

TITLE 18

WATER AND SEWERS¹

CHAPTER

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CHAPTER 1

WATER AND SEWERS

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18-101. Creation of a water department. There is hereby created a water department to be known as the "Water Department of the Town of Dover, Tennessee." (1985 Code, § 13-101)

18-102. Creation and duties of a water commission. There is hereby created a "Water Commission of the Town of Dover," hereinafter known as the water commission, which shall have supervision and control over the water department. It shall be the duty of said water commission to operate the water department in compliance with the rules and regulations promulgated by the board of mayor and aldermen. (1985 Code, § 13-102)

18-103. Members of the water commission. The water commission shall be composed of the board of mayor and aldermen. (1985 Code, § 13-103, modified)

18-104. Rules and regulations for the operation of the water department. The water commission shall be authorized to adopt such rules and regulations as may be necessary to effectively carry out the provisions of this Chapter and to effectively and economically operate the waterworks system. (1985 Code, § 13-104)

18-105. Contracts for water service. The water commission is empowered to enter into contracts with consumers for the furnishing of water. Provided further, no water, water service, or sewer service shall be furnished or rendered free of charge to any person, firm, corporation, or to the town, and no unmetered water service shall be furnished to any person, firm, corporation, or to the town. A separate water meter and connection shall be required for each residential or commercial unit receiving water service. (1985 Code, § 13-105)

18-106. Consumer's failure to comply with rules and regulations. Any consumer who fails to comply with the rules and regulations governing the operation of the water department shall be subject to having his water supply discontinued. (1985 Code, § 13-106)

18-107. Water rates.

Water base rate for customers inside the city limits
with no volumes included

\$14.00

Change 5, May 9, 2016 18-3

Water base rate for customers outside the city limits
with no volumes included \$15.00

Water base rate for industrial customers with no volumes included \$56.00

Rate per 1,000 gallons of water used for all customer inside city limits \$7.71

Rate per 1,000 gallons of water used for all customer outside city
limits \$14.07

Rate per 1,000 gallons of water used for industrial customers \$14.07

(Ord. # 203-91, Aug. 1991, as amended by Ord. #265-99, Aug. 1999, Ord. #284-02, July 2002, Ord. #291-03, July 2003, Ord. #317-06, June 2006, Ord. #325-07, March 2007, Ord. #332-07, July 2007, Ord. #356-09, Jan. 2010, and Ord. #373-12, April 2012, and replaced by Ord. #400-15, July 2015)

18-108. Sewer rates.

Sewer base rate for customers inside the city
limits with no volumes included \$14.00

Sewer base rate for industrial customers with no volumes included \$78.40

Rate per each 1,000 gallons of sewer used for all customer
(inside, industrial) \$14.07

Rate per each 1,000 gallons of sewer used for industrial customers \$14.00

(Ord. #203-91, Aug. 1991, as amended by Ord. #265-99, Aug. 1999, Ord. #284-02, July 2002, Ord. #291-03, July 2003, Ord. #317-06, June 2006, and Ord. #373-12, April 2012, and replaced by Ord. #400-15, July 2015)

18-109. Billing. All water meters will be read when feasible, and billings will be on a calendar month basis. All bills will be due and payable at the water office ten (10) days after billing date. A ten percent (10%) penalty will be charged on all accounts not paid within the ten (10) day period. Service will be subject to termination after an account becomes ten (10) days delinquent. (Ord. #203-91, Aug. 1991)

18-110. Defective meters, water and sewer bill adjustments. Any adjustment to a water or sewer bill will be approved by the city administrator or his designee. A comprehensive adjustment policy shall be developed by the city administrator and approved by the board of mayor and aldermen. No

adjustments shall be made outside the provisions of the adjustment policy unless specifically approved by the board of mayor and aldermen. (Ord. #203-91, Aug. 1991, as amended by Ord. #291-03, July 2003, and Ord. #317-06, June 2006)

18-111. Water tapping fees.

- 3/4" meter \$1,000.00 plus the cost of necessary materials and any necessary contract labor or services
- 1" meter \$1,800.00 plus the cost of necessary materials and any necessary contract labor or services
- 2" meter \$3,000.00 plus the cost of necessary materials and any necessary contract labor or services

Larger taps will be priced by the water department on a cost plus basis and will include a four thousand dollar (\$4,000.00) access fee.

All meters two inches (2") and larger will be compound meters.

In no instance will water service be provided to any property that from one (1) side of the public road or the other is not accessible to a water main. Nor will any water service be provided where the service meter cannot be installed on the property of the customer. (Ord. #203-91, Aug. 1991; as amended by Ord. #227-94, Sept. 1994, Ord. #258-98, Nov. 1998, Ord. #317-06, June 2006, and Ord. #373-12, April 2012, and replaced by Ord. #400-15, July 2015)

18-112. Sewer tapping fees.

- Single family residential (4" taps or grinder pump) \$3,000.00 plus the cost of necessary materials and any necessary contract labor or services.
- All other 4" taps or grinder pump \$3,000.00 plus the cost of necessary materials and any necessary contract labor or services.
- 6" taps or grinder pump \$5,000.00 plus the cost of necessary materials and any necessary contract labor or services.

Larger taps will be priced by the sewer department on a cost plus basis and will include a \$6,000.00 access fee. (Ord. #203-91, Aug. 1991, as amended by Ord. #258-98, Nov. 1998, Ord. #317-06, June 2006, and Ord. #373-12, April 2012, and replaced by Ord. #400-15, July 2015)

18-113. Meter deposits. Meter deposits will no longer be charged. All deposits that are now maintained with the Dover Water and Sewer Department will remain as such until the owner of said deposit no longer occupies the location the deposit was collected for. (Ord. #203-91, Aug. 1991, as replaced by Ord. #258-98, Nov. 1998)

18-114. Charges for services. For services rendered by the Dover Water and Sewer Department the schedule of charges will be as follows:

New account charge	\$ 25.00
Transferring from one location to another	\$ 25.00
Turning off water and reading out meter	\$ 25.00
Turning on water and reading in meter	\$ 25.00
Turning off water for non-payment and turning on after collection of payment	\$ 50.00
Removing the meter and re-installing the meter when caused by an act of the customer and not necessitated by the water department	\$100.00

(Ord. #203-91, Aug. 1991, as replaced by Ord. #258-98, Nov. 1998, and amended by Ord. #373-12, April 2012, and Ord. #382-13, Feb. 2013, and replaced by Ord. #400-15, July 2015)

18-115. Rates for water sold at the municipal fire hall. For all water sold at the municipal fire hall the rates will be the same as the wholesale rate. (Ord. #203-91, Aug. 1991, as replaced by Ord. #373-12, April 2012)

18-116. Deposits. All customers of the Town of Dover, Tennessee Water and Sewer System that are occupants of rental property shall maintain a deposit of one hundred fifty dollars (\$150.00). Said deposit shall be refundable when the customer ceases to be a customer and all outstanding charges have been paid in full. This deposit is in addition to other fees charged by the water and sewer department. (Ord. # 203-91, Aug. 1991, as deleted by Ord. #317-06, June 2006, and replaced by Ord. #382-13, Feb. 2013)

18-117. Approval of water lines, extensions. Any water line installed must have the approval of the board of mayor and aldermen and the Tennessee Department of Public Health.

All extensions of the water or sewer system will be subject to the provisions of this chapter, Ord. # 157-86 and any other guidelines and regulations established by the Dover Water Department. (Ord. #203-91, Aug. 1991)

18-118. Service termination and reconnection. If any bill for water and/or sewer service remains past due and unpaid after the period provided for in section 18-109 or for a violation of this chapter or the customer's application for service, the town shall have the right to discontinue water service.

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

Discontinuance of service by the town for any cause stated in these rules and regulations shall not release the customer from liability for service already

received or from liability for payments that thereafter become due under other provisions of the customer's contract.

No service shall be discontinued unless the customer is given reasonable notice in advance of such impending action and the reason therefor. The customer shall also be notified of his right to a hearing prior to such disconnection if he disputes the reason therefor and requests such hearing by the date specified in the notice. When a hearing is requested, the customer shall have the right to have a representative at such hearing and shall be entitled to testify and to present witnesses on his behalf. Also, when such hearing has been requested, the customer's service shall not be terminated until a final decision is reached by the hearing officer and the customer is notified of that decision.

Whenever service has been discontinued, a reconnection charge of twenty-five dollars (\$25.00) shall be collected by the town before service is restored. (1985 Code, § 13-112, as amended by Ord. #258-98, Nov. 1998)

18-119. Water meters and service lines. (1) Every residence shall have only one (1) water meter; that is to say, no two residences shall be served by one (1) meter. All commercial or business water connections shall serve only one (1) building, except in cases where more than one building operated as a business unit by the same owners and managers, in which case several buildings may be served by the same water connection.

(2) No plumber or other person shall do work in connection with the water department or cut off or on water without the consent of the water department, except in cases where damage is being done by broken or frozen fixtures.

(3) No reduction for vacancies will be allowed. So long as the water is on, the property owner will stand on the books as a consumer, and no rebates shall be allowed for a portion of any month.

(4) It shall be unlawful for any person, firm, or corporation to use water from the mains without first applying to the water department and receiving a permit to use same and paying all delinquent water charges.

(5) It shall be unlawful for any person or persons to tamper with or change any water meter.

(6) In all instances the meter size and the sewer tap size shall be determined by the water and sewer department. (1985 Code, § 13-115, as amended by Ord. #317-06, June 2006)

18-120. Inspections. The water department is hereby empowered to enter upon private property for the purpose of making an inspection, tests, securing samples and doing any and all other things necessary for the operation of said water system. (1985 Code, § 13-117)

18-121. Fluoridation of water supply. The Water Department of the Town of Dover, Tennessee, is hereby authorized and instructed to make plans

for the fluoridation of the water supply of the Town of Dover, Tennessee; to submit such plans to the Department of Public Health of the State of Tennessee for approval; and, upon approval, to add such chemicals as fluoride to the water supply in accord with such approval as will adequately provide for the fluoridation of said water supply.

The cost of such fluoridation will be borne by the revenues of the Water Department of the Town of Dover, Tennessee. (1985 Code, § 13-118)

18-122. Violations and penalties. Any person, firm, or corporation violating any of the provisions of this chapter shall be subject to punishment under the general penalty clause of this code. (1985 Code, § 13-119)

18-123. Utility extensions and new developments. (1) Definitions.

(a) "Utility extension." That part of the new system required to connect the existing system to a new development or a project area. All utility extensions shall be accepted by the town as provided by these regulations.

(b) "Developer." Any person, firm or corporation engaged in the subdividing of land.

(c) "Individual property owners." Property with improvements that are not presently served by public utility.

(d) "Construction costs." This shall include the actual cost of construction including engineering, design, inspection, legal, administration and all other cost directly related to the utility extension project.

(e) "Project area." An area that is developed or partially developed which mayor may not be a part of a platted subdivision and is not served by public utilities.

(2) Extensions by individuals. A utility may be extended by one or more individual property owners. Upon request a project area may be established by the town. The boundaries of a project area will be defined by the town. This area will be used to establish the parties responsible for and to share in the cost of the utility serving the project area. In no instance will a project area be established when the roads or streets are not approved and accepted roads or streets of either the Town of Dover or Stewart County. When a project area is established the parties being served will be responsible for the cost of engineering, inspection and all materials and labor for the completion of the project. In addition to the cost of the project each party being served will be responsible for paying the cost of the necessary tap fees.

(3) Developer's responsibility. The developer shall be responsible for and pay the cost of all improvements within the development. The full amount of the estimated project cost shall be furnished in advance by the developer as provided by this policy.

(4) Engineering and design. All utility extensions shall be designed by the town's engineering firm, and shall meet approval of the Tennessee Department of Environment and Conservation. Such plans shall be submitted to the Dover Water and Sewer Department for approval in conjunction with other plans that may be required. Final plans shall be engineering design drawings on standard plan-profile sheets to a scale of not less than 1"=100' in plan and 1"=10' in profile. Contract documents and specifications shall be furnished in a form suitable for execution by the town.

(5) Cash deposit. The developer shall deposit with the town the amount as determined by the engineer's estimated construction cost. The deposit shall be for the full amount of the project cost. After acceptance by the town, the town shall proceed to obtain bids for the project. Sealed bids will be received by the town following standard practices. The developer has the option to reject all bids. The deposit shall be adjusted to the contract amount after a contract is executed. If at any time during the construction phase it is estimated by the town that the project cost will exceed the amount on deposit, the developer shall deposit the additional amount of the estimated increase. Upon failure by the developer to deposit the required amount, the town shall order the contractor to stop work. The developer shall pay all cost resulting from the delay. The balance of any money remaining on deposit after final payment shall be returned to the developer within ten (10) days after acceptance by the town.

(6) Final payment. The total project cost shall be determined by the engineer and a detailed account of all cost items shall be delivered to the town. The contractor shall be paid in accordance with the contract.

(7) Acceptance by the town. The engineer shall submit in writing that the project has been completed and that it meets all of the requirements of the town. The date of acceptance shall be established by the Dover Water and Sewer Department. This date shall be used as it may apply to refunds and maintenance guarantees.

(8) Easements. All utility extensions shall be constructed within a public right-of-way or in an easement which has been dedicated to the town. Easements shall be a minimum of ten (10) feet wide. The town may require additional easement widths where unusual maintenance problems exist. Easements within subdivisions shall be shown and identified on the dedication plat. All other easements shall be shown on the contract drawings. A legal description shall be furnished and recorded by the developer prior to acceptance by the town.

(9) Taps and service lines. All taps and service lines shall be installed by the town. The service lines will remain the property of the town and they shall be maintained by the town.

(10) Fire hydrants. At the discretion of the town, the developer shall install fire hydrants and a six (6) inch gate valve at such locations to satisfy the current fire demand rate of the town. Generally, fire hydrants will be required when it is determined that the area to be developed is located within the

municipal limits or is likely to be annexed by the town within a reasonable period of time. If the town determines that fire hydrants are not required, the developer shall install at locations specified by the town, a six (6) inch tee and a six (6) inch gate valve for future hydrant installation.

(11) Back-flow prevention device. All structures, with the exception of single family structures, shall install a back-flow prevention device as approved by the Dover Water and Sewer Department. All back-flow devices shall be inspected at a minimum of one (1) time each year by the water department or a person certified to make such inspections. To help defray the cost of such testing there shall be a monthly charge of four dollars (\$4.00) added to the monthly utility bill for each customer that the water department performs the testing for.

(12) Exceptions. No exception to this policy shall be made without the expressed permission of the Town of Dover Water and Sewer Department. (Ord. #157-86, August 1986, as amended by Ord. #258-98, Nov. 1998, and Ord. #317-06, June 2006)

CHAPTER 2

SEWER USE ORDINANCE

SECTION

- 18-201. General provisions: purpose and policy.
- 18-202. Definitions.
- 18-203. Abbreviations.
- 18-204. Use of public sewers required.
- 18-205. Private sewer disposal.
- 18-206. Building sewers and connections.
- 18-207. Use of public sewers.
- 18-208. Use of the sewers by industrial user.
- 18-209. Protection from damage.
- 18-210. Powers and authority of inspection.
- 18-211. Penalties.
- 18-212. Validity.
- 18-213. Confidentiality requirements.

18-201. General provisions: purpose and policy. (1) This chapter sets forth uniform requirements for direct and indirect contributors into the wastewater collection and treatment system for the Town of Dover, Tennessee, and enables the town to comply with all applicable state and federal laws required by the Clean Water Act of 1977 and 1987 and the General Pretreatment Regulations (40 CFR, Part 403).

(2) The objectives of this chapter are:

(a) To prevent the introduction of pollutants into the municipal wastewater system that will interfere with the operation of the system or contaminate the resulting sludge;

(b) To prevent the introduction of pollutants into the municipal wastewater system that will pass through the system inadequately treated into receiving waters or the atmosphere or otherwise be incompatible with the system;

(c) To improve the opportunity to recycle and reclaim wastewaters and sludges from the system; and

(3) This chapter provides for the regulation of direct and indirect dischargers to the municipal wastewater system through the issuance of permits to certain non-domestic users and through enforcement of general requirements for the other users, authorizes monitoring and enforcement activities, requires user reporting and assures that existing customers' capacity will not be preempted or appropriated.

(4) This chapter shall apply to the Town of Dover, Tennessee, and to persons outside the town who are, by contract or agreement with the town, users of the Town of Dover's POTW. Except as otherwise provided herein, the

superintendent of the town's POTW shall administer, implement, and enforce the provisions of this chapter. (Ord. #174-88, April 1988)

18-202. 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 of the Division of Water Pollution Control, Tennessee Department of Health and Environment, or the Administrator of the Environmental Protection Agency.

(3) "Authorized representative of industrial user." An authorized representative of an industrial user may be: (1) a principal executive officer of at least the level of vice-president, if the industrial user is a corporation; (2) a general partner or proprietor if the industrial user is a partnership or proprietorship, respectively; or (3) 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) "BOD." The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure, five (5) days at 20°C expressed in terms of weight and concentration (milligrams per liter).

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

(6) "Build sewer." The extension from the building drain to the public sewer or other place of disposal.

(7) "Categorical standards." National Categorical Pretreatment Standards or Pretreatment Standard.

(8) "Combined sewer." A sewer receiving both surface runoff and sewage.

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

(10) "Control authority." The "Approval Authority," defined hereinabove, or the Superintendent if the town has an approved pretreatment program under the provisions of 40 CFR 403.11.

(11) "Conventional pollutants." Those pollutants normally found.

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

(13) "Direct discharge." The discharge of treated or untreated wastewater directly to the waters of the state.

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

(15) "Garbage." 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 that is taken from a waste stream on a one-time basis with no regard to the flow in the waste stream and without consideration of time.

(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." Any pollutant that is not a "compatible pollutant" as defined in this section.

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

(20) "Industrial pretreatment." Any necessary treatment processes performed on the industrial wastes by the industrial user prior to discharge into the public sewers in accordance with federal, state and local regulations.

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

(22) "Industrial wastes." The liquid wastes from industrial manufacturing processes, trade, or business as distinct from sanitary sewer.

(23) "Inhibition." Any pollutant that might impair, effectively reduce, or terminate the biological process and/or operation of the sewage treatment plant.

(24) "Interference." The inhibition or disruption of the POTW treatment processes or operations that 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 Section 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 applicable to the method of disposal or use employed by the POTW.

(25) "Monitoring." Any method of sampling and analyzing of industrial waste, discharged into the sanitary sewer by industrial users, employed by the town to enforce industrial pretreatment regulations.

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

(27) "National Pollution Discharge Elimination System or NPDES Permit." A permit issued pursuant to Section 402 of the Act (33 U.S.C. 1342).

(28) "National prohibitive discharge standard or prohibitive discharge standard." Any regulation developed under the authority of 307(b) of the Act and 40 CFR, Section 403.5.

(29) "Natural outlet." Any outlet into a watercourse, pond, ditch, lake, or other body of surface or ground water.

(30) "New source." Any source whose construction is commenced after the publication of proposed regulations prescribing a Section 307(c) (33 U.S.C. 1317) categorical pretreatment standard that will be applicable to such sources if such standard is thereafter published within 120 days of proposal in the federal register. Where the standard is promulgated later than 120 days after proposal, a new source means any source whose construction is commenced after the date of promulgation of the standard.

(31) "Pass through." Any pollutant that enters the sewage works and is not totally removed before entering the receiving stream.

(32) "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 and the singular shall include the plural where indicated by the context.

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

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

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

(36) "POTW Treatment Plant." That portion of the POTW designed to provide treatment to wastewater.

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

(38) "Priority pollutants." Shall mean any of the one hundred twenty-nine (129) pollutants that affect stream quality or stream life in the receiving stream and its subsequent waters.

(39) "Properly shredded garbage." The wastes from the preparation, cooking, and dispensing of foods which have been shredded to such a degree that

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

(40) "Publicly owned treatment works (POTW)." A treatment works as defined by Section 212 of the Act (33 U.S.C. 1292) that is owned in this instance by the town. This definition includes any sewers that convey wastewater to the POTW treatment plant, 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.

(41) "Public sewer." A sewer in which all owners of abutting properties have equal rights and is controlled by public authority.

(42) "Receiving stream." The natural stream or watercourse that accepts the discharge from the sewage treatment plant.

(43) "Sanitary sewer." A sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.

(44) "Sewage." A combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and storm waters as may be present.

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

(46) "Standard industrial classification (SIC)." A classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, office of Management and Budget, 1972.

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

(48) "Storm water." Any flow occurring during or following any form of natural precipitation and resulting therefrom.

(49) "Superintendent." The person designated by the town to supervise the operation of the POTW and who is charged with certain duties and responsibilities by this chapter, or his duly authorized representatives.

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

(51) "Town." The Town of Dover, Tennessee, the mayor, the town council, the town recorder, the wastewater treatment plant superintendent, or their duly authorized representative.

(52) "Toxic pollutant." Any pollutant or combination of pollutants listed as toxic in regulations published by the administrator of the Environmental Protection Agency under the provision of CWA 307(a) or other Acts.

(53) "Twenty-four (24) hour flow proportional composite sample." Incremental samples with sample volumes proportional to flow are collected over a 24 hour period. This type of sample, when analyzed and compared to total flow, provides the most accurate measure of wastewater quality and pollutant loading.

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

(55) "Wastewater." The liquid- and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities, and institutions, together with any ground water, surface water, and storm water that may be present, whether treated or untreated that is contributed into or permitted to enter the POTW.

(56) "Wastewater Contribution Permit." As set forth in section 18-208(10) of this chapter. (Ord. #174-88, April 1988)

18-203. Abbreviations. The following abbreviations shall have the designated meanings:

- (1) BOD - Biochemical Oxygen Demand
 - (2) CFR - Code of Federal Regulations
 - (3) COD - Chemical Oxygen Demand
 - (4) EPA - Environmental Protection Agency
 - (5) l - Liter
 - (6) mg - Milligrams
 - (7) mg/l - Milligrams per Liter
 - (8) NPDES - National Pollutants Discharge Elimination System
 - (9) POTW - Publicly Owned Treatment Works
 - (10) SIC - Standard Industrial Classification
 - (11) SWDA - Solid Waste Disposal Act, 42 U.S.C. 6901, et seq.
 - (12) TSS - Total Suspended Solids
 - (13) USC - United States Code
- (Ord. #174-88, April 1988)

18-204. Use of public sewers required. (1) It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the boundaries of the town, or in any area under the jurisdiction of the town, any human or animal excrement, garbage, or other objectionable waste if public sewer is available.

(2) It shall be unlawful to discharge to any natural outlet within the boundaries of the town or in any area under the jurisdiction of the town 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 if public sewer is available.

(4) The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the town and abutting on any street, alley or right-of-way in which there is now located or may in the future be located a public sanitary sewer of the town, is hereby required at his expense to install suitable toilet facilities therein, and to connect

such facilities directly with the proper public sewer in accordance with the provisions of this policy, within ninety (90) days after date of official notice to do so, provided that said public sewer is within one hundred (100) feet (30.5 meters) of the property line. (Ord. #174-88, April 1988)

18-205. Private sewage disposal. The disposal of sewage by means other than the use of the available sanitary sewage system shall be in accordance with local county and state law. The disposal of sewage by private disposal systems shall be permissible only in those instances where service from the available sanitary sewage system is not available. (Ord. #174-88, April 1988)

18-206. Building sewers and connections. (1) No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the superintendent.

(2) There shall be two (2) classes of building permits: (a) for residential and commercial service, and (b) for service to establishments producing industrial wastes. In either case the owner or his agent shall make application on a special form furnished by the town. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the superintendent. A permit and inspection fee of ten dollars (\$10.00) for a residential, commercial, or industrial building sewer permit shall be paid to the town at the time the application is filed.

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

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

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

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

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

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

(c) Four (4) inch building sewers shall be laid on a grade greater than 1/8-inch per foot. Larger building sewers shall be laid on a grade

that will produce a velocity when flowing full of at least 2.0 feet per second.

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

(e) Building sewers shall be constructed only of (1) concrete or clay sewer pipe using rubber or neoprene compression joints of approved type; (2) cast iron soil pipe with leaded or compression joints; (3) polyvinyl chloride pipe with solvent welded or with rubber compression joints; (4) ABS composite sewer pipe with solvent welded or rubber compression joints of approved type; or (5) such other materials of equal or superior quality as may be approved by the superintendent. Under no circumstances will cement mortar joints be acceptable.

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

(g) Connections of building sewers to the public sewer system shall be made at the appropriate existing wye or tee branch using compression type couplings or collar type rubber joint with corrosion resisting or stainless steel bands. Where existing wye or tee branches are not available, connections of building services shall be made by either removing a length of pipe and replacing it with a wye or tee fitting or cutting a clean opening in the existing public sewer and installing a tee-saddle or tee-insert or 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 1/8 inch per foot or more if possible. In cases where basement or floor levels are lower than the ground elevation at the point of connection to the sewer, adequate precautions by installation of check valves or other backflow prevention devices to protect against flooding shall be provided by the owner.

(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.

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

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

(9) The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code and other applicable rules and regulations of the town, or to the materials requirements set forth in the appropriate ASTM specifications and the procedures set forth in the WPCF Manual of Practice No. 9. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the superintendent before installation.

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

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

(12) Any work done in the street right-of-way will be covered by town street cut permit.

(13) Sewer service shall be provided to adjacent unincorporated areas at the discretion of the Town of Dover officials. (Ord. #174-88, April 1988)

18-207. Use of the public sewers. (1) No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer, and, without exception, no sanitary wastewater shall be discharged into any storm sewer system.

(2) Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Tennessee Department of Health and Environment, to a storm sewer or natural outlet.

(3) No person shall discharge or cause to be discharged any of the following described pollutants to any public sewer.

(a) Any liquids, solids, or gases that, by reason of their nature or quantity, may be sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any way to the POTW or to the operation of the POTW. At no time shall two successive readings on an explosion hazard meter, at any point of the discharge into the system (or at any point in the system), be more than five percent (5%), nor any single reading over ten percent (10%) of the Lower Explosive Limit (LEL) of the meter. Prohibited materials include, but are not limited to: gasoline, kerosene, naphtha, benzene, toluene, zylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides, and any other substances that the town, state, or EPA has notified the user is a fire hazard or a hazard to the system.

(b) Pollutants that cause corrosive structural damage to the system; in no case discharges with a pH lower than 6.0 or higher than 9.0.

(c) Solid or viscous substances that 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 flesh, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw shrivings, grass clippings, rags, spent grains, spent, hops, wastepaper, wood, plastics, gas, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, mud, or glass grinding or polishing wastes.

(d) Any pollutant, including oxygen demanding pollutants (BOD, etc.), released in a discharge of such a volume or strength as to cause interference to the system.

(e) Heat in amounts which will inhibit biological activity in the sustain resulting in interference, but in no case heat in such quantities that the temperature at treatment plant influent exceeds 40°C (104°F).

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

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

(4) No person, firm, association, or corporation shall clean out, drain, or flush any septic tank or any other type of wastewater or excreted disposal system into the POTW unless such person, firm, association, or corporation obtains a permit from the superintendent to perform such acts or service. Any person, firm, association, or corporation desiring a permit to perform such services shall complete and file with the town an application on the form prescribed by the town. Upon any such application, said permit shall be issued by the superintendent when the conditions of this chapter have been met, providing the superintendent is satisfied the applicant has adequate and proper equipment to perform the services contemplated in a safe and competent manner. An annual service charge, payable to the Town of Dover, may be included as a provision to the permit. The superintendent shall designate approved locations for the emptying and cleansing of all equipment used on the performance of the services rendered under the permit herein provided for, and it shall be a violation hereof for any person, firm, association or corporation to empty or clean such equipment at any place other than a place so designated. No person, firm, association, or corporation rendering services under the permit herein provided for shall discharge any incompatible pollutant.

(5) Any person determined an industrial user shall not only be regulated by regulations set forth in section 18-207 but shall also be required to adhere to all provisions established in section 18-208. (Ord. #174-88, April 1988)

18-208. Use of the sewers by industrial users. (1) This chapter establishes limitations and prohibitions on the quantity and quality of wastewater that may be lawfully discharged to the POTW. The specific limitations set forth in subsequent sections are subject to change as necessary to enable the town to provide efficient wastewater treatment, to protect the public health and the environment, and to enable the town to meet requirements contained in its national pollution discharge elimination system (NPDES) permit.

(2) The wastewater of every industrial user shall be evaluated upon the following criteria:

(a) Wastewater containing any element or compound that is not adequately removed by the treatment works which is known to be an environmental hazard;

(b) Wastewater causing a discoloration or any other condition in the quality of the town's POTW treatment plant effluent such that receiving water quality requirements established by law cannot be met;

(c) Wastewater containing any element or compound known to act as a lacrimator known to cause nausea, or known to cause odors constituting a public nuisance;

(d) Wastewater causing interference with the effluent or any other product of the treatment process, residues, sludge, or scums causing them to be unsuitable for reclamation process; and

(e) Wastewater having constituents and concentrations in excess of those listed in section 18-208(3), hereafter.

When the superintendent determines that a user or users are contributing to the POTW any of the above enumerated substances in such amounts as to interfere with the operation of the POTW, the superintendent shall (1) advise the user(s) of the impact of the contribution on the POTW and (2) develop effluent limitation(s) for such user(s) to correct the interference with the POTW.

Upon the promulgation of the federal categorical pretreatment standards for a particular industrial subcategory, the federal standard, if more stringent than limitations imposed under this chapter for sources in that subcategory, shall immediately supersede the limitations imposed under this chapter. The Superintendent shall notify all affected users of the applicable requirements under 40 CFR, Section 403.12.

(3) The superintendent shall monitor the treatment works influent for each parameter in the following table. Each industrial user shall be responsible for monitoring and reporting these requirements. In the event that the influent at the treatment works reaches or exceeds the levels established by said table, the superintendent shall initiate technical studies to determine the cause of the influent violation and shall recommend to the town such remedial measures as are necessary, 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 the POTW effluent standards are changed or in the event that there are changes in any applicable law or regulation affecting same or in the event changes are needed for more effective operation of the POTW. The intent of these limitations is to prevent (1) interference with the operation of the treatment works, (2) pass through of pollutants in violation of the POTW's NPDES permit limitations, and (3) municipal sludge.

TABLE I
 PROTECTION CRITERIA
 INCOMPATIBLE POLLUTANT INFLUENT LIMITATIONS
 FOR THE TOWN OF DOVER, TENNESSEE
 WASTEWATER TREATMENT PLANT

<u>Pollutant</u>	<u>Maximum Daily Average Concentration (mg/l)</u>	<u>Maximum Instantaneous Concentration mg/l)</u>
Cadmium	(0.033)	0.05
Chromium	0.05	0.08
Copper	0.005	0.008
Cyanide	0.03	0.05
Lead	0.01	0.2
Mercury	0.004	0.01
Nickel	0.03	0.05
Silver	0.02	0.03
Zinc	0.05	0.08
Methylene chloride	0.1	0.15
Chloroform	0.22	0.33
Toluene	0.21	0.32
1,1,2,2, Tetra chloroethylene	0.14	0.20
O & P Xylene	0.21	0.32
Phenol	0.03	0.05
2,4 Dimethylphenol	0.03	0.05
1,4 Dichlorobenzene	0.004	0.01
Isophorone	0.004	0.01
Naphthalene	0.013	0.02
Bis (2-ethylhexyl) phthalate		
Butyl benzyl phthalate		
Di-N-Butyl phthalate		
Diethyl phthalate		
Di-N-Octyl phthalate	0.256 ^a	0.40

^a The sum of the concentrations for the phthalates should not exceed this value.

TABLE II
PROTECTION CRITERIA
COMPATIBLE POLLUTANT INFLUENT LIMITATIONS
FOR THE TOWN OF DOVER, TENNESSEE
WASTEWATER TREATMENT PLANT

<u>Pollutant</u>	<u>Maximum Daily Average Concentration (mg/l)</u>	<u>Maximum Instantaneous Concentration (mg/l)</u>
5-Day BOD	250	300
TSS	250	300

Modification of Federal Categorical Pretreatment Standards:

Where the town's wastewater treatment system achieves consistent removal of pollutants limited by federal pretreatment standards, the town may apply to the approval authority for modification of specific limits in the federal pretreatment standards. "Consistent removal" (as defined hereinafter) shall mean reduction in the amount of a pollutant or alteration of the nature of the pollutant by the wastewater treatment system to a less toxic or harmless state in the effluent that is achieved by the system when 95 percent (95%) of the samples taken measured according to the procedures set forth in Section 403.7(c)(2) of Title 40 of the Code of Federal Regulations, Part 403, "General Pretreatment Regulations for Existing and New Sources of Pollution," promulgated pursuant to the Act. The town may then modify pollutant discharge limits in the federal pretreatment standards if the requirements contained in 40 CFR, Part 403, 403.7 are fulfilled and prior approval from the approval authority is obtained.

(4) Industrial users shall be required to perform any industrial pretreatment whenever necessary to reduce or modify the user's wastewater constituency to achieve compliance with the limitations set forth in section 18-208(3) of this chapter to meet applicable national pretreatment standards, or to meet any other wastewater condition or limitation contained in the user's wastewater discharge permit.

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

(6) The town reserves the right to establish by chapter more stringent limitations or requirements on discharges to the wastewater disposal system if deemed necessary to comply with the objectives presented in section 18-201 of this chapter.

(7) No user shall ever increase the use of process water or, in any way, attempt to dilute a discharge as a partial or complete substitute for adequate

treatment to achieve compliance with the limitations contained in the federal categorical pretreatment standards, or in any other pollutant-specific limitation developed by the town or state.

(8)(a) Each user shall provide protection from accidental discharge of prohibited materials or other substances regulated by this chapter. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner or user's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the town for review and shall be approved by the town before construction of the facility. No user who commences contribution to the POTW after the effective date of this chapter shall be permitted to introduce pollutants into the system until accidental discharge procedures have been approved by the town. Review and approval of such plans and operating procedures shall not relieve the industrial user from the responsibility to modify the user's facility as necessary to meet the requirements of this chapter. In the case of an accidental discharge, it is the responsibility of the user immediately to telephone and notify the POTW of the incident. The notification shall include location of discharge, type of waste, concentration and volume, and corrective actions. The POTW shall keep a log on such events.

(b) Written notice: Within five (5) days following an accidental discharge, the User shall submit to the superintendent a detailed written report describing the cause of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, 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 that may be imposed by this chapter or other applicable law.

(c) 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 such a dangerous discharge to occur are advised of the emergency notification procedure.

(9) The town may adopt charges and fees that may include:

(a) Fees for reimbursement of costs of setting up and operating the town's pretreatment program;

(b) Fees for monitoring, inspections, and surveillance procedures;

(c) Fees for reviewing accidental discharge procedures and construction;

(d) Fees for permit application;

(e) Fees for filing appeals;

(f) Fees for consistent removal (by the town) of pollutants otherwise subject to federal pretreatment standards; and

(g) Other fees as the town may deem necessary to carry out the requirements contained herein.

These fees relate solely to the matters covered by this chapter and are separate from all other fees chargeable by the town.

(10) 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.

(11) Users required to obtain a wastewater contribution permit shall complete and file with the town an application in the form prescribed by the town and accompanied by a fee of fifty dollars (\$50.00). Users shall apply at least 90 days prior to connecting to or contributing to the POTW. In support of the application, the User shall submit, in units and terms appropriate for evaluation, the following information:

- (a) Name, address, and location (if different from the address);
- (b) SIC number according to the Standard Industrial Classification Manual, Bureau of the Budget, 1972, as amended;
- (c) Wastewater constituents and characteristics, including but not limited to those mentioned in section 18-207(3) and section 18-208(2) and (3), of this chapter, as determined by a reliable analytical laboratory; sampling and analysis shall be performed in accordance with procedures established by the EPA pursuant to Section 304(g) of the Act and contained in 40 CFR, Part 136, as amended;
- (d) Time and duration of contribution;
- (e) Average daily and 30 minute peak wastewater flow rates, including daily, monthly and seasonal variations, if any;
- (f) Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, sewer connections, and appurtenances by the size, location, and elevation;
- (g) Description of activities, facilities, and plant processes on the premises, including all materials that are or could be discharged;
- (h) Where known, the nature and concentration of any pollutants in the discharge that are limited by any town, state, or federal pretreatment standards, and a statement regarding whether or not the pretreatment standards are being met on a consistent basis and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required for the user to meet applicable pretreatment standards;
- (i) If additional pretreatment and/or O&M will be required to meet the pretreatment standards, 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.

The following conditions shall apply to this schedule:

(1) The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (e.g., hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components commencing construction, completing construction, etc.).

(2) No increment referred to in Paragraph 1 shall exceed 9 months.

(3) Not later than 14 days following each date in the schedule and the final date for compliance, the user shall submit a progress report to the superintendent including, as a minimum, whether or not it complied with the increment of progress to be met on such date, and, if not, the date on which it expects to comply with this increment of progress, the reason for delay and the steps being taken by the user to return the construction to the schedule established. In no event shall more than 9 months elapse between such progress reports to the superintendent.

(j) Each product produced by type, amount, process or processes, and rate of production;

(k) Type and amount of raw materials processed (average and maximum per day);

(l) Number and type of employees and hours of operation of plant and proposed or actual hours of operation of pretreatment system; and

(m) Any other information as may be deemed by the town to be necessary to evaluate the permit application.

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 contribution permit subject to terms and conditions provided herein.

(12) Within 9 months of the promulgation of a national categorical pretreatment standard, the wastewater contribution permit of users subject to such standards shall be revised to require compliance with such standard within the time frame prescribed by such standard. Where a user subject to a national categorical pretreatment standard has not previously submitted an application for a wastewater contribution permit as required by 18-208(11), the user shall apply for a wastewater contribution permit within 180 days after the promulgation of the applicable national categorical pretreatment standard. In addition, the user with an existing wastewater contribution permit shall submit to the superintendent within 180 days after the promulgation of an applicable federal categorical pretreatment standard the information required by paragraphs (h) and (i) of Section 18-208(11).

(13) 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 flow regulations and 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, reporting schedule, and number, types, and standards for tests.

(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 the 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 discharges in accordance with section 18-208(2); and

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

(14) Permits shall be issued for a specified time period not to exceed five (5) years. The user shall apply for permit reissuance a minimum of 180 days prior to the expiration of the user's existing permit. The terms and conditions of the permit may be subject to modifications by the town during the term of the permit as limitations or requirements identified in section 18-208(5) are modified or if some other just cause exists. The user shall be informed of any proposed changes in his permit at least 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.

(15) 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.

(16) Within 90 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 that are limited by pretreatment standards and requirements and the average and maximum daily flow for these process units in the user's facility that 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 by a qualified professional.

(a) Any user subject to a pretreatment standard shall, after the compliance date of such pretreatment standard or, in the case of a new source, after commencement of the discharge into the POTW, 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 that are limited by such pretreatment standards. In addition, this report shall include a record of all daily flows that, during the reporting period, exceeded the average daily flows reported in section 18-208(11)(e). 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.

(b) The superintendent may impose mass limitations on users who are using dilution to meet applicable pretreatment standards or requirements or in other cases where the imposition of mass limitations are appropriate. In such cases, the report required by subparagraph (a) of this paragraph shall indicate the mass of pollutants regulated by pretreatment standards in the effluent of the user. These reports 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 that are limited by the applicable pretreatment standards. The frequency of monitoring shall be prescribed in the applicable pretreatment standard. All analysis shall be performed in accordance with procedures established by the administrator pursuant to Section 304(g) of the Act and contained in 40 CFR, Part 136, and amendments thereto, or with any other test procedures approved by the administrator. Sampling shall be performed in accordance with the techniques approved by the administrator. Where 40 CFR, Part 136 does not include a sampling or analytical technique for the pollutant in question, sampling and analysis shall be performed in accordance with the procedures set forth in the EPA publication

"Sampling and Analysis Procedures for Screening of Industrial Effluents for Priority Pollutants," April 1977, and amendments thereto, or with any other sampling and analytical procedures approved by the superintendent.

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

(18) All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this policy shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association, and shall be determined based on suitable samples at the control manhole provided. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb, and property. (The particular analyses involved will determine whether a twenty-four (24) hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24-hour composites of all outfalls whereas pH's are determined from periodic grab samples.)

(19) No statement contained in this chapter shall be construed as preventing any special agreement or arrangement between the town and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the town for treatment, subject to payment therefor, by the industrial concern. In no case shall any exception or variance or special agreement be granted that will violate the protection criteria. Before any exception, exemption, variance, or special agreement is granted, the industry must demonstrate good management practices. Good management practices include, but are not limited to, preventative operating and maintenance procedures, schedule of activities, process changes, prohibiting of activities, and other management practices to reduce the quality or quantity of effluent discharge and to control plant site runoff, spillage, leaks, and drainage from raw material storage. (Ord. # 174-88, April 1988, as amended by Ord. #181-88, Jan. 1989)

18-209. Protection from damage. No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment that is a part of the sewage works. Any person violating this provision shall be subject to immediate

arrest under charge of criminal mischief in either the first, second, or third degree. (Ord. #174-88, April 1988)

18-210. Powers and authority of inspection. (1) The superintendent and other duly authorized employees of the town bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this policy. The superintendent or his representatives shall have no authority to inquire into any processes, including metallurgical, chemical, oil, refining, ceramic, papers or other industrial processes beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

(2) While performing the necessary work on private properties referred to in section 18-210(1), above, the superintendent or duly authorized employees of the town shall observe all safety rules applicable to the premises established by the company. 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 gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in section 18-208(17).

(3) The superintendent and other duly authorized employees of the town holds a duly negotiated easement for the purpose of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved. (Ord. #174-88, April 1988)

18-211. Penalties. (1) Any person found to be violating any provision of this chapter except section 18-209 shall be served by the town with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

(2) Any person who shall continue any violation beyond the time limit provided for in section 18-211(1), shall be guilty of a misdemeanor and, on conviction therefor, shall be fined in an amount not exceeding fifty dollars (\$50.00) for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

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

(4) The town shall be empowered with the right to disconnect any person in violation of any provision of this policy (if corrective action is not taken upon the initiation of the fifty dollars (\$50.00) per day fine) from sanitary sewer services in accordance with the national pretreatment regulations.

(5) The town shall annually publish in the local newspaper a list of the users that were not in compliance with any pretreatment requirements or standards at least once during the 12 previous months. The notification shall also, summarize any enforcement actions taken against the user(s) during the same 12 months.

(6) All records relating to compliance with pretreatment standards shall be made available to officials of the EPA or approval authority upon request.

(7) If an industrial user falls into non-compliance with any pretreatment standards and requirements, the POTW shall seek injunctive relief for noncompliance by industrial users with pretreatment standards and requirements. Additionally, the POTW shall assess civil or criminal penalties for noncompliance by the industrial user with pretreatment standards and requirements. The POTW shall have the power to issue cease and desist orders to which if said are not obeyed by the industrial user, additional injunctive criminal or civil relief may be engaged by the POTW. (Ord. # 174-88, April 1988, as amended by Ord. #185-89, June 1989)

18-212. Validity. (1) All policies or part of policies in conflict herein are hereby repealed.

(2) The invalidity of any section, clause, sentence, or provision of this policy shall not affect the validity of any other part of this policy which can be given effect without such invalid part or parts. (Ord. # 174-88, April 1988)

18-213. Confidentiality requirements. (1) In accordance with 40 CFR, Part 2, any information submitted to the Environmental Protection Agency of the United States Government pursuant to the Code of Federal Regulations may be claimed as confidential by the submitter.

(2) If any such claim is asserted, it must be asserted at the time of submission in the manner prescribed on the application or instructions as provided by the Environmental Protection Agency or, in the case of other submissions, by stamping the words "Confidential Business Information" on each page containing such information.

(3) If no claim is made at the time of submission, the superintendent will forward the information to the Environmental Protection Agency who may make the information available to the public without further notice. (Ord. #184-89, June 1989)

CHAPTER 3

CROSS CONNECTIONS, AUXILIARY INTAKES, ETC.¹

SECTION

- 18-301. Definitions.
- 18-302. Standards.
- 18-303. Construction, operation, and supervision.
- 18-304. Statement required.
- 18-305. Inspections required.
- 18-306. Right of entry for inspections.
- 18-307. Correction of existing violations.
- 18-308. Use of protective devices.
- 18-309. Unpotable water to be labeled.
- 18-310. Violations.

18-301. Definitions. The following definitions and terms shall apply in the interpretation and enforcement of this chapter:

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

(2) "Cross connection." Any physical arrangement whereby the public water supply is connected, directly or indirectly, with any other water supply system, whether sewer, drain, conduit, pool, storage reservoir, plumbing fixture, or other device which contains, or may contain, contaminated water, sewage, or other waste or liquid of unknown or unsafe quality which may be capable of imparting contamination to the public water supply as a result of backflow. Bypass arrangements, jumper connections, removable sections, swivel or change-over devices through which, or because of which, backflow could occur are considered to be cross connections.

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

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

(5) "Interconnection." Any system of piping or other arrangement whereby the public water supply is connected directly with a sewer, drain, conduit, pool, storage reservoir, or other device which does or may contain

¹Municipal code references

Plumbing code: title 12.

Water and sewer system administration: title 18.

Wastewater treatment: title 18.

sewage or other waste or liquid which would be capable of imparting contamination to the public water supply.

(6) "Person." Any and all persons, natural or artificial, including any individual, firm, or association, and any municipal or private corporation organized or existing under the laws of this or any other state or county. (1985 Code, § 8-301)

18-302. Standards. The municipal public water supply is to comply with Tennessee Code Annotated, sections 68-13-701 and 68-13-719 as well as the Rules and Regulations for Public Water Supplies, legally adopted in accordance with this code, which pertain to cross connections, auxiliary intakes, bypasses, and interconnections, and establish an effective ongoing program to control these undesirable water uses. (1985 Code, § 8-302)

18-303. Construction, operation, and supervision. It shall be unlawful for any person to cause a cross connection to be made, or allow one to exist for any purpose whatsoever, unless the construction and operation of same have been approved by the Tennessee Department of Health and Environment and the operation of such cross connection, auxiliary intake, bypass or interconnection is at all times under the direct supervision of the superintendent of the waterworks of the town. (1985 Code, § 8-303)

18-304. Statement required. Any person whose premises are supplied with water from the public water supply and who also has on the same premises a separate source of water supply, or stores water in an uncovered or unsanitary storage reservoir from which the water stored therein is circulated through a piping system, shall file with the superintendent of the waterworks, a statement of the non-existence of unapproved or unauthorized cross connections, auxiliary intakes, bypasses, or interconnections. Such statement shall also contain an agreement that no cross connection, auxiliary intake, bypass, or interconnection will be permitted upon the premises. (1985 Code, § 8-304)

18-305. Inspections required. It shall be the duty of the superintendent of the waterworks to cause inspections to be made of all properties served by the public water supply where cross connections with the public water supply are deemed possible. The frequency of inspections and reinspection, based on potential health hazards involved, shall be established by the superintendent of the waterworks and as approved by the Tennessee Department of Health and Environment. (1985 Code, § 8-305)

18-306. Right of entry for inspections. The superintendent of the waterworks or his authorized representative shall have the right to enter, at any reasonable time, any property served by a connection to the public water supply for the purpose of inspecting the piping system or systems therein for cross

connections, auxiliary intakes, bypasses, or interconnections. On request, the owner, lessee, or occupant of any property so served shall furnish to the inspection agency any pertinent information regarding the piping system or systems on such property. The refusal of such information or refusal of access, when requested, shall be deemed evidence of the presence of cross connections. (1985 Code, § 8-306)

18-307. Correction of existing violations. Any person who now has cross connections, auxiliary intakes, bypasses, or interconnections in violation of the provisions of this chapter shall be allowed a reasonable time within which to comply with the provisions of this chapter. After a thorough investigation of existing conditions and an appraisal of the time required to complete the work, the amount of time shall be designated by the superintendent of the waterworks.

The failure to correct conditions threatening the safety of the public water system as prohibited by this chapter and the Tennessee Code Annotated, section 68-13-711, within a reasonable time and within the time limits set by the superintendent of the waterworks shall be grounds for denial of water service. If proper protection has not been provided after a reasonable time, the utility shall give the customer legal notification that water service is to be discontinued and shall physically separate the public water supply from the customer's on-site piping system in such a manner that the two systems cannot again be connected by an unauthorized person.

Where cross connections, interconnections, auxiliary intakes, or bypasses are found that constitute an extreme hazard of immediate concern of contaminating the public water system, the management of the water supply shall require that immediate corrective action be taken to eliminate the threat to the public water system. Immediate steps shall be taken to disconnect the public water supply from the on-site piping system unless the imminent hazard(s) is (are) corrected immediately. (1985 Code, § 8-307)

18-308. Use of protective devices. Where the nature of use of the water supplied a premises by the water department is such that it is deemed (a) impractical to provide an effective air-gap separation, (b) that the owner and/or occupant of the premises cannot, or is not willing, to demonstrate to the official in charge of the water supply, or his designated representative, that the water use and protective features of the plumbing are such as to propose no threat to the safety or potability of the water supply, (c) that the nature and mode of operation within a premises are such that frequent alterations are made to the plumbing, (d) there is a likelihood that protective measures may be subverted, altered, or disconnected, the superintendent of the waterworks of the town or his designated representative, shall require the use of an approved protective device on the service line serving the premises to assure that any contamination that may originate in the customer's premises is contained therein. The

protective device shall be a reduced pressure zone type backflow preventer approved by the Tennessee Department of Health and Environment as to manufacture, model, and size. The method of installation of backflow protective devices shall be approved by the superintendent of the waterworks prior to installation and shall comply with the criteria set forth by the Tennessee Department of Health and Environment. The installation shall be at the expense of the owner or occupant of the premises.

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

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

The failure to maintain backflow prevention devices in proper working order shall be grounds for discontinuing water service to a premises. Likewise, the removal, bypassing, or altering of the protective devices or the installation thereof so as to render the devices ineffective shall constitute grounds for discontinuance of water service. Water service to such premises shall not be restored until the customer has corrected or eliminated such conditions or defects to the satisfaction of the superintendent of the waterworks. (1985 Code, § 8-308)

18-309. Unpotable water to be labeled. In order that the potable water supply made available to premises served by the public water supply shall be protected from possible contamination as specified herein, any water outlet which could be used for potable or domestic purposes and which is not supplied by the potable system must be labeled in a conspicuous manner as:

WATER UNSAFE

FOR DRINKING

The minimum acceptable sign shall have black letters at least one-inch high located on a red background. (1985 Code, § 8-309)

18-310. Violations. 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 deemed guilty of a misdemeanor and, upon conviction therefor, shall be fined under the general penalty clause for this municipal code of ordinances. (1985 Code, § 8-310)

CHAPTER 4

ANIMAL AND VEGETABLE FATS, OILS, AND GREASE, AND SOIL/SAND
AND LINT TRAPS AND INTERCEPTORS

SECTION

- 18-401. Purpose.
- 18-402. Fat, Oil, and Grease (FOG), waste food, and sand interceptors.
- 18-403. Definitions.
- 18-404. Fat, oil, grease and food waste.
- 18-405. Sand, soil, and oil interceptors.
- 18-406. Laundries.
- 18-407. Control equipment.
- 18-408. Solvents prohibited.
- 18-409. Enforcement and penalties.
- 18-410. Alteration of control methods.

18-401. Purpose. The purpose of this chapter is to control discharges into the public sewerage collection system and treatment plant that interfere with the operations or 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 is beyond the treatment capability of the treatment plant. (as added by Ord. #321-06, Sept. 2006)

18-402. Fat, Oil, and Grease (FOG), waste food, and sand interceptors. FOG, waste food and sand interceptors shall be installed when, in the opinion of the superintendent, they are necessary for the proper handling of liquid wastes containing fats, oils, and grease, ground food waste, sand, soil, and solids, or other harmful ingredients in excessive amounts which impact the wastewater collection system. Such interceptors shall not be required for single family residences, but may be required on multiple family residences. All interceptors shall be of a type and capacity approved by the superintendent, and shall be located as to be readily and easily accessible for cleaning and inspection. (as added by Ord. #321-06, Sept. 2006)

18-403. Definitions. In the interpretation and application of this chapter the following words and phrases shall have the indicated meanings:

(1) "Interceptor." A device designed and installed to separate and retain for removal, by automatic or manual means, deleterious, hazardous or undesirable matter from normal wastes, while permitting normal sewage or waste to discharge into the drainage system by gravity.

(2) "Grease trap." An interceptor whose rated flow exceeds 50 g.p.m. and is located outside the building.

(3) "Grease interceptor." An interceptor whose rated flow is 50 g.p.m. or less and is typically located inside the building. (as added by Ord. #321-06, Sept. 2006)

18-404. Fat, oil, grease and food waste. (1) New construction and renovation. Upon construction or renovation, all restaurants, cafeterias, hotels, motels, hospitals, nursing homes, schools, grocery stores, prisons, jails, churches, camps, caterers, manufacturing plants and any other sewer users who discharge applicable waste shall submit a FOG and food waste control plan that will effectively control the discharge of FOG and food waste.

(2) Existing structures. All existing restaurants, cafeterias, hotels, motels, hospitals, nursing homes, schools, grocery stores, prisons, jails, churches, camps, caterers, manufacturing plants and any other sewer users who discharge applicable waste shall be required to submit a plan for control of FOG and food waste, if and when the superintendent determines that FOG and food waste are causing excessive loading, plugging, damage or operational problems to structures or equipment in the public sewer system.

(3) Implementation of plan. After approval of the FOG plan by the superintendent the sewer user must implement the plan within a reasonable amount of time; service and maintain the equipment in order to prevent adverse impact upon the sewer collection system and treatment facility. If in the opinion of the superintendent the user continues to impact the collection system and treatment plant, additional pretreatment measures may be required. (as added by Ord. #321-06, Sept. 2006)

18-405. Sand, soil, and oil interceptors. All car washes, truck washes, garages, service stations and other sources of sand, soil, and oil shall install effective sand, soil and oil interceptors. These interceptors will be sized to effectively remove sand, soil, and oil at the expected flow rates. These interceptors will be cleaned on a regular basis to prevent impact upon the wastewater collection and treatment system. Owners whose interceptors are deemed to be ineffective by the superintendent may be required to change the cleaning frequency or to increase the size of the interceptors. Owners or operators of washing facilities will prevent the inflow of rainwater into the sanitary sewers. (as added by Ord. #321-06, Sept. 2006)

18-406. Laundries. Commercial laundries shall be equipped with an interceptor with a wire basket or similar device, removable for cleaning, that prevents passage into the sewer system or solids one half (½) inch or larger in size such as, rags, buttons, or other solids detrimental to the system. (as added by Ord. #321-06, Sept. 2006)

18-407. Control equipment. The equipment or facilities installed to control FOG, food waste, sand and soil, must be designed in accordance with the

adopted code of the municipality and the Tennessee Department of Environment and Conservation engineering standards or applicable city guidelines. Underground equipment shall be tightly sealed to prevent inflow of rainwater and easily accessible to allow regular maintenance. Control equipment shall be maintained by the owner or operator of the facility so as to prevent a stoppage of the public sewer, and the accumulation of FOG in the lines, pump stations and treatment plant. If the city is required to clean out the public sewer 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 overhead costs to the city. Nothing in this section shall be construed to prohibit or restrict any other remedy the city has under this chapter, or state or federal law. The city retains the right to inspect and approve installation of the control equipment. (as added by Ord. #321-06, Sept. 2006)

18-408. Solvents prohibited. The use of degreasing or line cleaning products containing petroleum-based solvents is prohibited. (as added by Ord. #321-06, Sept. 2006)

18-409. Enforcement and penalties. Any person who violates this chapter shall be guilty of a civil violation punishable under and according to the general penalty provisions of the city's municipal code of ordinances. Each day's violation of this chapter shall be considered a separate offense. (as added by Ord. #321-06, Sept. 2006)

18-410. Alteration of control methods. The city through the superintendent reserves the right to require additional control measures if measures taken are shown to be insufficient to protect the sewer collection system and treatment plant from interference due to the discharge of fats, oils, and grease, sand, soil, or lint. (as added by Ord. #321-06, Sept. 2006)