

## Chapter 25 WATER, SEWERS, SEWAGE DISPOSAL AND NATURAL GAS\*

**\*State law references:** Municipal home rule authority to exercise power over water and sewage system, Ga. Const. art. IX, § II, ¶¶ III(a)(6), (7); Water resources generally, O.C.G.A. § 12-5-1 et seq.; Georgia Water Quality Control Act, O.C.G.A. § 12-5-20 et seq.; Authority of city to adopt ordinances, rules and regulations relating to construction or water and sewer connections, O.C.G.A. § 36-39-7; City authority to acquire, construct, extend, operate, maintain and collect fees for water and sewerage systems, O.C.G.A. § 36-34-5.

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## **ARTICLE I. IN GENERAL**

### **DIVISION 1. GENERALLY**

#### **Sec. 25-1. Application for water, gas or sewer service.**

All applications for water, gas or sewer service shall be made at the city's utility business office, and the location of the premises shall be stated.

#### **Sec. 25-2. Bills; penalties; accessibility of meters.**

(a) Bills to customers for utility services shall be mailed out on such day or days of each month as may be determined to be desirable and the amount due shall be payable in fifteen (15) days from the date thereof. Failure to receive a bill does not entitle delayed payment. If a bill is not paid by 5:00 p.m. on the due date, a ten (10) percent penalty will be added to the past due balance.

(b) If the account is not paid within seven (7) days after the due date, all utility services shall be subject to disconnection without further notice. In addition, the city clerk may record an execution on the General Execution Docket of Houston County for the delinquent bill or bills. Such execution shall be a lien on the property where the bill was incurred until such bill is paid and shall be enforced in the same manner as a lien for city taxes.

(c) The utility service customer shall maintain the area immediately surrounding utility meters free of debris, shrubbery, weeds or tall grass to make such meter readily accessible to utility service personnel. Customers who do not meet the above requirements shall be subject to an administrative charge as now or hereafter established by the mayor and council and on file in the office of the city clerk for each meter reading where utility service personnel find a violation, said administrative charge to compensate for additional efforts made to read the meter. The customer shall be notified by certified mail of the utility department's findings that the requirements of this section have not been met, and said notice shall provide a minimum of twenty (20) days' notice to the customer of the utility department's intention to impose the administrative charge at the next subsequent meter reading if the obstruction has not been removed.

#### **Sec. 25-3. Schedule of charges, etc.**

All fees and charges for water, gas and sewer service, and regulations incidental thereto shall be determined by the mayor and council and kept on file in the office of the city clerk and the utility business office. Such fees, charges, and incidental regulations are hereby incorporated in this section as if set out in length herein and shall include, but shall not be limited to, fees, charges and incidental regulations for:

- (a) Connection and reconnection.
- (b) Cut-on and cutoff.
- (c) Deposits.

- (d) Temporary cut-in fees.
- (e) Water, sewer and gas taps and service line.
- (f) Sewer facilities and service.
- (g) Storm drains.
- (h) Water service: Inside city limits, outside city limits and industrial.
- (i) Gas service: Residential, high load factor, commercial, industrial, and interruptible.
- (j) Returned checks.
- (j) Meter Rereads
- (k) Tampering Penalties

**Sec. 25-4. Water and sewer service outside the city; conditions.**

(a) No water or sewer service shall be furnished to property outside the city that is to be subdivided until the following items have been complied with and approved by the mayor and council:

- (1) Approval of preliminary plans for subdivision by the appropriate governmental authority which plan shall include the following:
    - a. Water system including size of main;
    - b. Sanitary sewer system including all trunk lines and lateral lines;
    - c. Proposed street names;
    - d. Type of street paving;
    - e. Provision for adequate curbs and gutters;
    - f. Installation of storm sewers where needed; and
    - g. Proposed playground or park area, if any.
  - (2) Before any water or sewerage utilities will be furnished to such properties outside the city, it will be necessary that the city and contractor enter into a contract relative to the accomplishment of the items heretofore outlined and for the property owner to meet the requirements contained in subsection (b) below.
- (b) When a property owner requests utility services to any property not within the corporate limits of the city, at the discretion of the city, the owner will be required to (1) petition for annexation (if the property is contiguous to the existing limits of the city) prior to commencement of construction of utility lines; or (2) execute a restrictive covenant consenting to annexation of said property into the city when the property becomes contiguous. When property is not contiguous and execution of the covenant is required, the owner will also be required to submit a certificate of title to the city attorney's office to verify ownership of the property. The covenant will be recorded in the property records at the Houston County Courthouse and will stipulate that, if said property becomes contiguous in the future and the property owner refuses to petition for annexation, the city will have the authority to terminate utility services. Construction of utility lines will not

begin until the requirements of this policy are met which shall be indicated by authorization of the city clerk.

**Sec. 25-5. Expansion, design, construction, and acceptance of water and wastewater connections and facilities.**

(a) Design and construction of all water and wastewater facilities shall conform to the latest edition of the City of Perry Water and Sanitary Sewer Standard Specifications, as adopted by the Mayor and Council.

(b) The developer shall pay the entire cost of connection to the City's systems. All materials, labor, and easements shall be furnished, acquired, and paid for by the developer.

(c) The developer must execute a dedication agreement with the City in a form acceptable to the City prior to beginning construction.

(d) The City of Perry shall review and approve all plans before acceptance.

(e) Installation of utilities shall be performed by a certified utility contractor licensed by the State of Georgia, unless performed by City staff.

(f) Utilities to be dedicated to the City shall become property of the City upon completion and final acceptance of such facilities.

(g) The developer shall furnish "as-built" records of all utilities constructed in the formats described in the latest edition of the City of Perry Water and Sanitary Sewer Standard Specifications.

(h) Developer shall warrant all utilities constructed for a period of one (1) year.

(i) The City will not accept utility facilities, issue a final plat for subdivision, or issue a certificate of occupancy for any structure until the provisions of this Section 25-5 have been satisfied.

(j) The City may extend, connect to, or modify an utility line dedicated to the City without compensation to the parties responsible for their original construction.

**Sec. 25-6. Maintenance of utility lines and service lines**

(a) The City owns and maintains water service lines and gas service lines from the main through the meter inclusive. The City owns and maintains sewer service connections at the main. Sewer service lines from the connection to the service address are owned and maintained by the property owner.

(b) All water and natural gas service lines running from the meter to the customer's property shall be the responsibility of the customer. All sewer service lines running from the street right-of-way to the customer's property shall be the responsibility of the customer.

(c) All water service lines shall have a backflow preventer installed on the customer's side of the water meter. The customer will own and maintain the backflow preventer along with all piping and valves on the customer side of the meter.

(d) All sewer service lines shall have a cleanout installed at the right-of-way. The City will own and maintain the cleanout located at the right-of-way.

**Sec. 25-7. Unlawful use of or tampering with utility property.**

(a) It shall be unlawful for any person to tap, connect with, disturb, damage, turn on or off any main, service connection or meter of any public utility in the city, whether such device is within the public ways, or on private premises, unless such person is acting by the consent of or under direction of the utility owner.

(b) It shall be unlawful for any person to reconnect to the public utility system of the city when the city has disconnected the utilities for nonpayment for services or utilities rendered. Violators of this policy will be charged a fee in the amount established by the mayor and council.

(c) It shall be unlawful for any person to throw or deposit any substance in any reservoir or other portion of the waterworks plants of the city, or in any manner pollute the water supply or any part of the waterworks system of the city.

(d) It shall be unlawful for any person to break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the municipal water system, sewer system or natural gas system.

(e) A violation of the above shall constitute a continuing daily crime against the city and shall be punishable in accordance with section 4.13 of the City Charter.

(f) The City will assess anyone who is convicted of violating this ordinance the actual cost of any repairs or remediation required as a result of violating the provisions of the ordinance. The cost may include but is not limited to equipment and facility repairs, additional operational expenses, labor cost, materials used for repairs, equipment used in making repairs, fuel costs, chemicals needed, legal expenses, professional services fees and other expenses.

**State law references:** Similar provisions, O.C.G.A. § 16-7-25.

**Sec. 25-8. Meter tests and rereadings.**

(a) Customers obtaining utilities from the city utility system are authorized one (1) reread without charge during a twelve-month period. Rereads in excess of this number and any meter tests will be charged a fee in the amount established by the mayor and council .

(b) No charge will be made when it is found that an error has been made by representatives of the city.

**Sec. 25-9. Returned checks.**

The city will not run a returned check through the bank a second time. When a returned check is received in the utilities business office, the customer will be called that day and informed that they have until the next working day to pick up the returned check and pay the fee established by the mayor and council for said returned check or service will be cut off. If the customer cannot be contacted by telephone, a notice stating the same information will be mailed to the customer's residence. If the service is cut off, there will be a reconnection fee in addition to the check and service charge fee. Payment for the returned check and service charge must be paid in cash or money order.

**Sec. 25-10. Meter relocation.**

The city will, upon request, schedule and move a meter from one location on a lot to another location on the same lot. The fee for said move shall be as now or hereafter established by the mayor and council.

**Sec. 25-11. Emergency authority of city manager and/or the mayor during water and gas shortages.**

(a) The city manager and/or the mayor are authorized at all times when because of drought or low water from any cause, or because of accident or any other cause that becomes necessary for the public welfare to conserve the city water supply, to put into effect such reasonable limitations and regulations of the use of water as may in their judgment be necessary under the circumstances. Either may prohibit the use of water for sprinkling streets, yards or gardens or washing of cars, and may establish such other and further regulations and limitations as they may deem necessary. It shall be unlawful for any person to violate any such regulations during the time they are in effect.

(b) The city manager and/or the mayor are hereby given power and authorization at all times during which the city is under a curtailment by the city's natural gas supplier with regards to a gas shortage or when any other emergency exists with regards to a shortage of natural gas, as a result of which the city is required to limit the use of natural gas by its customers, to limit, restrict, or terminate if necessary the use of natural gas by industrial and commercial customers of the gas department of the city. In addition:

(1) If the city council finds that an emergency exists with respect to the quantities of natural gas available to the city and the city manager and/or the mayor find it necessary to limit, restrict or terminate the service of any natural gas customer, reasonable notice shall be afforded to such customer as soon as practicable. Such notice shall be given in the local newspaper and on the local radio station and by personal notice when possible.

(2) It shall be the responsibility of a gas customer whose service is limited, restricted or terminated to protect his property from the elements by other means.

(3) Any violation of this subsection shall result in a penalty amount set by the Mayor and City Council.

## **Sec. 25-12. Definitions**

**The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.**

(1) *Air gap*: The unobstructed vertical distance (twice the pipe diameter or a minimum of one inch) through the free atmosphere between the flood level rim and the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture or other device.

(2) *Aspirator*: A fitting or device supplied with water or other fluid under positive pressure that passes through an integral orifice or "constriction" causing a partial vacuum.

(3) *Auxiliary intake*: Any piping connection or other device whereby water may be secured from a source other than the city water system.

(4) *Backflow*: A reversal of flow in a pipe from the normal or designated direction of flow.

(5) *Backflow preventer (BFP)*: A device to prevent backflow.

a. *Double check valve type (BFP-DCV)*: A back pressure, backflow preventer designed to operate under intermittent or continuous pressure, including back pressure, where pollutants are involved.

b. *Double detector check type (BFP-DDC)*: A line-size double check valve assembly with a metered bypass into which has been incorporated an approved smaller-than-line-size double check valve assembly.

c. *Dual check type (BFP-DUC)*: A backflow preventer designed to contain a small water supply system from the public system, or isolate cross-connections where pollutants are involved.

d. *Backflow preventer with intermediate atmospheric vent (BFP-IAV)*: A back-siphonage and back pressure, back-flow preventer designed to operate under continuous pressure, including back pressure, where contaminants are involved.

e. *Reduced pressure zone type (BFP-RPZ)*: A back-siphonage and back pressure, backflow preventer designed to operate under continuous pressure, including back pressure, where contaminants are involved.

(6) *Backpressure*: Pressure in a pipe greater than the supply pressure or in the case of a drain pipe, greater than atmospheric pressure.

(7) *Back-siphonage*: Backflow due to a negative pressure in a water pipe.

(8) *Back-siphonage preventer*: A device to prevent back-siphonage.

(9) *Back water valve*: A device to prevent backflow in a drain.

(10) *By-pass*: Any system of piping or other arrangement whereby the water may be diverted around any part or portion of a customer's water system.

(11) *BOD*: the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty (20) degrees centigrade, expressed in milligrams per liter.

(12) *Building Drain*: 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 outside the inner face of the building wall.

(13) *Building Sewer*: the extension from the building drain to the public sewer or other place of disposal.

(14) *City*: The City of Perry, Georgia

(15) *Contaminant*: A toxic substance that, if introduced into the potable water supply system, would create a health hazard.

(16) *Critical level*: A mark on a backflow prevention device or vacuum breaker established and stamped on the device by the manufacturer that determines the minimum elevation above the flood level rim of the fixture or receptacle served at which the device may be installed. In the absence of a critical level mark, the bottom of the vacuum breaker, combination valve or any approved device shall constitute the critical level.

(17) *Cross-connection*: Any connection or arrangement between two otherwise separate piping systems, one of which contains potable water and other fluid of questionable safety whereby there may be a flow from one (1) system to the other (see backflow and back-siphonage).

(18) *Cross-connection control by containment*: The installation of a backflow preventer at the service-connection to a premises to protect the water main (secondary protection).

(19) *Cross-connection control by isolation*: The installation of a backflow preventer or a vacuum breaker at each cross-connection on a premises to protect both the premises and the main (primary protection).

(20) *Cross-connection, non-pressure type*: A low inlet installation where the potable water supply line is connected or extended below the overflow rim of a receptacle or an environment that contains a non-potable fluid, and is at atmospheric pressure.

(21) *Cross-connection, pressure type*: An installation where the potable water supply line is connected to a piping system, or a closed vessel that contains a non-potable fluid above atmospheric pressure.

- (22) *Domestic sewage*: The water-borne wastes derived from ordinary living processes.
- (23) *Garbage*: Solid wastes from the preparation, cooking, and disposing of food, and from the handling, storage, and sale of produce.
- (24) *Inter-connection*: Any system of piping or other arrangement whereby the public water supply is connected directly with a sewer, drain, conduit, pool, storage reservoir, or other device which does or may contain sewage or other waste or liquid, which would be capable of imparting contamination to the public water supply.
- (25) *Industrial wastes*: Liquid or liquid-borne waste resulting from the processes employed in industrial and commercial establishments.
- (26) *Liquid waste*: The discharge from any fixture, appliance, area or appurtenance which does not contain human or animal waste water.
- (27) *Natural outlet*: Any outlet into a watercourse, pond, ditch, lake, or other body of surface or ground water.
- (28) *Non-potable water*: Water that is not safe for drinking, personal or culinary use.
- (29) *pH*: the logarithm of the reciprocal of the hydrogen ion concentration in moles per liter.
- (30) *Person*: A natural person, his heirs, executors, administrators or assigns; and includes a firm, partnership or corporation, its or their successors or assigns. Singular includes plural; male includes female.
- (31) *Pollutant*: A non-toxic substance that, if introduced into the potable water supply system, would be objectionable but would not create a health hazard.
- (32) *Private Sewerage Disposal System*: any sewage disposal system not maintained, operated, and owned by the City of Perry like septic tanks, grinder pumps, etc.
- (33) *Properly shredded garbage*: the wastes from the preparation, cooking, and dispensing of food that have been shredded to such 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 in any dimension.
- (34) *Public sewer*: a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.
- (35) *Public water supply*: The waterworks system furnishing water to the city for general use and which supply is recognized as the public water supply by the Georgia Department of Natural Resources/Environmental Protection division.

(36) *Potable water*: In compliance with O.C.G.A. § 12-5-170 et seq., “The Safe Drinking Water Act”; Rules and Regulations of the State of Georgia, § 391-3-5-.13, which pertains to safe drinking water standards.

(37) *Rated*: Capacities, loads and/or working pressures assigned to devices, equipment, or materials by a nationally recognized testing laboratory, inspection agency, or other qualified organization concerned with produce evaluation, that maintains periodic inspection of rates item and by whose rating attests to compliance with applicable nationally recognized standards of tests to determine usage in a specified manner.

(38) *Sanitary Sewer*: a sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted.

(39) *Sewage*: Any liquid waste containing animal or vegetable matter in suspension of solution and may include liquids containing chemicals in solution.

(40) *Sewage Treatment Plant*: any arrangement of devices and structures or lagoons used for treating sewage presently owned or afterward acquired by the City.

(41) *Sewer*: pipe or conduit for carrying sewage.

(42) *Sewerage Works*: all facilities for collecting, pumping, treating and disposing of sewage.

(43) *Slug*: any discharge of water, sewage, or industrial waste of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge.

(44) *Storm Sewer or Storm Drain*: a sewer which carries storm and surface waters and drainage, but excludes sewage and polluted industrial wastes.

(45) *Superintendent*: utilities superintendent or his authorized deputy, agent, or representative.

(46) *Suspended solids*: solids that either float on the surface of, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.

(47) *Vacuum*: Any pressure less than that exerted by the atmosphere.

(48) *Vacuum breaker*: A back-siphonage prevention device that introduces air into the potable water system when the system pressure approaches zero and designed for use when the equipment or environment being served is subjected to atmospheric pressure only.

(49) *Vacuum breaker, atmospheric type (VG-AT)*: A back-siphonage prevention device designed for use under flow conditions only, where it will be subjected to no static or back pressure.

(50) *Vacuum breaker, pressure type (VB-PT)*: A back-siphonage prevention device designed to operate under continuous pressure; flowing, static or both, but no back pressure.

(51) *Vacuum breaker hose type (VB-HT)*: A back-siphonage prevention device designed for hose connections, but not designed for continuous pressure, flowing or static.

(52) *Vacuum relief valve*: A device to limit the degree of vacuum in a vessel, but not designed for cross-connection control.

(53) *Water distribution pipe*: A pipe within the building or on the premises which conveys water from the water-service pipe to the point of usage.

(54) *Water main*: A water supply pipe for public use.

(55) *Water supply system*: The water service pipe, water-distributing pipes, fixture supply pipes and necessary connecting pipes, fittings, control valves and all appurtenances in or adjacent to the building or premises.

(56) *Watercourse*: a channel in which a flow of water occurs, either continuously or intermittently.

### **Sec. 25-13. Abbreviations.**

When used in this chapter, the following abbreviations shall have the designated meanings:

BOD	Biochemical Oxygen Demand
CFR	Code of Federal Regulations
COD	Chemical Oxygen Demand
FOG	Fats, Oil, & Grease
l	Liter
mg	Milligrams
mg/l	Milligrams Per Liter
NPDES	National Pollutant Discharge Elimination System
POTW	Publicly Owned Treatment Works
TSS	Total Suspended Solids

### **Sec. 25-14. Easement Acquisition.**

(a) All easement acquisition will adhere to latest edition the City's Easement Acquisition Policy, as adopted by the Mayor and Council.

(b) The minimum easement width is twenty (20) feet.

(c) All easements will be Drainage Utility Easements.

Secs. 25-15--25-20. Reserved.

## DIVISION 2. POWERS & AUTHORITY OF CITY EMPLOYEES

### **Sec. 25-21 Right to enter premises.**

Subject to constitutional limitations, duly authorized employees and representatives of the City and authorized representatives of applicable federal and state regulatory agencies bearing proper credentials and identification shall be allowed to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this article.

### **Sec. 25-22 Right to obtain information**

Duly authorized employees and representatives of the City are authorized to obtain information concerning character, strength, and quantity of nondomestic wastewater which may have a direct bearing on the kind and source of discharge to the City's sewer system.

### **Sec. 25-23 Permitted activities on utility easements**

Duly authorized employees and representatives of the City bearing proper credentials and identification shall be permitted at reasonable times to enter all private properties through which the City holds a utility easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the water, natural gas, or wastewater facilities lying within such easement. All entry of subsequent work on such easement shall be done in full accord with the terms of the utility easement pertaining to the private property involved.

Secs. 25-24--25-25. Reserved.

## **ARTICLE II. MUNICIPAL WATER SYSTEM**

### **DIVISION 1 – GENERALLY**

#### **Sec. 25-26. Deposit required; tap on fee.**

No water service shall be furnished unless the required deposit is paid, in advance, to the city. Upon discontinuance of water service, this deposit will be refunded to the customer within two weeks after the final bill is completely processed. The city reserves the right to deduct any outstanding water bill from the deposit and refund the balance thereof to the customer.

#### **Sec. 25-27. Meters.**

No water service shall be furnished except through a meter or other appropriate measuring device.

#### **Sec. 25-28. Compound meter required.**

In all cases where it is determined by the utilities superintendent that the installation of a compound water meter for water taps of two (2) inches and larger would be in the best interest of the city, a compound meter will be required.

#### **Sec. 25-29. Service lines.**

Service lines on customer's property must be furnished, installed, and maintained by customer.

#### **Sec. 25-30. Rates.**

The water rates shall be as fixed from time to time by the Mayor and Council and on file in the office of the city clerk.

#### **Sec. 25-31. Separate water meters**

**(a) Each separate dwelling unit shall be served by a separate water meter unless otherwise specifically exempted by the City or otherwise provided in this chapter.**

(b) Commercial developments serving multiple nondomestic tenants shall be served by a single master meter.

(c) Multi-family developments shall be served with a master meter for the development. Sub-unit water meters shall be furnished, installed, owned, and managed by the property owner.

#### Sec. 25-32. Fire Hydrants.

- (a) All water mains installed in the City shall have fire hydrants installed at least every 500 feet. Placement of fire hydrants is subject to approval by the fire chief or authorized City representative, and spacing of less than 500 feet may be required in some areas. Hydrant distances shall be measured along the centerline of the street.
- (b) Hydrants shall be installed on a minimum water main size of six (6) inches.
- (c) All fire hydrant outlets are to be twenty-two (22) inches above finished grade.
- (d) All hydrants shall be equipped with a minimum hydrant lead size of six (6) inches and a 6" isolation valve.
- (e) All hydrants shall be equipped with self-draining valves and feet; and hydrants shall have one (1) four and one-half (4 ½) inch and two (2) two and one-half (2 ½) inch connections.
- (f) Hydrants shall be of the breakaway variety.
- (g) Fire hydrants shall adhere to NFPA 25 fire code.

#### Sec. 25-33 Fire Lines

- (a) Any building or structure with a fire sprinkler system shall be served by designated fire lines designed for that purpose and served by a double detector check valve/backflow preventer or reduced pressure zone backflow device as determined by the City.
- (b) Customer will be billed monthly for the fire line connection.
- (c) Water usage detected on the fire line meter will be billed to the customer.

Secs. 25-34--25-60. Reserved.

#### DIVISION 2 – WATER SUPPLY, CROSS-CONNECTION CONTROL, & BACKFLOW PREVENTION

##### **Sec. 25-61. Water supply.**

- (a) The definitions and terms described in Sec. 25-12 shall apply in the interpretation and enforcement of this section.
- (b) The city's public water supply is to comply with Chapter 391-3-5-.13 of the Georgia Rules for Safe Drinking Water and (PL 93-523) of the Federal Safe Drinking Water Act, legally adopted in accordance with this Code, which pertain to cross-connections, and establish an effective, ongoing program to control these undesirable connections.

(c) It shall be unlawful for any person to cause a cross-connection, auxiliary intake, by-pass, or inter-connection to be made, or allow one to exist for any purpose whatsoever.

(d) Where the nature of use of the water supplied a premises by the water department is such that it is deemed:

(1) Impractical to provide an effective air-gap separation.

(2) The owner and/or occupant of the premises cannot or is not willing to demonstrate to the official in charge of the system, or his designated representative, that the water use and protective features of the plumbing are such as to propose no threat to the safety or potability of the water supply.

(3) The nature and mode of operation within a premises are such that frequent alterations are made to the plumbing.

(4) There is a likelihood that protective measures may be subverted, altered or disconnected.

The city manager, or his designee, shall require the use of an approved protective device on the service line serving the premises to assure that any contamination that may originate in the customer's premises is contained therein. The protective device shall be a back-flow preventer approved by the city manager or his designee, as to manufacture, model and size. The method of installation of backflow protective device shall be approved prior to the installation and shall comply with the criteria set forth to the city. The installation shall be at the expense of the owner or occupant of the premises.

The city shall have the right to inspect and test the device or devices on an annual basis, or whenever deemed necessary. Water service shall not be disrupted to test the device without the knowledge of the occupant of the premises.

Where the use of water is critical to the continuance of normal operations or protection of life, property, or equipment, duplicate units shall be provided to avoid the necessity of discontinuing water service to test or repair the protective device or devices. Where only one unit is installed and the continuance of service is critical, the city manager shall notify, in writing, the occupant of the premises of plans to discontinue water service and arrange for a mutually acceptable time to test and/or repair the device. The water department shall require the occupant of the premises to make all repairs indicated promptly, and the expense of such repairs shall be borne by the owner or occupant of the premises. These repairs shall be made by qualified personnel, acceptable to the city manager.

(e) Any person who now has cross-connections, auxiliary intakes, by-passes, or inter-connections in violation of the provisions of this section shall be allowed a reasonable time within which to comply with the provisions of this section. After a thorough investigation of existing conditions and an appraisal of the time required to complete the work, the amount of time shall be designated by the city manager.

(f) The city manager, or authorized representative, shall have the right to enter at any reasonable time, any property served by a connection to the city's public water

supply for the purpose of inspecting the piping system or systems thereof for cross-connections, auxiliary intakes, by-passes, or inter-connection. On request, the owner, lessee, or occupant of any property so served shall furnish to the inspection agency any pertinent information regarding the piping system or systems on such property. The refusal of such information or refusal of access, when requested, shall be deemed evidence of the presence of cross-connections.

The city manager and other duly authorized representatives of the city bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurements, sampling and testing in accordance with the provisions of this section.

The city manager 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 potential for polluting the public water system.

While performing the necessary work on private properties referred to in this section, the city manager or duly authorized employees of the city shall observe all safety rules applicable to the premises established by the company.

(g) Any person found to be violating any provision of this section shall be served by the city 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.

(h) Any person who shall continue any violation beyond the time limit provided shall be in violation of the section. Any violation shall be punishable in accordance with section 4.13 of the City Charter and/or the violator shall be subject to disconnection or termination of service.

(i) The potable water supply made available on the properties served by the public water supply be protected from possible contamination as specified herein. Any water outlet which could be used for potable or domestic purposes and which is not supplied by the potable system must be labeled in a conspicuous manner as:

WATER UNSAFE  
FOR DRINKING

Minimum acceptable sign shall have black letters one-inch high, located on a purple background.

(j) Should any part or parts of this section be declared invalid for any reason, no other part or parts of this section shall be affected.

Secs. 25-62--25-100. Reserved.

## **ARTICLE III. SEWERS AND SEWAGE DISPOSAL**

### **DIVISION 1. GENERALLY**

#### **Sec. 25-101. Violations.**

(a) Any person found to be violating any provision of this chapter, except section 25-105, shall be served by the city 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.

(b) Any person who shall violate the provisions of section 25-102 beyond the time limit provided for in section 25-102 hereof or who shall continue any other violation hereof beyond the time limit provided for in subsection (a) shall be guilty of a misdemeanor. Additionally, violators shall be subject to disconnection or termination of service if violations aren't corrected.

#### **Sec. 25-102. Use required.**

(a) It shall be unlawful for any person to place, deposit or permit to be deposited in an unsanitary manner upon public or private property within the city or in any area under the jurisdiction of the city, any human or animal excrement, garbage or other objectionable waste.

(b) It shall be unlawful to discharge to any natural outlet within the city or in any area under the jurisdiction of the city, any sanitary sewage, industrial wastes, or other polluted waters, except where suitable treatment has been provided in accordance with this article.

(c) Except as hereinafter provided or as approved by the Community Development Office, 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.

(d) The owners of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes within the corporate limits of the city and located within two hundred (200) feet of a line of public sanitary sewer now in existence or hereafter constructed to which such house, building or property may be connected so that sewage will flow therefrom and into such sewer line by gravity, is hereby required at his own expense to install suitable toilet facilities therein and to connect such facilities directly with said line of public sanitary sewer in accordance with the provisions of this article within sixty (60) days after date of official notice so to do. However, if in the sole and absolute discretion of the mayor and council, the city does not require connection by an owner and does not so notify an owner requiring a connection, nevertheless, such owner shall pay to the city the minimum sewer charge as determined by the city.

#### **Sec. 25-103. Rates.**

The sewer rates shall be as fixed from time to time by the mayor and council and on file in the office of the city clerk.

Secs. 25-104--25-120. Reserved.

## **DIVISION 2. PRIVATE SEWERAGE DISPOSAL SYSTEMS**

### **Sec. 25-121. When required.**

Where a public sanitary sewer is not available under the provisions of section 25-102, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this division.

### **Sec. 25-122. Permit and inspection fee.**

Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the superintendent. The application for such permit shall be made on a form furnished by the city, which the applicant shall supplement by any plans, specifications and other information as are deemed necessary by the superintendent. A permit and the inspection fee as determined by the city shall be paid to the city at the time the application is filed.

### **Sec. 25-123. Inspection by superintendent.**

A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the superintendent. He shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the superintendent when the work is ready for final inspection and before any underground portions are covered. The inspection shall be made within forty-eight (48) hours of the receipt of notice by the superintendent.

### **Sec. 25-124. Compliance with state standards, etc.**

The type, capacities, location and layout of a private sewage disposal system shall comply with all recommendations of the state department of public health. No permit shall be issued for any private sewage disposal system employing subsurface soil absorption facilities where the area of the lot is less than fifteen thousand (15,000) square feet. No septic tank or cesspool shall be permitted to discharge to any public sewer or natural outlet.

### **Sec. 25-125. Connection to public sewer when available.**

At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in section 25-102, a direct connection shall be made to the public sewer in compliance with this chapter, and any septic tanks, cesspools and similar private sewage disposal facilities shall be abandoned and filled with suitable material. However, from the date a public sewer becomes available to the property, the property owners shall pay to the city the minimum sewer charge as determined by the city.

**Sec. 25-126. Maintenance of facilities.**

It shall be the duty of the property owner, and any person occupying private property under lease or by permission of the owner, on which is located a building or structure intended for human occupancy whose sole means of sewage disposal is a private sewerage disposal system, to properly operate and maintain such system in good working condition, free of odor, at all times. Violation of this section shall constitute grounds for discontinuance or revocation of any permit issued for the private sewerage disposal system and revocation or suspension of the certificate of occupancy for the building or structure served.

**Sec. 25-127. Additional requirement authorized.**

No statement contained in this division shall be construed to interfere with any additional requirements that may be imposed by the health officer.

Secs. 25-128--25-150. Reserved.

**DIVISION 3. BUILDING SEWERS AND CONNECTIONS**

**Sec. 25-151. Permit.**

(a) No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenances thereof without first obtaining a written permit from the superintendent.

(b) There shall be two (2) classes of building sewer permits:

(1) For residential and commercial service; and

(2) 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 city. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the superintendent. A permit and inspection fee in an amount determined by the city for a residential or commercial building sewer permit and a permit and inspection fee in an amount determined by the city for an industrial building sewer permit shall be paid to the city at the time the application is filed.

**Sec. 25-152. Liability and expenses.**

All cost and expense incident to the connection of the building sewer from the owner's building to the city property line shall be borne by the owner. The owner shall indemnify the city from any loss or damage that may be directly or indirectly occasioned by the connection of the building sewer. Any connection from the city property line into the public sewer shall be made by the city, for which the owner shall pay the city a standard sewer tap fee in an amount determined by the city for residential taps, and in an amount determined by the city for commercial taps.

**Sec. 25-153. Separate and independent building sewers.**

A separate and independent building sewer shall be provided for every building; except where one (1) building stands at the rear of another or 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 (1) building sewer.

**Sec. 25-154. Use of old sewers.**

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

**Sec. 25-155. Materials and specifications.**

The building sewer shall be PVC pipe, ASTM Specifications D-3034 SDR 35 or ductile iron pipe, AWWA Specification C151 Joints shall be tight and waterproof. If installed in filled or unstable ground, the building sewer shall be of ductile iron pipe, except that nonmetallic material may be accepted if laid on a suitable concrete bed or cradle as approved by the superintendent. All materials shall meet the requirements of the most recent version of the City of Perry Standard Specifications.

**Sec. 25-156. Size and slope.**

The size and slope of the building sewer shall meet the most recent version of the City of Perry Standard Specifications and shall be subject to the approval of the superintendent, but in no event shall the diameter be less than four (4) inches. The slope of such four-inch pipe shall not be less than one-fourth inch per foot.

**Sec. 25-157. Elevation and grade.**

Whenever possible the building sewer shall be brought to the building at an elevation below the basement floor. No building sewer shall be laid parallel to or within three (3) feet of any bearing wall, which might thereby be weakened. The building sewer shall be laid at uniform grade and in straight alignment insofar as possible. Changes in direction shall be made only with properly curved pipes and fittings.

**Sec. 25-158. Gravity flow.**

In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such drain shall be lifted by approved artificial means and discharged to the building sewer.

**Sec. 25-159. Joints.**

All joints and connections shall meet the most recent version of the City of Perry Standard Specifications. Joints and connections shall be made gastight and watertight. All piping joints shall be push-on type with gaskets.

**Sec. 25-160. Connection to public sewer.**

(a) The connection of the building sewer into the public sewer shall be made at the "Y" branch, if such branch is available at a suitable location. If the public sewer is twelve (12) inches in diameter or less, and no properly located "Y" branch is available, the city shall install a "Y" branch in the public sewer at the location specified by the superintendent. Where the public sewer is greater than twelve (12) inches in diameter, and no properly located "Y" is available, the connection shall be made using a sewer service saddle or insert a-tee fitting. Connections shall adhere to the latest version of the City of Perry Standard Specifications.

(b) 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.

**Sec. 25-161. Excavations.**

(a) All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the superintendent. Pipe laying and backfill shall be performed in accordance with ASTM Specification F794; except that no backfill shall be placed until the work has been inspected.

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

**Sec. 25-162. Connection of downspouts, drains, etc., to sewer system prohibited**

No person shall make connection of roof downspouts, foundation drains, storm drains, or other sources of surface runoff or groundwater to a sewer main or to any sewer service laterals or building drains that are connected to the City's sewer system.

**Sec. 25-163. Capping and sealing of discontinued sewer service laterals**

All sewer service laterals for which service has been discontinued as a result of the demolition of the structure being served by the connection, or for any other reason, shall be properly and permanently capped and sealed to prevent the entrance of groundwater or surface water into the sewer system.

**Sec. 25-164. Cleanouts**

(a) All sewer services shall have a cleanout installed at the right-of-way, at or near the junction of the building drain and the building sewer, at every change in direction, and at a minimum spacing of every 100 feet along the lateral.

(b) Cleanouts shall consist of a long sweep fitting installed in the sewer lateral with the sweep installed toward the sewer main.

Secs. 25-165--25-175. Reserved.

## **DIVISION 4. DISCHARGE REGULATIONS**

### **Sec. 25-176. Right of Revision and Special agreements.**

(a) *Right of Revision.* The city reserves the right to establish, by ordinance or in wastewater discharge permits, more stringent standards or requirements on discharges to the treatment works if deemed necessary to comply with the objectives in this division.

(b) *Special agreement.* No statement contained in this division shall be construed as preventing any special agreement or arrangement between the city and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the city for treatment, subject to payment therefore by the industrial concern.

### **Sec. 25-177. Measurements and tests.**

All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in section 25-179 shall be determined in accordance with "Standard Methods for the Examination of Water and Sewage," and shall be determined at the control manhole provided for in section 25-181, or upon suitable samples taken at such 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.

Flow measurements will be based on water meter readings or flow measurements made at the control manhole. The City reserves the right to measure wastewater flow for compliance and billing based on control manhole flow measurements or water meter billing records.

### **Sec. 25-178. Groundwater, stormwater, etc.**

(a) No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, cooling water or unpolluted industrial process waters to any sanitary sewer.

(b) Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the superintendent. Industrial cooling water or unpolluted process waters may be discharged upon approval of the superintendent, to a storm sewer or natural outlet.

### **Sec. 25-179. Industrial, etc., discharges.**

(a) Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:

(1) Any wastewater having a temperature which will inhibit biological activity in the treatment works, but in no case wastewater with a temperature that will cause the treatment work's influent flow to exceed one hundred four (104) degrees Fahrenheit (forty (40) degrees centigrade). No user shall discharge into

any sewer wastewater having a temperature greater than one hundred and fifty (150) degrees Fahrenheit (sixty five and six tenths (65.6) degrees centigrade).

(2) Any water or waste which may contain more than one hundred (100) milligrams per liter of fat, oil or greases.

(3) Any gasoline, benzene, naphtha, fuel oil or other liquid, solid or gas which be 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 otherwise be injurious in any other way to the treatment works or its operation. At no time shall a wastestream be discharged with a closed-cup flashpoint of less than one hundred forty (140) degrees Fahrenheit (sixty (60) degrees centigrade) using the test methods specified in 40 CFR 261.21.

(4) Any garbage that has not been properly shredded.

(5) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch, manure or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works.

(6) Any waters or wastes having a pH lower than 6.0 or higher than 9.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewerage works.

(7) Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals or create any hazard in the receiving waters of the sewage treatment plant.

(8) Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant.

(9) Any noxious or malodorous gas or substance capable of creating a public nuisance.

(10) Any water or wastes containing a toxic or poisonous substance such as plating or heat treating wastes in sufficient quantity to injure or interfere with any sewage treatment or to create any hazard in the receiving waters of the sewage treatment plant.

(11) No user shall discharge wastewater which exceeds the concentration limits set forth below unless such discharger has been issued a permit by the city as per section 25-176(b). Such limits are instantaneous maximum allowable discharge limits.

<u>Parameter</u>	<u>Maximum Industrial Limit (mg/L)</u>	<u>Maximum Domestic Limit (mg/L)</u>
Arsenic	0.90	
Cyanide	0.26	
Chromium +6	1.00	
Chromium +3	2.48	
Copper	0.30	
Nickel	1.00	
Lead	0.16	
Cadmium	0.019	
Zinc	0.33	
Mercury	0.0005	
Selenium	0.078	
Silver	0.013	
Molybdenum	*	
Total Phenols	12.0	
BOD5	750	300
COD	Monitor and Report	600
TSS	750	350
Total Kjeldahl Nitrogen	60	
Ammonia (NH <sub>3</sub> -N)	45	30
Total Phosphorus	8	8
Fats, Oil and Grease	100	
pH**	6.0-9.0 S.U.	6.0-9.0 S.U.

\* Not to exceed background levels naturally present in area surface waters

\*\* pH levels are reported in Specific Units (S.U.), not mg/L

(12) Any radioactive wastes greater than allowable release as specified by current United States Bureau of Standards.

(13) Any sludges, screenings, or other residues from the pretreatment of industrial wastes.

(14) Any medical wastes, except as specifically authorized by the superintendent in a wastewater discharge permit.

(15) Any substance which will cause the sewage treatment plant to violate its NPDES and/or state disposal system permit or the receiving water quality standards.

(16) Any substance which may interfere with acceptable processing and disposal of sewage solids, scum, and sludge in compliance with applicable state and federal requirements.

(17) Any wastewater with objectionable color which cannot be removed by the treatment process, such as but not limited to, dye wastes, ink wastes, and tanning solutions.

(18) Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through.

- (19) Any detergent, surface active agents, or other substances which may cause excessive foaming at the sewage treatment plant.
- (20) Any unusual volume of flow or concentration of pollutants constituting a slug load as defined herein.
- (b) The admission into the public sewers of any waters or wastes containing any quantity of substances having the characteristics described in subsection (a), or having an average daily flow greater than two (2) percent of the average daily sewage flow of the city, shall be subject to the review and approval of the superintendent. Where necessary in the opinion of the superintendent, the owner shall provide at his expense, such preliminary treatment as may be necessary to reduce objectionable characteristics or constituents to within the maximum limits provided for in subsection (a), or control the quantities and rates of discharge of such waters or wastes. Plans, specifications and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the superintendent, and no construction of such facilities shall be commenced until approval is obtained in writing. Where concentrations in excess of the maximum limits provided in subsection (a) are found to be compatible with the sewerage system by the superintendent, the discharger shall be charged and assessed a surcharge in addition to any sewer service charges as provided for in section 25-183.
- (c) All industrial or other users discharging industrial waste into the city's sewer system must meet the industrial pretreatment requirements of 40 CFR part 403.
- (d) State requirements and limitations on discharges shall apply in any case where they are more stringent than federal requirements and limitations or those in this chapter.
- (e) No user shall increase the use of process water or, in any way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with discharge limitations unless expressly authorized by an applicable pretreatment standard or requirement or the superintendent. Where necessary equalizing may be required to bring constituents or volume to an acceptable level and to hold or equalize flows such that they will not interfere with the treatment works. The superintendent may impose mass limitations on users utilizing dilution or in other cases when the imposition of mass limitations is appropriate.
- (f) Users wishing to discharge wastewaters to the city's sewerage system in amounts exceeding the volume of water purchased from the city, must receive written permission from the city prior to discharging the excess amounts. The city shall require the installation of additional meters or other devices deemed necessary to establish the volume discharged. The corrected metered flow will be used for sewage billing. All such additional facilities shall be provided by the owner at his expense.
- (g) Users discharging wastewaters to the city's sewerage system in amounts fifty (50) percent or less than the volume of water purchased from the city shall require the installation of additional meters or other devices deemed necessary to establish the volume discharged. The corrected metered flow will be used for sewage billing. All such additional facilities shall be provided by the owner at his expense.

**Sec. 25-180. Regulation of nondomestic kitchen facilities.**

(a) *General.* It shall be unlawful for any nondomestic kitchen to discharge, or cause to be discharged, processing wastewater to the publicly owned treatment works (POTW) which contains oils, greases, solids, or liquids sufficient to cause obstruction or otherwise interfere with the proper operations of the POTW.

(b) *Pretreatment.*

(1) *Required.* Nondomestic kitchens discharging to the POTW shall install, operate, clean and maintain a sufficiently sized oil and grease, water and solids, separator (herein called grease trap) necessary to achieve compliance with requirements set forth under this provision. The size of the grease trap shall be determined by the utilities director.

(2) *Design criteria.*

a. *Plumbing and grease trap size requirements.* No sanitary wastes are to be discharged to grease trap.

b. *Construction.* Grease traps shall be water tight and constructed of sound and durable materials not subject to excessive corrosion, decay, or frost damage, or to cracking or buckling due to settlement or backfilling. Tanks and covers shall be designed and constructed so as to withstand normal structural loadings. A tank installed in ground water shall be weighted to prevent the tank from floating when empty.

c. *Depth of tees.* The inlet tee shall extend two (2) feet below water line. The outlet tee shall extend to within twelve (12) inches of the bottom of the tank. Tees shall be ductile iron or schedule 40 PVC.

d. *Baffles.* Baffles may be provided as necessary to maximize the separation of grease from the wastewater. Baffles shall not be a substitute for inlet and outlet tees.

e. *Base.* Grease traps shall be installed on a level, stable base that will not settle.

f. *Materials.* Grease traps may be constructed of poured reinforced concrete, precast reinforced concrete, or prefabricated material acceptable to the utility director or designee.

g. *Access manholes.* Grease traps shall be provided with a minimum of two (2) twenty-four-inch-diameter manhole frames and covers to grade over the inlet and outlet tees.

(3) *Additives.*

a. It shall constitute a violation of this article to introduce chemicals, acidic or caustic substances which emulsify or otherwise temporarily dissolve fats, oils and grease to the extent that it later solidifies in the city sewer lines, pump stations or treatment plant unless prior written authority

has been received from the utility director. Use of other substances, including enzymes and special bacteria, is solely at the discretion of the customer.

b. The utility director shall have the authority to prohibit the addition of any substances, including enzymes and bacteria, which creates a public nuisance or odor, or presents a potential hazard to personnel.

c. If upon inspection, it is determined that a grease trap is in need of cleaning, the only acceptable means of cleaning shall be to have the trap pumped for disposal as provided elsewhere in this section. Applying heavy doses of chemicals, enzymes, or bacteria to the grease trap is expressly prohibited as a substitute for pumping and removing the material from the trap.

d. Installation of a mechanical system to continuously or intermittently apply solutions of enzymes, special bacteria or other agents to the sewer shall not be allowed in lieu of an acceptable grease trap.

(4) *Grease trap maintenance--Pumping.* All grease traps shall be maintained by the city at the user's expense. Maintenance shall include the removal of all trapped grease and settled solids. The city will contract with an area grease trap cleaning company to routinely clean all nondomestic grease traps. The city will invoice the owner of each grease trap an amount equal to the amount charged to the city by the grease trap cleaning company for each cleaning. A city representative will inspect each grease trap after pumping and at other times as deemed necessary. A fee will be established for each inspection.

(c) *Administrative.*

(1) *Fees.* It shall be unlawful for any food service establishment to discharge process wastewaters into the POTW without authorization from the control authority. Nondomestic kitchens shall be charged a pumping fee the amount of which shall be set by the governing authority. A copy of the fee schedule shall be available in the city clerk's and utility director's offices.

(2) *Grease trap installation.* Upon receipt of notice to install a grease trap for an existing nondomestic kitchen, the owner shall install a working grease trap within a mutually agreed upon time frame.

(3) *Correcting deficiencies in existing grease traps.* Upon receipt of notice to correct deficiencies in existing grease traps, the grease trap owner shall correct those deficiencies according to the following schedule:

1. Deficiencies posing a health hazard. (Immediately)
2. Deficiencies not posing a health hazard. (Thirty (30) days) after which service shall be disconnected or terminated

(d) *Inspection and entry.* The utility director or designee, bearing proper credentials and identification, shall be permitted to enter upon all properties without prior notification,

for the purpose of cleaning, inspection, observation, measurement, sampling, testing or record review, in accordance with this provision.

(e) *Enforcement.*

(1) *Violation.* It shall be unlawful for any user to discharge wastewater in any manner in violation of this section, or of any condition set forth in this section.

(2) *Enforcement procedures.* Violations of this provision could result in progressive enforcement procedures set forth by the control authority.

**Sec. 25-181. Control manholes.**

When required by the superintendent, the owner of any property served by a building sewer carrying industrial wastes shall install a suitable control manhole 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 the owner at his expense shall maintain the same so as to be safe and accessible at all times.

**Sec. 25-182. Preliminary treatment facilities.**

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

**Sec. 25-183. High strength wastewater surcharge.**

(a) *Establishment.*

(1) All users discharging high strength wastewater into the sewer system shall be assessed a monetary surcharge, in addition to the normally required sewer use charges, in an amount to be calculated as shown below. "High strength wastewater" is defined as wastewater which contains pollutant concentrations in excess of those provided in section 25-179(a).

(2) The parameters shall be determined by the utilization of the sampling and testing procedures as provided in section 25-177. The amount of the surcharge, which is hereby charged and assessed against all users discharging high strength wastewater into the sewer system, shall reflect the cost incurred by the city in handling the excess BOD, COD, TSS, ammonia, and FOG. This surcharge shall include a proportionate share of charges for maintenance and operation of the wastewater treatment facilities, including depreciation and other incidental expenses.

(3) The current domestic limits and rates shall be on file and available at the office of the city clerk.

(b) *Formula.* When the concentrations of the surcharged parameters shown in this section exceed the values of the constituents as set forth in subsection (a) of this section, the excess concentrations shall be subject to a surcharge in the amount derived in accordance with the following formula plus the cost of plant upset including extra chemicals, labor, etc.

$$P \times D \times 8.34 \times C = \$/\text{month}$$

Where:

"P" is equal to the concentration in mg/l of the parameter being evaluated (BOD, TSS, ammonia, or FOG), which is in excess of the amounts shown in subsection (a) of this section.

"D" is equal to the user's monthly water consumption in millions of gallons as determined from the user's monthly water meter or sewage flow meter readings.

"8.34" is a conversion factor.

"C" is equal to the unit cost in dollars per pound (\$/lb.) for the treatment of the surcharged parameters. This value shall be established by the superintendent based on actual wastewater treatment costs which shall be revised from time to time as necessary.

(c) *Quantitative measurement of surchargable parameters.* The measurement of the surcharge parameters (BOD, COD, TSS, ammonia) shall be conducted as follows:

- (1) The city shall sample and test the user as provided in section 25-177 once per year, except that the duration of the sampling to determine surcharge shall be for a period of not less than five calendar days.
- (2) The city need not provide any prior notice to the industry with regard to the sampling period.
- (3) The city may sample the user as often as desired at the city's expense if, in the opinion of the city, representative samples have not been previously obtained.
- (4) If, in the opinion of the user, the samples taken by the city are not representative of the user's typical wastewater, then the user may request up to two additional re-samplings. The user will be assessed a fee by the city which will be based on the actual costs to the city associated with re-sampling. The city may, but is not required to, provide the user with prior notice of the entry.
- (5) The user shall employ a certified, third-party testing agency to sample and test once per calendar year. Results from the third-party testing must be provided to the City.

(d) *Measurement of flow used in computing wastewater service charges and surcharges.* The volumes of flow used in computing wastewater surcharges shall be based upon metered, estimated or prorated water consumption as shown in the records of meter reading maintained by the city water department or from discharge metering as provided in section 25-179 subsections (f) and (g).

(e) *Perceived harm.* Where a discharge causes harm or is perceived to cause harm to the treatment works in violation of section 25-179, the superintendent may void any rights to surcharge for high strength wastes and proceed with any enforcement.

Secs. 25-184--25-189. Reserved.

#### **ARTICLE IV. NATURAL GAS**

##### **Sec. 25-190. Deposit required; tap on fee.**

No residential gas service shall be furnished unless the required deposit is paid in advance to the city.

##### **Sec. 25-191. Rates, fees and charges, generally; meters.**

(a) Gas rates, fees and charges shall be classified in a reasonable manner to cover users of the services and facilities furnished by the gas system so that these rates, fees and charges shall be as nearly uniform in application to all users falling within any reasonable class as is practicable and no free services shall be furnished at any time from the gas system. All services including services furnished to any county, municipal corporation or other public body shall be furnished in accordance with the rates now or hereafter established by the mayor and council and on the file in the office of the city clerk.

(b) No gas service shall be furnished except through a meter or other appropriate measuring device.