

TITLE 18

WATER AND SEWERS¹

CHAPTER

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CHAPTER 1

WATER AND SEWERS

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18-101. Application and scope. The provisions of this chapter are a part of all contracts for receiving water and/or sewer service from the Town of Tiptonville and shall apply whether the service is based upon contract, agreement, signed application, or otherwise. (1979 Code, § 13-101)

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

(2) "Household" means any two (2) or more persons living together as a family group.

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

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

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

(6) "Premise" means any structure or group of structures operated as a single business or enterprise, provided, however, the term "premise" shall not include more than one (1) dwelling. (1979 Code, § 13-102)

18-103. Obtaining service. A formal application for either original or additional service must be made and be approved by the town before connection or meter installation orders will be issued and work performed. (1979 Code, § 13-103)

18-104. Application and contract for service. Each prospective customer desiring water and/or sewer service will be required to sign a standard form of contract before service is supplied. If, for any reason, a customer, after signing a contract for service, does not take such service by reason of not occupying the premises or otherwise, he shall reimburse the town the expense incurred by reason of its endeavor to furnish said service.

The receipt of a prospective customer's application for service, regardless of whether or not accompanied by a deposit, shall not obligate the town to render the service applied for. If the service applied for cannot be supplied in accordance with the provisions of this chapter and general practice, the liability of the town to the applicant shall be limited to the return of any deposit made by such applicant. (1979 Code, § 13-104)

18-105. Service charges for temporary service. Customers requiring temporary service shall pay all costs for connection and disconnection incidental to the supplying and removing of service in addition to the regular charge for water and/or sewer service. (1979 Code, § 13-105)

18-106. Connection charges. Service lines will be laid by the town from its mains to the property line at the expense of the applicant for service. The location of such lines will be determined by the town.

Before a new water or sewer service line will be laid by the town, the applicant shall make a deposit equal to the estimated cost of the installation.

This deposit shall be used to pay the cost of laying such new service line and appurtenant equipment. If such cost exceeds the amount of the deposit, the applicant shall pay to the town the amount of such excess cost when billed therefor. If such cost is less than the amount of the deposit, the amount by which the deposit exceeds such cost shall be refunded to the applicant.

When a service line is completed, the town shall be responsible for the maintenance and upkeep of such service line from the main to and including the meter and meter box, and such portion of the service line shall belong to the town. The remaining portion of the service line beyond the meter box (or property line, in the case of sewers) shall belong to and be the responsibility of the customer. (1979 Code, § 13-106)

18-107. Water and sewer main extensions. Persons desiring water and/or sewer service must pay all of the cost of making such extensions.

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

All such extensions shall be installed either by municipal forces or by other forces working directly under the supervision of the town in accordance

with plans and specifications prepared by an engineer registered with the State of Tennessee.

Upon completion of such extensions and their approval by the town, such water and/or sewer mains shall become the property of the town. The persons paying the cost of constructing such mains shall execute any written instruments requested by the town to provide evidence of the town's title to such mains. In consideration of such mains being transferred to it, the town shall incorporate said mains as an integral part of the municipal water and sewer systems and shall furnish water and sewer service therefrom in accordance with these rules and regulations, subject always to such limitations as may exist because of the size and elevation of said mains. (1979 Code, § 13-108)

18-108. Variances from and effect of preceding section as to extensions. Whenever the board of mayor and aldermen is of the opinion that it is to the best interest of the town and its inhabitants to construct a water and/or sewer main extension without requiring strict compliance with the preceding section, such extension may be constructed upon such terms and conditions as shall be approved by the board of mayor and aldermen.

The authority to make water and/or sewer main extensions under the preceding section is permissive only and nothing contained therein shall be construed as requiring the town to make such extensions or to furnish service to any person or persons. (1979 Code, § 13-109)

18-109. Meters. All meters shall be installed, tested, repaired, and removed only by the town.

No one shall do anything which will in any way interfere with or prevent the operation of a meter. No one shall tamper with or work on a water meter without the written permission of the town. No one shall install any pipe or other device which will cause water to pass through or around a meter without the passage of such water being registered fully by the meter. (1979 Code, § 13-110)

18-110. Meter tests. The town will, at its own expense, make routine tests of meters when it considers such tests desirable.

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

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

The town will also make tests or inspections of its meters at the request of the customer. (1979 Code, § 13-111)

18-111. Multiple services through a single meter. No customer shall supply water or sewer service to more than one dwelling or premise from a single service line and meter without first obtaining the written permission of the town.

Where the town allows more than one dwelling or premise to be served through a single service line and meter, the amount of water used by all the dwellings and premises served through a single service line and meter shall be allocated to each separate dwelling or premise served. The water and/or sewer charges for each such dwelling or premise thus served shall be computed just as if each such dwelling or premise had received through a separately metered service the amount of water so allocated to it, such computation to be made at the town's applicable water rates schedule, including the provisions as to minimum bills. The separate charges for each dwelling or premise served through a single service line and meter shall then be added together, and the sum thereof shall be billed to the customer in whose name the service is supplied. (1979 Code, § 13-113)

18-112. Billing. Bills for residential water and sewer service will be rendered monthly.

Bills for commercial and industrial service may be rendered weekly, semimonthly, or monthly, at the option of the town.

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

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

In the event a bill is not paid on or before five (5) days after the discount date, a written notice shall be mailed to the customer. The notice shall advise the customer that his service may be discontinued without further notice if the bill is not paid on or before ten (10) days after the discount date. The town shall not be liable for any damages resulting from discontinuing service under the provisions of this section, even though payment of the bill is made at any time on the day that service is actually discontinued.

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

If a meter fails to register properly, or if a meter is removed to be tested or repaired, or if water is received other than through a meter, the town reserves the right to render an estimated bill based on the best information available. (1979 Code, § 13-114)

18-113. Discontinuance or refusal of service. The town shall have the right to discontinue water and/or sewer service or to refuse to connect service for a violation of, or a failure to comply with, any of the following:

- (1) These rules and regulations.
- (2) The customer's application for service.
- (3) The customer's contract for service.

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

Discontinuance of service by the town 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. (1979 Code, § 13-115)

18-114. Re-connection charge. Whenever service has been discontinued as provided for above, a re-connection charge of five dollars (\$5.00) shall be collected by the town before service is restored. (1979 Code, § 13-116)

18-115. Termination of service by customer. Customers who have fulfilled their contract terms and wish to discontinue service must give at least three (3) days written notice to that effect unless the contract specifies otherwise. Notice to discontinue service prior to the expiration of a contract term will not relieve the customer from any minimum or guaranteed payment under such contract or applicable rate schedule.

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

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

- (2) During the ten (10) day period, or thereafter, the occupant of premises to which service has been ordered discontinued by a customer other

than such occupant, may be allowed by the town to enter into a contract for service in the occupant's own name upon the occupant's complying with these rules and regulations with respect to a new application for service. (1979 Code, § 13-117)

18-116. Access to customers' premises. The town's identified representatives and employees shall be granted access to all customers' premises at all reasonable times for the purpose of reading meters, for testing, inspecting, repairing, removing, and replacing all equipment belonging to the town, and for inspecting customers' plumbing and premises generally in order to secure compliance with these rules and regulations. (1979 Code, § 13-118)

18-117. Inspections. The town shall have the right, but shall not be obligated, to inspect any installation or plumbing system before water and/or sewer service is furnished or at any later time. The town reserves the right to refuse service or to discontinue service to any premises not meeting standards fixed by municipal ordinances regulating building and plumbing, or not in accordance with any special contract, these rules and regulations, or other requirements of the town.

Any failure to inspect or reject a customer's installation or plumbing system shall not render the town liable or responsible for any loss or damage which might have been avoided, had such inspection or rejection been made. (1979 Code, § 13-119)

18-118. Customer's responsibility for system's property. Except as herein elsewhere expressly provided, all meters, service connections, and other equipment furnished by or for the town shall be and remain the property of the town. Each customer shall provide space for and exercise proper care to protect the property of the town on his premises. In the event of loss or damage to such property, arising from the neglect of a customer properly to care for same, the cost of necessary repairs or replacements shall be paid by the customer. (1979 Code, 13-120)

18-119. Customer's responsibility for violations. Where the town furnishes water and/or sewer service to a customer, such customer shall be responsible for all violations of these rules and regulations which occur on the premises so served. Personal participation by the customer in any such violations shall not be necessary to impose such personal responsibility on him. (1979 Code, § 13-121)

18-120. Supply and resale of water. All water shall be supplied within the town exclusively by the town and no customer shall, directly or indirectly, sell, sublet, assign, or otherwise dispose of the water or any part thereof, except with written permission from the town. (1979 Code, § 13-122)

18-121. Unauthorized use of or interference with water supply.

No person shall turn on or turn off any of the town's stop cocks, valves, hydrants, spigots, or fire plugs without permission or authority from the town. (1979 Code, § 13-123)

18-122. Limited use of unmetered private fire line.

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

All private fire hydrants shall be sealed by the town and shall be inspected at regular intervals to see that they are in proper condition and that no water is being used therefrom in violation of these rules and regulations. When the seal is broken on account of fire, or for any other reason, the customer taking such service shall immediately give the town a written notice of such occurrence. (1979 Code, § 13-124)

18-123. Damages to property due to water pressure.

The town shall not be liable to any customer for damages caused to his plumbing or property by high pressure, low pressure, or fluctuations in pressure in the town's water mains. (1979 Code, § 13-125)

18-124. Liability for cutoff failures.

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

- (1) After receipt of at least ten (10) days' written notice to cut off water service, the town has failed to cut off such service.
- (2) The town has attempted to cut off a service but such service has not been completely cut off.
- (3) The town has completely cut off a service, but subsequently, the cutoff develops a leak or is turned on again so that water enters the customer's pipes from the town's main.

Except to the extent stated above, the town shall not be liable for any loss or damage resulting from cutoff failures.

If a customer wishes to avoid possible damage for cutoff failures, the customer shall rely exclusively on privately owned cutoffs and not on the town's cutoff. Also, the customer (and not the town) shall be responsible for seeing that his plumbing is properly drained and is kept properly drained, after his water service has been cut off. (1979 Code, § 13-126)

18-125. Restricted use of water.

In times of emergencies or in times of water shortage, the town reserves the right to restrict the purposes for which water may be used by a customer and the amount of water which a customer may use. (1979 Code, § 13-127)

18-126. Interruption of service. The town will endeavor to furnish continuous water and sewer service, but does not guarantee to the customer any fixed pressure or continuous service. The town shall not be liable for any damages for any interruption of service whatsoever.

In connection with the operation, maintenance, repair, and extension of the municipal water and sewer systems, the water supply may be shut off without notice when necessary or desirable, and each customer must be prepared for such emergencies. The town shall not be liable for any damages from such interruption of service or for damages from the resumption of service without notice after any such interruption. (1979 Code, § 13-128)

18-127. Schedule of rates. All water and sewer service shall be furnished under such rate schedules as the town may from time to time adopt by appropriate ordinance or resolution.¹ (1979 Code, § 13-112)

18-128. Fluoridation of water supply. The water department of the Town of Tiptonville is hereby authorized and instructed to prepare, or to cause to be prepared, the necessary plans and other required documents essential to obtaining the approval of the Tennessee Department of Health for the fluoridation of the water supply of the Town of Tiptonville, Tennessee; to submit such plans and other required documents essential to obtaining the approval of the Tennessee Department of Health for approval; and, upon receipt of the approval of the Tennessee Department of Health in writing, to purchase the equipment necessary and required for the purpose of adding such chemicals as fluorine to the water supply system of the Town of Tiptonville in such quantities as is necessary to provide for the proper fluoridation of said water supply and to put the same into operation when installed. (1979 Code, § 13-129)

18-129. Wastewater treatment system surcharges. (1) Additional sewer charges for special wastes. In addition to the user fees established for all customers of the municipal wastewater collection system, the Town of Tiptonville may elect to impose and collect surcharges for those wastes which require special or additional treatment at the wastewater treatment facility. Such surcharges shall be determined and set by the board of mayor and aldermen according to the special or additional treatment required.

(2) Surcharge and maximum limits. The following table shall serve as a general guideline in the determination to assess wastewater surcharges for sewer service.

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

<u>Parameter</u>	<u>Surcharge Limit</u>	<u>Max. Concentration</u>
Total Kjeldahl Nitrogen	45.00	90.00
Oil and Grease	50.00	100.00
MBAS	5.00	10.00
BOD	250	500
COD	500	1400
Suspended Solids	250	700

(as added by Ord. #2109, Nov. 2005)

18-130. Fire hydrant volume and pressure standards. (1) Volume and pressure standards for all newly installed fire hydrants. All future water mains and fire hydrants to be installed in Tiptonville shall be installed in such a manner to provide adequate fire flows. All water mains shall be at least six (6) inches in diameter. However, larger mains shall be installed when necessary to insure that a minimum of five hundred (500) gallons per minute (gpm) at twenty (20) pounds per square inch (psi) residual pressure is available if the needed fire flow to structures in the area demands such additional flows. Fire hydrants shall be installed in such a manner that there shall be a fire hydrant within five hundred (500) feet of the front entrance of every structure or more than three hundred (300) square feet. The distance to the fire hydrant shall be measured along the route that would be accessible to the fire department to lay fire hose from the hydrant to the building.

(2) Fire hydrant to be color coded. The bonnets and caps of all fire hydrants in Tiptonville are to be painted and color coded in compliance with NFPA 291 as follows:

COLOR	CLASS	AVAILABLE FLOWS @ P.S.I. RESIDUAL
Blue	AA	1,500 gpm or more
Green	A	1,000 to 1,499 gpm
Orange	B	500 - 900 gpm
Red	C	Below 500 gpm

The body color for all fire hydrants on the Tiptonville municipal water system shall be chrome yellow.

(3) Water utility notification to fire department. On an annual basis and by certified mail, the Tiptonville water department shall provide written notification to the fire chief that hydrants with tops painted red cannot be connected directly to a pumper fire truck. The cover letter shall include a complete listing of all Class C fire hydrants in Tiptonville and shall contain at least the following words, "The attached list of fire hydrants has been found to have inadequate fire flows and shall not be used by the fire department for pumping operations except in the event of immediate and imminent threat of life safety." A copy of such letter shall be distributed to the mayor.

(4) Filling of booster tanks from hydrants. The fire department shall be allowed to fill the booster tanks on any fire apparatus from an available Class C hydrant by using the water system's available pressure only (that is, fire pumps shall not be engaged during refilling operations from a Class C hydrant). (as added by Ord. #2113, July 2006)

CHAPTER 2

SEWAGE AND HUMAN EXCRETA DISPOSAL¹

SECTION

- 18-201. Definitions.
- 18-202. Places required to have sanitary disposal methods.
- 18-203. When a connection to the public sewer is required.
- 18-204. When a septic tank shall be used.
- 18-205. Registration and records of septic tank cleaners, etc.
- 18-206. Use of pit privy or other method of disposal.
- 18-207. Approval and permit required for septic tanks, privies, etc.
- 18-208. Owner to provide disposal facilities.
- 18-209. Occupant to maintain disposal facilities.
- 18-210. Only specified methods of disposal to be used.
- 18-211. Discharge into watercourses restricted.
- 18-212. Pollution of ground water prohibited.
- 18-213. Enforcement of chapter.
- 18-214. Carnivals, circuses, etc.
- 18-215. Violations.

18-201. Definitions. The following definitions shall apply in the interpretation of this chapter:

(1) "Accessible sewer." A public sanitary sewer located in a street or alley abutting on the property in question or otherwise within two hundred (200) feet of any boundary of said property measured along the shortest available right-of-way.

(2) "Health officer." The person duly appointed to such position having jurisdiction, or any person or persons authorized to act as his agent.

(3) "Human excreta." The bowel and kidney discharges of human beings.

(4) "Sewage." All water-carried human and household wastes from residences, buildings, or industrial establishments.

(5) "Approved septic tank system." A watertight covered receptacle of monolithic concrete, either precast or cast in place, constructed according to plans approved by the health officer. Such tanks shall have a capacity of not less than 750 gallons and in the case of homes with more than two (2) bedrooms the capacity of the tank shall be in accordance with the recommendations of the Tennessee Department of Health as provided for in its 1967 bulletin entitled "Recommended Guide for Location, Design, and Construction of Septic Tanks

¹Municipal code reference

Plumbing code: title 12, chapter 2.

and Disposal Fields." A minimum liquid depth of four (4) feet should be provided with a minimum depth of air space above the liquid of one (1) foot. The septic tank dimensions should be such that the length from inlet to outlet is at least twice but not more than three (3) times the width. The liquid depth should not exceed five (5) feet. The discharge from the septic tank shall be disposed of in such a manner that it may not create a nuisance on the surface of the ground or pollute the underground water supply, and such disposal shall be in accordance with recommendations of the health officer as determined by acceptable soil percolation data.

(6) "Sanitary pit privy." A privy having a fly-tight floor and seat over an excavation in earth, located and constructed in such a manner that flies and animals will be excluded, surface water may not enter the pit, and danger of pollution of the surface of the ground or the underground water supply will be prevented.

(7) "Other approved method of sewage disposal." Any privy, chemical toilet, or other toilet device (other than a sanitary sewer, septic tank, or sanitary pit privy as described above) the type, location, and construction of which have been approved by the health officer.

(8) "Watercourse." Any natural or artificial drain which conveys water either continuously or intermittently. (1979 Code, § 8-301)

18-202. Places required to have sanitary disposal methods. Every residence, building, or place where human beings reside, assemble, or are employed within the corporate limits shall be required to have a sanitary method for disposal of sewage and human excreta. (1979 Code, § 8-302)

18-203. When a connection to the public sewer is required. Wherever an accessible sewer exists and water under pressure is available, approved plumbing facilities shall be provided and the wastes from such facilities shall be discharged through a connection to said sewer made in compliance with the requirements of the official responsible for the public sewerage system. On any lot or premise accessible to the sewer no other method of sewage disposal shall be employed. (1979 Code, § 8-303)

18-204. When a septic tank shall be used. Wherever water carried sewage facilities are installed and their use is permitted by the health officer, and an accessible sewer does not exist, the wastes from such facilities shall be discharged into an approved septic tank system.

No septic tank or other water-carried sewage disposal system except a connection to a public sewer shall be installed without the approval of the health officer or his duly appointed representative. The design, layout, and construction of such systems shall be in accordance with specifications approved by the health officer and the installation shall be under the general supervision of the department of health. (1979 Code, § 8-304)

18-205. Registration and records of septic tank cleaners, etc. Every person, firm, or corporation who operates equipment for the purpose of removing digested sludge from septic tanks, cesspools, privies, and other sewage disposal installations on private or public property must register with the health officer and furnish such records of work done within the corporate limits as may be deemed necessary by the health officer. (1979 Code, § 8-305)

18-206. Use of pit privy or other method of disposal. Wherever a sanitary method of human excreta disposal is required under § 18-202 and water-carried sewage facilities are not used, a sanitary pit privy or other approved method of disposal shall be provided. (1979 Code, § 8-306)

18-207. Approval and permit required for septic tanks, privies, etc. Any person, firm, or corporation proposing to construct a septic tank system, privy, or other sewage disposal facility, requiring the approval of the health officer under this chapter, shall before the initiation of construction obtain the approval of the health officer for the design and location of the system and secure a permit from the health officer for such system. (1979 Code, § 8-307)

18-208. Owner to provide disposal facilities. It shall be the duty of the owner of any property upon which facilities for sanitary sewage or human excreta disposal are required by § 18-202, or the agent of the owner, to provide such facilities. (1979 Code, § 8-308)

18-209. Occupant to maintain disposal facilities. It shall be the duty of the occupant, tenant, lessee, or other person in charge to maintain the facilities for sewage disposal in a clean and sanitary condition at all times, and no refuse or other material which may unduly fill up, clog, or otherwise interfere with the operation of such facilities shall be deposited therein. (1979 Code, § 8-309)

18-210. Only specified methods of disposal to be used. No sewage or human excreta shall be thrown out, deposited, buried, or otherwise disposed of, except by a sanitary method of disposal as specified in this chapter. (1979 Code, § 8-310)

18-211. Discharge into watercourses restricted. No sewage or excreta shall be discharged or deposited into any lake or watercourse except under conditions specified by the health officer and specifically authorized by the Tennessee Stream Pollution Control Board. (1979 Code, § 8-311)

18-212. Pollution of ground water prohibited. No sewage effluent from a septic tank, sewage treatment plant, or discharges from any plumbing

facility shall empty into any well, either abandoned or constructed for this purpose, cistern, sinkhole, crevice, ditch, or other opening either natural or artificial in any formation which may permit the pollution of ground water. (1979 Code, § 8-312)

18-213. Enforcement of chapter. It shall be the duty of the health officer to make an inspection of the methods of disposal of sewage and human excreta as often as is considered necessary to insure full compliance with the terms of this chapter. Written notification of any violation shall be given by the health officer to the person or persons responsible for the correction of the condition, and correction shall be made within forty-five (45) days after notification. If the health officer shall advise any person that the method by which human excreta and sewage is being disposed of constitutes an immediate and serious menace to health such person shall at once take steps to remove the menace. Failure to remove such menace immediately shall be punishable under the general penalty clause for this code. However, such person shall be allowed the number of days herein provided within which to make permanent correction. (1979 Code, § 8-313)

18-214. Carnivals, circuses, etc. Whenever carnivals, circuses, or other transient groups of persons come within the corporate limits such groups of transients shall provide a sanitary method for disposal of sewage and human excreta. Failure of a carnival, circus, or other transient group to provide such sanitary method of disposal and to make all reasonable changes and corrections proposed by the health officer shall constitute a violation of this section. In these cases the violator shall not be entitled to the notice of forty-five (45) days provided for in the preceding section. (1979 Code, § 8-314)

18-215. Violations. Any person, persons, firm, association, or corporation or agent thereof, who shall fail, neglect, or refuse to comply with the provisions of this chapter shall be deemed guilty of a misdemeanor and shall be punishable under the general penalty clause for this code. (1979 Code, § 8-315)

CHAPTER 3

CROSS-CONNECTIONS, AUXILIARY INTAKES, ETC.¹

SECTION

- 18-301. Objectives.
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- 18-308. Non-potable supplies.
- 18-309. Statement required.
- 18-310. Penalty; discontinuance of service.
- 18-311. Provision applicable.

18-301. Objectives. The objectives of this chapter are to:

- (1) To protect the public potable water system of Town of Tiptonville from the possibility of contamination or pollution by isolating within the customer's internal distribution system, such contaminants or pollutants that could backflow or backsiphon into public water system;
- (2) To promote the elimination or control of existing cross connections, actual or potential, between the customer's in-house potable water system and non-potable water systems, plumbing fixtures, and industrial piping system;
- (3) To provide for maintenance of a continuing program of cross connection control that will systematically and effectively prevent the contamination or pollution of all potable water systems. (1979 Code, § 8-401, as replaced by Ord. #2191, June 2018 *Ch8_08-09-22*)

18-302. Definitions. The following words, terms and phrases shall have the meanings ascribed to them in this section, when used in the interpretation and enforcement of this chapter:

- (1) "Air-gap" shall mean a vertical, physical separation between a water supply and the overflow rim of a non pressurized receiving vessel. An approved air-gap separated shall be at least twice the inside diameter of the water supply line, but in no case less than six inches (6"). Where a discharge line

¹Municipal code references

Plumbing code: title 12.

Water and sewer system administration: title 18.

Wastewater treatment: title 18.

serves as receiver, the air-gap shall be at least twice the diameter of the discharge line, but not less than six inches (6").

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

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

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

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

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

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

(8) "Cross-connection" shall mean any physical connection or potential connection whereby the public water system is connected, directly or indirectly, with any other water supply system, sewer, drain, conduit, pool, storage reservoir, plumbing fixture or other waste or liquid of unknown or unsafe quality, which may be capable of imparting contamination to the public water system as a result of backflow or backsiphonage. Bypass arrangements, jumper connections, removable sections, swivel or changeover devices, through which or because of which backflow could occur, are considered to be cross connections.

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

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

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

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

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

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

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

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

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

(12) "Interconnection" shall mean any system of piping or other arrangements whereby the public water supply is connected directly with a sewer, drain, conduit, pool, storage reservoir, or other device, which does or may contain sewage or other waste or liquid which would be capable of imparting contamination to the public water system.

(13) "Person" shall mean any and all persons, natural or artificial, including any individual, firm or association, and any municipal or private corporation organized or existing under the laws of this or any other state or country.

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

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

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

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

(18) "Manager" shall mean the Superintendent of the Tiptonville Water Department or his duly authorized deputy, agent or representative.

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

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

(b) The customer system shall include those parts of the facilities beyond the termination of the utility system distribution system that are utilized in conveying domestic water to points of use. (1979 Code, § 8-402, as replaced by Ord. #2191, June 2018 *Ch8_08-09-22*)

18-303. Water service regulated. (1) No water service connection to any premises shall be installed or maintained by the Town of Tiptonville unless the water supply system is protected as required by state laws and this chapter. Service of water to any premises shall be discontinued by the Town of Tiptonville if a backflow prevention device required by this chapter is not installed, tested, and/or maintained; or if it is found that a backflow prevention device has been removed, bypassed, or if any unprotected cross connection exists on the premises. Service shall not be restored until such conditions or defects are corrected.

(2) It shall be unlawful for any person to cause a cross connection to be made or allow one to exist for any purpose whatsoever unless the construction and operation of same have been approved by the Tennessee Department of Environment and Conservation, and the operation of such cross connection is at all time under the direction of the manager of the Town of Tiptonville.

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

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

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

(6) For existing premises, personnel from the Town of Tiptonville shall conduct inspections and evaluations, and shall require correction of violations in accordance with the provisions of this chapter. (1979 Code, § 8-403, as replaced by Ord. #2098, Nov. 2004, and Ord. #2191, June 2018 *Ch8_08-09-22*)

18-304. Permit required. (1) New installations No installation, alteration, or change shall be made to any backflow prevention device connected to the public water supply for water service, fire protection or any other purpose without first contacting the Town of Tiptonville for approval.

(2) Existing installations. No alteration, repair, testing or change shall be made of any existing backflow prevention device connected to the public water supply for water service, fire protection or any other purpose without first securing the appropriate approval from the Town of Tiptonville. (1979 Code, § 8-404, as replaced by Ord. #2191, June 2018 *Ch8_08-09-22*)

18-305. Inspections. (1) The manager or his designated agent shall inspect all properties served by the public water supply where cross connections with the public water supply are deemed possible. The frequency of inspections and re-inspection shall be based on potential health hazards involved, and shall be established by the Town of Tiptonville in accordance with guidelines acceptable to the Tennessee Department of Environment and Conservation.

(2) Right of entry for inspections. The manager or his authorized representative shall have the right to enter, at any reasonable time, any property served by a connection to the Town of Tiptonville public water for the purpose of inspecting the piping system therein for cross connection, auxiliary intakes, bypasses or interconnections, or for the testing of backflow prevention devices. Upon request, the owner, lessee, or occupant of any property so served shall furnish any pertinent information regarding the piping system(s) on such property. The refusal of such information or refusal of access, when requested, shall be deemed evidence of the presence of cross connections, and shall be grounds for disconnection of water services. (1979 Code, § 8-405, as replaced by Ord. #2098, Nov. 2004, and Ord. #2191, June 2018 *Ch8_08-09-22*)

18-306. Correction of violations. (1) Any person found to have 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 the existing conditions and an appraisal of the time required to complete the work, the manager or his representative shall assign an appropriate amount of time, but in no case shall the time for corrective measures exceed ninety (90) days.

(2) Where cross-connections, auxiliary intakes, bypasses or interconnections are found that constitute an extreme hazard, with the immediate possibility of contaminating the public water system, the Town of Tiptonville shall require that immediate corrective action be taken to eliminate the treat to the public water system. Expeditious steps shall be taken to disconnect the public water system from the on site piping system unless the imminent hazard is immediately corrected, subject to the right to a due process hearing upon timely request. The time allowed for preparation for a due process hearing shall be relative to the risk of hazard to the public health and safety, in the opinion of the manager, warrants disconnection prior to a due process hearing.

(3) The failure to correct conditions threatening the safety of the public water system as prohibited by this chapter and Tennessee Code Annotated, § 68-221-711, within the time limits established by the manager or his representative, shall be grounds for denial of water service. If proper protection has not been provided after a reasonable time, the manager shall give the customer legal notification that water service is to be discontinued, and shall physically spate the public water system from the customer's on-site piping in such a manner that the two (2) systems cannon again be connected by an unauthorized person, subject to the right of a due process hearing upon timely request. The due process hearing may follow disconnection when the risk to the public health and safety, in the opinion of the manager, warrants disconnection prior to a due process hearing. (1979 Code, § 8-406, as replaced by Ord. #2191, June 2018 *Ch8_08-09-22*)

18-307. Required devices. (1) An approved backflow prevention assembly shall be installed downstream of the meter on each service line to a customer's premises at or near the property line or immediately inside the building being served, but in all cases, before the first branch line leading off the service line, when any of the following conditions exist:

- (a) Impractical to provide an effective air-gap separation;
- (b) The owner/occupant of the premises cannot or is not willing to demonstrate to the Town of Tiptonville that the water use and protective features of the plumbing are such as to pose no threat to the safety or potability of the water.
- (c) The nature and mode of operation within a premise are such that frequent alterations are made to the plumbing;
- (d) There is likelihood that protective measures may be subverted, altered or disconnected;

(e) The nature of the premises is such that the use of the structure may change to a use wherein backflow prevention is required.

(f) The plumbing from a private well or other water source enters the premises served by the public water system.

(2) The protective devices shall be of the reduced pressure zone type (except in the case of certain fire protection systems and swimming pools with no permanent plumbing installed) approved by the Tennessee Department of Environment and Conservation and the Town of Tiptonville, as to manufacture, model, size and application. The method of instillation of backflow prevention devices shall be approved by the Town of Tiptonville prior to installation and shall comply with the criteria set forth in this chapter. The installation and maintenance of backflow prevention devices shall be at the expense of the owner or occupant of the premises.

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

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

(i) High risk high hazards:

(A) Mortuaries, morgues, autopsy facilities.

(B) Hospitals, medical buildings, animal hospitals and control centers, doctor and dental offices.

(C) Sewage treatment facilities, water treatment, sewage and water treatment pump stations.

(D) Premises with auxiliary water supplies or industrial piping systems.

(E) Chemical plants (manufacturing, processing, compounding, or treatment).

(F) Laboratories (industrial, commercial, medical research, school).

(G) Packing and rendering houses.

(H) Manufacturing plants.

(I) Food and beverage processing plants.

(J) Automated car wash facilities.

(K) Extermination companies.

(L) Airports, railroads, bus terminals, piers, boat docks.

(M) Bulk distributors and users of pesticides, herbicides, liquid fertilizer, etc.

(N) Metal plating, pickling, and anodizing operations.

(O) Greenhouses and nurseries.

(P) Commercial laundries and dry cleaners.

(Q) Film laboratories.

(R) Petroleum processes and storage plants.

(S) Restricted establishments.

(T) School and educational facilities.

(U) Animal feedlots, chicken houses, and CAFOs

(V) Taxidermy facilities.

(W) Establishments which handle, process, or have extremely toxic or large amounts of toxic chemicals or use water of unknown or unsafe quality extensively.

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

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

(a) Class 1, Class 2, and Class 3 fire protection systems shall generally require a double check valve assembly; except

(i) A double check detector assembly shall be required where a hydrant or other point of use exists on the system; or

(ii) A reduced pressure backflow prevention device shall be required where:

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

(B) Premises have unusually complex piping systems;

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

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

(c) Wherever the fire protection system piping is not an acceptable potable water system material, or chemicals such as foam

concentrates or antifreeze additives are used, a reduced pressure backflow prevention device shall be required.

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

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

(6) Installation criteria. The minimum acceptable criteria for the installation of reduced pressure backflow prevention devices, double check valve assemblies or other backflow prevention devices requiring regular inspection or testing shall include the following:

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

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

(c) The entire device, including valves and test cocks, shall be easily accessible for testing and repair.

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

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

(f) Reduced pressure backflow prevention devices shall be located a minimum of twelve inches (12") plus the nominal diameter of the device above either;

- (i) The floor,
- (ii) The top of opening(s) in the enclosure, or
- (iii) Maximum flood level, whichever is higher. Maximum height above the floor surface shall not exceed sixty inches (60").

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

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

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

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

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

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

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

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

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

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

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

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

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

(o) Where the use of water is critical to the continuance of normal operations or the protection of life, property or equipment,

duplicate backflow prevention devices shall be provided to avoid the necessity of discontinuing water services to test or repair the protective device. Where it is found that only one (1) device has been installed and the continuance of service is critical, the Town of Tiptonville shall notify, in writing, the occupant of the premises of plans to interrupt water services and arrange for a mutually acceptable time to test the device. In such cases, the Town of Tiptonville may require the installation of a duplicate device.

(p) The Town of Tiptonville shall require the occupant of the premises to keep any backflow prevention devices working properly, and to make all indicated repairs promptly. Repairs shall be made by qualified personnel acceptable to the Town of Tiptonville. Expense of such repairs shall be borne by the owner for occupant of the premises. The failure to maintain a backflow prevention device in proper working condition shall be grounds for discontinuance of water service to a premises. Likewise the removal, bypassing or alteration of a backflow prevention device or the installation thereof, so as to render a device ineffective shall constitute a violation of this chapter and shall be grounds for discontinuance of water services. Water services to such premises shall not be restored until the customer has corrected or eliminated such conditions or defects to the satisfaction of the Town of Tiptonville.

(7) Testing of devices. Devices shall be tested at least annually by a qualified person possessing a valid certification from the Tennessee Department of Environment and Conservation, Division of Water Resources for the testing of such devices. A record of this test shall be provided to the Town of Tiptonville chief water treatment plant operator by the customer within ten (10) days of testing. The customer is responsible to have the device tested and shall pay for the test. (1979 Code, § 8-407, as replaced by Ord. #2191, June 2018 *Ch8_08-09-22*)

18-308. Non-potable supplies. The potable water supply made available to a premises served by the public water system shall be protected from contamination as specified in the provisions of this chapter. Any water pipe or outlet which could be used for potable or domestic purposes and which is not supplied by the potable water system must be labeled in a conspicuous manner such as:

WATER UNSAFE FOR DRINKING

The minimum acceptable sign shall have black letters at least one (1") inch high located on a red background. Color-coding of pipelines, in accordance with (OSHA) Occupational Safety and Health Act guidelines, shall be required in locations where in the judgment of the Town of Tiptonville, such coding is necessary to identify and protect the potable water supply. (1979 Code, § 8-408, as replaced by Ord. #2191, June 2018 *Ch8_08-09-22*)

18-309. Statement required. Any person whose premises are supplied with water from the public water system, and who also has on the same premises a well or other separate source of water supply, or who stores water in an uncovered or unsanitary storage reservoir from which the water is circulated through a piping system, shall file with the Town of Tiptonville a statement of the nonexistence of unapproved or unauthorized cross connections, auxiliary intakes, bypasses or interconnections. Such statement shall contain an agreement that no cross connections, auxiliary intakes, bypasses or interconnections will be permitted upon the premises. Such statement shall also include the location of all additional water sources utilized on the premises and how they are used. Maximum backflow protection shall be required on all public water sources supplied to the premises. (1979 Code, § 8-409, as replaced by Ord. #2191, June 2018 *Ch8_08-09-22*)

18-310. Penalty; discontinuation of water supply. (1) Any person who neglects or refuses to comply with any of the provisions of this chapter may be deemed guilty of a misdemeanor and subject to the imposition of civil penalties not to exceed one hundred dollars (\$100.00) for each day of violation of this chapter.

(2) Independent of and in addition to any fines or penalties imposed, the manager may discontinue the public water supply service to any premises upon which there is found to be a cross connection, auxiliary intake, bypass or interconnection: and service shall not be restored until such cross connection, auxiliary intake, bypass or interconnection has been eliminated. (1979 Code, § 8-410, as replaced by Ord. #2191, June 2018 *Ch8_08-09-22*)

18-311. Provision applicable. The requirements contained in this chapter shall apply to all premises served by the Town of Tiptonville and are hereby made part of the conditions required to be met for the Town of Tiptonville to provide water services to any premises. All ordinances and parts of ordinances which are inconsistent with the provisions of this chapter are hereby repealed to the extent of such inconsistency. (as added , by Ord. #2191, June 2018 *Ch8_08-09-22*)

CHAPTER 4

SEWER USE REGULATIONS

SECTION

- 18-401. Discharge regulations.
- 18-402. Control of fat, oil, and grease.
- 18-403. Definitions.
- 18-404. Discharge of fat, oil, and grease.
- 18-405. Interference with sanitary sewer system operations.
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- 18-407. Grease control equipment, minimum size.
- 18-408. Installation of grease control equipment.
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- 18-410. Use of additives.
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- 18-413. Legal action.
- 18-414. Declaration of public nuisance.
- 18-415. Correction of violation; collection of costs.
- 18-416. Damage to facilities.
- 18-417. Civil liabilities.
- 18-418. Civil penalties.
- 18-419. Termination of water service for noncompliance with certain sections.
- 18-420. Provisions supplemental.

18-401. Discharge regulations. (1) A user of the Wastewater Facility (WWF) may not contribute the following substances to the sewer system:

(a) Any liquids, solids, or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the WWF or to the operation of the WWF. Prohibited flammable materials including, but not limited to, waste streams with closed cup flash point of less than one hundred forty degrees Fahrenheit (140° F) or sixty degrees Celcius (60° C) using the test methods specified in 40 CFR 261.21. Prohibited materials include, but are not limited to, gasoline, diesel, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromate, carbides, hydrides and sulfides and other flammable substances.

(b) Any wastewater having a pH less than five point five (5.5) or higher than nine point five (9.5) or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment, and/ or personnel of the WWF.

(c) Solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities including, but not limited to: grease, garbage with particles greater than one-half inch (1/2") in any dimension, waste from animal slaughter, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, mud, glass grinding, polishing wastes, or nonwoven fabric wipes whether labeled "flushable" or not.

(d) Any pollutants, including oxygen demanding pollutants (BOD, etc.) released at a flow rate and/ or pollutant concentration which will cause interference to the WWF.

(e) Any wastewater having a temperature which will inhibit biological activity in the WWF treatment plant resulting in interference, but in no case wastewater with a temperature at the introduction into the WWF which exceeds forty degrees Celsius (40° C) (one hundred four degrees Fahrenheit (104° F)) unless approved by the State of Tennessee.

(f) Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin or synthetic oil in amounts that will cause interference or pass through.

(g) Pollutants which result in the presence of toxic gases, vapors, or fumes within the WWF in a quantity that may cause acute worker health and safety problems.

(h) Any wastewater containing any toxic pollutants, chemical elements, or compounds in sufficient quantity, either singly or by interaction with other pollutants, to injure or interfere with any wastewater treatment process, constitute a hazard to humans, including wastewater plant and collection system operators, or animals, create a toxic effect in the receiving waters of the WWF, or to exceed the limitation set forth in a categorical pretreatment standard. A toxic pollutant shall include but not be limited to any pollutant identified pursuant to section 307(a) of the Act.

(i) Any trucked or hauled pollutants.

(j) Any substance which may cause the WWF's effluent or any other product of the WWF such as residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case, shall a substance discharged to the WWF cause the WWF to be in non-compliance with sludge use or disposal criteria, 40 CFR 503, guidelines, or regulations developed under section 405 of the Act; any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Act, or state criteria applicable to the sludge management method being used.

(k) Any substance which will cause the WWF to violate its state operating permit or any applicable state or federal law or regulations or the receiving water quality standards.

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

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

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

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

(p) Any waters or wastes containing animal or vegetable fats, wax, grease, or oil, whether emulsified or not, which cause accumulations of solidified fat in pipes, lift stations and pumping equipment, or interfere at the treatment plan.

(q) Detergents, surfactants, surface-acting agents or other substances which may cause excessive foaming at the WWF or pass through of foam.

(r) Wastewater causing, alone or in conjunction with other sources, the WWF to fail toxicity tests.

(s) Any storm water, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the superintendent and the Tennessee Department of Environment and Conservation. Industrial cooling water or unpolluted process waters may be discharged on approval of the city and the Tennessee Department of Environment and Conservation, to a storm sewer or natural outlet.

(t) Water from the process of commercial car washing regardless of the style or type of that car washing process without an engineering capacity evaluation and written permission from the city.

(2) In addition to the general and specific prohibitions listed in this section, users may be subject to additional restrictions to their wastewater discharge in order to protect the WWF from interference or protect the receiving soils and/ or groundwater from pass through contamination. (as added by Ord. #2169, Aug. 2015)

18-402. Control of fat, oil, and grease. The city encourages all users of the sanitary sewer system to take voluntary steps to reduce the amount of fat,

oil, and grease that is poured, drained, or washed down drains into the sanitary sewer system. (as added by Ord. #2169, Aug. 2015)

18-403. Definitions. Unless the context specifically indicates otherwise, the following terms and phrases, as used in this title, shall have the meanings hereinafter designated:

(1) "Additives" means products that contain solvents, emulsifiers, surfactants, caustics, acids, enzymes and bacteria. They may be inorganic or organic in origin.

(2) "Best Management Practices" or "BMP" means actions or schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the requirements of this chapter.

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

(4) "Fat, Oil, and Grease" or "FOG" means the organic polar or non-polar compounds derived from animal and/or plant sources. If lab testing is required to quantify the amount of FOG, the Hexane Extractable Material test is to be used or an equivalent 40 CFR 136 approved method.

(5) "Food Service Establishment" or "FSE" means any establishment, business or facility engaged in preparing, serving or making food available for consumption. Single family residences are not a FSE, however, multi-residential facilities may be considered a FSE at the discretion of the manager. FSEs are classified as follows:

Class 1: Delis engaged in the sale of cold-cut and microwaved sandwiches/subs with no frying or grilling on site, ice cream shops and beverage bars as defined by the North American Industrial Classification System (NAICS) 722515 or mobile food vendors as defined by NACIS 722330. Bed and breakfast establishments as defined by NACIS 72119.

Class 2: Limited-service restaurants (a.k.a. fast food facilities) as defined by NACIS 722513, except fast food with food line that is heavily fried and a history of FOG discharges that interfere with the sanitary sewer system, and catering as defined by NACIS 722320.

Class 3: Full service restaurants as defined by NACIS 722110.

Class 4: Buffet and cafeteria facilities as defined by NACIS 72212.

Class 5: Institutions (schools, hospitals, prisons, etc.), as defined by NACIS 722310 but not to exclude self-run operations.

(6) "Grease, brown" means fats, oils, and grease that are discharged to the grease control equipment.

(7) "Grease, yellow" means fats, oils, and grease that have not been in contact with or contaminated from other sources such as water, wastewater, solid waste and can be readily recycled.

(8) "Grease Control Equipment" or "GCE" means a device for separating and retaining wastewater FOG prior to the wastewater exiting the FSE property and entering into the sanitary sewer system. GCE includes grease traps and grease interceptors or other devices.

(9) "Grease interceptor" means an interceptor whose rated flow exceeds fifty gallons per minute (50 gpm) and is located outside the building.

(10) "Grease trap" means an interceptor whose rated flow is fifty gallons per minute (50 gpm) or less and is typically located inside the building.

(11) "Grease recycle container" means a container used for the storage of yellow grease for recycling.

(12) "Interceptor" means 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 flow.

(13) "Interference" means a discharge that, alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the sanitary sewer collection operation, the treatment processes or operations, or the sludge processes, use or disposal, or exceeds the design capacity of the treatment works or collection system.

(14) "Manager" means the designated representative of the Town of Tiptonville.

(15) "Tee" (influent & effluent) means a T-shaped pipe attached to the horizontal influent and effluent pipes of a grease interceptor and extending downward into the trap to depths specified by design which on the influent side forces influent flow into the center of the trap and prevents floating FOG from escaping the effluent pipe.

(16) "Water, black" means wastewater containing human waste from sanitary fixtures such as toilets or urinals.

(17) "Water, gray" means all other wastewater other than black water.

(18) "Wastewater Facility" or "WWF" means any and all of the following: the collection/transmission system, treatment plan, and the reuse or disposal system, which is operated by the Town of Tiptonville. This definition includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial waste of a liquid nature. It also includes sewers, pipes, and other conveyances if they convey wastewater to a WWF treatment plan. (as added by Ord. #2169, Aug. 2015)

18-404. Discharge of fat, oil, and grease. No user shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater which will interfere with the operation and performance of the WWF. Prohibited discharges include any waters or wastes containing fats, wax, grease,

or oil, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperature between thirty-two degrees (32°) and one hundred fifty (150°) F (zero (0) to sixty-five (65°) C). (as added by Ord. #2169, Aug. 2015)

18-405. Interference with sanitary sewer system operations. Any user who discharges animal or vegetable fat, oil, or grease in the volume or form which interferes with the operation of the sanitary sewer system may be subject to enforcement actions as specified herein and may be billed for cleanup charges incurred by the city when that user's discharge causes operation and maintenance problems in the sanitary sewer system such as blockages, backups, overflows, interruption of service, excessive FOG accumulation in lift stations and pipes, and other FOG related problems that are tracked to that user's discharge. (as added by Ord. #2169, Aug. 2015)

18-406. Control of fat, oil, and grease. (1) All existing and new FSE shall effectively control the discharge of FOG into the sanitary sewer system. A Class 1 FSE may do this through the use of restaurant industry best management practices such as those published by the National Restaurant Association. If best management practices fail to prevent sanitary sewer system interferences, Class 1 FSE shall install and maintain grease control equipment as set forth below.

(2) All new Class 2, 3, 4, and 5 FSE shall install grease control equipment in sizes specified in § 18-306 and properly maintain that equipment in such a way to prevent interference with the sanitary sewer system.

(3) Existing FSE that do not meet these minimum sizes may continue to use existing GCE and best management practices if the discharge from the FSE is not interfering with the sanitary sewer system and the manager gives written permission stating that the current GCE and practices are preventing interference with the sanitary sewer system. Upon written notice from the manager that the existing GCE or BMPs are inadequate to protect the sanitary sewer system from interference, the FSE shall have thirty (30) days to install additional GCE to prevent FOG interference with the sanitary sewer system.

(4) All FSE and GCE shall maintain records of the cleaning and maintenance of that equipment. Records shall minimally include the date of cleaning or maintenance, company or person conducting the cleaning or maintenance, and the amount of grease and water removed from the equipment. A grease waste hauler completed manifest will meet this requirement.

(5) Yellow grease such as fryer oil, shall not be discharged into the GCE or into storm water conveyances. The use of yellow grease recycling containers is encouraged.

(6) Owners of commercial property will be held responsible for wastewater discharges from FSE leaseholders on this property.

(7) All FSE shall provide access to the city for the purpose of inspection of GCE, kitchen equipment and practices, and any cleaning and drain remediation products which relate to the wastewater and FOG discharge. (as added by Ord. #2169, Aug. 2015)

18-407. Grease control equipment, minimum size. (1) The minimum acceptable GCE by FSE class is as follows:

Class 1: 20 gallon per minute/40 pound grease trap

Class 2: 500 gallon grease interceptor

Class 3: 1,000 gallon grease interceptor

Class 4: 1,500 gallon grease interceptor

Class 5: 2,000 gallon grease interceptor

(2) A FSE that is found by the manager to be interfering with the sanitary sewer system may be directed to install GCE that is larger than the minimum size and take other steps to stop that interference.

(3) Existing FSE that do not meet these minimum sizes may continue to use existing GCE and best management practices if the discharge from the FSE is not interfering with the sanitary sewer system and the manager gives written permission stating that the current GCE and practices are preventing interference with the sanitary sewer system. Upon written notice from the manager that the existing GCE or BMP are inadequate to protect the sanitary sewer system from interference, the FSE shall have sixty (60) days to install additional GCE to prevent FOG interference with the sanitary sewer system.

(4) A FSE that discharges the water from a dishwashing machine through a grease interceptor shall install a GCE which is larger than the minimum to allow for cooling of the discharge and thereby prevent discharge of FOG into the sanitary sewer system.

(5) Grease traps. These small, under-the-counter units shall be installed according to the drawings provided by the manager and shall include a vented flow restrictor prior to the trap. Failure to follow this requirement will render the trap ineffective and the FSE shall be instructed to install a large external grease interceptor. (as added by Ord. #2169, Aug. 2015)

18-408. Installation of grease control equipment. Customers are responsible for installation of Grease Control Equipment (GCE) in accordance with the following:

(1) Grease traps shall be installed according to the requirements in § 18-407(5).

(2) Grease interceptors shall be substantially similar to sample drawings available from the city.

(3) Tanks must be water tight and be protected from rainwater inflow and infiltration.

(4) Two (2) access manholes with a minimum of twenty-four inches (24") diameter shall be provided, one (1) directly over the influent pipe and tee and one (1) directly over the effluent pipe and tee.

(5) Influent and effluent pipes shall be four inches (4") or larger, PVC schedule 40 or stronger.

(6) Influent and effluent pipes shall be equipped with tee fittings properly positioned so that the influent flow shall be directed downward to a tee that terminates twenty-four inches (24") below the water surface, with the effluent tee blocking all surface grease and terminate twelve inches (12") above the bottom of the unit.

(7) The tank shall be constructed to have two (2) compartments. Two thirds (2/3) of the volume shall be in the influent side and one third (1/3) on the effluent side. A solid baffle wall shall extend from the bottom to within six inches (6") of the top and shall be equipped with a six inch (6") elbow installed in the baffle wall with drawing flow from the influent side of the unit at a depth of twelve inches (12") from the bottom.

(8) Manhole covers shall be of materials and strength to withstand expected surface loads, and secured to prevent accidental entry.

(9) Interceptors shall be located for effective cleaning and not blocked by structures or landscaping.

(10) Interceptor sizes greater than two thousand five hundred (2,500) gallons shall be served by two (2) tanks installed in series. (as added by Ord. #2169, Aug. 2015)

18-409. Maintenance of grease control equipment. Customers are responsible for maintenance of the grease control equipment as follows:

(1) Grease traps should be cleaned once every thirty (30) days, or more often, when the combined depth of FOG and solids exceed fifty percent (50%) of the trap. Users shall maintain a manifest or other documentation of the history of cleaning with the legible signature of the responsible user representative.

(2) Grease interceptors shall be pumped when the layer of FOG and settled solids combined reaches twenty-five percent (25%) of the tank depth.

(3) When grease interceptors are pumped, the entire contents, FOG layer, settled solids and water shall be fully removed. No water may be returned to the tank.

(4) Interceptors shall be inspected for deterioration and damage by the user or waste grease hauler each time the unit is cleaned.

(5) Deteriorated or damaged tanks shall be repaired or replaced within sixty (60) days of such deterioration or damage being noticed. (as added by Ord. #2169, Aug. 2015)

18-410. Use of additives. The use of additives is prohibited except under the following conditions:

Additives may be used to clean FSE drain lines but only in such quantities that will not cause FOG to be discharged from the GCE to the sanitary sewer or cause temporary breakdown of the FOG that will later re-congeal in the downstream sewer pipes.

If a product used can be proven to contain one hundred percent (100%) live bacteria, with no other additives, a request for permission to use the product shall be made to the manager. The request must be submitted in writing with a full disclosure material safety data sheet and a certified statement from the manufacturer. (as added by Ord. #2169, Aug. 2015)

18-411. Implementation. The manager is authorized to adopt reasonable operating policies to facilitate the implementation of this chapter over a period not to exceed six (6) months from final passage. These policies may include but are not limited to FSE inspections, GCE sizing and maintenance, FSE wastewater discharge testing and monitoring, approval or disapproval of GCE servicing vendors (grease waste haulers), permitting of FSE, and other operating policies needed to protect the sanitary sewer system from interference from FOG. (as added by Ord. #2169, Aug. 2015)

18-412. Permitting. The city is authorized to issue FSE permits as a way of implementing this chapter, and may further require the permitting or certification of GCE service and pumping vendors. (as added by Ord. #2169, Aug. 2015)

18-413. Legal action. If any person discharges sewage, industrial wastes or other wastes into the city's wastewater disposal system contrary to the provisions of this title, federal or state pretreatment requirements, or any order of the city or manager, the manager may commence an action for appropriate legal and equitable relief in the chancery court of the county. (as added by Ord. #2169, Aug. 2015)

18-414. Declaration of public nuisance. Discharges of wastewater in any manner in violation of this chapter is hereby declared a public nuisance and shall be corrected or abated as directed by the manager. Any person creating a public nuisance shall be subject to the provisions of the city codes or ordinances governing such nuisance. (as added by Ord. #2169, Aug. 2015)

18-415. Correction of violation; collection of costs. In order to enforce the provisions of this article, the manager is authorized to correct any violation hereof. The cost of such correction shall be added to any sewer service charge payable by the person violating the article or the owner or tenant of the property upon which the violation occurred, and the manager shall have such remedies for the collection of such costs as it has for the collection of sewer service charges. (as added by Ord. #2169, Aug. 2015)

18-416. Damage to facilities. When a discharge of wastes causes an obstruction, damage, or any other physical or operational impairment to WWF, the city shall assess a charge against the user for the work required to clean or repair the facility and add such charge to the user's sewer service charge. (as added by Ord. #2169, Aug. 2015)

18-417. Civil liabilities. Any person or user who intentionally or negligently violates any provision of this chapter or any conditions set forth in permit duly issued, or who discharges wastewater which causes pollution or violates any cease and desist order, prohibitions, effluent limitation, national standard or performance, pretreatment or toxicity standard, shall be liable civilly. The city shall sue for such damage in any court of competent jurisdiction. In determining the damages, the court shall take into consideration all relevant circumstances, including, but not limited to, the extend of harm caused by the violation, the nature and persistence of the violation, the length of time over which the violation occurs, and the correcting action, if any. (as added by Ord. #2169, Aug. 2015)

18-418. Civil penalties. Any user who is found to have violated an order of the manager or who willfully or negligently failed to comply with any provision of this article, and the order, rules, regulations and permits issued hereunder, shall be guilty of an offense and subject to a fine. Each day or part of a day during which a violation shall occur or continue shall be deemed a separate and distinct offense. (as added by Ord. #2169, Aug. 2015)

18-419. Termination of water service for noncompliance with certain sections. As an additional method of enforcing the provisions of this chapter, the manager shall have the right to seek the discontinuation of water service to any customer who is in violation; provided, however, that before discontinuance of water service, a ten (10) day notice shall be given the customer; and provided, further, that water service shall be resumed upon satisfactory showing being made to the manager that arrangements have been made for compliance with the provisions of this chapter. (as added by Ord. #2169, Aug. 2015)

18-420. Provisions supplemental. The provisions of this chapter are supplemental to and do not repeal any other ordinance, rule or regulation concerning the subject matter hereof. (as added by Ord. #2169, Aug. 2015)

CHAPTER 5

DROUGHT MANAGEMENT PLAN

SECTION

18-501. Drought management plan established.

18-501. Drought management plan established. A drought management plan¹ is hereby established for the Town of Tiptonville water department and customers thereof.

¹The drought management plan for the Town of Tiptonville, and any amendments thereto, may be found in the recorder's office.