and testing of assemblies. To assure that all assemblies are functioning properly, assemblies will be tested within a twelve (12) month (three hundred sixty-five (365) days from last test) period by backflow prevention assembly testers with a certificate of competency. The owner may have the Alamo Water System test the device or hire another qualified individual. The Alamo Water System will charge a fee set by separate ordinance for testing. If assembly is not tested within the twelve (12) month period, enforcement action will be started. In conjunction with testing the

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<sup>1</sup>Appendix A is available in the recorder's office.

assembly, the water system representative or approved tester will investigate to determine:

- (a) That cross-connections, actual or potential, have not been added ahead of the protective assemblies,
- (b) The assembly meets all installation criteria; and
- (c) The assembly has not been bypassed or altered in some other way to compromise the backflow protection.

All reduced pressure and double check valve backflow prevention assemblies, including detector assemblies, utilized for the protection of the water system will be tested by a person possessing a valid certificate of competency from the State and approved by the water system in keeping with the following criteria:

- (i) Immediately following installation;
- (ii) At least every twelve (12) months;
- (iii) Any time assemblies have been partially disassembled for cleaning and/or repair and;
- (iv) Where there is indication that the unit may not be functioning properly (i.e. excessive or continuous discharges from relief valve, chatter, or vibration of internal parts).

(3) Accepted test procedure. Tests of assemblies will be made using a three (3) or five (5) valve test kit that has valid annual certification in accordance to the latest approved testing procedure from the division of water resources.

(4) Official tests. Only tests performed by persons possessing a valid certificate of competency will be considered official tests by the water systems. All test reports submitted must be of the type approved by the division of water resources. All parts of testing procedure are recorded accurately on the test report with a determination of status ("passed" or "failed"). Certificates of competency are not transferrable.

(5) Prior arrangements for testing. If testing is performed by the Alamo Water System, prior arrangements will be made for a mutually agreeable time for testing the assemblies prior to performing the test. In all cases, the time which water services are interrupted will be held to a minimum in order to minimize the inconvenience to the customer. The customer, upon notification by the water system, has an obligation to work out a mutually agreeable time for testing assemblies within time allotted by the water system.

(6) Repairs. Should a protective assembly not be tested within the twelve (12) month time frame be found defective or have a status of "failed," the water system will require the assembly to be repaired promptly with manufacturer's specified parts, in accordance to manufacturer's suggested procedure, and placed in proper operating condition within a (specified) time limit (maximum ninety (90) day, fourteen (14) days for high risk high hazards). Following repairs, the assembly is to be tested again to verify that it is meeting performance standards and have a status of "passed." The owner will be held

responsible for maintaining protective measures in a good state of repairs. The owner of an assembly needing repairs or maintenance will be permitted to do the work, if such owner is properly qualified or the owner may elect to secure the services of someone else experienced in the repair of the assemblies. (Ord. #\_\_\_\_\_, Aug. 2018)

**18-208. Parallel units.** The water system may require the installation of parallel assemblies if the customer cannot readily accommodate interruptions of water service for periodic testing and repairs of the assemblies or is unwilling to cooperate in scheduling a shutdown promptly for testing during normal hours worked by water system personnel. (Ord. #\_\_\_\_\_, Aug. 2018)

**18-209. Records.** Good records are invaluable in the water system's efforts to safeguard the quality of water being distributed against degradation from backflow through cross-connections. Adequate records will be maintained as a part of the water system's permanent files to:

(1) Document the overall effort of the water system to properly discharge its responsibility to see that each customer receives a safe water under all foreseeable circumstances;

(2) Give a complete picture as to the current status and history of the individual premises regarding the potential for backflow, corrections made, etc.;

(3) To support enforcement action, whenever necessary, to obtain backflow protection; and

(4) Document that assemblies have been properly installed, maintained, and tested routinely. Records to be maintained by the water system will include, but not necessarily be limited to the following:

(a) Master list of all establishments with assemblies used for premise isolation, including location, assembly used, make, model, size, serial number etc.;

(b) Correspondence between water system and its customers;

(c) Copy of approved plan;

(d) Copy of approved ordinance;

(e) Test reports for each assembly;

(f) Copies of certificates of competency for each tester;

(g) Copies of test kit certifications;

(h) Site inspection reports;

(i) Residential written surveys;

(j) Backflow incident reports;

(k) Records on initial surveys, recommendations, follow-up, corrective action, routine reinspections, etc.;

(l) A file system designed to call to the attention of the cross-connection control personnel when testing and re-inspections of premises are needed;

(m) Public education pamphlets and information.

If a private qualified tester is used to test devices, the Alamo Water System shall be provided a copy of the test report. (Ord. #\_\_\_\_\_, Aug. 2018)

**18-210. Backflow contamination procedures.** If contamination is caused by backflow, the Alamo Water System will take the following actions to protect the health of the customer:

- (1) Isolate the lines containing any contaminant from the distribution system;
- (2) Inform customers with contaminated lines not to consume or use the water;
- (3) Report contamination to the local environmental field office;
- (4) Determine and separate the cross-connection allowing the backflow and contamination;
- (5) Remove contamination from lines;
- (6) Test and ensure that lines meet division of water supply regulations for safe water;
- (7) Return service to affected customers once water is safe;
- (8) Document the details of the incident including cause, isolation, and correction, and send report to the local environmental field office;
- (9) Continue to survey and inspect system for similar situations that may allow backflow. (Ord. #\_\_\_\_\_, Aug. 2018)

**18-211. Modifications to plan.** This plan may be modified from time to time to meet the needs of the utility and to meet the state's requirements. The plan and ordinance will be reviewed by the water system every five (5) years to determine if the existing plan meets requirements set forth by the division of water resources and that it promotes an ongoing program. The manager shall be authorized to modify, as needed, this plan without the approval of the water system's governing body. The manager shall report any modifications to this plan to the board for their information, in a timely manner. The manager shall also advise the local environmental field office of any changes to this plan for their review and comments. (Ord. #\_\_\_\_\_, Aug. 2018)



## CHAPTER 3

### WATER<sup>1</sup>

#### SECTION

- 18-301. Board of mayor and aldermen.
- 18-302. Permit and tap fee required for new service.
- 18-303. Water rates.
- 18-304. Multiple dwelling units.
- 18-305. Rules and regulations of the water department.
- 18-306. Definitions.
- 18-307. Responsibility for charges.
- 18-308. Status of new owners.
- 18-309. Unusual construction.
- 18-310. Conditions under which service is furnished.
- 18-311. No liability for interruption of service.
- 18-312. No liability for dirty water.
- 18-313. Maintenance limitations of department.
- 18-314. No liability for boilers.
- 18-315. No liability for shutting off water without notice.
- 18-316. Conditions for turning on water.
- 18-317. Date of consumer's liability to pay charges.
- 18-318. Collection of miscellaneous charges.
- 18-319. Non-refundable security fee shall be required.
- 18-320. When meter is out of order.
- 18-321. No right to furnish to other premises.
- 18-322. Paying for service line and meter installation.
- 18-323. Repairing water meters.
- 18-324. Access to meters.
- 18-325. Work on private premises.
- 18-326. Testing fire pipes.
- 18-327. Service connection and meter setting.
- 18-328. Main extensions.
- 18-329. New buildings and existing buildings.
- 18-330. Additional rules and regulations.
- 18-331. Fire suppression lines.

**18-301. Board of mayor and aldermen.** The operation of the town's waterworks system shall be under the supervision and control of the board mayor and aldermen required and provided for by Public Acts of 1993, chapter

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<sup>1</sup>Municipal code reference  
Building and utility code: title 12.

63, and originally appointed in 1936. The board of mayor and aldermen shall have such organization, powers, and duties as are prescribed in such Acts. (1965 Code, § 13-101, modified)

**18-302. Permit and tap fee required for new service.** Persons desiring water service from the Alamo Water Department to premises located within the town limits shall first apply to the water department for a permit before beginning any construction. A tapping fee shall be paid by the customer at the time of issuance of said permit, in accordance with the following table of charges:

Size of Customer's Service Line	Tapping Fee
3/4 inch	\$ 400.00, plus costs of materials and contract labor.
1 inch	\$ 600.00, plus costs of materials and contract labor.
2 inch	\$1,600.00, plus costs of materials and contract labor.

For larger taps a special contract shall be negotiated with the Alamo Water Department by the person desiring such service. (1965 Code, § 13-102, as amended by Ord. #\_\_\_, Feb. 1976, and Ord. #2017-6, July 2017, modified, as amended by Ord. #2022-13, Dec. 2022 *Ch1\_09-11-23*)

**18-303. Water rates.** Customers inside the town limits shall pay for water supplied by the Water Department of the Town of Alamo. A schedule of water rates shall be set by separate ordinance, amended as needed, and may be found in the recorder's office. (1965 Code, § 13-103, as amended by Ord. #\_\_\_, Feb. 1976, modified)

**18-304. Multiple dwelling units.** Each unit must be metered separately.

**18-305. Rules and regulations of the water department.** The following rules and regulations shall govern the operation of the Alamo Water Department.

These rules and regulations shall form a part of the contract of service between the Alamo Water Department and its customers, both inside and outside the corporate limits. (1965 Code, § 13-105)

**18-306. Definitions.** (1) "Consumer." The term "consumer" shall mean the individual, firm, or corporation whose name the water department has on its books as the party who has applied for water service or any individual, firm, or corporation who, in fact, uses the water service of the Town of Alamo.

(2) "Consumer's pipe." The pipe carrying water from the meter exit throughout the premises of the customer.

(3) "Lateral" or "service pipe." A lateral or service pipe is the pipe running from the main pipe to the meter.

(4) "Main." A main pipe is the supply pipe from which lateral or service connects are made.

(1965 Code, § 13-106)

**18-307. Responsibility for charges.** Consumers of water will be charged with and held responsible for all water passing through their meter until such time as they shall notify the water department at its office and in writing that they no longer desire the use of water and, in case of the sale of the property, such notice shall give the name of the new owner. (1965 Code, § 13-107)

**18-308. Status of new owners.** New owners of buildings shall have no right to the use of water until application has been made for the same and until all outstanding bills against the premises are paid. (1965 Code, § 13-108)

**18-309. Unusual construction.** Owners of property desiring any unusual construction, alterations, or attachments connected with the water supply must submit plans and specifications for the same to the water department for approval before making such construction, alteration, or attachment, and the department's determination as to whether the same are permissible, and the terms and conditions under which their use will be allowed, shall be final. (1965 Code, § 13-109)

**18-310. Conditions under which service is furnished.** The water department does not guarantee constant pressure or uninterrupted service, nor does it assure the consumer a full volume of water or the required pressure per square inch necessary to effectively operate hydraulic elevators, sprinkler systems, or other appliances, the same being subject to all the variable conditions that may take place in the use of water from the town mains. (1965 Code, § 13-110)

**18-311. No liability for interruption of service.** No consumer shall be entitled to damages, or to have any portion of his payment for water service refunded for any interruption of supply. (1965 Code, § 13-111)

**18-312. No liability for dirty water.** Neither the water department nor the Town of Alamo shall be responsible for damages caused by dirty water. (1965 Code, § 13-112)

**18-313. Maintenance limitations of department.** Water service pipes from the main to the meter, and the meter, shall be laid and kept in repair by the water department at its expense and will at all times be subject to its control. Only the authorized employees of the water department will be allowed to turn on, turn off, repair, remove, or relocate any service pipes, water meter, or apparatus connected therewith, or make repairs to same.

The water department will furnish and install at its expense the necessary meter, meter box, and meter loop which shall be located as near the customer's property line as is feasible and in the most suitable place. The service pipe and the meter and all meter accessories shall remain the property of the department whether installed on the property of the customer or not.

The point of delivery of water shall be the outlet of the water department meter. All pipe, apparatus, and equipment on the customer's side of the point of delivery shall be installed and maintained by and at the expense of the customer. (1965 Code, § 13-113)

**18-314. No liability for boilers.** The water department shall have the right at any time, without notice, to shut off the water in its mains for the purpose of making repairs, extensions, or for other necessary purposes, and all persons having boiler or other appliances on their premises depending on the pressure in the pipes to keep them supplied with water are hereby cautioned against danger from these sources, and are required to provide, at their own expense, suitable safety appliances to protect themselves against such danger, and in any event, it is expressly stipulated that the department shall not be liable for any damages resulting from water having been cut off, either through accident or necessity. (1965 Code, § 13-114)

**18-315. No liability for shutting off water without notice.** When it becomes necessary to shut off the water from any section of the town because of an accident or for the purpose of making changes or repairs, the water department will endeavor to give timely notice to as many of the consumers affected thereby as time and character of the repairs or accident will permit, and will, so far as practicable, use its best efforts to prevent inconveniences and damage arising from any such cause, but failure to give such notice will not render the department responsible or liable for any damages that may result from the shutting off of the water or any coincident conditions. (1965 Code, § 13-115)

**18-316. Conditions for turning on water.** When water has been shut off for a violation of rules, nonpayment of charges, or other offense, it shall not be turned on again until the water department is satisfied that there will be no

further cause of complaint, and that all fees and penalties are paid. Said fees and penalties shall be set by separate ordinance and may be found in the recorder's office. (1965 Code, § 13-116, modified)

**18-317. Date of consumer's liability to pay charges.** All new customers for water service will be charged from the date the connection is made and during the first month will be charged a pro rata part of the monthly charge. (1965 Code, § 13-117)

**18-318. Collection of miscellaneous charges.** Bills will be rendered to customers for any amounts owing the water department for service other than water charges in the same manner as bills for water charges, and service will be discontinued for failure to pay all such bills in the same manner as for nonpayment of water charges. (1965 Code, § 13-118)

**18-319. Non-refundable security fee shall be required.** New customers shall post a non-refundable security fee shall be set by separate ordinance and may be found in the recorder's office. (1965 Code, § 13-119, modified)

**18-320. When meter is out of order.** If a meter gets out of order or fails to register, the consumer will be charged the service fee until the meter is replaced. (1965 Code, § 13-120, modified)

**18-321. No right to furnish to other premises.** A consumer of water will not be permitted to supply premises owned by any other person. (1965 Code, § 13-121)

**18-322. Paying for service line and meter installation.** Charges for a new service line and meter installation will be levied and paid in advance. (1965 Code, § 13-122, modified)

**18-323. Repairing water meters.** The water department shall have the right to remove, repair, or replace any meter at any time it sees fit. (1965 Code, § 13-123, as amended by Ord. #2018-7, Sept. 2018, modified)

**18-324. Access to meters.** It shall be the duty of all consumers to see that meters or service connections wherever located shall be readily accessible at all times to water department employees. Failure to remove any obstruction which prevents access to the meter within three (3) days after being notified by the water department will cause the water to be shut off from the premises and it shall not again be turned on until all obstructions are removed, all regulations complied with, and all expense for shutting off and turning on the water is paid by the consumer. (1965 Code, § 13-124)

**18-325. Work on private premises.** The water department shall furnish no material for use on private premises, nor do any work thereon, other than installing meters and service lines. (1965 Code, § 13-125)

**18-326. Testing fire pipes.** No water shall be taken or used through private fire pipes for any purpose other than for extinguishing fires or testing said fire equipment. All tests must be conducted under the supervision of the water department. (1965 Code, § 13-126)

**18-327. Service connection and meter setting.** Service pipes will be laid in all cases by the water department from the main to the property line. The water department will install, and pay for the installing of, all service pipes to the property line and will keep the same in repair. The owner or consumer will install all pipes and fixtures within the property line and keep the same in repair and shall attach to his water line a stop or cutoff valve. Failing to do so will be cause for disconnecting water.

The consumer shall be responsible for damages to meters and/or meter settings where such damage is caused by a change in grade of the lot or by the carelessness or negligence of the consumer, his agent, or employee, or any member of his family. Such consumer will be billed for the actual cost of any repair or replacement and such bill shall be paid within thirty (30) days from the date of mailing thereof. (1965 Code, § 13-127)

**18-328. Main extensions.** Customers desiring water main extensions must pay all of the cost of making such extensions. (1965 Code, § 13-128, modified)

**18-329. New buildings and existing buildings.** No person, firm, or corporation shall build in the town limits of the Town of Alamo without tying the new construction to town water. Such builders shall not have the right to use their own wells nor to provide their own water in any way or manner. All new customers must comply with the rules and regulations of the water department.

It shall be unlawful for any builder, property owner, tenant, or user to erect or maintain any structure intended for human occupancy or use without a connection to the Alamo water system, and a currently paid account thereto. (1965 Code, § 13-130, as amended by Ord. #2022-2, March 2022 *Ch1\_09-11-23*)

**18-330. Additional rules and regulations.** The board of mayor and aldermen shall have the right to make all such additional rules and regulations for the implementing of this chapter as may be necessary, and such rules and regulations shall have the same force and effect as this chapter, and be subject to the same penalties for violations. (1965 Code, § 13-131, modified)

**18-331. Fire suppression lines.** (1) Fire suppression line defined. A fire suppression line is any connection made to the municipal water distribution system, the sole purpose of which is to supply water to a fire suppression system, sprinkler, or similar devices.

(2) Tap fees for connection to municipal water main. The monthly fee for maintaining a fire suppression line to the Alamo municipal water distribution system shall set by separate ordinance which may be found in the recorder's office.

(3) If a customer's check is returned by a financial institution for any reason, a fee of twenty dollars (\$20.00) will be added to the amount due. The customer will be notified that the check is being held and the customer may be required to pay the amount by money order, Certified check, or cash at the discretion of the utility staff. (Ord. #2017-14, Sept. 2017, modified, as amended by Ord. #2022-4, July 2022 **Ch1\_09-11-23**, and Ord. #2023-10, June 2023 **Ch1\_09-11-23**)

## CHAPTER 4

### WATER SHORTAGES

#### SECTION

- 18-401. Waste of water.
- 18-402. Declaration of water shortage emergency.
- 18-403. Status of water shortage emergency.
- 18-404. Non-essential uses during water shortage emergency.
- 18-405. Board of mayor and aldermen action.
- 18-406. Notice.
- 18-407. Customer non-compliance.

**18-401. Waste of water.** No water furnished by the water system shall be wasted during water shortage emergency periods. Waste of water includes, but is not limited to, the following:

- (1) Permitting water to escape down a gutter, ditch, or other surface drain;
- (2) Failure to repair a controllable leak; and
- (3) Failure to put to reasonable beneficial use any water withdrawn from the water system. (Ord. #\_\_\_, Oct. 1989)

**18-402. Declaration of water shortage emergency.** The mayor is authorized to declare a water shortage emergency to exist in accordance with the standards in § 18-403. The mayor must immediately attempt to contact all aldermen to inform them of the emergency action. An end to a water shortage emergency must be declared by the mayor. (Ord. #\_\_\_, Oct. 1989)

**18-403. Status of water shortage emergency.** In declaring a water shortage emergency, such emergency shall be designated status 1 or status 2 as follows:

Status 1 exists when the water level in a major distribution system reservoir cannot be brought above the two-thirds (2/3) full mark in forty-eight (48) hour period.

When the water supply reaches status 1, the mayor may declare any or all of the uses of water identified as non-essential use category 1 provided for in this chapter as being prohibited and said prohibition shall remain in full force and effect until modified by the board of aldermen. The list of the non-essential uses may be increased or decreased pending the next meeting of the board of mayor and aldermen.

Status 2 exists when the water level in a major distribution system reservoir cannot be brought above the one-quarter (1/4) full mark within a forty-eight (48) hour period.



If status 2 is reached, the mayor may declare any or all of the non-essential uses provided for in this chapter as being prohibited and the same shall remain in full force and effect until modified by the board of mayor and aldermen. The board of mayor and aldermen may increase or decrease the number of prohibited non-essential uses based on recommendations of the water superintendent. (Ord. #\_\_\_, Oct. 1989)

**18-404. Non-essential uses during water shortage emergency.**

(1) Non-essential uses category 1. The following uses are declared to be non-essential uses, category 1:

- (a) Any non-essential 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 water systems 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; and
- (g) Use of water for dust control or compaction during construction.

(2) Non-essential use category 2. The following uses are declared to be non-essential uses, category 2, in addition to those listed for category 1:

- (a) Watering of trees, shrubs, or other plants, except by commercial nurseries, in which case subsection (2)(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. If the customer was not operating the previous year, an estimated amount shall be computed by the water system from its records. The mayor may increase the percentage for any connection use or customer if it is determined that such increase is necessary to protect the public health, safety, and welfare or to spread equitably among the water users the burden imposed by the shortage in the water supply; and
- (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. (Ord. #\_\_\_, Oct. 1989)

**18-405. Board of mayor and aldermen action.** (1) The board of mayor and aldermen may declare a water shortage emergency irrespective of whether the water supply has reached status 1 or 2, and designate prohibited usages.

(2) Only the board of mayor and aldermen may terminate or end a water shortage emergency declared by the board of mayor and aldermen.

(3) Any water shortage emergency described by the board of mayor and aldermen shall continue until the next meeting of the board of mayor and aldermen. If the board does not take action to terminate the water shortage emergency, the same shall continue in full force and effect. The board of mayor and aldermen may terminate or modify any limitations on non-essential use of water. (Ord. #\_\_\_, Oct. 1989)

**18-406. Notice.** Upon the declaration of the existence of a water shortage emergency, the mayor shall notify the local media and furnish detailed information concerning the existence of the water shortage emergency and all prohibited uses. In addition, a newspaper ad shall be published once per week in any weekly local newspapers, informing the public of the water shortage emergency and any prohibition concerning the non-essential uses. Every practical effort shall be made to keep the water-using public informed of conditions during any declared water shortage emergency. (Ord. #\_\_\_, Oct. 1989)

**18-407. Customer non-compliance.** (1) Any failure of a customer to comply with the requirements of a declared water shortage emergency may be reported to any official of the water system and shall be immediately investigated by the water superintendent. If non-compliance is found to exist, he shall request immediate compliance by the customer. Should the customer fail or refuse to immediately comply with the request, the water superintendent shall immediately discontinue water service to the customer.

(2) Any customer whose service is disconnected because of a failure to comply with the requirements of a declared water shortage emergency shall have the right, after the first such disconnection, to have service reinstated upon payment to the water system of its customary reconnection charge and upon execution of a written statement that he will comply with the requirements of the declared emergency. If service is disconnected because of subsequent failure to comply, such customer shall have the right to reinstatement of service only after approval of the board of mayor and aldermen and subject to such terms and conditions as the board shall impose.

(3) The decision of the water superintendent shall be appealed for a hearing to the board of mayor and aldermen. The disconnection shall remain in effect until the appeal is heard. A hearing shall be conducted within seventy-two (72) hours of the time the request for hearing is made by the customer. In the event a hearing is not conducted within seventy-two (72) hours, service shall be reinstated until the hearing is conducted. All requests for a hearing shall be made to the town recorder. (Ord. #\_\_\_, Oct. 1989)

**CHAPTER 5****SEWERS<sup>1</sup>****SECTION**

- 18-501. Board of mayor and aldermen.
- 18-502. Definitions.
- 18-503. Connections to sewerage system.
- 18-504. Main extensions.
- 18-505. New builders.
- 18-506. Sewer service charges and deposits.
- 18-507. Additional rules and regulations.
- 18-508. Maintenance of private sewer pumps.

**18-501. Board of mayor and aldermen.** The operation of the town's sewerage system shall be under the supervision and control of the board of mayor and aldermen required and provided for by Public Acts of 1933, chapter 68, and originally appointed in 1936. The board of mayor and aldermen shall have such organization, powers, and duties as are prescribed in such act. (1965 Code, § 13-201, modified)

**18-502. Definitions.** (1) "Lateral" or "service connections." A lateral or service pipe is a pipe running from the main sewer pipe to the consumer's property line.

(2) "Main." A main sewer pipe is the pipe laid in the street from which lateral or service connections are made. (1965 Code, § 13-202)

**18-503. Connections to sewerage system.** From and after the effective date of these provisions it shall be unlawful for any person, firm, or corporation not employed by, authorized to, or under contract with the Town of Alamo, to make any cuts in the surface of a town street for the purpose of laying or repairing any sewer service line or laterals, or to lay or repair any sewer service or lateral.

Any person, firm, or corporation during new sewer service to points within or outside of the corporate limits of the Town of Alamo shall first apply to the water and sewer commission for such service and make an application with the sewer department. (1965 Code, § 13-203, modified)

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<sup>1</sup>Municipal code reference

Plumbing code: title 12, chapter 2.

**18-504. Main extensions.** Customers desiring sewer main extensions must pay all of the cost of making such extensions. (1965 Code, § 13-204, modified)

**18-505. New builders.** No person, firm, or corporation shall construct any building in the town limits of Alamo without tying such new building onto the town sewers unless specifically authorized not to tie to such sewers by the water and sewer commissioners. No one shall have the right to use septic tanks, cesspools, field drains or the like within the Town of Alamo unless specifically authorized to use such tanks, pools, or drains by the water and sewer commissioners. New builders must abide by these and all other water and sewer regulations. (1965 Code, § 13-205, modified)

**18-506. Sewer service charges and deposits.** Sewer service charges and deposits are set by separate ordinance and may be found in the recorder's office.

**18-507. Additional rules and regulations.** The board of mayor and aldermen of the Town of Alamo shall have the right to make such additional rules and regulations as are necessary for the proper carrying out of the provisions of this chapter. (1965 Code, § 13-207, modified)

**18-508. Maintenance of private sewer pumps.** As of June 1, 2021, the Town of Alamo has no responsibility to maintain or replace sewer pumps on private property except by written contract.

**CHAPTER 6****SEWER USE ORDINANCE****SECTION**

- 18-601. Purpose and policy.
- 18-602. Definitions.
- 18-603. Requirements for proper wastewater disposal.
- 18-604. Physical connection public sewer.
- 18-605. Inspection of connections.
- 18-606. Maintenance of building sewers.
- 18-607. Private domestic wastewater disposal.
- 18-608. Applications for discharge of domestic wastewater.
- 18-609. Industrial wastewater discharge permits.
- 18-610. Confidential information.
- 18-611. General discharge prohibitions.
- 18-612. Restrictions on wastewater strength.
- 18-613. Protection of treatment plant influent.
- 18-614. Federal categorical pretreatment standards.
- 18-615. Right to establish more restrictive criteria.
- 18-616. Special agreements.
- 18-617. Exceptions to discharge criteria.
- 18-618. Accidental discharges.
- 18-619. Monitoring facilities.
- 18-620. Inspection and sampling.
- 18-621. Compliance date report.
- 18-622. Periodic compliance reports.
- 18-623. Maintenance of records.
- 18-624. Safety.
- 18-625. Notification of violation.
- 18-626. Issuance of cease and desist orders.
- 18-627. Show cause hearing.
- 18-628. Submission of time schedule.
- 18-629. Legal action.
- 18-630. Emergency termination of service.
- 18-631. Public nuisance.
- 18-632. Correction of violation and collection of costs.
- 18-633. Damage to facilities.
- 18-634. Civil liabilities.
- 18-635. Civil penalties.
- 18-636. Falsifying information.
- 18-637. Purpose.
- 18-638. Types of charges and fees.
- 18-639. Fees for applications for discharge.

- 18-640. Inspection fee and tapping fee.
- 18-641. Sewer user charges.
- 18-642. Surcharge fees.
- 18-643. Industrial wastewater discharge permit fees.
- 18-644. Fees for industrial discharge monitoring.
- 18-645. Billing.
- 18-646. Validity.

**18-601. Purpose and policy.** This chapter sets forth uniform requirements for the disposal of wastewater in the service area of the Town of Alamo, Tennessee, wastewater treatment system.

The objectives of this chapter are:

- (1) To protect the public health;
- (2) To provide problem free wastewater collection and treatment service;
- (3) To prevent the introduction of pollutants into the municipal wastewater treatment system, which will interfere with the system operation, will cause the town's discharge to violate its National Pollutant Discharge Elimination System (NPDES) permit or other applicable state requirements, or will cause physical damage to the wastewater treatment system facilities;
- (4) To provide for full and equitable distribution of the cost of the wastewater treatment system;
- (5) To enable the Town of Alamo to comply with the provisions of the Federal Clean Water Act, the General Pretreatment Regulations (40 CFR part 403), and other applicable federal and state laws and regulations; and
- (6) To improve the opportunity to recycle and reclaim wastewaters and sludges from the wastewater treatment system.

In meeting these objectives, this chapter provides that all persons in the service area of the Town of Alamo must have adequate wastewater treatment either in the form of a connection to the municipal wastewater treatment system or, where the system is not available, an appropriate private disposal system. The chapter also provides: for the issuance of permits to system users; for the regulations of wastewater discharge volume and characteristics; for monitoring and enforcement activities; and for the setting of fees for the full and equitable distribution of costs resulting from the operation, maintenance, and capital recovery of the wastewater treatment system and from other activities required by the enforcement and administrative program established herein.

This chapter shall apply to the Town of Alamo, Tennessee and to persons outside the town who are, by contract or agreement with the town, users of the municipal wastewater treatment system. Except as otherwise provided herein, the Superintendent of Water and Sewer of the Town of Alamo shall administer, implement, and enforce the provisions of this chapter. (Ord. #\_\_, Jan. 1987)

**18-602. Definitions.** Unless the context specifically indicates otherwise, the following terms and phrases, as used in this chapter, shall have the meanings hereinafter designated:

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

(2) "Approval authority." The director in an NPDES state with an approved state pretreatment program and the administrator of the EPA in a non-NPDES state or NPDES state without an approved state pretreatment program.

(3) "Authorized representative of industrial user." An authorized representative of an industrial user may be:

(a) A principal executive officer of at least the level of vice-president if the industrial user is a corporation;

(b) A general partner or proprietor if the industrial user is a partnership or proprietorship, respectively; or

(c) A duly authorized representative of the individual designated above if such representative is responsible for the overall operation of the facilities from which the indirect discharge originates.

(4) "Biochemical Oxygen Demand (BOD)." The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure, five (5) days at twenty degrees (20°C) centigrade expressed in terms of weight and concentration (milligrams per liter (mg/l)).

(5) "Building sewer." A sewer conveying wastewater from the premises of a user to the POTW.

(6) "Categorical standards." National categorical pretreatment standard or pretreatment standard.

(7) "City." The Mayor and Board of Aldermen of the Town of Alamo, Tennessee; may also be referred to as "town" or "city."

(8) "Compatible pollutant." BOD, suspended solids, pH, and fecal coliform bacteria, and such additional pollutants as are now or may be in the future specified and controlled in this town's NPDES permit for its wastewater treatment works where sewer works have been designed and used to reduce or remove such pollutants.

(9) "Control authority." The term "control authority" shall refer to the "approval authority," defined herein above; or the superintendent if the town has an approved pretreatment program under the provisions of 40 CFR 403.11.

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

(11) "Customer" means any individual, partnership, corporation, association, or group who receives sewer service from the town under either an express or implied contract requiring payment to the town for such service.

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

(13) "Domestic wastewater." Wastewater that is generated by a single family, apartment or other dwelling unit or dwelling unit equivalent containing sanitary facilities for the disposal of wastewater and used for residential purposes only.

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

(15) "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.

(16) "Grab sample." A sample which is taken from a waste stream on a one (1) time basis with no regard to the flow in the waste stream and without consideration of time.

(17) "Holding tank waste." Any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum pump tank trucks.

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

(19) "Indirect discharge." The discharge or the introduction of nondomestic pollutants from any source regulated under § 307(b) and (c) of the Act (33 U.S.C. 1317), into the POTW (including holding tank waste discharged into the system).

(20) "Industrial user." A source of indirect discharge which does not constitute a "discharge of pollutants" under regulations issued pursuant to § 402 of the Act (33 U.S.C. 1342).

(21) "Interference." The inhibition or disruption of the municipal wastewater treatment processes or operations which contributes to a violation of any requirement of the town's NPDES permit. The term includes prevention of sewage sludge use or disposal by the POTW in accordance with § 405 of the Act (33 U.S.C. 1345) or any criteria, guidelines, or regulations developed pursuant to the Solid Waste Disposal Act (SWDA), the Clean Air Act, the Toxic Substances Control Act, or more stringent state criteria (including those contained in any state sludge management plan prepared pursuant to Title IV of SWDA) applicable to the method of disposal or use employed by the municipal wastewater treatment system.

(22) "National categorical pretreatment standard or pretreatment standard." Any regulation containing pollutant discharge limits promulgated by the EPA in accordance with §§ 307(b) and (c) of the Act (33 U.S.C. 1347) which applies to a specific category of industrial users.

(23) "NPDES (National Pollutant Discharge Elimination System)" shall mean the program for issuing, conditioning, and denying permits for the



discharge of pollutants from point sources into navigable waters, the contiguous zone, and the oceans pursuant to § 402 of the Federal Water Pollution Control Act as amended.

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

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

(26) "pH." The logarithm (Base 10) of the reciprocal of the concentration of hydrogen ions expressed in grams per liter of solution.

(27) "Pollutant." Any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical substances, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharged into water.

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

(29) "Pretreatment or treatment." 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, or process changes by other means, except as prohibited by 40 CFR, § 403.6(d).

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

(31) "Publicly owned treatment works (POTW)." A treatment works as defined by § 212 of the Act (33 U.S.C. 1292), which is owned in this instance by the town. This definition includes any sewers that convey wastewater to the POTW treatment plants, but does not include pipes, sewers, or other conveyances not connected to a facility providing treatment. For the purposes of this chapter, "POTW" shall also include any sewers that convey wastewaters to the POTW from persons outside the town who are, by contract or agreement with the town, users of the town's POTW.

(32) "POTW treatment plant." That portion of the POTW designed to provide treatment to wastewater.

(33) "Septage." The settled solid matter which accumulates in a septic tank.

(34) "Septic tank." A horizontal, continuous flow, one-story sedimentation tank through which sewage is allowed to flow slowly to permit the settleable suspended matter to settle to the bottom, where it is retained until anaerobic decomposition is established, resulting in and the changing of some of the organic matter into liquid and gaseous substances and of consequent reduction in the quantity of sludge to be disposed of.

(35) "Septic tank effluent." The overflow of settled wastewater from a septic tank which has received primary treatment and has the biological characteristics of biochemical oxygen demand (BOD) of less than one hundred forty (140) mg/l and a Suspended Solids (SS) content of less than one hundred (100) mg/l.

(36) "Shall" or "will" is mandatory; "May" is permissive.

(37) "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; and discharge of whatever duration that causes the sewer to overflow or back up in an objectionable way; or any discharge of whatever duration that interferes with the proper operation of the wastewater treatment facilities or pumping stations.

(38) "Small diameter sewage collection system." A system of pipes and other appurtenances designed to collect and transport only septic tank effluent for central treatment and disposal. A small diameter sewage collection system is not designed to collect and transport raw wastewater with a high solids content or any other incompatible wastes.

(39) "State" State of Tennessee.

(40) "Standard Industrial Classification (SIC)." A classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office Management and Budget, 1987.

(41) "Storm sewer or storm drain." Shall mean a pipe or conduit which carries storm and surface waters and drainage but excludes sewage and industrial wastes; it may, however, carry cooling waters and unpolluted waters upon approval of the superintendent.

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

(43) "Superintendent." The person designated by the town to supervise the operation of the publicly owned treatment works and who is charged with certain duties and responsibilities by this chapter, or his duly authorized representative.

(44) "Suspended solids." The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquids, and which is removable by laboratory filtering.

(45) "Town." Same as definition of "city" above.

(46) "Toxic pollutant." Any pollutant or combination of pollutants listed as toxic in regulations promulgated by the administrator of the Environmental Protection Agency under the provision of Clean Water Act (307)(a) or other Acts.

(47) "Twenty-four (24) hour flow proportional composite sample." A sample consisting of several sample portions collected during a twenty-four (24) hour period in which the portions of a sample are proportioned to the flow and combined to form a representative sample.

(48) "User." Any person who contributes, causes or permits the contribution of wastewater into the town's POTW.

(49) "Wastewater." The liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities, and institutions, whether treated or untreated, which is contributed into or permitted to enter the POTW.

(50) "Wastewater treatment systems." Defined the same as POTW.

(51) "Waters of the state." All streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through or border upon the state or any portion thereof. (Ord. #\_\_\_, Jan. 1987)

**18-603. Requirements for proper wastewater disposal.** (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 Alamo, any human or animal excrement, garbage, or other objectionable waste.

(2) It shall be unlawful to discharge to any waters of the state within the Town of Alamo any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this chapter.

(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, except for a septic tank of the design, manufacture, and construction approved by the Town of Alamo.

(4) Except as provided in subsection (5) below, the owner of all houses, buildings, or properties used for human occupancy, service area and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary sewer in the service area, is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities to a septic tank of the design, manufacture, and construction approved by the Town of Alamo, and to connect said septic tank directly to the proper

public sewer in accordance with the provisions of this chapter, within sixty (60) days after date of official notice to do so, provided that said public sewer is within five hundred feet (500') of the building drain as defined herein.

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

(6) Where a public sanitary sewer is not available under the provisions of subsection (4), the building sewer shall be connected to a private sewage disposal system complying with the provisions of § 18-607 of this code. (Ord. #\_\_\_, Jan. 1987)

**18-604. Physical connection public sewer.** (1) No unauthorized person shall uncover, make any connections with or openings into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the superintendent as required by §§ 18-612 and 18-613 of this code.

(2) All costs and expenses incident to the installation, connection, and inspection of the building sewer shall be borne by the owner. The owner shall indemnify the town from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

(3) A separate and independent building sewer shall be provided for every building; except where one (1) 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 building may be extended to the rear building and the whole considered as one building sewer.

(4) Old building sewers may be used in connection with new buildings only when they are found, on examination and tested by the superintendent, to meet all requirements of this chapter. All others must be sealed to the specifications of the superintendent.

(5) Building sewers shall conform to the following requirements:

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

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

(c) Four-inch (4") building sewers shall be laid on a grade greater than one-eighth inch (1/8") per foot. Larger building sewers shall be laid on a grade that will produce a velocity when flowing full of at least two feet (2') per second.

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

(e) Building sewers shall be constructed only of:

- (i) Concrete or clay sewer pipe using rubber or neoprene compression joints of approved type;
- (ii) Cast iron soil pipe with leaded compression joints; or
- (iii) Polyvinyl chloride pipe with solvent welded or with rubber compression joints;
- (iv) ABS compression joints of approved type; or
- (v) Such other materials of equal or superior quality as may be approved by the superintendent. Under no circumstances will cement mortar joints be acceptable.

(f) A cleanout shall be located five feet (5') outside of the building, one (1) as it taps, one (1) to the utility lateral, and one (1) at each change of direction of the building sewer which is greater than forty-five (45) degrees. Additional cleanouts shall be extended to or above the finished grade level directly above the place where the cleanout is installed. A "Y" (wye) and one-eighth (1/8) bend shall be used for the cleanout base. Cleanouts shall not be smaller than four inches (4") on a four-inch (4") pipe.

(g) Connections of building sewers to the public sewer system shall be made the appropriate existing wye or tee branch using compression type couplings or collar type rubber joint with corrosion resisting or stainless steel bands. Where existing wye or tee branches are not available, connections of building services shall be made by either removing a length of pipe and replacing it with a wye or tee fitting or cutting a clean opening in the existing public sewer and installing a tee-saddle or tee-insert of a type approved by the superintendent. All such connections shall be made gastight and watertight.

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

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

prescribed procedures and materials must be approved by the superintendent before installation.

(j) An installed building sewer shall be gastight and watertight.

(k) All building sewers shall require the installation of a septic tank of the size, design, manufacture, and construction approved by the Town of Alamo to ensure compatibility with the small diameter sewage collection system. The tank will have a minimum volume of one thousand one hundred (1,100) gallons for single-family residences and a minimum volume to be determined by the town for all other structures.

(6) 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.

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

(8) It shall be unlawful for any builder, property owner, tenant, or user to erect or maintain any structure intended for human occupancy or use without a connection to the Alamo sewer system where the public sewer is available, and a currently paid account thereto. If public sewer is not available the property shall be served by a disposal system licensed by the state until such time public sewer becomes available. (Ord. #\_\_, Jan. 1987, as amended by Ord. #2022-2, March 2022 *Ch1\_09-11-23*)

**18-605. Inspection of connections.** (1) The sewer connection and all building sewers from the building to the public sewer main line shall be inspected before the underground portion is covered by the superintendent or his authorized representative.

(2) The applicant for discharge 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. (Ord. #\_\_, Jan. 1987)

**18-606. Maintenance of building sewers.** Each individual property owner or user of the POTW shall be entirely responsible for the maintenance of the building sewer located on private property. This maintenance will include repair or replacement of the service line as deemed necessary by the superintendent to meet specifications of the town. The town will accept the responsibility of the routine pumping and maintenance all septic tanks as the only exclusion to the property owner's or user's maintenance responsibility. (Ord. #\_\_, Jan. 1987)

**18-607. Private domestic wastewater disposal.** (1) Availability.

(a) Where a town public sanitary sewer is not available under the provisions of § 18-603(4), the building sewer shall be connected to a private wastewater disposal system complying with the provisions of this section.

(b) Any residence, office, recreational facility, or other establishment used for human occupancy where the building drain is below the elevation to obtain a grade equivalent to a one-eighth inch (1/8") per foot in the building sewer but is otherwise accessible to a public sewer as provided in § 18-603, the owner shall provide a private sewage pumping station as provided in § 18-604(5)(h).

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

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

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

(c) A private sewage disposal system shall not be placed in operation until the installation is completed to the satisfaction of the town and Crockett County Health Department. They shall be allowed to inspect the work at any stage of construction and, in any event, the owner shall notify the town and Crockett County Health Department when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within a reasonable period of time after the receipt of notice by the town and Crockett County Health Department.

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

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

(f) No statement contained in this chapter shall be construed to interfere with any additional requirements that may be imposed by the Crockett County Health Department and the Tennessee Department of Environment and Conservation. (Ord. #\_\_\_\_, Jan. 1987, modified)

**18-608. Applications for discharge of domestic wastewater.** All users or prospective users which generate domestic wastewater shall make application to the superintendent for written authorization to discharge to the municipal wastewater treatment system. Applications shall be required from all new discharges as well as for any existing discharger desiring additional service. Connection to the municipal sewer shall not be made until the application is received and approved by the superintendent, the building sewer is installed in accordance with § 18-604 of this chapter and an inspection has been performed by the superintendent or his representative.

The receipt by the town of a prospective customer's application for service shall not obligate the town to render the service. If the service applied for cannot be supplied in accordance with this chapter and the town's rules and regulations and general practice, the connection charge will be refunded in full, and there shall be no liability of the town to the applicant for such service, except that conditional waivers for additional services may be granted by the superintendent for interim periods if compliance may be assured within a reasonable period of time. (Ord. #\_\_\_\_, Jan. 1987)

**18-609. Industrial wastewater discharge permits.** Whenever any requirement for industrial pre-treatment is added to the Alamo wastewater NPDES permit, or upon the town's own initiative, the following shall apply:

(1) **General requirements.** All industrial users proposing to connect to or to contribute to the POTW shall obtain a wastewater discharge permit before connecting to or contributing to the POTW. All existing industrial users connected to or contributing to the POTW shall renew their wastewater discharge permit within one hundred eighty (180) days after the effective date of this chapter.

(2) **Applications.** Applications for wastewater discharge permits shall be required as follows:

(a) Users required to obtain a wastewater discharge permit shall complete and file with the superintendent an application in the form prescribed by the superintendent, and accompanied by the appropriate fee. Existing users shall apply for a wastewater contribution permit within sixty (60) days after the effective date of this chapter, and proposed new users shall apply at least ninety (90) days prior to connecting to or contributing to the POTW.



(b) The application shall be in the prescribed form of the town and shall include, but not be limited to, the following information: name, address and SIC number of applicant; wastewater volume, wastewater constituents and characteristics; discharge variations - daily, monthly, seasonal and thirty (30) minute peaks; a description of all toxic material handled on the premises; site plans, floor plans, mechanical and plumbing plans and details showing all sewers and appurtenances by size, location, and elevation; a description of existing and proposed pretreatment and/or equalization facilities and any other information deemed necessary by the superintendent.

(c) Any user who elects or is required to construct new or additional facilities for pretreatment shall, as part of the application for wastewater discharge permit, submit plans, specifications, and other pertinent information relative to the proposed construction to the superintendent for approval. Plans and specifications submitted for approval must bear the seal of a professional engineer registered to practice engineering in the State of Tennessee. A wastewater discharge permit shall not be issued until such plans and specifications are approved. Approval of such plans and specifications shall in no way relieve the user from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the town under the provisions of this chapter.

(d) If additional pretreatment and/or O&M will be required to meet the pretreatment standards, the application shall include the shortest schedule by which the user will provide such additional pretreatment. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard. For the purpose of this paragraph, "pretreatment standard," shall include either a national pretreatment standard or a pretreatment standard imposed by §§ 18-615, 18-616, or 18-618 of this chapter.

(e) The town will evaluate the data furnished by the user and may require additional information. After evaluation and acceptance of the data furnished, the town may issue a wastewater discharge permit subject to terms and conditions provided herein.

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

(g) The superintendent will act only on applications containing all the information required in this section. Persons who have filed incomplete application will be notified by the superintendent that the

application is deficient and the nature of such deficiency and will be given thirty (30) days to correct the deficiency. If the deficiency is not corrected within thirty (30) days or within such extended period as allowed by the superintendent, the superintendent shall submit the application to the mayor with a recommendation that it be denied and notify the applicant in writing of such action.

(3) Permit conditions. Wastewater discharge permits shall be expressly subject to all provisions of this chapter and all other applicable regulations, user charges and fees established by the town. Permits may contain the following:

(a) The unit charge or schedule of user charges and fees for the wastewater to be discharged to a community sewer;

(b) Limits on the average and maximum wastewater constituents and characteristics;

(c) Limits on average and maximum rate and time of discharge or requirements for equalization;

(d) Requirements for installation and maintenance of inspection and sampling facilities;

(e) Specifications for monitoring programs which may include sampling locations, frequency of sampling, number, types, and standards for tests and reporting schedule;

(f) Compliance schedules;

(g) Requirements for submission of technical reports or discharge reports;

(h) Requirements for maintaining and retaining plant records relating to wastewater discharge as specified by the town and affording town access thereto;

(i) Requirements for notification of the town of any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater constituents being introduced into the wastewater treatment system;

(j) Requirements for notification of slug discharged; and

(k) Other conditions as deemed appropriate by the town to ensure compliance with this chapter.

(4) Permit modifications. Within nine (9) months of the promulgation of a national categorical pretreatment standard, the wastewater discharge permit of users subject to such standards shall be revised to require compliance with such standard within the time frame prescribed by such standard. A user with an existing wastewater discharge permit shall submit to the superintendent within one hundred eighty (180) days after the promulgation of an applicable federal categorical pretreatment standard the information required by subsections (2)(b) and (2)(c) above. The terms and conditions of the permit may be subject to modification by the superintendent during the term of the permit as limitations or requirements are modified or just cause exists. The

user shall be informed of any proposed changes in this 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) Permits duration. Permits shall be issued for a specified time period, not to exceed five (5) years. A permit may be issued for a period less than a year or may be stated to expire on a specific date. The user shall apply for permit reissuance a minimum of one hundred eighty (180) days prior to the expiration of the user's existing permit.

(6) Permit transfer. Wastewater discharge permits are issued to a specific user for a specific operation. A wastewater discharge permit shall not be reassigned or transferred or sold to a new owner, new user, different premises, or a new or changed operation without the approval of the town. Any succeeding owner or user shall also comply with the terms and conditions of the existing permit.

(7) Revocation of permit. Any permit issued under the provisions of this chapter is subject to be modified, suspended, or revoked in whole or in part during its term for cause including, but not limited to, the following:

(a) Violation of any terms or conditions of the wastewater discharge permit or other applicable federal, state, or local law or regulation.

(b) Obtaining a permit by misrepresentation or failure to disclose fully all relevant facts.

(c) A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge.

(d) Intentional failure of a user to accurately report the discharge constituents and characteristics or to report significant changes in plant operations or wastewater characteristics. (Ord. #\_\_\_\_, Jan. 1987, modified)

**18-610. Confidential information.** All information and data on a user obtained from reports, questionnaire permit application, permits and monitoring programs and from inspections shall be available to the public or any other governmental agency without restriction unless the user specifically requests and is able to demonstrate to the satisfaction of the superintendent that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets of the user.

When requested by the person furnishing the report, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public, but shall be made available to governmental agencies for use; related to this chapter or the town's or user's NPDES permit. Provided, however, that such portions of a report shall be available for use by the state or any state agency in judicial review or enforcement proceedings involving the person furnishing the report.

Wastewater constituents and characteristics will not be recognized as confidential information.

Information accepted by the superintendent as confidential shall not be transmitted to any governmental agency or to the general public by the superintendent until and unless prior and adequate notification is given to the user. (Ord. #\_\_\_\_, Jan. 1987)

**18-611. General discharge prohibitions.** No user shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater which will interfere with the operation and performance of the POTW. These general prohibitions apply to all such users of a POTW whether or not the user is subject to national categorical pretreatment standards or any other national, state, or local pretreatment standards or requirements. A user may not contribute the following substances to any POTW.

(1) Any liquids, solids, or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the POTW or to the operation of the POTW. At no time, shall two (2) successive readings on an explosion hazard meter, at the point of discharge into the system (or to any point in the system) be more than five percent (5%) nor any single reading over twenty percent (20%) of the Lower Explosive Limit (LEL) of the meter. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromate, carbides, hydrides and sulfides and any other substances which the board, the town, the state, or EPA has notified the user is a fire hazard or a hazard to the system.

(2) Solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities such as, but not limited to: grease, garbage, with particles greater than one-half inch (1/2") in any dimension, paunch manure, bones, hair, hides, or fleshlings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, gas, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, mud, or glass grinding or polishing wastes.

(3) Any wastewater having a pH less than 5.0 or higher than 9.5 or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment, and/or personnel of the POTW.

(4) Any wastewater containing any toxic pollutants, chemical elements, or compounds in sufficient quantity, either singly or by interaction with other pollutants, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a toxic effect in the receiving waters of the POTW, or to exceed the limitation set forth in a

categorical pretreatment standard. A toxic pollutant identified pursuant to § 307(a) of the Act.

(5) Any noxious or malodorous liquids, gases, or solids which either singly or by interaction with other wastes are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for maintenance and repair.

(6) Any substance which may cause the POTW's effluent or any other product of the POTW such as residues, sludges, or scums, to be unsuitable for reclamation process. In no case, shall a substance discharged to the POTW cause the POTW to be in non-compliance with sludge use or disposal criteria, guidelines, or regulations developed under § 405 of the Act; and criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or state criteria applicable to the sludge management method being used.

(7) Any substance which will cause the POTW to violate its NPDES permit or the receiving water quality standards.

(8) Any wastewater causing discoloration of the wastewater treatment plant effluent to the extent that the receiving steam water quality requirements would be violated, such as, but not limited to, dye wastes and vegetable tanning solutions.

(9) Any wastewater having a temperature which will inhibit biological activity in the POTW treatment plant resulting in interference, but in no case wastewater with a temperature at the introduction into the POTW which exceeds forty (40) degrees Centigrade (one hundred four (104) degrees Fahrenheit).

(10) Any pollutants, including oxygen demanding pollutants (BOD, etc.) released at a flow rate and/or pollutant concentration which a user knows or has reason to know will cause interference to the POTW.

(11) Any waters or wastes causing an unusual volume of flow or concentration of waste constituting "slug" as defined herein.

(12) Any wastewater containing 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.

(13) Any wastewater which causes a hazard to human life or creates a public nuisance.

(14) Any waters or wastes containing fats, wax, grease, or oil, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperature between thirty-two and one hundred forty degrees (32° and 140°) Fahrenheit zero and sixty degrees (0° and 60°) Centigrade.

(15) Any storm water, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer. 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 superintendent and the Tennessee Department of Public Health. Industrial cooling water or unpolluted process waters may be discharged on approval of the superintendent and the Tennessee Department of Public Health, to storm sewer or natural outlet. (Ord. #\_\_\_\_, Jan. 1987)

**18-612. Restrictions on wastewater strength.** No person or user shall discharge wastewater which exceeds the following set of standards (Table A - User Discharge Restrictions) unless an exception is permitted as provided in this chapter. Dilution of any wastewater discharge for the purpose of satisfying these requirements shall be considered in violation of this chapter.

**TABLE A - USER DISCHARGE RESTRICTIONS**

<b>Pollutant</b>	<b>Daily Average* Maximum Concentration (mg/l)</b>	<b>Instantaneous Maximum Concentration (mg/l)</b>
Antimony	5.0	8.0
Arsenic	1.0	1.5
Cadmium	1.0	1.5
Chromium (total)	4.0	7.0
Copper	3.0	5.0
Cyanide	1.0	2.0
*Based on 24-hour flow proportional composite samples.		
Lead	1.0	1.5
Mercury	0.1	0.2
Nickel	3.0	4.5
Pesticides & herbicides	0.5	1.0
Phenols	10.0	15.0
Selenium	1.0	1.5
Silver	1.0	1.5
Surfactants, as MBAS	25.0	50.00
Zinc	3.0	5.0

(Ord. #\_\_\_\_, Jan. 1987)

**18-613. Protection of treatment plant influent.** The superintendent shall monitor the treatment works influent for each parameter in the following table, (Table B - Plant Protection Criteria). Industrial users shall be subject to reporting and monitoring requirements regarding these parameters as set forth in this chapter. In the event that the influent at the POTW reaches or exceeds levels established by this table, the superintendent shall initiate technical studies to determine the cause of the influent violation and shall recommend to the town the necessary remedial measures, including, but not limited to, recommending the establishment of new or revised pretreatment levels for these parameters. The superintendent shall also recommend changes to any of these criteria in the event that: the POTW effluent standards are changed, there are changes in any applicable law or regulation affecting same, or changes are needed for more effective operation of the POTW.

**TABLE B - PLANT PROTECTION CRITERIA**

<b>Parameter</b>	<b>Maximum Concentration mg/l (24 Hour Flow) Proportional Composite Sample)</b>	<b>Maximum Instantaneous Concentration (mg/l) (Grab Sample)</b>
Aluminum dissolved (AL)	3.00	6.0
Antimony (Sb)	0.50	1.0
Arsenic (As)	0.06	0.12
Barium (Ba)	2.50	5.0
Boron (B)	0.4	0.8
Cadmium (Cd)	0.004	0.008
Chromium Hex	0.06	0.12
Cobalt (Co)	0.03	0.06
Copper (Cu)	0.16	0.32
Cyanide (CN)	0.03	0.06
Fluoride (F)	0.6	1.2
Iron (Fe)	3.0	6.0
Lead (Pb)	0.10	0.2
Manganese (Mn)	0.1	0.2

Parameter	Maximum Concentration mg/l (24 Hour Flow) Proportional Composite Sample)	Maximum Instantaneous Concentration (mg/l) (Grab Sample)
Mercury (Hg)	0.025	0.05
Nickel (Ni)	0.15	0.30
Pesticides & herbicides	.001	.002
Phenols	1.00	2.0
Selenium (Se)	0.01	0.02
Silver (Ag)	0.05	0.1
Sulfide	25.0	40.0
Zinc (Zn)	0.3	0.6
Total Kjeldahl Nitrogen (TKN)	45.00	90.00
Oil & grease	50.0	100.00
MBAS	5.0	10.0
BOD	*	
COD	*	
Suspended Solids	*	

\*Not to exceed the design capacity of treatment works.

BDL = Below Detectable Limits

(Ord. #\_\_\_\_, Jan. 1987)

**18-614. Federal categorical pretreatment standards.** Upon the promulgation of the federal categorical pretreatment standards for a particular industrial subcategory, the federal standard, if more stringent than limitations imposed under the chapter for sources in that subcategory, shall immediately supercede the limitations imposed under this chapter. The superintendent shall notify all affected users of the applicable reporting requirements under 40 CFR section 403.12. (Ord. #\_\_\_\_, Jan. 1987)

**18-615. Right to establish more restrictive criteria.** No statement in this chapter is intended or may be construed to prohibit the superintendent from establishing specific wastewater discharge criteria more restrictive where wastes are determined to be harmful or destructive to the facilities of the POTW



or to create a public nuisance, or to cause the discharge of the POTW to violate effluent or stream quality standards, or to interfere with the use or handling of sludge, or to pass through the POTW resulting in a violation of the NPDES permit, or to exceed industrial pretreatment standards for discharge to municipal wastewater treatment systems as imposed or as may be imposed by the Tennessee Department of Public Health and/or the United States Environmental Protection Agency. (Ord. #\_\_\_\_, Jan. 1987)

**18-616. Special agreements.** Nothing in this section shall be construed so as to prevent any special agreement or arrangement between the town and any user of the wastewater treatment system whereby wastewater of unusual strength or character is accepted into the system and specially treated subject to any payments or user charges as may be applicable. The making of such special agreements or arrangements between the town and the user shall be strictly limited to the capability of the POTW to handle such wastes without interfering with unit operations or sludge use and handling or allowing the pass through of pollutants which would result in a violation of the NPDES permit. No special agreement or arrangement may be made without documentation by the industry of the use of good management practice in the reduction of wastewater volume and strength. (Ord. #\_\_\_\_, Jan. 1987)

**18-617. Exceptions to discharge criteria.** (1) Application for exception. Non-residential users of the POTW may apply for a temporary exception to the prohibited and restricted wastewater discharge criteria listed in §§ 18-615 and 18-616 of this code. Exceptions can be granted according to the following guidelines:

The superintendent shall allow applications for temporary exceptions at any time. However, the superintendent shall not accept an application if the applicant has submitted the same or substantially similar application within the preceding year and the same has been denied by the town.

All applications for an exception shall be in writing, and shall contain sufficient information for evaluation of each of the factors to be considered by the town in its review of the application.

(2) Conditions. All exceptions granted under this subsection shall be temporary and subject to revocation at any time by the superintendent upon reasonable notice.

The user requesting the exception must demonstrate to the superintendent that he is making a concentrated and serious effort to maintain high standards of operation control and housekeeping levels, etc., so that discharges to the POTW are being minimized. If negligence is found, permits will be subject to termination. The user requesting the exception must demonstrate that compliance with stated concentration and quantity standards is technically or economically infeasible and the discharge, if accepted, will not:

- (a) Interfere with the normal collection and operation of the wastewater treatment system;
- (b) Limit the sludge management alternatives available and increase the cost of providing adequate sludge management; or
- (c) Pass through the POTW in quantities and/or concentrations that would cause the POTW to violate the NPDES permit.

The user must show that the exception, if granted, will not cause the discharger to violate its in-force federal pretreatment standards unless the exception is granted under the provisions of the applicable pretreatment regulations.

A surcharge shall be applied to any exception granted under this subsection. These surcharges shall be applied for that concentration stipulated in this chapter based on the average daily flow of the user.

(3) Review of application by the superintendent. All applications for an exception shall be reviewed by the superintendent. If the application does not contain sufficient information for complete evaluation, the superintendent shall notify the applicant of the deficiencies and request additional information. The applicant shall have thirty (30) days following notification by the superintendent to correct such deficiencies. This thirty (30) day period may be extended by the town upon application and for just cause shown. Upon receipt of a complete application, the superintendent shall evaluate same within thirty (30) days and shall submit his recommendations to the town at its next regularly scheduled meeting.

(4) Review and application by the town. The town shall review and evaluate all applications for exceptions and shall take into account the following factors:

- (a) Whether or not the applicant is subject to a national pretreatment standard containing discharge limitations more stringent than those in §§ 18-615 through 18-622 and grant an exception only if such exception may be granted within limitations of applicable federal regulations;
- (b) Whether or not the exception would apply to discharge of a substance classified as a toxic substance under regulations promulgated by the Environmental Protection Agency under the provisions of § 307(a) of the Act (22 U.S.C. § 1317), and then grant an exception only if such exception may be granted within the limitations of applicable federal regulations;
- (c) Whether or not the granting of an exception would create conditions that would reduce the effectiveness of the treatment works taking into consideration the concentration of said pollutant in the treatment works' influent and the design capability of the treatment works;

- (d) The cost of pretreatment or other types of control techniques which would be necessary for the user to achieve effluent reduction, but prohibitive costs alone shall not be the basis for granting an exception;
- (e) The age of equipment and industrial facilities involved to the extent that such factors affect the quality or quantity of wastewater discharge;
- (f) The process employed by the user and process changes available which would affect the quality or quantity of wastewater discharge; and
- (g) The engineering aspects of various types of pretreatment or other control techniques available to the user to improve the quality or quantity of wastewater discharge. (Ord. #\_\_\_\_, Jan. 1987)

**18-618. Accidental discharges.** (1) Protection from accidental discharge. All industrial users shall provide such facilities and institute such procedures as are reasonably necessary to prevent or minimize the potential for accidental discharge into the POTW of waste regulated by this chapter from liquid or raw material storage areas, from truck and rail car loading and unloading areas, from in-plant transfer or processing and materials handling areas, and from diked areas or holding ponds of any waste regulated by this chapter. The wastewater discharge permit of any user who has a history of significant leaks, spills, or other accidental discharge of waste regulated by this chapter shall be subject on a case-by-case basis to a special permit condition or requirement for the construction of facilities or establishment of procedures which will prevent or minimize the potential for such accidental discharge. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the user's expense. Detailed plans showing the facilities and operating procedures shall be submitted to the superintendent before the facility is constructed.

The review and approval of such plans and operating procedures will in no way relieve the user from the responsibility of modifying the facility to provide the protection necessary to meet the requirements of this chapter.

(2) Notification of accidental discharge. Any person causing or suffering from any accidental discharge shall immediately notify the superintendent (or his designated official) by telephone to enable countermeasures to be taken by the superintendent to minimize damage to the POTW, the health and welfare of the public, and the environment.

Such notification shall be followed, within five (5) days of the date of occurrence, by a detailed written statement describing the cause of the accidental discharge and the measures being taken to prevent future occurrence.

This notification will not relieve the user of liability for any expense, loss, or damage to the POTW, fish kills, or any other damage to person or property; nor shall such notification relieve the user of any fines, civil penalties, or other liability which may be imposed by this chapter or state or federal law.

(3) Notice to employees. A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees whom to call in the event of a dangerous discharge. Employers shall ensure that all employees who may cause or suffer from such a dangerous discharge to occur are advised of the emergency notification procedure. (Ord. #\_\_\_\_, Jan. 1987)

**18-619. Monitoring facilities.** The installation of a monitoring facility shall be required for all industrial users having wastes which receive pretreatment, are otherwise altered or regulated before discharge, or are unusually strong and thereby subject to a surcharge. Monitoring facility shall be a manhole or other suitable facility approved by the superintendent.

When, in the judgment of the superintendent, there is a significant difference in wastewater constituents and characteristics produced by different operations of a single user, the superintendent may require the separate monitoring facilities be installed for each separate source of discharge.

Monitoring facilities that are required to be installed shall be constructed and maintained at the user's expense. The purpose of the facility is to enable inspection, sampling and flow measurement of wastewater produced by a user.

If sampling or metering equipment is also required by the superintendent, it shall be provided and installed at the user's expense.

The monitoring facility will normally be required to be located on the user's premises outside of the building. The superintendent may, however, when such a location would be impractical or cause undue hardship on the user, allow the facility to be constructed in the public street right-of-way with the approval of the public agency having jurisdiction of that right-of-way and located so that it will not be obstructed by landscaping or parked vehicles.

There shall be ample room in or near such sampling manhole or facility to allow accurate sampling and preparation of samples for analysis. The facility, sampling, and measuring equipment shall be maintained at all times in a safe and proper operating condition at the expense of the user.

Whether constructed on public or private property, the monitoring facility shall be constructed in accordance with the superintendent's requirements and all applicable local agency construction standards and specifications. When, in the judgment of the superintendent, an existing user is notified in writing, of the necessity of monitoring facilities, construction must be completed within one hundred eighty (180) days following written notification unless an extension is granted by the superintendent. (Ord. #\_\_\_\_, Jan. 1987)

**18-620. Inspection and sampling.** The town shall inspect the facilities of any user to ascertain whether the purpose of this chapter is being met and all requirements are being complied with. Persons or occupants of premises where wastewater is created or discharged shall allow the town or their representative ready access at all reasonable times to all parts of the premises for the purpose of inspection, sampling, records examination or in the performance of any of

their duties. The town, approval authority and EPA shall have the right to set up on the user's property such devices as are necessary to conduct sampling inspection, compliance monitoring and/or metering operations. Where a user has security measures in force which would require proper identification and clearance before entry into their premises, the user shall make necessary arrangements with their security guards so that, upon presentation of suitable identification, personnel from the town, approval authority and EPA will be permitted to enter, without delay, for the purposes of performing their specific responsibility. The superintendent or his representatives shall have no authority to inquire into any manufacturing process beyond that point having a direct bearing on the level and sources of discharge to the sewers, waterways, or facilities for waste treatment. (Ord. #\_\_\_\_, Jan. 1987)

**18-621. Compliance date report.** Within one hundred eighty (180) days following the date for final compliance with applicable pretreatment standards or, in the case of a new source, following commencement of the introduction of wastewater into the POTW, any user subject to pretreatment standards and requirements shall submit to the superintendent a report indicating the nature and concentration of all pollutants in the discharge from the regulated process which are limited by pretreatment standards and requirements and the average and maximum daily flow for these process units in the user facility which are limited by such pretreatment standards or requirements. The report shall state whether the applicable pretreatment standards or requirements are being met on a consistent basis and, if not, what additional O&M and/or pretreatment is necessary to bring the user into compliance with the applicable pretreatment standards or requirements. This statement shall be signed by an authorized representative of the industrial user and certified to by a qualified professional. (Ord. #\_\_\_\_, Jan. 1987)

**18-622. Periodic compliance reports.** (1) Any user subject to a pretreatment standard, after the compliance date of such pretreatment standard, or, in the case of new source, after commencement of the discharge into the POTW, shall submit to the superintendent during the months of June and December, unless required more frequently in the pretreatment standard or by the superintendent, a report indicating the nature and concentration of pollutants in the effluent which are limited by such pretreatment standards. In addition, this report shall include a record of all daily flows which during the reporting period exceeded the average daily flow. At the discretion of the superintendent and in consideration of such factors as local high or low flow rates, holidays, budget cycles, etc., the superintendent may agree to alter the months during which the above reports are to be submitted.

(2) The superintendent may impose mass limitations on users where the imposition of mass limitations are appropriate. In such cases, the report

required by subsection (1) of this section shall indicate the mass of pollutants regulated by pretreatment standards in the effluent of the user.

(3) The reports required by this section shall contain the results of sampling and analysis of the discharge, including the flow and the nature and concentration, or production and mass where requested by the superintendent, of pollutants contained therein which are limited by the applicable pretreatment standards. The frequency of monitoring shall be prescribed in the wastewater discharge permit or the pretreatment standard. All analysis shall be performed in accordance with procedures established by the administrator pursuant to § 304(g) of the Act and contained in 40 CFR, part 136 and amendments thereto or with any other test procedures approved by the superintendent. Sampling shall be performed in accordance with the techniques approved by the superintendent. (Ord. #\_\_\_\_, Jan. 1987)

**18-623. Maintenance of records.** Any industrial user subject to the reporting requirements established in this section shall maintain records of all information resulting from any monitoring activities required by this section. Such records shall include for all samples:

- (1) The date, exact place, method, and time of sampling and the names of the person taking the samples;
- (2) The dates analyses were performed;
- (3) Who performed the analyses;
- (4) The analytical techniques/methods use; and
- (5) The results of such analyses.

Any industrial user subject to the reporting requirements established in this section shall be required to retain for a minimum of three (3) years all records of monitoring activities and results (whether or not such monitoring activities are required by this section) and shall make such records available for inspection and copying by the Superintendent, Director of the Division of Water Quality Control Tennessee Department of Public Health, or the Environmental Protection Agency. This period of retention shall be extended during the course of any unresolved litigation regarding the industrial user or when requested by the superintendent, the approval authority, or the Environmental Protection Agency. (Ord. #\_\_\_\_, Jan. 1987)

**18-624. Safety.** While performing the necessary work on private properties, the superintendent or duly authorized employees of the town 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 employees and the town shall indemnify the company against loss or damage to its property by town employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the monitoring and sampling operation, except as such may be caused by

negligence or failure of the company to maintain safe conditions. (Ord. #\_\_\_\_, Jan. 1987)

**18-625. Notification of violation.** Whenever the WWTP operator finds that any industrial user has violated or is violating this chapter, or a wastewater permit or order issued hereunder, the WWTP operator or his agent may serve upon said user written notice of the violation. Within ten (10) days of the receipt date of this notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted to the WWTP operator. Submission of this plan in no way relieves the user of liability for any violations occurring before or after receipt of the notice of violation. (Ord. #\_\_\_\_, Jan. 1987)

**18-626. Issuance of cease and desist orders.** When the superintendent finds that a discharge of wastewater has taken place in violation of prohibitions or limitations of this chapter, or the provisions of a wastewater discharge permit, the superintendent may issue an order to cease and desist, and direct that these persons not complying with such prohibitions, limits, requirements, or provisions to:

- (1) Comply forthwith;
- (2) Comply in accordance with a time schedule set forth by the superintendent;
- (3) Take appropriate remedial or preventive action in the event of a threatened violation; or
- (4) Surrender his applicable user's permit if ordered to do so after a show cause hearing.

Failure of the superintendent to issue a cease and desist order to a violating user shall not in any way relieve the user from any consequences of a wrongful or illegal discharge. (Ord. #\_\_\_\_, Jan. 1987)

**18-627. Show cause hearing.** (1) The town may order any user who causes or allows an unauthorized discharge to enter the POTW to show cause before the board of aldermen why the proposed enforcement action should not be taken. A notice shall be served on the user specifying the time and place of a hearing to be held by the town board regarding the violation, the reasons why the action is being taken, the proposed enforcement action, and directing the user to show cause before the town board why the proposed enforcement action should not be taken. The notice of the hearing shall be served personally or by registered or certified mail (return receipt requested) at least ten (10) days before the hearing.

(2) The board of aldermen may itself conduct the hearing and take the evidence, or may designate any of its members or any officer or employee of the water and sewer department to:

(a) Issue in the name of the board and aldermen notices of hearings requesting the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in such hearings;

(b) Take the evidence; and

(c) Transmit a report of the evidence and hearing, including transcripts and other evidence, together with recommendations to the board for action thereon.

(3) At any hearing held pursuant to this chapter, testimony taken must be under oath and recorded. The transcript, so recorded, will be made available to any member of the public or any party to the hearing upon payment of the usual charges thereof.

(4) After the board of aldermen has reviewed the evidence, it may issue an order to the user responsible for the discharge directing that, following a specified time period, the sewer service be discontinued unless adequate treatment facilities, devices, or other related appurtenances shall have been installed on existing treatment facilities, and that these devices or other related appurtenances are properly operated. Further orders and directives as are necessary and appropriate may be issued. (Ord. #\_\_\_\_, Jan. 1987)

**18-628. Submission of time schedule.** When the superintendent finds that a discharge of wastewater has been taking place in violation of prohibitions or limitations prescribed in this chapter, or wastewater source control requirements, effluent limitations of pretreatment standards, or the provisions of a wastewater discharge permit, the superintendent shall require the user to submit for approval, with such modifications as it deems necessary, a detailed time schedule of specific actions which the user shall take in order to prevent or correct a violation of requirements. Such schedule shall be submitted to the superintendent within thirty (30) days of the issuance of a cease and desist order. (Ord. #\_\_\_\_, Jan. 1987)

**18-629. Legal action.** If any person discharges sewage, industrial wastes, or other wastes into the town's wastewater disposal system contrary to the provisions of this chapter, federal or state pretreatment requirements, or any order of the town, the town attorney may commence an action for appropriate legal and/or equitable relief in the chancery court of this county. (Ord. #\_\_\_\_, Jan. 1987)

**18-630. Emergency termination of service.** In the event of an actual or threatened discharge to the POTW of any pollutant which in the opinion of the superintendent presents or may present an imminent and substantial endangerment to the health or welfare of persons, or cause interference with POTW, the superintendent or in his absence the person then in charge of the treatment works shall immediately notify the mayor of the nature of the emergency. The superintendent shall also attempt to notify the industrial user



or other person causing the emergency and request their assistance in abating same. Following consultation with the aforementioned officials of the town or in their absence such elected officials of the town as may be available, the superintendent shall temporarily terminate the service of such user or users as are necessary to abate the condition when such action appears reasonably necessary. Such service shall be restored by the superintendent as soon as the emergency situation has been abated or corrected. (Ord. #\_\_\_\_, Jan. 1987)

**18-631. Public nuisance.** Discharges of wastewater in any manner in violation of this chapter or of any order issued by the superintendent as authorized by this chapter, is hereby declared a public nuisance and shall be corrected or abated as directed by the superintendent. Any person creating a public nuisance shall be subject to the provisions of the town codes or ordinances governing such nuisance. (Ord. #\_\_\_\_, Jan. 1987)

**18-632. Correction of violation and collection of costs.** In order to enforce the provisions of this chapter, the superintendent shall correct any violation hereof. The cost of such correction may be added to any sewer service charge payable by the person violating the chapter or the owner or tenant of the property upon which the violation occurred, and the town shall have such remedies for the collection of such costs as it has for the collection of sewer service charges. (Ord. #\_\_\_\_, Jan. 1987)

**18-633. Damage to facilities.** When a discharge of wastes causes an obstruction, damage, or any other physical or operational impairment to facilities, the superintendent shall assess a charge against the user for the work required to clean or repair the facility and add such charge to the user's sewer service charge. (Ord. #\_\_\_\_, Jan. 1987)

**18-634. Civil liabilities.** Any person or user who intentionally or negligently violates any provision of this chapter, requirements, or conditions set forth in a permit duly issued, or who discharges wastewater which causes pollution or violates any cease and desist order, prohibition, effluent limitation, national standard or performance, pretreatment, or toxicity standard, shall be liable civilly.

The Town of Alamo may sue for such damage in any court of competent jurisdiction. In determining the damages, the court shall take into consideration all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the nature and persistence of the violation, the length of time over which the violation occurs, and the correcting action, if any. (Ord. #\_\_\_\_, Jan. 1987)

**18-635. Civil penalties.** Any user who is found to have violated an order of the board of aldermen or who failed to comply with any provision of this

chapter, and the order, rules, regulations and permits issued hereunder, shall be fined not less than fifty dollars (\$50.00) for each offense. Each day of which a violation shall occur or continues shall be deemed a separate and distinct offense. In addition to the penalties provided herein, the town may recover reasonable attorney's fees, court costs, court reporters' fees and other expenses of litigation by appropriate suit at law against the person found to have violated this chapter or the orders, rules, regulations, and permits issued hereunder. (Ord. #\_\_\_\_, Jan. 1987)

**18-636. Falsifying information.** It shall be unlawful to knowingly make any false statements, representation or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to this chapter, or wastewater discharge permit, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this chapter. (Ord. #\_\_\_\_, Jan. 1987, modified)

**18-637. Purpose.** It is the purpose of this chapter to provide for the equitable recovery of costs from users of the town's wastewater treatment system, including costs of operation, maintenance, replacement, administration, bond service costs, capital improvements, depreciation and equitable cost recovery of EPA administered federal wastewater grants. (Ord. #\_\_\_\_, Jan. 1987)

**18-638. Types of charges and fees.** The charges and fees as established in the town's schedule of charges and fees, may include, but not be limited to:

- (1) Inspection fee and tapping fee;
- (2) Fees for application for discharge;
- (3) Sewer use charges;
- (4) Surcharge fees;
- (5) Industrial wastewater discharge permit fees;
- (6) Fees for industrial discharge monitoring; and
- (7) Other fees set by separate ordinance which may be found in the recorder's office. (Ord. #\_\_\_\_, Jan. 1987 modified)

**18-639. Fees for applications for discharge.** Fees are set by separate ordinance which may be found in the recorder's office.

**18-640. Inspection fee and tapping fee.** An inspection fee and tapping fee for a building sewer installation shall be paid to the town's sewer department at the time the application is filed. Fees shall cover the costs of inspecting new and/or existing plumbing within subject building establishments as well as inspection of building sewers, property sewers, and sewer service lines

and connections to the public sewers. The inspection fee and tapping fee shall be in accordance with the following table of charges:

Size of Customer's Service Line	Tapping Fee
3 inch	\$ 550.00, plus costs of materials and contract labor.
4 inch	\$ 600.00, plus costs of materials and contract labor.
6 inch	\$1,600.00, plus costs of materials and contract labor.

(Ord. #\_\_\_, Jan. 1987, as amended by Ord. #2017-6, July 2017, and Ord. #2022-13, Dec. 2022 *Ch1\_09-11-23*)

**18-641. Sewer user charges.** Whenever any requirement for classification of users is added to the Alamo wastewater NPDES permit, or upon the town's own initiative, the following should apply:

(1) Classification of users. Users of the wastewater system shall be classified into two (2) general classes or categories depending upon the user's contribution of wastewater loads; each class user being identified as follows:

(a) Class I. Those users whose average biochemical oxygen demand is one hundred forty milligrams per liter (140 mg/l) by weight or less, and whose suspended solids discharge is one hundred milligrams per liter (100 mg/l) by weight or less. This class of users discharge wastewater into the small diameter sewage collection system which has received primary treatment in a septic tank and is therefore deemed compatible with the small diameter collection system.

(b) Class II. Those users whose average biochemical oxygen demand exceeds one hundred forty milligrams per liter (140 mg/l) concentration by weight and/or whose suspended solids exceeds one hundred milligrams per liter (100 mg/l) concentration. Class II users discharge wastewater into the small diameter sewage collection system which has not received adequate primary treatment in a septic tank or by other means and is therefore deemed incompatible with the small diameter collection system. This class of user is discouraged and in most areas cannot be served by the small diameter collection system without significant additional transportation costs to be borne by the user.

(2) Determination of costs. The board of mayor and aldermen shall establish monthly rates and charges for the use of the wastewater system and for the services supplied by the wastewater system. Said charges shall be based upon the cost categories of administration costs, including billing and accounting costs; operation and maintenance costs of the wastewater collection and treatment system; and debt service costs.

(a) All users who fall under Class I shall pay a single unit charge expressed as dollars per one thousand (1,000) gallons of water

purchased (\$/1,000 gallons) with the unit charge being determined in accordance with the following formula:

$$C_i = \frac{T.S.C.}{V_t}$$

Where:

$C_i$  = The Class I total unit cost in \$/1000 gallons.

T.S.C. = The total operation, and maintenance, administration, and debt service determined by yearly budget provisions.

$V_t$  = The total volume of wastewater contribution from all users per year as determined from projections from one town fiscal year to the next.

(b) All users who fall within the Class II classification shall pay the same base unit charge per one thousand (1,000) gallons of water purchased as for the Class I users and in addition shall pay a surcharge rate on the excessive amounts of biochemical oxygen demand and/or suspended solids in direct proportion to the actual discharge quantities.

(c) The volume of water purchased which is used in the calculation of sewer use charges may be adjusted by the superintendent if a user purchases a significant volume of water for a consumptive use and does not discharge it to the public sewers (i.e., filling swimming pools, industrial heating, and humidifying equipment, etc.). The user shall be responsible for documenting the quantity of waste discharged to the public sewer.

(d) When either or both the total suspended solids or biochemical oxygen demand quantities discharged into the treatment works is in excess of those described in § 18-645(1), above, thus being classified as Class II users, the following formula shall be used to compute the appropriate user charge:

$$C_u = V_c V_u + B_c B_u + S_u S_c$$

Where:

$C_u$  = Total user charge per unit of time.

$V_c$  = Total cost for transportation and treatment of a unit of wastewater volume.

$V_u$  = Volume contribution per unit of time.

$B_c$  = Total cost for treatment of a unit of biochemical oxygen demand (BOD).

$B_u$  = Total BOD contribution for a user per unit of time.

$S_c$  = Total cost of treatment of a unit of suspended solids.

$S_u$  = Total suspended solids contribution from a user per unit of time.  
(Ord. #\_\_\_\_, Jan. 1987, modified)

**18-642. Surcharge fees.** If it is determined by the town that the discharge of other loading parameters or wastewater substances are creating excessive operation and maintenance costs within the wastewater system, whether collection or treatment, then the monetary effect of such a parameter or parameters shall be borne by the discharger of such parameters in proportion to the amount of discharge. (Ord. #\_\_\_\_, Jan. 1987)

**18-643. Industrial wastewater discharge permit fees.** A fee may be charged for the issuance of an industrial wastewater discharge permit in accordance with § 18-642 of this chapter. (Ord. #\_\_\_\_, Jan. 1987)

**18-644. Fees for industrial discharge monitoring.** Fees may be collected from industrial users having pretreatment or other discharge requirements to compensate the town for the necessary compliance monitoring and other administrative duties of the pretreatment program. (Ord. #\_\_\_\_, Jan. 1987)

**18-645. Billing.** The billing for normal domestic wastewater services shall consist of monthly billing in accordance with the rates specified by the town, subject to net and gross rates. (Ord. #\_\_\_\_, Jan. 1987)

**18-646. Validity.** (1) All chapters or parts of chapters in conflict herewith are hereby repealed.

(2) The validity of any section, clause, sentence, or provision of this chapter shall not affect the validity of any other part of this chapter which can be given effect without such invalid part or parts.

(3) This chapter and its provisions shall be valid for all service areas, regions and sewage works under the jurisdiction of the Town of Alamo, Tennessee. (Ord. #\_\_\_\_, Jan. 1987)

## CHAPTER 7

### FATS, OILS AND GREASE

#### SECTION

- 18-701. Purpose.
- 18-702. Definitions.
- 18-703. Control plan for (FOG) and food waste.
- 18-704. General criteria.
- 18-705. Design criteria.
- 18-706. Grease trap maintenance.
- 18-707. Additives.
- 18-708. Chemical treatment.
- 18-709. Sand, soil, and oil interceptors.
- 18-710. Laundries.
- 18-711. Control equipment.
- 18-712. Alteration of control methods.
- 18-713. Violations and penalty.

**18-701. Purpose.** The purpose of this chapter is to control discharges into the public sewerage collection system and wastewater treatment plant that interfere with the operations of the system, cause blockage and plugging of pipelines, interfere with normal operation of pumps and their controls, and contribute waste of a strength or form that either causes treatment difficulties or is beyond the treatment capability of the wastewater treatment plant. (Ord. #2017-18, Dec. 2017)

**18-702. Definitions.** (1) "Food service facilities." Those establishments primarily engaged in activities of preparing, serving, or otherwise making available for consumption foodstuffs and that use one (1) or more of the following preparation activities: cooking by frying (all methods), baking (all methods), grilling, sauteing, rotisserie cooking, broiling (all methods), boiling, blanching, roasting, toasting, or poaching. Also included are infrared heating, searing, barbecuing, and any other food preparation activity that produces a hot, non-drinkable food product in or on a receptacle that requires washing. These facilities include restaurants, cafeterias, hotels, motels, hospitals, nursing homes, schools, grocery stores, prisons, jails, churches, camps, caterers, manufacturing plants, or any other sewer users as determined by the town's Wastewater Collection System Superintendent (WCSS) who discharge applicable waste.

(2) "Grease." Material composed primarily of fats, oil, and grease (FOG) from animal or vegetable sources. The terms fats, oil, and grease shall be deemed as grease by definition. Grease does not include petroleum based products.

(3) "Grease trap." A device for separating and retaining waterborne greases and grease complexes prior to the wastewater exiting the trap and entering the sanitary sewer collection and treatment system. These devices also serve to collect settleable solids, generated by and from food preparation activities, prior to the water exiting the trap and entering the sanitary sewer collection and treatment system.

(4) "Oil/water separator." An approved and industry standard system that is specifically designed and manufactured to separate oil from water. The system shall allow the oil to be collected and removed on a regular basis as to prevent it from being discharged into the wastewater collection system. Only oil/water separators manufactured for that specific operation will be approved. Adequate support literature from the manufacturer will be required so as to allow a proper review by the WCSS.

(5) "User." Any person or establishment including those located outside the jurisdictional limits of the town who contributes, causes, or permits the contribution or discharge of wastewater into the town's wastewater collection or treatment system, including persons who contribute such wastewater from mobile sources, such as those who discharge hauled wastewater. (Ord. #2017-18, Dec. 2017)

**18-703. Control plan for (FOG) and food waste.** (1) Any new construction, renovation, or expansion of food service facilities shall be required to submit to the town a FOG and food waste control plan that will effectively control the discharge of undesirable materials into the wastewater collection system.

(2) Any existing food service facilities shall also be required to submit a FOG and food waste control plan that will effectively control the discharge of undesirable materials into the wastewater collection system. Existing facilities shall not be exempt from the requirements of this chapter. There will be no "grandfathering". (Ord. #2017-18, Dec. 2017)

**18-704. General criteria.** (1) Installation requirements. All existing, proposed, or newly remodeled food service facilities inside the Town of Alamo wastewater service area shall be required to install, at the user's expense, an approved, properly operated and maintained grease trap.

(2) Sanitary sewer flows. Sanitary sewer flows from toilets, urinals, lavatories, etc. shall not be discharged into the grease trap. These flows shall be conveyed separately to the sanitary sewer service lateral.

(3) Floor drains. Only floor drains which discharge or have the potential to discharge grease shall be connected to a grease trap.

(4) Garbage grinders/disposers. It is recommended that solid food waste products be disposed of through normal solid waste/garbage disposal means. If a grinder/disposal is used it must be connected to the grease trap. The use of grinders is discouraged since it decreases the operational capacity of the

grease trap and will require an increased pumping frequency to ensure continuous and effective operation.

(5) Dishwashers. Commercial dishwashers must be connected to the grease trap. Dishwashers discharge soap and hot water which can melt grease and allow it to pass through an undersized grease trap. Traps must be sized accordingly to allow enough detention time to allow water to cool and grease to solidify and float to the top of the trap.

(6) Location. Grease trap shall be installed outside the building upstream from the sanitary sewer service lateral connection. This will allow easy access for inspection, cleaning, and removal of the intercepted grease at any time. A grease trap may not be installed inside any part of a building without written approval by the WCSS.

(7) Pass through limits. No user shall allow wastewater discharge concentration from grease trap to exceed one hundred (100) mg/l as identified by EPA method 413. (Ord. #2017-18, Dec. 2017)

**18-705. Design criteria**. (1) Construction. Grease traps shall be constructed in accordance with the Town of Alamo's standards and shall have a minimum of two (2) compartments with fittings designed for grease retention. All grease removal devices or technologies shall be subject to the written approval of the WCSS. Such approval shall be based on demonstrated removal efficiencies of the proposed technology.

(2) Access. Access to grease traps shall be available at all times, to allow for their maintenance and inspection. Access to trap shall be provided by two (2) manholes (one (1) on each compartment) terminating at finished grade with cast iron frame and cover.

(3) Load-bearing capacity. In areas where additional weight loads may exist, the grease trap shall be designed to have adequate load-bearing capacity. (Example: vehicular traffic in driving or parking areas).

(4) Inlet and outlet piping. Wastewater discharging to a grease trap shall enter only through the inlet pipe of the trap. Each grease trap shall have only one (1) inlet and one (1) outlet pipe.

(5) Grease trap sizing. The required size of the grease trap shall be calculated using EPA-2 model. All grease traps shall have a capacity of not less than one thousand (1,000) gallons, nor exceed a capacity of three thousand (3,000) gallons. If the calculated capacity exceeds three thousand (3,000) gallons, multiple units plumbed in series shall be installed. (Ord. #2017-18, Dec. 2017)

**18-706. Grease trap maintenance**. (1) Cleaning/pumping. The user at the user's expense shall maintain all grease traps to assure proper operation and efficiency and maintain compliance with the town's pass through limits. Maintenance of grease trap shall include the complete removal of all contents, including floating materials, wastewater, and bottom sludge and solids. This work shall be performed by a qualified and licensed hauler. Decanting or



discharging of removed waste back into the trap from which it was removed or any other grease trap, for the purpose of reducing the volume to be disposed, is prohibited. This service shall also include a thorough inspection of the trap and its components. Any needed repairs shall be noted. Repairs shall be made at user's expense.

(2) Cleaning/pumping frequency. The grease trap must be pumped out completely a minimum of once every four (4) months, or more frequently, as determined by the WCSS, as needed to prevent carry over of grease into the sanitary sewer system.

(3) Disposal. All waste removed from each grease trap must be disposed of at a facility approved to receive such waste in accordance with the provisions of this program. In no way shall the pumpage be returned to any private or public portion of the town's sanitary sewer collection system. All pumpage from grease traps must be tracked by a manifest, which confirms pumping, hauling, and disposal of waste. The customer must obtain and retain a copy of the original manifest from the hauler.

(4) Maintenance log. A grease trap cleaning/maintenance log indicating each pumping for the previous twenty-four (24) months shall be maintained by each food service facility. This log shall include the date, time, amount pumped, hauler, and disposal site and shall be kept in a conspicuous location for inspection. Said log shall be made available to the WCSS or his representative upon request.

(5) Submittal of records. Each user shall submit all cleaning and maintenance records to the WCSS. The maintenance records shall include the following information:

- (a) Facility name, address, contact person, and phone number;
- (b) Company name, address, phone number, and contact name of person responsible for performing the maintenance, cleaning, pumping, or repair of grease trap;
- (c) Types of maintenance performed;
- (d) Dates maintenance was performed;
- (e) Date of next scheduled maintenance;
- (f) Copies of manifests;

The user shall be required to submit maintenance records to the WCSS on a biannual basis (twice per year). Records shall be submitted by March 1st and September 1st of each year. The records shall be submitted to:

Attn. Wastewater Collection System Superintendent 97 South Johnson St. Alamo, Tennessee 38001.

The WCSS will perform periodic inspections of these facilities and shall notify the user of any additional required maintenance or repairs. Upon written notification by the WCSS, the user shall be required to perform the maintenance and records of said maintenance within fourteen (14) calendar days. Upon inspection by the WCSS the user may be required to install, at his expense, additional controls to provide a complete system which prevents discharges of

undesirable materials into the wastewater collection system. (Ord. #2017-18, Dec. 2017)

**18-707. Additives.** Any biological additive(s) placed into the grease trap or building discharge line including but not limited to, enzymes, commercially available bacteria, or other additives designed to absorb, purge, consume, treat, or otherwise eliminate fats, oils, and grease shall require written approval by the WCSS prior to use. The use of such additives shall in no way be considered as a substitution to the maintenance procedures required herein. (Ord. #2017-18, Dec. 2017)

**18-708. Chemical treatment.** Chemical treatments such as drain cleaners, acid, or other chemical solvents designed to dissolve or remove grease shall not be allowed to enter the grease trap. (Ord. #2017-18, Dec. 2017)

**18-709. Sand, soil, and oil interceptors.** All car washes, truck washes, garages, service stations, car and truck maintenance facilities, fabricators, utility equipment shops, and other facilities (as determined by the WCSS) that have sources of sand, soil, and oil shall install effective sand, soil and oil traps, interceptors, and/or oil/water separators. These systems shall be sized to effectively remove sand, soil, and oil at the expected flow rates. These systems shall be, at the user's expense, cleaned or pumped on a regular basis to prevent impact upon the wastewater collection and treatment systems. Users whose systems are deemed to be ineffective by the WCSS shall be asked to change the cleaning frequency or to increase the size of the system. Owners or operators of washing facilities will be required to prevent the inflow of detergents and rainwater into the wastewater collection system. Oil/water separator installations shall be required at facilities that accumulate petroleum oils and greases and at facilities deemed necessary by the WCSS. (Ord. #2017-18, Dec. 2017)

**18-710. Laundries.** Commercial laundries shall be equipped with an interceptor with a wire basket or similar device, removable for cleaning, that prevents passage (into the wastewater collection system) of solids one-half inch (1/2") or larger in size such as rags, strings, buttons, or other solids detrimental to the system. (Ord. #2017-18, Dec. 2017)

**18-711. Control equipment.** The equipment or facilities installed to control FOG, food waste, sand, soil, oil, and lint must be designed in accordance with the current adopted plumbing code, the Tennessee Department of Environment and Conservation guidelines, most current engineering standards, or other applicable guidelines approved by the WCSS. Underground equipment shall be tightly sealed to prevent inflow of rainwater and shall be easily accessible to allow regular maintenance and inspection. Control equipment shall

be maintained by the owner and/or operator of the facility as to prevent a stoppage of the wastewater collection system, and the accumulation of FOG, food waste, sand, soil, and lint in the collection lines, pump stations, and wastewater treatment plant. If the Town of Alamo is required to clean out the wastewater collection lines, as a result of a stoppage resulting from poorly maintained control equipment (or lack thereof) the owner or operator shall be required to refund the labor, equipment, materials, and any overhead costs to the town including any fines incurred due to any sanitary sewer overflow due directly to the stoppage. The town retains the right to inspect and approve any and all installations of control equipment. (Ord. #2017-18, Dec. 2017)

**18-712. Alteration of control methods.** The Town of Alamo, through the WCSS, reserves the right to request additional control measures if existing control equipment is shown to be insufficient to protect the wastewater collection system and wastewater treatment plant from interference due to the discharge of FOG, sand, soil, lint, or any other undesirable materials. (Ord. #2017-18, Dec. 2017)

**18-713. Violations and penalty.** Any person who violates this chapter, in part or whole, shall be guilty of a civil violation punishable under and according to the general penalty provision of the Town of Alamo's Municipal Code of Ordinances. Each day's violation of this chapter shall be considered a separate offense. (Ord. #2017-18, Dec. 2017)