

GORDONSVILLE SEWER USE ORDINANCE

ORIGINAL ORDINANCE NO. 3-14-94

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REVISED ORDINANCE NO. 3-14-94-R02-04

REVISED ORDINANCE NO. 3-14-94-R03-05

AN ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS; PRIVATE SEWAGE DISPOSAL; INSTALLATION AND CONNECTION OF BUILDING SEWERS; ESTABLISHING STANDARDS AND LIMITATIONS ON THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEMS(S) SUCH THAT DISPOSAL OF ANY POLLUTANT BY ANY PERSON IS UNLAWFUL EXCEPT IN COMPLIANCE WITH FEDERAL STANDARDS PROMULGATED PURSUANT TO THE FEDERAL WATER POLLUTION CONTROL ACT AMENDMENTS OF 19972; MAKING CERTAIN OTHER ACTIVITY IN VIOLATION OF THE PROVISIONS OF THIS ORDINANCE UNLAWFUL; PROVIDING FOR THE PERMITTING AND REVOCATION THEREOF FOR CERTAIN USERS; REQUIRING THE CONNECTION TO SEWERS IN CERTAIN CIRCUMSTANCES; PROVIDING FOR MONITORING AND CONTROL OF DISCHARGES; PROVIDING FOR THE ESTABLISHMENT, BILLING, TERMINATION AND DISCONNECTION OF SEWER SERVICE; AND ESTABLISHING, SETTING AND COLLECTING OF USER CHARGES, RATE SCHEDULE, AND INDUSTRIAL WASTE SURCHARGES.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF GORDONSVILLE, TENNESSEE:

- SECTION 1: Definitions**
- SECTION 2: Use of Public Sewers Required**
- SECTION 3: Private Sewage Disposal**
- SECTION 4: Building Sewers and Connections**
- SECTION 5: Prohibitions and Limitations on Wastewater Discharge**
- SECTION 6: Control of Prohibited Wastes**
- SECTION 7: Wastewater Sampling and Analysis**
- SECTION 8: Industrial Self-Monitoring Requirements**
- SECTION 9: Enforcement Procedures**
- SECTION 10: Permits**
- SECTION 11: Provision of Service**
- SECTION 12: User Charge**
- SECTION 13: User Charge System**
- SECTION 14: Validity**
- SECTION 15: Ordinance in Force**

SECTION 1: DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of terms used in this Ordinance shall be as follows:

- 1.1 **Act or the Act** shall mean the Federal Water Pollution Control Act, also known as the Clean Water Act of 1977.
- 1.2 **Approving Authority** shall mean the Town of Gordonsville or its authorized representative.
- 1.3 **A.S.T.M.** is the American Society for Testing and Materials, 1916 Race Street, Philadelphia, PA 19103.
- 1.4 **Authorized Representative of Industrial User** an authorized representative of an industrial user may be:
 - a. a principal executive officer of at least the level of vice president, if the industrial user is a corporation;
 - b. a general partner or proprietor, if the industrial user is a partnership or proprietorship respectively; or
 - c. a duly authorized representative of the individual designated above if such representative is responsible for the overall operation of the facilities from which the indirect discharge originates.
- 1.5 **BOD** of sewage or industrial waste shall designate its biochemical oxygen demand and shall mean the quantity of oxygen utilized in the biochemical oxidation of the organic matter of said sewage or industrial wastes under standard laboratory procedure in five (5) days at 20 degrees C, expressed in milligrams per liter. It shall be determined by one of the acceptable methods described in the latest edition of *Standard Methods for Examination of Water and Wastewater*, published by the American Public Health Association.
- 1.6 **Building Sewer** is a sewer conveying wastewater from the premises of a User to the POTW.
- 1.7 **Categorical Standards** shall mean the National Pretreatment Standards
- 1.8 **Cooling Water** shall mean the water discharge from any use such as air conditioning, cooling or refrigeration, during which the only pollutant added to the water is heat.

- 1.9 **Compatible Waste** shall mean the biochemical oxygen demand, suspended solids, pH, fecal coliform bacteria; plus any additional pollutant identified in a publicly owned treatment works' NPDES permit, for which the publicly owned treatment works is designed to treat such pollutants and, in fact, does remove such pollutants to a substantial degree.
- 1.10 **C** means centigrade degrees.
- 1.11 **Customer** shall mean any individual, firm, company, association, society, group or corporation who are the beneficiaries of the water and sewerage service or who are utilizing the water and/or sewerage system of the Town of Gordonsville.
- 1.12 **Town** shall mean the Town of Gordonsville or the Board of Mayor and Aldermen.
- 1.13 **Public Works Director**, or **Director** shall mean the Town of Gordonsville's sewage treatment plant operator, representative and/or superintendent.
- 1.14 **Direct Discharge** shall mean the discharge of treated or untreated wastewater directly to the waters of the State of Tennessee.
- 1.15 **EPA** shall mean the United States Environmental Protection Agency.
- 1.16 **Grab Sample** shall mean a sample which is taken from a waste stream on a one-time basis with no regard to the flow in the waste stream and without consideration of time.
- 1.17 **Garbage** shall mean solid wastes from the preparation, cooking and dispensing of food and from the handling, storage and sale of produce.
- 1.18 **Holding Tank Waste** shall mean any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump tank trucks.
- 1.19 **Incompatible Waste** shall mean all pollutants, other than compatible waste as defined within.
- 1.20 **Indirect Discharge** means the discharge or introduction of non-domestic pollutants from any source regulated under Section 307(b) or (c) of the Act, (33 USC 1317), into the POTW (including holding tank waste discharged into the system) for treatment before direct discharge to the waters of the State of Tennessee.
- 1.21 **Industrial Discharger**, for the purposes of this Ordinance and related documents, shall mean industrial user.

- 1.22 **Industrial User** shall mean a source of indirect discharge which does not constitute a 'discharge of pollutants' under regulation issued pursuant to Section 402 of the Act.
- 1.23 **Industrial Wastewater** shall mean the wastewater from industrial processes, trade, or business as distinct from domestic or sanitary wastes.
- 1.24 **Interference** shall mean the inhibition or disruption of sewer treatment system process or operations of which contribute to a violation of any requirement of the Town's NPDES Permit.
- 1.25 **May** is permission; **Shall** is mandatory.
- 1.26 **Meter Measurement** shall mean the act of, or result of, determining the quantity of water supplied to a customer by an instrument or device used for such purpose and approved by the Approving Authority.
- 1.27 **Mg/l** shall mean milligrams per liter.
- 1.28 **National Pretreatment Standards or Pretreatment Standards** shall mean any regulation containing pollutant discharge limits, promulgated by the EPA, and in accordance with Section 307(b) and (c) of the Act which applies to the industrial users.
- 1.29 **Natural Outlet** shall mean any outlet, including storm sewers, into a watercourse, pond, ditch, lake or other body of surface or groundwater.
- 1.30 **NPDES Permit** shall mean the National Pollutant Discharge Elimination System as defined in Section 402 of the Federal Water Pollution Control Act Amendments of 1972 (Public Law 92-500).
- 1.31 **Person** shall mean any individual, partnership, copartnership, firm, company, corporation, association, joint stock company, trust, estate, government entity, or other legal entity or legal representative, agents or assigns. The masculine gender shall mean to include the feminine; the singular shall include the plural where indicated by the context.
- 1.32 **pH** shall mean the negative logarithm or the log of the reciprocal of the concentration of hydrogen ions in gram moles per liter of solution as determined by acceptable laboratory procedures.
- 1.33 **Pollutant** shall mean any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt and industrial, municipal and agricultural waste discharged into water.

- 1.34 **Pretreatment** shall mean the treatment of wastewater by the user before introduction into the publicly owned system.
- 1.35 **Pretreatment Standards** shall mean all applicable rules and regulations contained in the 'Code of Federal Regulations' as published in the *Federal Register* under Section 307 of Public Law 92-500.
- 1.36 **Properly Shredded Garbage** shall mean the waste from the preparation, cooking and dispensing of food that has been shredded to such degree that all particles have a dimension no greater than ½ inch which will be carried freely under the flow conditions normally prevailing in public sewers.
- 1.37 **Publicly Owned Treatment Works or POTW** shall mean a treatment works as defined by Section 212 of the Act, which is owned in this instance by the Town of Gordonsville. This definition includes any sewer that conveys wastewater to such a treatment works, but does not include pipes, sewers, or other conveyances not connected to the facility providing treatment.
- 1.38 **Sewage** shall mean a combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such ground, surface and storm water as may be present.
- 1.39 **Shall** is mandatory; **May** is permissive.
- 1.40 **Sewer** shall mean a pipe or conduit that carries wastewater or drainage water.
- 1.41 **Sewerage Facilities** includes intercepting sewers, sewage treatment works, pumping stations, outfall sewers, and appurtenances constructed, operated and maintained by the Town of Gordonsville for sewage disposal purposes.
- 1.42 **Significant Industrial User** means any Industrial User of the Town's wastewater disposal system who:
- a. has a discharge flow of 25,000 gal. or more per avg. work day;
 - b. has a flow greater than 5% of the flow in the Town's wastewater treatment system; or
 - c. has in his wastes toxic pollutants as defined pursuant to Section 307 of the Act of (State) Statutes and Rules; or
 - d. is found by the Town, Protection Agency (EPA) to have significant impact, whether singly or in combination with other contributing industries, on the wastewater treatment system, the quality of sludge, the system's effluent quality, or air emissions generated by the system.

- 1.43 **Slug** shall mean any discharge of water, sewage, or industrial waste which in concentration of any given constituent, or in quantity of flow, exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flow during the normal operation, and which shall adversely affect the collection system and/or performance of the wastewater treatment works.
- 1.44 **Standard Industrial Classification (SIC)** shall mean a classification pursuant to the *Standard Industrial Classification Manual* issued by the Executive Office of the President, Office of Management and Budget, 1972.
- 1.45 **Standard Methods** shall mean *Standard Methods for the Examination of Water and Wastewater* prepared and published jointly by the American Public Health Association, American Water Works Association and the Water Pollution Control Federation.
- 1.46 **Storm Water** shall mean any flow occurring during, or immediately following, any form of natural precipitation and resulting therefrom.
- 1.47 **Suspended Solids** shall mean solids that either float on the surface or are in suspension in water, sewage, industrial waste, or other liquids which are removable by laboratory filtration. The quantity of suspended solids shall be determined by one of the acceptable methods described in the latest edition of *Standard Methods for the Examination of Water and Wastewater* published by the American Public Health Association.
- 1.48 **Toxic Pollutant** shall mean any pollutant, or combination of pollutants, listed as toxic in the regulations promulgated by the Administrator, or Environmental Protection Agency, under the provisions of 33 USC 1317.
- 1.49 **Treatment Works** shall mean any device and systems used in the storage, treatment, recycling, and reclamation of domestic wastewater or industrial waste of a liquid nature including interceptor sewers, outfall sewers, sewer collection systems, pumping, power or other equipment and appurtenances, extensions, improvements, remodeling, additions and alterations thereof; elements essential to provide reliable recycle supply, such as standby treatment units and clear well facilities; and any works, including land that will be an integral part of the treatment process, or is used for the ultimate disposal of residues resulting from such treatment, including combined storm water and sanitary sewer systems.
- 1.50 **TKN** of sewage, or industrial waste, shall designate its Total Kjeldahl Nitrogen content. The quantity of TKN shall be determined by one of the acceptable methods described in the latest edition of *Standard Methods for the Examination of Water and Wastewater* published by the American Public Health Association.

- 1.51 **Twenty-four Hour Flow Proportional Composite Sample** shall mean a sample consisting of several effluent portions collected during a twenty-four (24) hour period in which the portions of the sample are proportional to the flow and combine to form a representative sample.
- 1.52 **Unpolluted Water** is water not containing any pollutants limited, or prohibited by, the effluent standards in effect; or water whose discharge will not cause any violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.
- 1.53 **User** shall mean any person discharging wastes to the Town of Gordonsville's Sewerage Facilities.
- 1.54 **Waste** shall include sewage and any other waste substances, liquids, solids, or gases that are radioactive, associated with human habitation, or human or animal origin, or from any producing, manufacturing, or processing operation of whatever nature, including such waste placed within containers of whatever nature prior to, and for purposes of disposal.
- 1.55 **Wastewater** shall mean domestic sewage and industrial wastewaters discharged to the Town of Gordonsville's Sewerage Facilities together with any groundwater, surface water, and storm water that may be present.
- 1.56 **WPCF** is the Water Pollution Control Federation, 601 Wythe Street, Alexandria, VA 22314-1994.

SECTION 2: USE OF PUBLIC SEWERS REQUIRED

- 2.1 It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the Town of Gordonsville, or in any area under the jurisdiction of said Town, any human or animal excrement or other objectionable waste.
- 2.2 It shall be unlawful to discharge to any natural outlet within the Town of Gordonsville, or any area under the jurisdiction of said Town, any sewage or other polluted waters, except where a Federal or State discharge permit has been duly issued, is currently valid for such discharge, and copy on file with the Town of Gordonsville.
- 2.3 Except as hereinafter provided, or as otherwise permitted by ordinance or regulation, 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.

- 2.4 The owner of all houses, buildings, improvements or properties used for residential, commercial, industrial, recreational and all other human occupancy purposes which abut upon a street, road, right-of-way or other public way containing a public sanitary or combined sewer shall, upon demand by the Director, install suitable toilet facilities therein and connect the same directly with the proper public sewer in accordance with the provisions of this ordinance and shall cease to use any other means for the disposal of sewage, waste, wastewater, and other polluting matter.

Upon disagreement by the owner, the owner may submit a written request within thirty (30) days, a waiver from such connection. Request shall outline reasons and/or hardships that would precipitate a request for a waiver. The Director may waive, with the prior approval of the Board of Mayor and Aldermen, where it has been determined by the Town that public sewer service to any particular individual user(s) would be unduly difficult and that alternative measures of disposal would not be hazardous to public health. Waivers shall be considered by the Director for residential or agricultural users only.

- 2.5 Direct service connections made to the Town's sewerage system shall be made only by persons who duly adhere to the ordinances, codes and regulations of the Town.
- 2.6 The sewers are constructed for the purpose of transporting sewage; not storm water. Any customers of the sewerage system shall be responsible for the integrity of the pipes on the property which connects to the Town's sewerage system. If it is determined by the Director that the pipes owned by the customer are faulty, and in need of repair such that extraneous storm water can enter the sewerage system, the Director, shall require the customer to repair his pipes. If the pipes are not repaired within thirty (30) days, the Town will impose a penalty on the customer equal to the amount it will cost to replace the faulty pipes and any resulting damages to the Town's sewer treatment facility.
- 2.7 No person owning vacuum or 'cess pool' pump trucks or other liquid waste transport trucks shall discharge directly or indirectly such sewage into the POTW, unless such person shall first have an approved Truck Discharge Operation Permit from the Director, or his designated representative, for each vehicle. All applicants for a Truck Discharge Operation Permit shall complete such forms as required by the Director, pay an annual fee of Five Hundred Dollars (\$500.00) per truck, and agree in writing to abide by the provisions of this article and any special conditions or regulations established by the Director. The owners of such vehicles shall retain the permit number in each vehicle used for such purposes. Such permits shall be valid for a period of one (1) year from the date of issuance, provided that such permit shall be subject to revocation by the Director for violation of any provision of this article or regulation established by the Director. Such permits shall be limited to the discharge of domestic sewage waste from facilities within the corporate limits of the Town of Gordonsville and contain no industrial waste. The Director shall designate the location and time such trucks may be discharged; may refuse to accept any truckload of waste in his absolute discretion where it appears that the waste could interfere with the effective operation of the treatments works, sewer lines, and/or appurtenance(s) thereto.

The owner of a Truck Discharge Operation Permit shall notify the Director no later than twenty-four (24) hours in advance of planned discharge, provide a manifest to the POTW that states the source of the domestic waste they wish to discharge, the volume of wastewater from each source, and whether any industrial waste is included in the wastewater.

Prior to issuance of the permit, the owner of the truck shall provide a bond in an amount of Fifty Thousand Dollars (\$50,000) to cover his potential liability. Any discharge without first obtaining a permit shall result in a fine, not to exceed Five Hundred Dollars (\$500.00) per occurrence payable to the Town of Gordonsville within ten (10) days of illegal discharge.

- 2.8 No person shall discharge any other holding tank waste into the POTW unless he shall have applied for and been issued a permit by the Director prior to discharge. A separate permit must be secured for each separate discharge. The permit shall state the specific location of discharge, the time of day the discharge is requested to occur, the volume of the discharge, and shall limit the wastewater constituents and characteristics of the discharge. Such user shall pay any applicable charges and shall comply with the conditions of the permit issued by the Director. Any discharge without first obtaining a permit shall result in a fine, not to exceed Five Hundred Dollars (\$500.00) per occurrence payable to the Town of Gordonsville within ten (10) days of illegal discharge.
- 2.9 A permit will be required to discharge domestic waste from a recreational vehicle holding tank. Such discharge shall be made into an approved facility designed to receive such waste with the Director, or his representative, present. Permit fee for recreational vehicle discharge shall be Fifty Dollars (\$50.00) for each occurrence.

SECTION 3: PRIVATE SEWAGE DISPOSAL

- 3.1 The disposal of sewage by means other than the use of the available public sanitary sewage system shall be in accordance with local, county and state law. The disposal of sewage by private disposal systems shall be permissible only in those instances where service from the available public sanitary sewage system is not available; or where such is otherwise permitted by ordinances or regulations.

SECTION 4: BUILDING SEWERS AND CONNECTIONS

- 4.1 No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance without first obtaining a written permit from the Director. The owner, or his agent, shall make application on a special form furnished by the Director, or his representative. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Director.

- 4.2 All costs and expense incidental to the installation and connection of the building sewer shall be sustained by the owner. The owner shall indemnify the Town from any loss and/or damage that may directly, or indirectly, be caused by the installation of the building sewer. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Director.

Failure to obtain permission before usage shall result in a fine being imposed, not to exceed Five Hundred Dollars (\$500.00) per day.

- 4.3 A separate and independent building sewer maintenance fee shall be obtained for every building and maintenance fee(s) predicated upon number of water taps provided.
- 4.4 Old building sewers may be used in connection with new buildings only when they are found, upon examination and test by the Director, or his representative, to meet all requirements of this ordinance.
- 4.5 The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, back filling the trench and location of connection shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Town. In the absence of code provisions, or in amplification thereof, specifications of the *A.S.T.M.* and *W.P.C.F. Manual of Practice No. 9* shall apply.
- 4.6 Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.
- 4.7 No person shall make connection of roof down spouts, exterior foundation drains, area drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly, or indirectly, to a public sanitary sewer unless such connection has prior approval in writing by the Director for the purpose of disposal of polluted surface drainage. Failure to obtain permission before usage shall result in a fine being imposed, not to exceed Five Hundred Dollars (\$500.00) per day of illegal disposal.
- 4.8 The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code, or other applicable rules and regulations of the Town, and/or the procedures set forth in appropriate specifications of the *A.S.T.M.* and the *W.P.C.F. Manual of Practice No. 9* under the direction and site inspection of the Director PRIOR to connection.
- 4.9 All such connections shall be made gastight and watertight with prescribed procedures and materials.

- 4.10 The applicant for the building sewer permit shall notify the Director, or his representative, when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Director. Under no circumstances is the connection to be made prior to the approval and supervision of the Director. If the Connection is made prior to the approval and supervision of the Director, an inspection by the Director shall be performed at the applicant/owner's expense, and a fine may be imposed.
- 4.11 All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public property disturbed in the course of the work which shall be restored in a manner consistent prior to excavation.
- 4.12 All cafes, restaurants, motels, hotels, or other commercial food preparation establishments shall be required to install a grease trap on the kitchen waste line at the owner's expense. The Town shall retain the right to inspect and approve installation of the grease trap facility. The grease trap must precede the septic tank on the kitchen waste line if a septic tank is used. The grease trap must be designed in accordance with current engineering standards and shall be easily accessible for cleaning. Grease traps shall be maintained by the owner and/or operator of the facility to prevent a stoppage of the Town's sewer and records of cleanout shall be forwarded to the Director on a monthly basis. If the Town is required to clean out the Town's sewer lines as a result of a stoppage resulting from a clogged grease trap, the property owner and/or operator shall be required to pay the costs of the Town's expenses for labor and materials required to clean out the sewer lines in addition to penalties imposed for violation(s). The installation and maintenance of grease traps shall be in accordance with Section 6.2 of this ordinance.

SECTION 5: PROHIBITIONS AND LIMITATIONS ON WASTEWATER DISCHARGE

5.1 Prohibitions on Wastewater Discharge

Any discharge will result in penalties not to exceed Five Hundred Dollars (\$500.00) per occurrence payable to the Town of Gordonsville within ten (10) days of illegal discharge.

No person shall discharge, or cause to allow to be discharged, into the Town of Gordonsville's sewerage facilities or any connected treatment facilities any waste which contains any of the following

5.1.1 Oils and Grease

Fats, wax, grease or oils of more than One Hundred (100) mg/l, whether emulsified or not, or containing substances which may solidify or become viscous at temperatures between 32 degrees and 150 degrees F (0 - 56 degrees C) at the point of discharge into the system.

5.1.2 Explosive Mixtures

Liquids, solids, or gases which by reason of their nature or quantity are, or may be, sufficient to cause fire or explosion or be injurious in any other way to the sewerage facilities or to the operation of the system. At no time shall town successive readings on an explosion hazard meter, at the point of discharge into the sewer system, be more than five percent (5%) nor any single reading over ten percent (10%) of the Lower Explosive Limit (L.E.L.) of the meter. Prohibited materials included, but not limited to: gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohol, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides.

5.1.3 Noxious Materials

Noxious or malodorous solids, liquids, or gases, which either singly or by interaction with other wastes, are capable of creating a public nuisance or hazard to life, or are, or may be, sufficient to prevent entry into a sewer for its maintenance and repair.

5.1.4 Improperly Shredded Garbage

Garbage that has not been ground to such a degree that all particles are ½ inch or less and will be carried freely in suspension under flow conditions normally prevailing in the public sewers.

5.1.5 Radioactive Wastes

Radioactive wastes or isotopes of such half-life or concentration that they are in noncompliance with regulations issued by the appropriate authority having control over their use and which will, or may cause, damage or hazards to the sewerage facilities or personnel operating the system.

5.1.6 Solid or Viscous Wastes

Solid or viscous wastes which will, or may cause, obstruction to the flow in a sewer, or other interference with the proper operation of the sewerage facilities. Prohibited materials include, but are not limited to: grease, uncomminuted garbage, animal guts or tissues, paunch manure, bones, hair, hides or fleshing, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastic, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, and similar substances.

5.1.7 Excessive Discharge Rate

Wastewater at a flow rate which is excessive relative to the capacity of the treatment works and which could cause a treatment process upset and subsequent loss of treatment efficiency; or wastewater containing such concentrations or quantities of pollutants that their introduction into the treatment works over a relatively short time period (sometimes referred to as “slug” discharges) would cause a treatment process upset and subsequent loss of treatment efficiency.

5.1.8 Toxic Substances

Any toxic substances, chemical elements or compounds, phenols or other waste, or odor producing substances, or any other substances which may interfere with the biological processes or efficiency of the treatment works, or that will pass through the treatment works in concentrations which would cause the POTW to exceed its NPDES permit limits.

5.1.9 Unpolluted Waters

Any unpolluted water including, but not limited to, water from cooling systems or storm water origin, which will increase the hydraulic load on the sewerage facilities.

5.1.10 Discolored Materials

Wastes with objectionable color, not removable by the treatment process.

5.1.11 Corrosive Wastes

Any waste which will cause corrosion or deterioration of the sewerage facilities. All wastes discharged to the public sewer system must have a pH value in the range of six (6) to nine (9). Prohibited materials include, but are not limited to: acids, sulfides, concentrated chloride and fluoride compounds and substances which will react with water to form acidic products.

5.1.12 Thermal Discharge

Heat in amounts which will inhibit biological activity in the POTW or cause damage to the sewerage system resulting in interference, but in no case heat in such quantities that the temperature at the point of discharge exceeds forty (40) degrees centigrade (104 degrees F).

5.1.13 Human Hazard

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

5.2 Limitation on Wastewater Discharges

5.2.1 No person shall discharge, convey, or cause to be discharged or conveyed to the public sewer any wastewater containing pollutants of such character or quantity that will:

- a. Not be amenable to treatment or reduction by the wastewater treatment processes employed, or are amenable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters;
- b. Constitute a hazard to human and/or animal life or to the stream or water course receiving the treatment plant effluent;
- c. Violate the Federal Pretreatment Standards;
- d. Cause the treatment plant to violate its NPDES permit, Tennessee Department of Environment & Conservation Permit, and/or other applicable receiving water standards; and
- e. Contain any water or wastes whose strength or other characteristics exceed the limits for normal wastewater which may be established by the Director.

5.2.2 If the wastewater influent to the treatment plant creates adverse effects, or interferes with any wastewater treatment or collection processes, creates any hazard in receiving waters, or results in the Town being in violation of applicable effluent standards, the Director shall establish industrial wastewater effluent limits as deemed necessary up to the maximum concentrations. Furthermore, the Director shall have the authority to add to the list. Presently, limits for certain parameters have been set as protection criteria for the POTW. These limits are influent concentrations to the POTW. Discharge limits for industrial users will be set in discharge permits as outlined in Section 10 of this ordinance.

SECTION 6: CONTROL OF PROHIBITED WASTES

6.1 Regulatory Actions

If wastewater containing any substance in excess concentrations as described in Section 5 of this Ordinance are discharged, or proposed to be discharged, into the sewer system of the Town of Gordonsville, or to any sewer system tributary thereto, the Town shall take any action necessary, but not limited to:

- a. Prohibit the discharge of such wastewater;
- b. Require a discharger to demonstrate that modifications will eliminate the discharge of such substances to a degree as to be acceptable to the Director;
- c. Require pretreatment, including storage facilities or flow equalization, necessary to reduce or eliminate the objectionable characteristics or substances so that the discharge will not violate these rules and regulations, Federal pretreatment standards and/or any other applicable requirements promulgated by the EPA in accordance with Section 307 of the *Clean Water Act of 1977*;
- d. Require the person or discharger making, causing or allowing the discharge to pay any added cost of handling and treating excess loads imposed on the sewerage facilities in addition to penalties of Five Hundred Dollars (\$500.00) per occurrence payable to the Town of Gordonsville within ten (10) days of illegal discharge. Nothing herein authorizes discharges, otherwise prohibited, upon payment of cost thereof.
- e. Take such other remedial action provided by law as may be deemed to be desirable and/or necessary to achieve the requirements of this Ordinance.

6.2 Submission of Plans

Prior to discharge into any part of its sewerage facilities where pretreatment or equalization of wastewater flow(s) is required by the Town of Gordonsville, plans, specifications and other pertinent data or information relating to such pretreatment or flow control facilities shall be submitted to the Director for review and approval.

Approval shall in no way exempt the discharge of such facilities from compliance with any applicable code, ordinance, rule or regulation of any governmental unit or the Town. Any subsequent alterations or additions to such pretreatment or flow control facilities shall not be made without prior written notice to, and approval from, the Director before implementation.

6.3 Pretreatment Facilities Operations

For commercial and industrial users, if pretreatment and/or control of waste flows is required, such facilities shall be effectively installed, operated and maintained by the discharger at his expense, subject to the requirements of these rules, regulations and all other applicable codes, ordinances and laws. Failure to have a current permit will result in a penalty of Five Hundred Dollars (\$500.00) per day of delinquency.

6.4 Reporting of Accidental Discharges

If an accidental discharge of prohibited or regulated pollutants to the sewerage facilities shall occur, the discharging facility response for such discharge shall be to **immediately** notify the Director so that corrective action may be taken to protect the sewerage Facilities.

In addition, a written report addressed to the Director detailing the date, time and cause of the accidental discharge, the quantity and characteristics of the discharge, and corrective action taken to prevent future discharges, shall be filed by the responsible facility no later than ten (10) days from the date of the occurrence of the accidental discharge. All costs associated with any necessary cleanup, as determined by the Director shall be the responsibility of the discharging facility. Failure to report any such discharge shall result in a fine, not to exceed Five Hundred Dollars (\$500.00) per day.

6.5 Right of Entry

Representatives of the Town of Gordonsville, the Tennessee Department of Environment and Conservation (TDEC), and/or Environmental Protection Agency (EPA), upon presentation of credentials and without prior notice, shall be permitted to enter all properties of the contributing industrial/commercial facility for the purpose of inspection, observation, measurement, sampling and testing.

SECTION 7: WASTEWATER SAMPLING AND ANALYSIS

7.1 Analysis of Industrial Wastewater

All of the parameters listed in the User Discharge Permit, as authorized under Section 10, are to apply at the point where the industrial wastes are discharged into the public sanitary sewerage system and any chemical or public sanitary sewerage system and, any chemical or mechanical corrective treatment required, must be accomplished to practical completion before the wastes reach that point. The laboratory methods used in the examination of all industrial wastes shall be those set forth in the latest edition of *Standard Methods for the Examination of Water and Wastewater* published by the American Public Health Association, *Methods for Chemical Analysis of Water and Waste* published by the U.S. Environmental Protection Agency or the *Annual Book of Standards*, Part 23, "Water,

Atmosphere Analysis” published by the American Society for Testing and Materials. However, alternate methods for the analysis of industrial wastes may be used subject to prior written mutual agreement between the Director and the producer of such wastes; agreement to be renewed annually. The frequency and duration of the sampling of any industrial/commercial waste shall be determined by the Director.

7.2 Control Manhole

The owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manhole shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Director. The manhole shall be installed by the discharger and/or owner at their expense, and shall be maintained by them to be safe and accessible at all times. The Director shall have access and use of the control manhole as required for the monitoring of the industrial discharge.

SECTION 8: INDUSTRIAL SELF-MONITORING REQUIREMENTS

In order to effectively administer and enforce the provisions of these regulations, the Director shall require any discharger to comply with any and/or all of the following requirements.

8.1 Discharge Reports

The Director shall require discharge reports, including but not limited to, questionnaires, technical reports, sampling reports, test analyses, and periodical reports of wastewater discharge.

8.2 Monitoring Programs

The Director may require of users such technical or monitoring programs, including the submission of periodic reports, as he deems necessary. The discharger shall pay all applicable charges for the monitoring program, in addition to the sewage disposal and other charges established by the Town of Gordonsville.

The monitoring program shall require the discharger to conduct a sampling and analysis program of a frequency and type specified by the Director to demonstrate compliance with prescribed wastewater discharge limits. The discharger may either:

- a. Conduct his own sampling and analysis program provided he demonstrates to the Director that he has the necessary qualifications and facilities to perform the work; or
- b. Engage a private laboratory, approved by the Director, in advance.

SECTION 9: ENFORCEMENT PROCEDURES

9.1 Penalties

Violation of any provision of this Ordinance is hereby declared to be unlawful and shall be punishable as prescribed in Section 1.7 of the *Code of Ordinances*, Town of Gordonsville and/or as noted in this ordinance. Each violation and/or each day any such violation occurs shall be deemed a separate offense.

9.2 Liability

Any person violating any of the provisions of this Ordinance shall be liable to the Town of Gordonsville for any expense, loss or damage incurred by the Town as a result of such violation.

9.3 Injunctive Relief

In addition to the penalties provided in the foregoing subsections, whenever a discharger violates any provision of this Ordinance or fails to comply with any requirement of the Town of Gordonsville under authority of this Ordinance, the Town may petition the appropriate Court(s) for injunctive relief.

9.4 Remedies Nonexclusive

Use of any remedy herein contained shall not preclude utilization of any other remedy available at law or in equity; nor shall it preclude revocation of permits as provided for herein.

SECTION 10: PERMITS

10.1 All industrial users proposing to connect to, or discharge, into the sanitary sewer system must obtain a Wastewater Discharge User Permit from the Director before connecting to, or discharging into, the sanitary sewer. All existing industrial users connected to, or discharging into, the Town's sanitary sewer must obtain a Wastewater Discharge User Permit within Thirty (30) days after notice from the Town of Gordonsville.

10.2 All persons within the Town's corporate limits, who intend to provide septic tanks for sewage disposal, shall make written request to the Director for a septic tank permit. Upon receipt of the written request, the Director shall determine whether the applicant is unable to connect to the Town's system, or whether other conditions exist as provided herein which would allow the use of a septic tank. If so, the Permit may be granted, conditioned upon proper installation in accordance with applicable standards and such other requirements as necessary, to protect the public health and safety. The septic tank regulations in this Ordinance shall not supersede any Federal, State or County regulations.

10.3 Permit Application

Industrial users seeking a Wastewater Discharge User Permit shall complete and file with the Director an application in the form prescribed by the Director and accompanied by the applicable fees. The applicant shall be required to submit, in units and terms appropriate for evaluation, the following information:

- a. Name, address, and Standard Industrial Classification (*SIC Manual*, 1972, Office of Management and Budget) number of applicant;
- b. Volume of wastewater to be discharged;
- c. Wastewater constituents and characteristics including, but not limited to, those mentioned in Section 5 as determined by a laboratory approved by the Director;
- d. Time of duration of discharge;
- e. Average and thirty (30) minute peak wastewater flow rates, including daily, monthly and seasonal variations;
- f. Site plans, floor plans, mechanical and plumbing plans and details to show all sewers and appurtenances by size, location and elevation;
- g. Description of activities, facilities and plant processes on the premises including all materials, processes and types of materials which are, or could be, discharged;
- h. Each product produced by type, amount and rate of production;
- i. Number and type of employees, and hours of work;
- j. All Tennessee Department of Environment & Conservation and Environmental Protection Agency permits required; and
- k. Any other information as may be deemed by the Director to be necessary to evaluate the permit application.

The Director will evaluate the data furnished by the user and may require additional information. After evaluation and acceptance of the data furnished, the Director may issue a Wastewater Discharge Permit subject to terms and conditions provided herein.

10.4 Permit Conditions

Wastewater Discharge User Permits shall be expressly subject to all provisions of this Ordinance and all other regulations, user charges and fees established by the Town of Gordonsville. The conditions of Wastewater Discharge Permits shall be uniformly enforced by the Town in accordance with this Ordinance and applicable State and Federal regulations.

Permits may include, but not necessarily be limited to, the following:

- a. The unit charge or schedule of user charges and fees for the wastewater to be discharged to the public sewer;
- b. The average and maximum wastewater constituents and characteristics;
- c. Limits on rate and time of discharge or requirements for flow regulation and equalization;
- d. Requirements for installation of inspection and sampling facilities;
- e. Thirty (30) days after notice from the Town;
- f. Specifications for monitoring programs which shall include sampling locations, frequency and method of sampling, number, types, and standards for tests and reporting schedule;
- g. Requirements for submission of technical reports or discharge reports;
- h. Requirements for maintaining plant records relating to wastewater discharge as specified by the Director and affording the Director access thereto; and
- i. Other conditions as deemed appropriate by the Director to ensure compliance with this Ordinance.

10.5 Duration of Permits

Permits shall be issued for a period of two (2) years, renewable on December 31 and issued no later than January 31. It shall be the responsibility of each USER to obtain the necessary forms, with submission of applicable fee, prior to expiration.

The terms and conditions of the permit may be subject to modification and change by the Director during the life of the permit as limitations or requirements are identified, modified and/or changed. The user shall be informed of any proposed changes in his permit at least thirty (30) days prior to the effective date of change. Any changes, or new conditions, in the permit shall include a thirty (30) day time schedule for compliance.

If compliance by the user cannot be established within the thirty (30) day period, written application to the Director stating conditions incurred and reason for delay, with completion date stated, must be submitted to the Director for approval prior to expiration of the original thirty (30) day time period.

Failure shall result in revocation of permit and/or fine, not to exceed Five Hundred Dollars (\$500.00) per day.

10.6 Transfer of a Permit

Wastewater Discharge User Permits are issued to a specific user for a specific operation. Wastewater Discharge Permits shall not be reassigned, transferred, modified or sold to a new owner, new user, change in premises or name, or a new or modified operation.

10.7 Revocation of Permit

Any user who violates the conditions of the permit or the revisions of this Ordinance, or applicable State and Federal regulations, or any of the following conditions shall be subject to having their permit revoked and penalties assessed until compliant:

- a. Failure of a user to factually report the wastewater constituents and characteristics of his discharge;
- b. Failure of the user to report significant changes in operations or wastewater constituents and characteristics;
- c. Refusal of access to the user's premises for the purpose of inspection or monitoring; or
- d. Violation of any conditions of the permit or *Sewer Use Ordinance*.

Upon revocation of any permit issued under this Ordinance, the user shall be notified that they shall be entitled to a hearing upon such revocation. Written request for such hearing must be made to the City Attorney within seven (7) days of notification of revocation of the permit. The hearing will be held before a Hearing Examiner and shall be heard within seven (7) days upon receipt of the request for the hearing. At the hearing, the Town and the User shall be entitled to present evidence relevant and material to the revocation, to examine and cross examine witnesses, and may be represented by an Attorney. The Hearing Examiner shall render a decision within seven (7) days upholding or overturning the revocation.

SECTION 11: PROVISION OF SERVICE

11.1 Application for Service

Prior to use of the POTW, prospective users shall be required to sign an Application for Service and/or the Town of Gordonsville's standard form of contract before service is supplied. Users requiring the installation of special equipment, if deemed by the Director, may be required to sign a form of contract guaranteeing a minimum charge for such period of time as may be required by the Town of Gordonsville; but in the absence of a completed application or contract, the usage by the user shall bind the user to the terms of the Town of Gordonsville's standard form of application. If for any reason the user, after signing the application or contract for services, does not use the service, he shall reimburse the Town of Gordonsville for all expenses incurred by reason of its endeavor to furnish such service.

11.2 Temporary Service

Any user requiring temporary service may be required to pay all costs as determined by the Director for connection and disconnection incidental to the supplying and removal of service in addition to the regular sewer rate charges.

11.3 Billing

All bills for sewer service will be rendered monthly, predicated on the regular monthly water billing, and shall be computed using the applicable rates or charges in effect at the billing date. Such billings shall be payable in the net amount only if paid prior to the 15th of the following month; after this date, a charge of ten percent (10%) of the total balance owed will be imposed. Should the final date for payment of the bill at the net rate fall on a Saturday, Sunday or City observed holiday, the next business day following the final date will be held as the last day to obtain the net rate. Remittance of payment received by mail will be accepted by the Town of Gordonsville if the incoming envelope bears the United States Post Office date stamp of the final date for payment of the net amount or any date prior.

Failure to receive the bill shall not release User from their obligation to make payment nor extend the net date. No User shall be entitled to pay any bill at the net rate while such User is delinquent in payment of any obligation for sewer service owed the Town of Gordonsville by such user.

11.4 Point of Delivery - Water Service

The sewer service rates are based upon the supplying of water service to the entire premises through a **single** delivery and metering point. If water service is rendered to any User or premise through more than one delivery point, the Town of Gordonsville will bill each such delivery point as a separate service, combined into one billing, to the owner of the property. Trailer parks and multifamily dwellings will be billed to the owner of the property.

11.5 Multiple Service through a Single Meter - Water Service

Where the Approving Authority, as Distributor of Water, allows more than one dwelling or premise to be served through a single service line and meter, the monthly water billing for each such dwelling or premise will be computed in accordance with the rules and regulations for the distribution of water. The sewer service charge for each such dwelling or premise thus served shall then be computed at the Town of Gordonsville's applicable sewer service charge rates.

11.6 Discontinuance of Service

The Distributor of Water, may disconnect its water service and may refuse to reconnect water service for a violation, for failure to comply with any of its rules and regulations, for violation of any provision of the User's application. Discontinuance of water service by the Approving Water Authority for any cause **shall not** release the sewer user from liability of sewer service already received or from liability for payments that thereafter become due under the provisions of this Ordinance.

11.7 Termination of Service

Notice to discontinue water and/or sewer service will not relieve owner/user from minimum monthly charges, penalties or guaranteed payment of applicable rate schedule.

11.8 Notice of Trouble

User shall notify the Director immediately of any known defects, trouble or accident affecting the sewerage system. It is the responsibility of each owner/user to keep their lines/connections in good working condition at their expense. If necessary for the health and/or safety of the general public, the Director may initiate repairs at the **owner's expense** after five (5) days written notice to the owner/user.

11.9 Sewer Connections

Users requiring connections to existing mains or the extension of mains must arrange at their expense for whatever extension of the sewer main that may be necessary to reach a point in front of, or adjacent to, his property where all his sewer service line may be connected at a single point. Several users may jointly arrange for the extension of a main to serve their properties and share the total expense in whatever manner they agree. Such mains must be constructed in accordance with the Town of Gordonsville's guidelines and, upon acceptance by the Director and the Town of Gordonsville, will become part of the community system without cost to the Town of Gordonsville. Connections with existing mains shall be made at the User's expense only after **prior** approval by the Director, and only after inspection of service lines to ensure conformance with requirements of the *Sewer Use Ordinance*, building permit and the avoidance of any health hazard or interference with the existing system.

11.10 Scope

The Rules, Regulations and Rate Schedules are a part of all applications and/or contracts for receiving sewerage service from the Town of Gordonsville and apply to all service received from the Town whether the service is based upon contract, signed application or Otherwise.

SECTION 12: USER CHARGE

12.1 Definitions

For the purpose of this section only, which deals with sewer connection fees, the following terms shall have the following meanings.

- a. **Residential User** means the owner or occupant of a single family dwelling.
- b. **Commercial User** means the owner or occupant of a premise other than a single family dwelling used for any commercial purpose, and other than a manufacturing plant employing more than three (3) people. Commercial users include, but are not limited to: hotels, motels, apartment buildings, bed and breakfast establishments, retail stores, restaurants, nursing homes, service stations, beauty/barber shops, government buildings, banks, churches, doctor offices, and other similar businesses or enterprises.
- c. **Industrial User** means the owner or occupant of a premise used for a manufacturing plant employing more than three (3) persons.
- d. **Dwelling** means any single structure, with auxiliary buildings, occupied by no more than one household for residential purposes only.

- e. **Premise** means any structure or group of structures operated as a single business or enterprise, provided, however, the term “premise” does not include more than one dwelling.
- f. **User** means any premise or dwelling receiving sewer service from the Town of Gordonsville.
- g. **Low Income** means the total annual household income is less than:
 - \$16,850.00 for a one person household;
 - \$19,250.00 for a two person household;
 - \$21,650.00 for a three person household;
 - \$24,100.00 for a four person household;
 - \$26,000.00 for a five person household;
 - \$27,950.00 for a six person household;
 - \$29,850.00 for a seven person household; and
 - \$31,800.00 for an eight person household.

12.2 Amount of Fees

No permit to connect to any public sewer or appurtenance thereof shall be granted by the Director unless the applicant first pays to the Town of Gordonsville a sewer connection maintenance fee, based upon the number of water taps to the property, as follows:

	<u>Inside Corporate Limits</u>	<u>Outside Corporate Limits</u>
a. Residential-1 Users:	\$1,000.00 per tap	\$ 2,000.00 per tap
b. Residential-2 Users:	\$1,500.00 per tap	\$ 3,000.00 per tap
c. Commercial-1 Users:	\$ 3,000.00 per tap	\$ 6,000.00 per tap
d. Commercial-2 Users:	\$ 3,500.00 per tap	\$ 7,000.00 per tap
e. Industrial-1 Users:	\$ 5,000.00 per tap	\$10,000.00 per tap
f. Industrial-2 Users:	\$10,000.00 per tap	\$20,000.00 per tap

12.3 Installment Payments

A low-income Residential-1 user shall have the option to pay the sewer maintenance connection fee, in not less than ten (10) equal monthly installments of \$100.00 each to be included with monthly billing statement, by submitting a written request with sufficient information (annual income statements, income tax report, W-2's, etc.) to determine if the applicant qualifies as a low-income user. If the applicant does qualify, an installment contract agreeing to make all monthly payments in order to pay the sewer maintenance connection fee in full shall be signed. Installment payments will be due and included on the monthly sewer billing. Late charges will apply, if applicable.

SECTION 13: USER CHARGE SYSTEM

13.1 General Provisions

a. Actual Use

The UCS shall be based on actual use, or estimated use, of wastewater treatment services. Each user or user class must pay their proportionate share of the costs of wastewater treatment services based on the quantity and quality of their discharge. In the absence of flow meter indicators, usage shall be based upon water meter readings.

b. Notification

When service rates change, each user shall be notified annually in conjunction with their regular bill of the rate being charged for wastewater treatment services.

c. Financial Management System

The UCS must establish a financial management system that will accurately account for generated revenues and expenditures of the wastewater system. This financial management system shall be based on an adequate budget identifying the basis for determining the annual operating expense, interest expense, depreciation, and any reserve account requirements.

d. Charges for Inflow and/or Infiltration

The UCS shall provide that the cost of operation and maintenance for all flow not directly attributable to users be distributed among all users in the same manner that it distributes the costs of the actual or estimated usage.

e. **Use of Revenue**

Revenue derived from the wastewater system, including but not limited to, sale of treatment related byproducts; lease of land; or sale of crops grown on land purchased shall offset current user charges as well as moderate future rate increase(s).

f. **Other Municipalities**

If the wastewater system accepts wastewater from other local governments, these subscribers receiving wastewater treatment services shall adopt user charge systems in accordance with the same state regulations requiring this Ordinance.

g. **Inconsistent Agreements**

This UCS shall take precedence over the terms or conditions of contracts or agreements between the city and users which are inconsistent with the requirements of this ordinance.

13.2 Charge Structure

a. **Classification of Users**

Class 1 (R-1)

Those Residential Users whose discharge is considered to be treatable with normal Practices.

Class 2 (R-2 and C-1)

Those Commercial Users whose discharge is considered to be treatable with normal practices.

Class 3 (C-2)

Those Industrial or other users whose average biochemical oxygen demand (BOD) is 300 milligrams per liter by weight or less, and whose suspended solids (SS) discharge is 300 per liter by weight or less.

Class 4 (I-1)

Those Industrial users whose average BOD exceeds 300 milligrams per liter concentration by weight and/or whose SS exceeds 300 milligrams per liter concentration.

Class 5 (I-2)

Those Industrial users whose average BOD exceeds 300 milligrams per liter concentration by weight and/or whose SS exceeds 300 milligrams per liter concentration.

Class 6

A discharge received from a truck which requests discharge privileges in accordance with the policy of the Town of Gordonsville.

Class 7

A discharge received from a recreational vehicle in accordance with the policy of the Town of Gordonsville.

b. Determination of Costs

The governing body shall establish monthly rates and charges for the use of the wastewater system and the services supplied by the wastewater system. These charges shall be based upon the cost categories described as operation, maintenance, and replacement (OMR); interest (I); and principal repayments or depreciation, whichever is greater (P).

1. Each user who falls under Class I shall pay a minimum charge for usage less than 2000 gallons. For usage over 2000 gallons, there shall be a surcharge for each 1000 gallons over the 2000 gallon minimum.
2. All users who fall under Class 1 shall pay a single unit charge expressed as dollars per 1000 gallons of water purchased with the unit charge being determined by the following formula:

$$C2 = OMR + I + P/\text{total gallons treated}$$

3. All users who fall within the Class 2 classification shall pay the same base unit charge per 1000 gallons of water purchased as for the Class 1 users and in addition shall pay a surcharge rate on the excessive amounts of biochemical oxygen demand (BOD) and suspended solids (SS) in direct proportion to the actual discharge quantities.

C3 = C2 plus the following formula for excessive strength:

$$\{A(D-300) + B(E-300) + C(F)\} \times .00834 \times G = \text{Surcharge Payment (\$/mo.)}$$

The components of the formula are as follows:

- A = Surcharge rate for BOD in \$/pound
- B = Surcharge rate of SS in \$/pound
- C = Surcharge rate for other pollutant(s) in \$/pound
- D = User's average BOD concentration in mg/l
- E = User's average SS concentration in mg/l
- F = User's average other pollutants concentration in mg/l
- G = User's monthly flow to sewage works in 1000 Gallons

No reduction in sewage service charges, fees or taxes shall be permitted because of the fact that certain wastes discharged to the sewage works contain less than 300 mg/l or BOD and/or 300 mg/l of SS.

- 4. All users who fall under Class 6 shall pay a single charge for each separate discharge accepted from a truck.
 - 5. All users who fall under Class 7 shall pay a single charge for each separate discharge accepted from a recreational vehicle.
- c. Adjustments for wastewater use charges will be considered only if notice is received by the Town that the volume of water purchased has been adjusted by the water supplier. Outside leaks, if verified by the water supplier, may be adjusted based upon the average of the prior six (6) months actual usage.
- D. Current minimum rate schedules follow:

	<u>Inside Corporate Limits</u>	<u>Outside Corporate Limits</u>
a. Residential-1 Users:	\$16.80 min+3.75@1000gal	\$25.00 min/\$5.75per1000gal
b. Residential-2 Users:	\$16.80 min+4.75@1000gal	\$30.00 min/\$6.75per1000gal
c. Commercial-1 Users:	\$16.80 min+5.75@1000gal	\$35.00 min/\$7.75per1000gal
d. Commercial-2 Users:	\$16.80 min+6.75@1000gal	\$40.00 min/\$8.75per1000gal
e. Industrial-1 Users:	\$16.80 min+7.75@1000gal	\$45.00 min/\$9.75per1000gal
f. Industrial-2 Users:	\$16.80 min+8.75@1000gal	\$50.00 min/\$10.75per1000gal

SECTION 14: VALIDITY

- 14.1 The provisions of this Ordinance shall supersede and take precedence over any other ordinance, or part thereof, or any other rules and regulations of the Town of Gordonsville.

- 14.2 It is hereby declared the intention of the Town Council that sections, paragraphs, sentences, clauses, and words of this Ordinance are severable, and if any such section, paragraph, sentence, clause, or word be declared unconstitutional or invalid by valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any remaining sections, paragraphs, sentences, clauses, or words since the same would have been enacted without the incorporation of the unconstitutional section, paragraph, sentence, clause or word.

SECTION 15: ORDINANCE IN FORCE

This revised Ordinance shall become effective ten (10) days after final adoption on third reading, the welfare of the Town of Gordonsville requiring it.

The Mayor, Director and City Recorder will review the user charges annually with the budget process and revise the rates as necessary to ensure that adequate revenues are generated to pay OMR, I and P. The periodic review shall also ensure that the system continues to provide for the proportional distribution of these costs among users and user classes.

The rates, upon change, shall be set in a resolution passed by the Town Council.

Motion was made by Councilman Pierce, seconded by Councilman Williams, that the foregoing revised Ordinance be adopted on First Reading on the 8th day of April, 2002


Motion was made by Councilman Stewart, seconded by Councilman Pierce, that the foregoing revised Ordinance be adopted on Second Reading on the 13th day of May, 2002

Motion was made by Councilman Stewart, seconded by Councilman Lancaster, that the foregoing revised Ordinance be adopted on Third Reading on the 24th day of June, 2002

Published in the Carthage Courier on the 30th day of May, 2002

Public Hearing held on the 13th day of June, 2002

Dated this 24th day of June, 2002


Mayor

Attest: 
City Recorder