

2/20/01

0-01-05

Sewer Use
ORDINANCE
0-01-05

AN ORDINANCE TO REGULATE IN THE CITY OF CORDELE THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, PRIVATE WASTEWATER DISPOSAL, INSTALLATION AND CONNECTION OF BUILDING SEWERS, AND DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM: TO PROVIDE A SHORT TITLE FOR THIS ORDINANCE; TO REGULATE SEWER USE BY CUSTOMERS OUTSIDE THE CITY OF CORDELE; TO PROVIDE FOR DISCONTINUING WATER AND SEWER SERVICES UNDER CERTAIN CONDITIONS; TO PROVIDE FOR APPOINTMENT OF A HEARING OFFICER AND ESTABLISH POWERS AND DUTIES OF THE HEARING OFFICER; TO PROVIDE FOR REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE FOR THE SEVERABILITY OF THIS ORDINANCE; AND FOR OTHER PURPOSES NECESSARY TO CARRY OUT THE FOREGOING OBJECTIVES, ALL UNDER THE AUTHORITY GRANTED BY THE CHARTER OF THE CITY OF CORDELE, GEORGIA.

The City Commission of the City of Cordele hereby ordains, as follows:

SHORT TITLE

This Ordinance shall be known as and may be cited as, "The Sewer Use Ordinance."

SCOPE OF THE ORDINANCE

Unless the context specifically indicates otherwise, or the laws of Georgia will not permit City jurisdiction, this Ordinance shall apply not only to customers of the City's sewer service located in the corporate limits of the City, but also to customers of the City's sewer service located outside the corporate limits of the City.

ARTICLE I

Definitions

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

- Sec. 1. "Act" shall mean the Federal Water Pollution Control Act Amendments of 1972, Public Law 92-500, as amended by the Clean Water Act of 1977, Public Law 95-217, and as subsequently amended, 33 U.S.C. 1251 et seq.
- Sec. 2. "Biochemical oxygen demand (BOD)" shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure prescribed in "Standard Methods for the Examination of Water and Wastewater" in five (5) days at 20° C, expressed in milligrams per liter.
- Sec. 3. "Building drain" shall mean the part of the lowest horizontal piping of a drainage system which received 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 outer face of the building wall.
- Sec. 4. "Building sewer" shall mean the extension from the building drain to the public sewer or other place of disposal, also called house connection or service connection.
- Sec. 5. "Categorical Standard" shall mean national pretreatment standards applicable to industrial users specifying quantities or concentrations of pollutants or pollutant properties which may be discharged to a City owned wastewater treatment works. Categorical standards are established in 40 CFR, Chapter I, Subchapter N, Parts 405-471.
- Sec. 6. "Chemical Oxygen Demand" shall mean the quantity of oxygen utilized in the

oxidation of organic matter under standard laboratory procedures prescribed in “Standard Methods for the Examination of Water and Wastewater”, expressed in milligrams per liter.

Sec. 7. “City” shall mean the City of Cordele, Georgia.

Sec. 8. “Combined sewer” shall mean a sewer intended to receive both wastewater and storm or surface water.

Sec. 9. “Composite sample” shall mean the accumulation of a number of individual samples over a period of time, so taken as to represent the nature of the wastewater.

Sec. 10. “Cooling water” shall mean the water discharged from any use such as air conditioning, cooling, refrigeration, or to which the only pollutant added is heat.

Sec. 11. “Environmental Health Specialist” shall mean the person designated as such by the Crisp County Board of Health.

Sec. 12. “Customer” shall mean every person who is responsible for contracting (expressly or implicitly) with the City of Cordele in obtaining, having, or using sewer connections with, or sewer tap to, the sewer system of the City and in obtaining, having, or using water and other related services furnished by the City for the purpose of disposing of wastewater and sewage through said system. Said terms shall include the occupants of each unit of a multiple-family dwelling unit building as a separate and distinct customer.

Sec. 13. “Designated City representative” shall mean the City Manager of the City of Cordele,

or his authorized deputy, or representative.

- Sec. 14. "Easement" shall mean an acquired legal right for the specific use of land owned by others.
- Sec. 15. "Floatable oil" is oil, fat, or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable oil if it is properly pretreated and the wastewater does not interfere with the collection system.
- Sec. 16. "Flush toilet" shall mean the common sanitary flush commode in general use for the disposal of human excrement.
- Sec. 17. "Garbage" shall mean the animal and vegetable waste resulting from the handling, preparation, cooking, and serving of foods.
- Sec. 18. "General Pretreatment Regulations" shall mean 40 CFR, Chapter I, Part 403 - General Pretreatment Regulations for Existing and New Sources of Pollution, as amended.
- Sec. 19. "Grab Sample" shall mean a sample which is taken from a wastewater stream on a one-time basis with no regard to the flow in the wastewater stream and without consideration of time.
- Sec. 20. "Grease" shall mean a group of substances including fats, waxes, free fatty acids, calcium and magnesium soaps, mineral oils, and certain other non-fatty materials.

- Sec. 21. "Grease interceptor" shall mean a tank or vessel designated to remove and retain grease and floatable oil from a wastewater stream prior to discharge to a public sewer.
- Sec. 22. "Grit" shall mean the heavy suspended mineral matter present in wastewater such as sand or gravel.
- Sec. 23. "Grit interceptor" shall mean a tank or vessel designed to interrupt the flow of wastewater so as to cause grit to settle out of the wastewater stream prior to discharge to a public sewer.
- Sec. 24. "Industrial wastes" shall mean the wastewater from industrial processes, trade, or business as distinct from domestic or sanitary wastes.
- Sec. 25. "Infiltration/Inflow" shall mean groundwater and surface water which leaks into the sewers through cracked pipes, joints, manholes, or other openings.
- Sec. 26. "Interference" shall mean a discharge, which alone or in conjunction with a discharge from other sources, inhibits or disrupts the PTOW, its treatment processes or operations or its sludge processes, use or disposal; and therefore, is a cause of a violation of the City's NPDES permit or of the prevention of sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued thereunder, or any more stringent State or local regulations: Section 405 of the Act; the Solid Waste Disposal Act, including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA); any State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the Solid Waste Disposal Act; the Clean Air Act; the Toxic Substances Control Act,

and the Marine Protection, Research, and Sanctuaries Act.

- Sec. 27. "Natural outlet" shall mean any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake, or other body of surface or groundwater.
- Sec. 28. "May" is permissive (see "shall", Sec. 41).
- Sec. 29. "Municipality" shall mean the governmental body having jurisdiction over the maintenance and operations of the water and sanitary sewer systems within the City of Cordele and other areas of Crisp County.
- Sec. 30. "Normal wastewater" shall mean wastewater discharged into the sanitary sewers in which the average concentration of total suspended solids is not more than 250 milligrams per liter (mg/l), BOD₅ is not more than 250 mg/l, total phosphorous is not more than 15 mg/l, total oil and grease is not more than 100 milligrams per liter (mg/l), total Kjeldahl nitrogen is not more than 20 mg/l, and the total flow is not more than 25,000 gallons per day.
- Sec. 31. "Pass Through" shall mean a discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the City's NPDES permit, including an increase in the magnitude or duration of a violation.
- Sec. 32. "Person" shall mean any individual, partnership, institution, firm, company, association, society, corporation, trust, estate, group, or any other legal entity.

- Sec. 33. "pH" shall mean the reciprocal of the logarithm of the hydrogen ion concentration. The concentration is the weight of hydrogen ions, in grams, per liter of solution.
- Sec. 34. "Pit privy" shall mean shored, vertical pit in the earth completely covered with a flytight slab on which is securely located a flytight riser covered with hinged flytight seat and lid.
- Sec. 35. "Properly shredded garbage" shall mean the wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than ½ inch in any dimension.
- Sec. 36. "Public sewer" shall mean a common sewer controlled by a governmental agency or public utility.
- Sec. 37. "Sanitary sewer" shall mean a sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions together with minor quantities of ground, storm, and surface waters that are not admitted intentionally.
- Sec. 38. "Septic tank" shall mean a subsurface impervious tank designed to temporarily retain sewage or similar waterborne wastes together with:
- (a) A sewer line constructed with solid pipe, with the joints sealed, connecting the impervious tank with a plumbing stub out; and
 - (b) A subsurface system of trenches, piping, and other materials constructed to

drain the clarified discharge from the tank and distribute it underground to be absorbed or filtered.

Sec. 39. “Sewage” is the spent water of a community. The equivalent term is “wastewater”,
Sec. 46.

Sec. 40. “Sewer” shall mean a pipe or conduit that carries wastewater or drainage water.

Sec. 41. “Shall” is mandatory (see “may”, Sec. 28).

Sec. 42. “Slug Load or Slug” shall mean any discharge at a flow rate or concentration which could cause a violation of the prohibited discharge standards in Article V of this ordinance.

Sec. 43. “Storm drain” (sometimes termed “storm sewer”) shall mean a drain or sewer for conveying water, groundwater, subsurface water, or unpolluted water from any source and excluding sewage and industrial wastes other than unpolluted cooling water.

Sec. 44. “Suspended solids” shall mean total suspended matter that either floats on the surface of, or is in suspension in, water, wastewater, or other liquids, and that is removable by laboratory filtering as prescribed in “Standard Methods for the Examination of Water and Wastewater” and referred to as nonfilterable residue.

Sec. 45. “Toxic Pollutant” shall mean any pollutant or combination of pollutants listed as toxic in 40 CFR, Chapter I, Section 401.15.

- Sec. 46. "Unpolluted water" is water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefitted by discharge to the sanitary sewers and wastewater treatment facilities provided.
- Sec. 47. "User" shall mean any person who contributes, causes or permits the contribution of wastewater into public wastewater facilities.
- Sec. 48. "Wastewater" shall mean the spent water of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any groundwater, surface water, and storm water that may be present.
- Sec. 49. "Wastewater facilities" shall mean the structures, equipment, and processes required to collect, carry away, and treat domestic and industrial wastes and dispose of the effluent.
- Sec. 50. "Wastewater treatment works" shall mean an arrangement of devices and structures for treating wastewater, industrial wastes, and sludge. Sometimes used as synonymous with "waste treatment plant" or "wastewater treatment plant" or "water pollution control plant".
- Sec. 51. "Watercourse" shall mean a natural or artificial channel for the passage of water either continuously or intermittently.

ARTICLE II
Use of Public Sewers Required

- Sec. 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 City of Cordele, in any area under the jurisdiction of said City, any human excrement or objectionable waste.
- Sec. 2. It shall be unlawful to discharge to any natural outlet within the City of Cordele, or in any area under the jurisdiction of said City, any wastewater or other polluted waters, except after the user has received a permit from the Georgia Environmental Protection Division.
- Sec. 3. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, cesspool, or other facility intended or used for the disposal of wastewater.
- Sec. 4. The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the City of Cordele and abutting on any street, alley, easement or right-of-way in which there is now located or may in the future be located a public sanitary sewer of the City and not served by an approved and properly functioning private wastewater disposal system as of the effective date of this Ordinance, is hereby required at the owner's expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this Ordinance, within ninety (90) days after date of official notice to do so, provided that said public sewer is within one hundred (100) feet of the property line. Any house, building, or property used for human occupancy, employment, recreation, or other purposes, situated within the

City of Cordele which has an approved and properly functioning private wastewater disposal system as of the effective date of this Ordinance will not be required by the City to connect to a public sanitary sewer as long as the private wastewater disposal system functions in accordance with requirements of the Georgia Department of Human Resources and the Environmental Health Specialist. For septic tanks or other private subsurface disposal facilities, the Environmental Health Specialist shall determine if the wastewater disposal system is functioning properly.

- Sec. 5. All sinks, dishwashing machines, lavatories, basins, shower baths, bathtubs, laundry tubs, washing machines, and similar plumbing fixtures or appliances and swimming pool drains and overflows shall be connected to the public sewer; provided, that where no sewer is available, septic tanks or other private subsurface disposal facilities approved by the Environmental Health Specialist may be used.

ARTICLE III

Private Wastewater Disposal

- Sec. 1. Where a public sanitary sewer is not available under the provisions of Article II, the building sewer shall be connected to a private wastewater disposal system complying with the provisions of this article and the Georgia Department of Human Resources.
- Sec. 2. Before commencement of construction on any private wastewater disposal system, except for septic tanks or pit privies, the owner shall first obtain a written permit from the designated City representative. Septic tank and pit privy installations are under the jurisdiction of the Environmental Health Specialist.

Sec. 3. Septic tanks shall be constructed, repaired, altered, enlarged and maintained in accordance with plans and specifications approved by the Environmental Health Specialist. Septic tanks shall be maintained in sanitary working order.

Sec. 4. No person shall construct, repair, alter, or enlarge any septic tank unless the person holds a valid permit for such work issued by the Environmental Health Specialist. The Environmental Health Specialist may withhold the issuance of such a permit pending the inspection and approval by the Environmental Health Specialist of the site and location of the proposed work.

Before any septic tank or any part thereof be covered after it has been constructed, repaired, altered, or enlarged, it shall be inspected and approved by the Environmental Health Specialist. A copy of the approval shall be provided to the City of Cordele by the owner of the private wastewater disposal system.

Sec. 5. The type, capacities, location, and layout of a private wastewater disposal system shall comply with all requirements of State and Federal water pollution control agencies of jurisdiction and with the Environmental Health Specialist. No permit shall be issued for any private wastewater disposal system employing subsurface soil absorption facilities where the area of the lot is less than 3,750 square feet. No septic tank shall be permitted to discharge to any natural outlet.

Sec. 6. No septic tank or other subsurface disposal facility shall be installed where a public sewer is accessible to the premises involved, nor in any place where the Environmental Health Specialist deems the use of same to be a menace to human health or well being except in accordance with the Intergovernmental Agreement for the Delivery & Payment for Service effective July 1, 1999.

- Sec. 7. At such time as a public sewer becomes available to a property served by a private wastewater disposal system, as provided in Article III, and the Environmental Health Specialist determines that the private wastewater disposal system is not functioning properly, a direct connection shall be made to the public sewer within sixty (60) days after official notice to do so. Any septic tanks, pit privies, and similar private wastewater disposal facilities shall then be cleaned of sludge and filled with suitable material.
- Sec. 8. The owner shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times, at no expense to the City of Cordele.
- Sec. 9. No subsurface disposal facilities shall be installed in any place where the Environmental Health Specialist deems the use of such facilities to be a menace to human health or well being.
- Sec. 10. Every flush toilet shall be connected to a public sewer where available, to a septic tank, or other permitted private wastewater disposal system. Flush toilets shall be provided at all times with sufficient running water under pressure to flush the toilet clean after each use.
- Sec. 11. No pit privy shall be installed in the following locations:
- (a) Where a public sewer is accessible to the premises involved; or,
 - (b) In areas where the Environmental Health Specialist deems the use of pit privies to constitute a nuisance or menace to the public health; or,

- (c) Where a pit privy may pollute any water supply; or,
- (d) Where the use of pit privies is not in keeping with the standard of sanitation in adjacent areas.

Sec. 12. Discharge of septic tank contents in sewer system.

- (a) Restricted. It shall be unlawful to empty, dump or otherwise discharge, into any manhole or other opening, into the City of Cordele sewer system, or any system connected with the discharging into the City sewer system, the contents of any septic tank, sludge, sewage, or other similar matter or material, except as provided in Subsection “b” hereof. Pumpings or contents taken from grease, grit, or oil interceptors are prohibited.
- (b) Permits. The designated City representative is hereby authorized to issue permits to discharge the contents of septic tanks at locations specified by the designated City representative and under his supervision. Such permits may be revoked at any time if, in the opinion of the designated City representative, continued dumping of such matter into the sewers will be injurious to the sewer system or treatment processes. Prior to permit issuance, the designated City representative may require a complete analysis of waste products to be discharged to determine compatibility with the treatment process. The analysis will be at the expense of the person requesting the discharge permit.
- (c) Charges. A charge shall be made for the privilege of dumping the contents of septic tanks, as provided in the City’s fee schedule. A record shall be kept of such dumpings. Fee’s for dumping shall be paid prior to the City

accepting the waste material.

Sec. 13. Any premise that has a septic tank, privy, or any other sewage, industrial waste, or liquid waste disposal system, located thereon that does not function in a sanitary manner shall be corrected within sixty (60) days from the receipt of written notification from the Environmental Health Specialist, the State or the City that said system is not functioning in a sanitary manner, and order that said system be corrected.

Sec. 14. No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the Environmental Health Specialist or the State of Georgia.

ARTICLE IV

Building Sewers and Connections

Sec. 1. No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the City of Cordele.

Sec. 2. There shall be two (2) classes of building sewer permits: (a) for residential and commercial service, and (b) for service to establishments producing industrial wastes. In either case, the owner or owner's 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 judgement of the designated City representative. A permit and inspection fee for a residential or

commercial building or either an industrial building sewer permit shall be paid to the City at the time the application is filed.

- Sec. 3. All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the City of Cordele from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.
- Sec. 4. A separate and independent building sewer shall be provided for every building; (1) except corner lot construction (with no alley access) where direct alley access is not available, and (2) except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the front building may be extended to the rear building and the whole considered as one building sewer, but the City of Cordele does not and will not assume any obligation or responsibility for damage caused by or resulting from any such single connection aforementioned.
- Sec. 5. Existing building sewers may be used in connection with new buildings only when they are found, on examination and test by the designated City representative, to meet all requirements of this Ordinance.
- Sec. 6. The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in construction, shall all conform to the requirements of the building and plumbing codes or other applicable rules and regulations of the City of Cordele. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the American Society for Testing and Materials (ASTM) and Water Environment Federation (formerly known

as Water Pollution Control Federation) Manual of Practice No. 9, latest edition, shall apply.

Additionally, the following materials and methods shall apply to building sewers within City of Cordele.

- (a) The building sewer shall be cast iron soil pipe, ASTM Specification A 74, latest revision, or equal; ductile iron pipe, American National Standards Institute (ANSI) Specification A21.51, latest revision, or equal; extra strength clay pipe, ASTM Specification C 700, latest revision or plastic PVC pipe, ASTM Specification D 3034 SDR35, latest revision. All joints shall be tight and waterproof.

Any part of the building sewer that is located within ten (10) feet of a potable water service pipe shall be constructed of cast iron soil pipe or ductile iron pipe. Cast iron soil pipe or ductile iron pipe may also be required by the designated City representative where the sewer is exposed to damage by tree roots. If installed in filled or unstable ground, the building sewer shall be of cast iron soil pipe or ductile iron pipe, except that non metallic pipe may be acceptable if laid on a suitable concrete bed or cradle as approved by the designated City representative.

- (b) The size and slope of the building sewer shall be subject to the approval of the designated City representative, but in no event shall the diameter be less than four (4) inches. The slope of such four (4) inch pipe shall not be less than one-eighth (1/8) inch per foot.

- (c) The depth shall be sufficient to afford protection from frost, and the building sewer shall be laid at uniform grade and with straight alignment insofar as possible. Changes in direction shall be made only with properly curved pipe and fittings. Building sewers shall not be placed in the same trench with water service lines.
- (d) An excavation required for the installation of a building sewer shall be open trench work unless otherwise approved by the designated City representative. Pipe laying and backfill shall be performed in accordance with ASTM Specification C 12, latest revision, except that no backfill shall be placed until the work has been inspected and approved.
- (e) All joints and connections shall be made gastight and watertight.

Push-on joints for cast iron soil pipe shall have rubber gaskets in accordance with the requirements of ASTM Specification C 564, latest revision.

Push-on joints for ductile iron pipe shall also have rubber gaskets in accordance with ANSI Specification A21.11, latest revision, and be installed according to the manufacturer's recommendations.

Compression joints for clay pipe shall be in accordance with ASTM Specification C 425, latest revision.

Compression joints for plastic pipe shall be in accordance with ASTM Specifications D 3212 and F 477, latest revisions.

- (f) The City will place a clean out on each building sewer installed or repaired after the effective date of this Ordinance. The clean out will be located on the public side as near as practical to the crossing of the building sewer from private property into public property, rights-of-way or easements.
- (g) The connection of the building sewer into the public sewer shall be made at the "Y" branch, if such a 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 of Cordele shall, at the owner's expense, cut a neat hole into the public sewer, with entry in the downstream direction at an angle of about forty-five (45) degrees, and install a forty-five (45) degree elbow with the spigot end cut so as not to extend past the inner surface of the public sewer. The invert of the building sewer at the point of connection shall be at an elevation of at least one-tenth (0.1) foot above the invert of the public sewer. A neat smooth joint shall be made, and the connection made secure and watertight by encasement in concrete. Special fittings may be used for the connection only when approved by the designated City representative.
- (h) The installation of all building sewers and connections to the public sewer shall conform with all pertinent Occupational Health and Safety Act (OSHA) requirements.

Sec. 7. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. No building sewer shall be built parallel to or within three (3) feet of any bearing wall which might thereby be weakened. 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.

- Sec. 8. No person shall make connection of roof downspouts, foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer unless such connection is approved by the designated City representative for purposes of disposal of polluted surface drainage.
- Sec. 9. The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing codes or other applicable rules and regulations of the City of Cordele, or the procedures set forth in appropriate specifications of the ASTM and the WEF (formerly known as WPCF) Manual of Practice No. 9, latest edition. All such connections shall be made gastight and watertight and verified by proper testing. Any deviation from the prescribed procedures and materials must be approved by the designated City representative before installation.
- Sec. 10. The applicant for the building sewer permit shall notify the designated City representative when the building sewer is ready for inspection and connection to the public sewer in compliance with City policy and code. The connection and testing shall be made under the supervision of the designated City representative.
- Sec. 11. All excavations for building sewer installation shall be adequately guarded with barricades, lights and other devices so as to protect the public from hazard. Streets, alleys, sidewalks, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the City of Cordele.

Sec. 12. The City of Cordele will define the availability of sewers and any costs associated with sewer permits or construction.

Sec. 13. If any building sewer permits the entrance of infiltration or inflow, the City of Cordele may:

- (a) Require the owner to repair the building sewer.
- (b) Charge the owner a sewer rate that reflects the costs of the additional expense of sewage treatment from the owner's property.
- (c) Require the owner to disconnect his sewer from the City of Cordele sewer system.

ARTICLE V

Restricted Use of the Public Sewers

Sec. 1. No person shall discharge or cause to be discharged any unpolluted waters such as stormwater, groundwater, roof runoff, subsurface drainage, cooling water or unpolluted industrial process waters, to any sewer, except stormwater runoff from limited areas such as solid waste dumpster pads, which stormwater may be polluted at times, may be discharged to the sanitary sewer by permission of the designated City representative.

Sec. 2. Stormwater other than that exempted under Section 1, Article V, and all other unpolluted drainage shall be discharged to storm sewers or to a natural outlet

approved by the designated City representative and other regulatory agencies. Unpolluted industrial cooling or condensing water may be discharged, on approval of the designated City representative and the Georgia Environmental Protection Division, to a storm sewer, or natural outlet.

Sec. 3. No person shall discharge or cause to be discharged any sanitary wastewater into a storm sewer system.

Sec. 4. No user shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes pass through or interference. These general prohibitions apply to all users of the POTW whether or not they are subject to categorical pretreatment standards or any other National, State, or local pretreatment standards or requirements.

Sec. 5. No user shall introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:

- (a) Pollutants which create a fire or explosive hazard in the POTW, including, but not limited to, wastestreams with a closed-cap flashpoint of less than 140° F (60°C) using the test methods specified in 40 CFR 261.21;
- (b) Wastewater having a pH less than 5.0 or more than 9.0, or otherwise causing corrosive structural damage to the POTW or equipment;
- (c) Solid or viscous substances in amounts which will cause obstruction of the flow in the POTW resulting in interference;

- (d) Pollutants, including oxygen-demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause interference with the POTW;
- (e) Wastewater having a temperature greater than 150°F (65°C), or which will inhibit biological activity in the treatment plant resulting in interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed 104°F (40°C);
- (f) Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin, in amounts that will cause interference or pass through;
- (g) Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems;
- (h) Trucked or hauled pollutants, except at discharge points designated by designated City representative in accordance with Article IV, Section 3, of this ordinance;
- (i) Noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard or life, or to prevent entry into the sewers for maintenance or repair;
- (j) Wastewater which imparts color which cannot be removed by the treatment

process, such as but not limited to dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent, thereby violating the City's NPDES permit;

- (k) Wastewater containing any radioactive wastes or isotopes except in compliance with applicable State or Federal regulations;
- (l) Stormwater, surface water, ground water, artesian well water, roof runoff, subsurface drainage, condensate, deionized water, noncontact cooling water, and unpolluted wastewater, unless specifically authorized by the designated City representative;
- (m) Sludges, screenings, or other residues from the pretreatment of industrial wastes;
- (n) Medical wastes, except as specifically authorized by the designated City representative in a wastewater discharge permit;
- (o) Wastewater causing, along or in conjunction with other sources, the treatment plant's effluent to fail a toxicity test;
- (p) Detergents, surface-active agents, or other substances which may cause excessive foaming in the PTOW;
- (q) Fats, oils, or greases of animal or vegetable origin in concentrations greater than 100 mg/l.

Pollutants, substances, or wastewater prohibited by this section shall not be processed or stored in such a manner that they could be discharged to the POTW.

Sec. 6. The following described substances, materials, waters, or waste shall be limited in discharge to municipal systems to concentrations or quantities which will not, either singly or by interaction with other substances, harm either the sewers, wastewater treatment process or equipment, will not have an adverse effect on the receiving stream, or will not otherwise endanger lives, limb, public property, or constitute a nuisance. The designated City representative may set limitations lower than the limitations established in the regulations below if in his opinion such more severe limitations are necessary to meet the above objectives. In forming an opinion as to the acceptability, the designated City representative will give consideration to such factors as the quantity of subject waste in relation to flows and velocities in the sewers, materials of construction of the sewers, the wastewater treatment process employed, capacity of the wastewater treatment plant, degree of treatability of the waste in the wastewater treatment plant, and other pertinent factors. The limitations or restrictions on materials or characteristics of waste or wastewaters discharged to the sanitary sewer which shall not be violated without approval of the City of Cordele are as follows:

- (a) Any garbage that has not been properly shredded (see Article I, Section 35). Garbage grinders may be connected to sanitary sewers from homes, hotels, motels, institutions, restaurants, hospitals, catering establishments, or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers.
- (b) Any waters or wastes containing heavy metals and similar objectionable or

toxic substances to such degree that any such material at the point of discharge exceeds the limits established below:

Cadmium	0.008 mg/l
Chromium (Total)	2.35 mg/l
Copper	0.122 mg/l
Cyanide	0.082 mg/l
Lead	0.004 mg/l
Mercury	0.002 mg/l
Nickel	0.50 mg/l
Zinc	0.212 mg/l

Or any element which in the judgement of the designated City representative, will damage collection facilities or be detrimental to the treatment process. The limits set forth above may be amended if such amendment is deemed necessary to protect the facilities or life or health and/or to comply with applicable State or Federal regulations.

- (c) All industrial discharges to the City of Cordele sewer system must comply with the Federal Industrial Pretreatment Standards (40 CFR Parts 401 to 471) and those Industrial Pretreatment Standards established or set by the Georgia Environmental Protection Division.
- (d) Quantities of flow, concentrations, or both which constitute a “slug” as defined in Article I.

- (e) Waters or wastes containing substances which are not amendable to treatment or reduction by the wastewater treatment processes employed, or are amendable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to receiving waters.
- (f) Materials which exert or cause:
 - (1) Any unusual concentration of inert suspended solids (such as, but not limited to, Fuller's earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).
 - (2) Unusual BOD (above 250 mg/l), biochemical oxygen demand in such quantities as to constitute a significant load on the sewage treatment plant.
 - (3) Unusual suspended solids (above 250 mg/l) in such quantities as to constitute a significant load on the sewage treatment plant.

Sec. 7. If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated above and which in the judgment of the City of Cordele, may have a deleterious effect upon the wastewater facilities, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the City may:

- (a) Reject the waste,
- (b) Require pretreatment to an acceptable condition for discharge to the public sewers,
- (c) Require control over the quantities and rate of discharge, and/or
- (d) Require surcharge payment to cover added cost of handling and treating the wastes.

Sec. 8. Grease, oil, and grit interceptors shall be provided for all establishments that serve food for the public or private sector whether it is for sale or "give-a-way". Such interceptors shall not be required for private living quarters or dwelling units. Grit and sand interceptors shall be provided for all truck and car washes. Grease and oil, or grit and sand interceptors shall be provided in other situations when, in the opinion of the designated City representative, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts, sand, or other harmful ingredients. All interceptors shall be of a type and capacity approved by the designated City representative and shall be located as to be readily and easily accessible for cleaning and inspection. Except when specifically permitted by the designated City representative, interceptors shall be located outside of buildings. In the maintenance of these interceptors, the owner shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates and means of disposal which are subject to review by the designated City representative. Any removal and hauling of the collected materials not performed by owner's personnel must be performed by currently licensed waste disposal firms.

Sec. 9. When required by the designated City representative, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable structure together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such structure, when required, shall be accessibly and safely located, protected against vandalism, supplied with electrical current and shall be constructed in accordance with plans approved by the designated City representative. The structure shall be installed by the owner at his expense and shall be maintained by the owner so as to be safe and accessible at all times.

Sec. 10. The industrial users may be required to provide information needed to determine compliance with this Ordinance. These requirements may include:

- (a) Wastewater discharge peak rate and volume over a specified time period;
- (b) Chemical analyses of wastewaters;
- (c) Information on raw materials, processes, and products affecting wastewater volume and quality;
- (d) Quantity and disposition of specific liquid, sludge, oil, solvent, or other materials important to sewer use control;
- (e) A plot plan of sewers of the user's property showing sewer and pretreatment facility location;
- (f) Details of wastewater pretreatment facilities; and

- (g) Details of systems to prevent and control the losses of materials through spills to the public sewer.

Sec. 11. All pollutant analysis, including sampling techniques, to be submitted as part of a wastewater discharge permit application or report shall be performed in accordance with the techniques prescribed in 40 CFR Part 136, unless otherwise specified in an applicable categorical pretreatment standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, sampling and analyses must be performed in accordance with procedures approved by EPA.

Sec. 12. No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the City of Cordele and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the City for treatment provided that all applicable State and Federal pretreatment requirements are met.

Sec. 13. Pretreatment Facilities

Users shall provide wastewater treatment as necessary to comply with this ordinance and shall achieve compliance with all categorical pretreatment standards, local limits, and the prohibitions set out in Article V, Sections 4 and 5 of this ordinance within the time limitations specified by EPA, the State, or the designated City representative, whichever is more stringent. Any facilities necessary for compliance shall be provided, operated, and maintained at the user's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the designated City representative and to the Georgia Environmental Protection Division for review and shall be acceptable to the designated City representative and to the

Georgia Environmental Protection Division before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the user from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the City and to the Georgia Environmental Protection Division under the provisions of this ordinance. Pretreatment requirements shall be determined on a case-by-case basis and shall include the following facilities as a minimum:

- (a) Screening - Screens shall be required ahead of the receiving manhole of the City of Cordele sewerage system when deemed necessary by the designated City representative to prevent excess suspended solids from reaching the City system.
- (b) Neutralization - If plans are submitted for the neutralization of strong acid or alkaline wastes, the plans shall include the necessary instrumentation and controls to assure compliance with the above regulations at all times.
- (c) Equalization - Holding tanks or equalization basins shall be required ahead of the receiving manhole of the City of Cordele sewerage system when deemed necessary by the designated City representative to prevent peak flows that exceed the capacity of the system or that result in operational problems.

ARTICLE VI

Malicious Damage

Sec. 1. No person shall maliciously, willfully, or negligently break, damage, destroy,

uncover, deface, or tamper with any structure, appurtenance or equipment which is a part of the wastewater facilities. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

ARTICLE VII

Powers and Authority of Inspectors

Sec. 1. Right of Entry: Inspection and Sampling

The designated City representative or his duly authorized representative, shall have the right to enter the premises of any user to determine whether the user is complying with all requirements of this ordinance and any wastewater discharge permit or order issued hereunder. Users shall allow the designated City representative or his duly authorized representative ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, and the performance of any additional duties.

- (a) Where a user has security measures in force which require proper identification and clearance before entry into its premises, the user shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, the designated City representative or his duly authorized representative will be permitted to enter without delay for the purposes of performing specific responsibilities.
- (b) The designated City representative or his duly authorized representative shall have the right to set up on the user's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the user's

operations.

- (c) The designated City representative or his duly authorized representative may require the user to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the user at its own expense. All devices used to measure wastewater flow and quality shall be calibrated annually to ensure their accuracy.
- (d) Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the user at the written or verbal request of the designated City representative or his duly authorized representative and shall not be replaced. The costs of clearing such access shall be born by the user.
- (e) Unreasonable delays in allowing the designated City representative or his duly authorized representative access to the user's premise shall be a violation of this ordinance.

Sec. 2. The City Manger or his designated representative shall have administrative authority over the operations of wastewater facilities which are owned and/or operated by the City.

Sec. 3. The City Manager shall designate the City representative who shall be responsible for the enforcement of this Ordinance, and shall approve the appointment of Inspectors and approve the credentials and identification set forth in Sec. 1 of this ARTICLE VII. In addition, the City Manager shall appoint the Hearing Officer who

shall carry out the provisions of ARTICLE IX, Sec. 5, of this Ordinance related to such Officer, except as hereinafter provided for enforcement of this Ordinance for wastewater facilities which are owned and/or operated outside the City.

ARTICLE VIII

Compliance With Regulatory Requirements

- Sec. 1. The provisions of this Ordinance shall not be deemed as alleviating compliance with applicable State and Federal regulations. All non-residential users will be required to comply with pretreatment standards as set forth in Title 40 of the Code of Federal Regulations, Part 403, as amended.

ARTICLE IX

Violations

- Sec. 1. Violations of this Ordinance shall be punishable as hereinafter provided. Each day of continuing violation shall be considered a separate offense. Any person violating any of the provisions of this Ordinance shall become liable to the City of Cordele for any expense, loss, or damage occasioned the City by reason of violation.
- Sec. 2. In the event of violation of this Ordinance, the Environmental Health Specialist or designated City representative may verbally instruct the owner as to the necessary corrective action. If the owner fails to carry out verbal instructions in a timely manner or if a serious violation or hazard to public health exists, the Environmental Health Specialist or City of Cordele may issue to the owner a written order stating

the nature of the violation, the corrective action, and the time limit for completing the corrective action. The record of the mailing of said notice or order shall be prima facie evidence thereof and failure of said owner or owners to receive same shall in no way affect the validity of any proceedings conducted pursuant to this Ordinance.

Sec. 3. Within the corporate limits of the City, failure to comply with any written order duly issued by the Environmental Health Specialist, the City of Cordele or the Hearing Officer pursuant to this Ordinance or continuation of any violation hereof beyond the applicable time limit will constitute a separate offense and upon conviction thereof in the Municipal Court of the City of Cordele shall be punished by the Judge of said Court within limits provided by 7.03, Charter of the City of Cordele (Ga.L, 1969, pp3850-3851). Any such failures occurring outside the corporate limits of the City (involving customers of the City's sewer service), conviction thereof in the Magistrate Court of Crisp county, Georgia, shall be punished within the limits provided in Crisp County Ordinances which have adopted the provisions of this Ordinance. Provided further, that compliance with this Ordinance is required notwithstanding the fact that a written order might not have been issued.

Sec. 4. The violation of any provisions of this Ordinance is not existing or as may be hereafter amended, may be enjoined by instituting appropriate proceedings for injunction in the courts of competent jurisdiction in this State. Any public nuisance which is injurious to the public health, safety, or comfort may be abated by instituting appropriate proceedings for injunction in the court of competent jurisdiction in this State. Such actions may be maintained notwithstanding the fact that such violation may constitute a crime, and notwithstanding that other adequate remedies at law exist. Such actions may be instituted in the name of the City of Cordele.

Sec. 5. Upon the receipt of a notice of a violation of this Ordinance and/or an order of the City of Cordele requiring an act or thing to be done or to cease, the owner or owners of any premises then in question may, in writing, demand a hearing before a Hearing Officer to present the evidence challenging the validity of the City's order. The owner may appear in person, by agent, or by attorney. Said demand must be filed with the Clerk of the City of Cordele and be made within five (5) days from the receipt of the order being challenged. Upon receipt of a demand for a hearing, the City will set a date, time, and place for said hearing to be not less than forty-five (45) days from the date of filing of said demand.

The hearing as provided herein shall apply to any customer's complaint, dispute, or challenge of the City of Cordele's rules, regulations, resolutions, ordinances, or policies. Upon customer's written complaint filed with the City Clerk, the Hearing Officer shall set a hearing as provided herein or at a time agreed upon by the parties.

Sec. 6. The Hearing Officer shall, at such hearing, hear evidence presented by the designated City representative and the owner or customer; and, if the Hearing Officer determines from such evidence that the violations exist and are of such magnitude that the effectiveness of the City's wastewater treatment works is diminished, then the Hearing Officer may order water and sewer service to the offending location terminated. However, it shall be within the power of the Hearing Officer to delay the termination of services for up to thirty (30) calendar days, if, from evidence presented, it appears that the offender will in good faith cure such violations within the time stated in the delay. In the event of such delayed termination order by the Hearing Officer, it shall be the duty of the offender within the time specified in the delayed termination order to cure such violations, obtain an affidavit of the designated City representative that the violations, obtain an affidavit of the

designated City representative that the violations have in fact been permanently cured, and present such affidavit to the Hearing Officer, else, the termination order shall remain effective and City water and sewer services shall be discontinued on the date specified in the order. When City water and sewer services have been terminated under this section, such services shall be provided to the location only upon application to the City for such services in the manner and form required by the City of any new customer, and under City policies relating to the provisions of such services as such policies exist at the time of application. If the Hearing Officer determines from evidence presented that the violations are less than contended by the City, the Hearing Officer may modify, alter or cancel previous actions or orders by the City.

Sec. 7. Evidence before the City of Cordele of any hearing conducted pursuant to Sections 5 and 6 herein shall be admitted in accordance with the rules of evidence of the superior courts of the State; provided, however, the City may take official notice of any order, rule, regulation, or any other document, record, or entry contained in its official record or minutes for evidentiary purposes.

Sec. 8. For the purposes of this Ordinance, the decisions of the City of Cordele will prevail in any instance in which there is a conflict between it and the Environmental Health Specialist on any issue of sanitation, or lack of it, and its effect on human health or well being.

ARTICLE X

Service Charges

Sec. 1. It is hereby determined necessary to fix and collect sewer service charges from customers. Such charges shall be published separate from this Ordinance and the revenue received shall be used for operation, maintenance, debt retirement, and other authorized expenses.

ARTICLE XI

Authority to Disconnect Service

Sec. 1. The City of Cordele reserves to right to terminate water and wastewater disposal services and disconnect a customer from the system when:

- (a) So ordered by the Hearing Officer is prescribed in Sec. 6 of Article IX of this Ordinance; or
- (b) Acids or chemicals damaging to sewer lines or treatment process are released into the public sewer causing rapid deterioration of these structures or interfering with proper conveyance and treatment of wastewater; or
- (c) A governmental agency informs the City of Cordele that the effluent from the wastewater treatment plant is no longer of a quality permitted for discharge into a watercourse, and it is found that the customer is discharging wastewater into the public sewer that cannot be sufficiently treated or requires treatment that is not provided by the City of Cordele as normal domestic treatment; or
- (d) The customer:

- (1) Discharges industrial waste or wastewater that is in violation of a permit issued by the approving authority; or
- (2) Discharges wastewater at an uncontrolled, variable rate in sufficient quantity to cause an imbalance in the wastewater treatment process; or
- (3) Fails to pay monthly bills for sanitary sewer service when due; or
- (4) Repeats a discharge of prohibited wastes into public sewers.

Sec. 2. Notification processes for discontinuance of service are presented in Article IX.

ARTICLE XII

Legal Status Provision

Sec. 1. All ordinance or parts of ordinances conflicting with the provisions of this Ordinance are expressly repealed insofar as the same affect this Ordinance.

Sec. 2. This Ordinance shall become effective immediately upon its adoption by the City Commission.

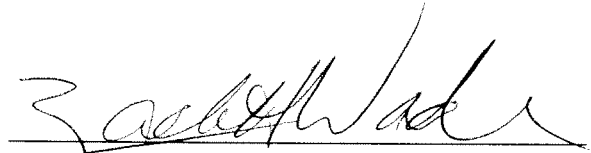
Sec. 3. In the event that any portion of this Ordinance shall be declared in violation of any superior law or of the Constitution of the United States or of the State of Georgia, this Ordinance shall remain in full force and effect as if it has been written with said

unlawful provision or part thereof omitted therefrom.

INTRODUCED AND READ at the regular meeting of the City Commission of the City of Cordele, Georgia, 06 February 2001.

PASSED, APPROVED AND ADOPTED by the City Commission of the City of Cordele, Georgia, in regular session, 20 February 2001.

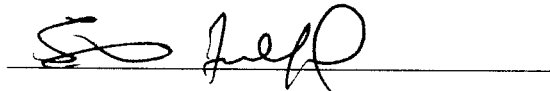
CORDELE CITY COMMISSION



ZACK H. WADE, Chairman

Date: _____

ATTEST:



STEVE FULFORD, City Clerk

[OFFICIAL SEAL]

APPROVED AS TO FORM:

A handwritten signature in black ink, appearing to read "Guy V. Roberts, Jr.", is written over a horizontal line.

GUY V. ROBERTS, JR.

City Attorney