

TITLE 13

UTILITIES AND SERVICES¹

CHAPTER

1. WATER AND SEWERS.
2. SUPPLEMENTARY SEWER REGULATIONS.

CHAPTER 1

WATER AND SEWERS²

SECTION

- 13-101. Application of chapter.
- 13-102. Water and sewer service rates.
- 13-103. When bills payable, penalty, interest, disconnection for nonpayment.
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- 13-111. Certain substances not to be discharged into sewers.
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13-101. Application of chapter. The following rates, charges, rules, and regulations shall govern and control the use of all those municipal facilities used in providing water and sewer service in the town and its environs. (ord. No. 67, sec. 1)

¹Gas service is furnished to residents of the town by the City of Brownsville. See ordinance No. 66 of record in the recorder's office.

Telephone service is furnished to residents of the town by the Millington Telephone Company, Inc. See ordinance No. 65 of record in the recorder's office.

Electric service is furnished to residents of the town by the Southwest Tennessee Electric Membership Cooperative, Brownsville, TN.

²See chapter 2 in this title and also title 8 for related provisions.

13-102. Water and sewer service rates. There is hereby established the following monthly rates for water and sewer service rendered by the town:

For customers inside the town:

Water Service

First	3000 gallons	\$3.50 per month (Minimum)
All over	3000 gallons	0.75 per 1000 gallons

Sewer Service

The rate for sewer service shall be \$5.00 per month for each customer which amount shall be added to the foregoing water rates, and said water rates and sewer rates shall be included in one bill.

For customers outside the town:

An amount equal to the rate for customers inside the city limits, plus \$2.00 per month. (ord. No. 67, sec. 2, as amended by ord. No. 67B)

13-103. When bills payable; penalty; interest; disconnection for nonpayment. The rates and charges aforesaid shall be billed monthly and all bills for such service shall be payable within ten (10) days after rendition. If not paid within such period of ten (10) days, a penalty equal to ten percent (10%) of the face amount of the bill shall be added thereto; provided, however, that if the tenth (10th) day should fall upon a Sunday or a legal holiday then the face amount of the bill may be paid on the next secular day which is not a holiday. Interest on delinquent bills shall accrue at the rate of six per cent (6%) per annum from the tenth (10th) day after rendition and such interest and penalty, if any, shall be collected when the bill is paid. If any such bill, together with penalty and interest, if any, shall remain unpaid for a period of fifteen (15) days after rendition, the water service connection to the premises shall be disconnected. A charge in the sum of two dollars and fifty cents (\$2.50) is hereby fixed to cover the expense of such disconnection. If any such disconnected customer shall thereafter desire reconnection, an additional charge in the sum of two dollars and fifty cents (\$2.50) shall be made to cover the expense thereof. Prior to such reconnection, the customer shall be required to pay the delinquent bill, penalty, interest, and the five dollars (\$5.00) charge for disconnection and reconnection. Whether or not any premises are disconnected because of such delinquency, the city attorney is hereby authorized and directed to enforce and collect the amount of any bills remaining delinquent for thirty (30) days (including the penalty, interest, disconnection charge, and court costs)

by suit in any court of competent jurisdiction. (ord. No. 67, sec. 3, as amended by ord. No. 67C)

13-104. Who to pay. The rates and charges aforesaid shall be billed to the owners of the premises, except that upon application by the tenant of any premises, who is not the owner thereof, filed with the board or body of said town in charge of the control and operation of said system, accompanied by a cash deposit or other appropriate security or indemnity in an amount or a kind approved by such board or body, such bills may be rendered to such tenant. No free water or sewer service shall be granted or permitted to any water or sewer user, including the town itself, except that in accordance with long standing policy, custom, and practice, the town shall not be required to pay hydrant rentals for fire protection purposes, and also may use water to flush hydrants and mains according to standard engineering practices. (ord. No. 67, sec. 4)

13-105. Water connection charge. To cover the expense of tapping into any water pipe of the town, a fee or charge is hereby established in the sum of thirty-five dollars (\$35.00) for connections made for any single family residence inside or outside the town. For any duplex, apartment, commercial or industrial establishment, hospital or other public project, such charge shall be in a sum equal to the actual estimated cost to the town of making or supervising the making of such connection, but not less than thirty-five dollars (\$35.00). However, such charges shall be waived when a prospective user of water service applies for permission to connect with any water main at the time of the initial installation thereof, so that provision can be made for such connection before the trench is back-filled. (ord. No. 67, sec. 5)

13-106. Meter deposits. Deposits heretofore made by water customers and which are presently held by the town as partial security for the payment of water bills shall continue to be held by the town subject to the provisions of this chapter. Each new customer shall deposit with the town the sum of thirty-five dollars (\$35.00) at the time of installation of any water meter, and the actual cost of the meter for any meter installation of one inch or more in diameter, such deposit to be held to insure payment of the bills for water services supplied by the town, and to be subject to application upon such bills in the event of delinquency. Any amount so applied to a delinquent bill shall be restored by the depositor within ten (10) days after notice from the town to do so, upon penalty of disconnection of water service to the premises. However, a cash deposit shall not be required if the occupant of the premises is the owner thereof, or if the tenant files with the town a guarantee, signed by the owner of the premises, that all bills will be paid when due. The town shall keep a true accounting of all sums so deposited, and interest shall accrue thereon at the rate of six per cent (6%) per annum to be credited to the depositor on the books of the town

annually. Any customer who shall have made such deposit with the town may obtain a refund thereof, including interest accrued to the date of such refund, by furnishing to the town satisfactory evidence that all charges for water service, including any tap-in charges, connection, or disconnection charges, penalties, interest, etc., have been paid in full, and that such customer will no longer avail himself of water service. (ord. No. 67, art. I, sec. 6, as amended by ord. No. 67A)

13-107. Definitions of terms. As used herein with regard to sewer service, the following words and terms have the following respective meanings, unless the context clearly indicates or requires otherwise:

(1) The term "sanitary sewers" or "sewers" means those properties, works, and facilities of the town's water and sewer system which exist at this time, together with all future extensions, additions, enlargements and improvements thereto.

(2) The term "premises" means and includes all places and properties where people live or congregate, or where flowable sewage wastes are otherwise generated, which should be drained and disposed of in the interests of the public health, safety, and general welfare, and specifically includes, but not by way of limiting the generality of the foregoing, all homes, houses, apartments, hotels, motels, trailer camps, manufacturing, business, commercial or industrial establishments and other structures of any and every nature whatsoever.

(3) The sewer system or sewer is "available," as that term is used in this chapter, if any such premises abut upon any street, road, alley, public way or easement in which there is installed a sewer pipe, a main, lateral, or other structure or installation of the sanitary sewers capable of receiving flowable wastes, or if such premises shall be situated within 300 feet of such a sanitary sewer installation. (ord. No. 67, sec. 8)

13-108. When sewer connection is required. All premises where sanitary sewers are initially made available shall within ninety (90) days after the publication of the provisions in this chapter, and without further notice, be connected thereto. When the construction and installation of any additional sanitary sewer facilities progresses to such a point as to be capable of receiving and disposing of the flowable sanitary sewage of any premises, the town shall give written notice to the owner or occupant of such premises that a sanitary sewer connection is available, and that such premises shall be connected thereto within ninety (90) days after such notice is given. All owners and occupants of premises where sanitary sewer service is now or hereafter made available, as herein defined, shall, within ninety (90) days from the date of such notice, connect therewith all sanitary sewage drain pipes and sewage outlets of such premises.

All connections to the sanitary sewers shall be made under and in conformity with such regulations as the town may from time to time establish.

Failure to effect such connection within the prescribed time is declared to be unlawful and to constitute a public nuisance; and the same shall be abated, subject to the penalties hereinafter prescribed.

No sewer tap or connection shall be made by any person, firm or corporation, except the town. The town will, upon application and payment of the prescribed tapping or connection fee, tap the appropriate sanitary sewer facility and extend a lateral line to the property line of any applicant where sewers are available, and any and all installations within the property lines of any premises, and any and all sanitary sewer connections shall be made thereto by the applicant under the direction and supervision of the town and in conformity with proper health standards. Nothing herein contained shall be construed as requiring the town to furnish a sanitary sewer connection or sanitary sewer service to any premises where a sanitary sewer facility is not available at the time the application is made. (ord. No. 67, sec. 9)

13-109. When other means of disposal are prohibited. When a sanitary sewer connection is made available to any premises, it shall be unlawful for any person, firm, or corporation to construct or maintain a privy, vault, cesspool, septic tank, or other similar contrivance for the reception of flowable sewage wastes. All such privies, vaults, cesspools, septic tanks, and similar contrivances whereby flowable sewage wastes are cast, drained, or deposited into a container above or below the surface of the ground, or upon or into the soil, or into any running or percolating stream of water, or into any cistern or well, are hereby declared to be unlawful and to constitute a public nuisance. Such nuisances shall be removed by the owners or the occupants of all premises where a sewer connection is made available. (ord. No. 67, sec. 10)

13-110. When new premises to connect. All architects, engineers, contractors, builders, or other persons who shall hereafter erect new premises where sewers are available shall, before erecting the same, exhibit to the town, through such officer or employee as may be designated from time to time for such purpose, satisfactory evidence that a means has been or will be provided for connecting all sanitary sewage drains and outlets from such building or structure with the municipal sanitary sewer system. (ord. No. 67, sec. 11)

13-111. Certain substances not to be discharged into sewers. No substance shall be placed or discharged into the sanitary sewers which will create a combustible, gaseous, explosive, or inflammable condition in such sewers, nor shall any substances or objects be placed or discharged into the sanitary sewers which will not dissolve and which will thus cause an obstruction and clogging within said system. No petroleum products shall be placed or discharged into the municipal sanitary sewers.

No storm water or surface water drain shall be connected with the sanitary sewers, nor shall any storm or surface water be otherwise introduced into the same. (ord. No. 67, sec. 12)

13-112. Sewer service outside town. The town owes no obligation to make sewer service available to premises which are situated outside its corporate limits, and does not offer sewer service to such premises. However, in any given case where such premises are adjacent to a sewer main or line, or within a reasonable distance thereof, the owner of such premises may make written application to the town for the privilege of connecting to such sanitary sewer main or line. If, in the sole discretion of the governing body (each case to be judged upon its own merits), such connection can be permitted without overloading the capacity of the main or line in question and will be beneficial to the town and its inhabitants from the standpoint of the public health and general welfare, the town may grant permission for such connection to be made. (ord. No. 67, sec. 14)

13-113. Sewer connection charge. There is established a fee or charge for each connection to the sanitary sewers. It shall be paid within ninety (90) days after notice is given by the town to the owner or occupant of any premises where sewer service is made available. When application for a connection to the sanitary sewers is made while construction of the sewer improvements is in progress, and before the adjacent sewer trench has been back-filled (so that in making the connection the city may avoid the expense of excavation), such connection charge is and shall be ten dollars (\$10.00) for each connection.

In all cases where application is made or payment of the connection charge is tendered more than ninety (90) days after notice to connect has been given by the town, or after the adjacent sewer trench has been back-filled, the tap-in or connection charge shall be fifty dollars (\$50.00). (ord. No. 67, sec. 15)

CHAPTER 2

SUPPLEMENTARY SEWER REGULATIONS¹

SECTION

- 13-201. Definitions.
- 13-202. Use of public sewers required.
- 13-203. Private sewage disposal.
- 13-204. Building sewers and connections.
- 13-205. Use of the public sewers.
- 13-206. Protection from damage.
- 13-207. Powers and authority of inspectors.
- 13-208. Violations.

13-201. Definitions. Unless the context specifically indicates otherwise, the meaning of terms used in this chapter shall be as follows:

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

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

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

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

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

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

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

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

¹See title 8, chapter 3, for regulations relating to cross connections, etc.

See chapter 1 in this title for the basic water and sewer regulations.

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

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

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

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

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

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

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

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

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

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

(19) "Storm drain" (sometimes termed "storm sewer") shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

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

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

(22) "Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently. (ord. No. 70, art. I)

13-202. 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 municipality, or in any area under its jurisdiction, any human or animal excrement, garbage, or other objectionable waste.

(2) It shall be unlawful to discharge to any natural jurisdiction, 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.

(4) The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the municipality and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary or combined sewer of the municipality, is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this chapter, within ninety (90) days after date of official notice to do so, provided that said public sewer is within three hundred (300) feet of the property line. (ord. No. 70, art. II)

13-203. Private sewage disposal. The disposal of sewage by means other than the use of the sanitary sewage system shall be in accordance with local and state laws. The disposal of sewage by private disposal systems shall be permissible only in those instances where service from the sanitary sewage system is not available. (ord. No. 70, art. III)

13-204. 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 sewer permits: (a) for residential and commercial service, and (b) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the municipality. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the superintendent.

(3) All costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the municipality 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 where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court yard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

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

(6) The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the municipality. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. Manual of Practice No. 9 shall apply.

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

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

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

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

(11) All excavations for building sewer installations 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 municipality. (ord. No. 70, art. IV)

13-205. Use of the public sewers. (1) No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.

(2) Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the Tennessee Stream Pollution Control Board. Industrial

cooling water or unpolluted process waters may be discharged, on approval of the Tennessee Stream Pollution Control Board, to a storm sewer or natural outlet.

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

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

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

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

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

(4) No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the superintendent that such wastes can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the superintendent will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The substances prohibited are:

(a) Any liquid or vapor having a temperature higher than one hundred fifty (150)° F (65°C).

(b) Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred (100) mg/1 or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150)° F (0 and 65°C).

(c) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor

of three-fourths (3/4) horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the superintendent.

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

(e) Any waters or wastes containing iron, chromium, copper, zinc, cyanide, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the superintendent and/or the Division of Sanitary Engineering, Tennessee Department of Public Health, for such materials.

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

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

(h) Any waters or wastes having a pH in excess of 9.5.

(i) Materials which exert or cause:

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

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

(3) Unusual BOD (above 300 mg/1), chemical oxygen demand, or chlorine requirement in such quantities as to constitute a significant load on the sewage treatment works.

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

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

(k) Waters or wastes containing suspended solids in excess of 300 mg/1.

(5) If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in subsection (4) of this section, and which in the judgment of the superintendent and/or the Division of Sanitary Engineering,

Tennessee Department of Public Health, may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the superintendent may:

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

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

(6) Grease, oil, and sand interceptors shall be provided when, in the opinion of the superintendent, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the superintendent, and shall be so located as to be readily and easily accessible for cleaning and inspection. (7)

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

(8) When required by the superintendent, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be 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.

(9) All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this chapter shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily

accepted methods to reflect the effect of constituent 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-hr. composites of all outfalls whereas pH's are determined from periodic grab samples.)

(10) No statement contained in this section shall be construed as preventing any special agreement or arrangement between the municipality and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the municipality for treatment, subject to payment therefor by the industrial concern. (ord. No. 70, art. V)

13-206. Protection from damage. No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct. (ord. No. 70, art. VI)

13-207. Powers and authority of inspectors. (1) The superintendent and other duly authorized employees of the municipality bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this chapter. The superintendent or his representatives shall have no authority to inquire into any processes, including metallurgical, chemical, oil, refining, ceramic, paper, or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

(2) While performing the necessary work on private properties referred to in subsection (1) of this section, the superintendent or duly authorized employees of the municipality shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the municipal employees, and the municipality shall indemnify the company against loss or damage to its property by municipal employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operations, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in section 13-205, subsection (8).

(3) The superintendent and other duly authorized employees of the municipality bearing proper credentials and identification shall be permitted to enter all private properties through which the municipality holds a duly

negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement. All entries and subsequent work, if any, on said easement shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved. (ord. No. 70, art. VII)

13-208. Violations. (1) Any person found to be violating any provision of this chapter except section 13-206 shall be served by the municipality 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 subsection (1) of this section shall be guilty of a misdemeanor, and on conviction thereof shall be fined under the general penalty clause for this municipal code of ordinances.

(3) Any person violating any of the provisions of this chapter shall become liable to the municipality for any expense, loss, or damage occasioned the municipality by reason of such violation. (ord. No. 70, art. X, modified)