

CHAPTER 11

SEWER

ARTICLE 11-1 Definitions

In this chapter unless the context requires otherwise:

- A. "B.O.D.", denoting biochemical oxygen demand, means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20 degrees centigrade expressed in parts per million (P.P.M.) in weight.
- B. "Branch sewer" means a sewer which received sewage from lateral sewers from a relatively small area.
- C. "Building sewer" and "House sewer" mean the extension from the building drain to the building connection or other place of disposal.
- D. "Combined sewer" means a sewer receiving both surface runoff and sewage.
- E. "Developer" means any person or persons engaged in the organizing and financing of a sewage collecting system within an area tributary to a trunk sewer of the Town sewer system. Such may be either a subdivider or a legally constituted improvement district.
- F. "Garbage" means solid wastes from the preparation, cooking and dispensing of food and from the handling, storage and sale of produce.
- G. "Industrial wastes" means the liquid wastes from industrial processes as distinct from sanitary sewage.
- H. "Lateral sewer" means a sewer which discharges into a branch or other sewer and has no other common sewer tributary to it.
- I. "Main sewer" means a sewer which receives sewage from one or more branch sewers as tributaries.
- J. "Natural outlet" means any outlet into a watercourse, ditch, or other body of surface or ground water.
- K. "pH" means the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.
- L. "Properly shredded garbage" means garbage that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers with no particle greater than one-fourth inch in any dimension.

- M. "Public sewer" means a sewer controlled by public authority.
- N. "Sanitary sewer" means a sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted.
- O. "Sewage" means a combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments together with such ground, surface and storm waters as may be present.
- P. "Sewage works" means all facilities for collecting, pumping, treating and disposing of sewage.
- Q. "Sewage treatment plant" means any arrangement of devices and structures used for treating sewage.
- R. "Sewer connection" means the connection to the public sewer and the extension therefrom of the sewer to the property line at the alley or the curb line of the street, whichever is applicable, depending on the location of the public sewer.
- S. "Sewer connection fee" means the initial sewer connection charge as set forth in Article 11-2 of this chapter and shall apply to all sewer connections to the public sewer after the effective date of this code.
- T. "Sewer department" means those officers and agents of the Town supervising sewer operations for the Town.
- U. "Storm sewer" or "Storm drain" means a sewer which carries storm and surface waters and drainage, but excludes sewage and polluted industrial wastes.
- V. "Suspended solids" means solids that either float on the surface of, or are in suspension in, water, sewage, or other liquids and which are removable by laboratory filtering.
- W. "Trunk sewer" means a sewer which receives sewage from many tributary main sewers, and serves as an outlet for a large territory.
- X. "Watercourse" means a channel in which a flow of water occurs either continuously or intermittently.

ARTICLE 11-2 **Application for Sewer Service**

No sewer connection connecting the Town sanitary sewer system to any consumer shall be made or used by any person or the Town except upon written application furnished to the Town by the owner, or his/her authorized agent, of the premises to which sanitary sewer service is to be furnished. An initial sewer connection fee shall be required according to the rates fixed by the Town. The initial sewer connection fee is non-refundable.

ARTICLE 11-3 **Department and Consumer Responsibilities**

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- 11-3-4 Unsanitary Disposal of Excrement Prohibited
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Section 11-3-1 **Sewer Department Responsibilities and Liabilities**

- A. The sewer department shall not be responsible for the installation, maintenance or inspection of the consumer's service line piping or apparatus or for any defects therein.
- B. The sewer department shall have the right to refuse service unless the consumer's lines or piping are installed in such manner as to prevent cross connections or backflow.
- C. Under normal conditions, the consumer shall be notified of any anticipated interruption of service.
- D. The sewer department shall not be responsible for the negligence of third persons or forces beyond the control of the sewer department resulting in an interruption of services or damage to the property of the consumer.
- E. The sewer department may refuse service to any prospective consumer when the capacity of the sewer system will not permit additional loads being placed thereon.
- F. The sewer department may discontinue its service without notice for the following reasons:
 - 1. To prevent fraud or abuse.
 - 2. The consumer's willful disregard of or refusal to comply with this chapter or other rules as may be adopted by the Council.

Section 11-3-2 **Consumer Responsibility**

- A. Building or house sewer connections on the consumer's premises shall be so arranged as to provide service to one lot. If additional service is required it will be considered as a separate and individual account.
- B. The consumer's house or building service line, sewer connection and apparatus shall be installed and maintained by the consumer, at the consumer's expense, in a safe and efficient manner and

in accordance with the sewer department's rules and regulations and in full compliance with the regulations of the State Department of Health.

- C. The consumer shall safeguard the sewer department's property placed on the consumer's premises and shall permit access to it only by the authorized representatives of the sewer department.
- D. In the event that any loss or damage to the property of the sewer department or any accident or injury to persons or property is caused by or results from the negligence or wrongful act of the consumer, his/her agents or employees, the cost of necessary repairs or replacements shall be paid by the consumer to the sewer department and any liability otherwise resulting shall be assumed by the consumer. The amount of such loss or damage or the cost of repairs may be added to the consumer's bill and if not paid, service may be discontinued by the sewer department.
- E. When service to a consumer shall require the laying of any Town sewer lines or the installation of any other Town property on, under, across or over the consumer's property the consumer will grant to the Town an easement, right of way, or license for such installation.

Section 11-3-3 Interference with Water Department, Sewer Department or Building Official; Digging Up Streets Without Permit

It is unlawful for any person:

- A. To interfere in any way with the officers of the Town water department, sewer department or building official in the discharge of any of their duties, either in the tapping of any sewer pipe, main or lateral belonging to the Town or in the laying or connecting of such pipe, main or lateral.
- B. To dig up or cause to be dug up any street or alley in the Town for the purpose of connection with the sewer system of the Town without first obtaining a permit from the sewer department.
- C. Who, having a permit, to dig up any portion of any street or alley of the Town for the purpose of connecting with the sewer system of the Town and fail or neglect to place the street or alley in its original condition under the supervision of the sewer department and as required by it.

Section 11-3-4 Unsanitary Disposal of Excrement Prohibited

It is unlawful for any person to deposit, or permit to be deposited in an unsanitary manner upon public or private property within the Town or in any area under the jurisdiction of the Town any human or animal excrement or other objectionable waste.

Section 11-3-5 Private Sewage Systems

- A. Compliance with Article. Except as provided in this article, it is unlawful to construct or maintain within the Town any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage.

- B. When Permitted; Sanitation. Where a public sanitary or combined sewer is not available within the Town or in any area under the jurisdiction of the Town, the building sewer shall be connected to a private sewage disposal system which complies with the regulations of the State Department of Public Health. Such private sewage disposal system shall be constructed, maintained and operated at all times in a sanitary manner.
- C. Discontinuance. Within 90 days after a public sewer becomes available within 300 feet of any property served by a private sewage disposal system, a direct connection shall be made to the public sewer in accordance with the provisions of this chapter and any septic tanks, cesspools, and similar private sewage facilities shall be abandoned and filled with suitable material.

Section 11-3-6 Tampering with Equipment Prohibited

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 municipal sewage works.

Section 11-3-7 Permit Required

No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance or equipment which is a part of the municipal sewage works.

Section 11-3-8 Application

Upon issuance of a required permit to any person, each and every permit issued shall be presented by the person to the sewer department and application made for the building connection.

Section 11-3-9 Inspection and Approval by Sewer Department or Building Official

No building sewer will be connected to the building connection until it has been inspected and approved by the sewer department or building official.

Section 11-3-10 Records to be Kept by Sewer Department

The sewer department shall keep a record of all building connections made and the purpose for which they are to be used, together with the name of the owner of the property and his/her agent or representative.

ARTICLE 11-4 Use of Public Sewers and Sewer Pretreatment Plan

- 11-4-1 Purpose
- 11-4-2 Intent
- 11-4-3 Administration
- 11-4-4 Authority to Enforce
- 11-4-5 Enforcement Jurisdiction of the Town
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- 11-4-7 Definitions
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- 11-4-14 Significant Non-Compliance a Civil Violation
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- 11-4-16 Interference with Enforcement Procedure

Section 11-4-1 Purpose

This article sets forth uniform requirements for users of the Publicly Owned Treatment Works for the Town of Jerome, hereinafter referred to as "town" and enables the town to comply with all applicable state and federal laws, including the Clean Water Act (33 United States Code §1 251 et seq.) and the General Pretreatment Regulations (40 Code of Federal Regulations, Part 403). The objectives of this article are to:

- A. Prevent the introduction of pollutants into the Publicly Owned Treatment Works that will interfere with its operation and efficient functioning of its parts;
- B. Prevent the introduction of pollutants that are inadequately treated into the Publicly Owned Treatment Works, into receiving waters, or otherwise be incompatible with the Publicly Owned Treatment Works;
- C. Protect both Publicly Owned Treatment Works personnel who may be affected by wastewater and sludge in the course of their employment and the general public;
- D. Promote reuse and recycling of industrial wastewater and sludge away from the Publicly Owned Treatment Works;
- E. Enable the town to comply with its Arizona Pollutant Discharge Elimination System permit conditions, sludge use and disposal requirements, and any other federal or state laws to which the Publicly Owned Treatment Works is subject;
- F. Promote waste minimization and pollution prevention; and,
- G. Protect the environment.

This article shall apply to all persons discharging to the Publicly Owned Treatment Works. This article establishes discharge prohibitions/limitations; authorizes the issuance of wastewater discharge permits; provides for monitoring, compliance, and enforcement activities; establishes administrative review procedures; requires user reporting; and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

[Ord. 488, 3/14/23]

Section 11-4-2 Intent

This chapter is intended to:

- A. Establish pollutant discharge limits for wastewater discharged into the Publicly Owned Treatment Works;
- B. Establish the authority for the Town Manager to designate a Director of Public Works in conjunction with the Wastewater Operator to implement and enforce the provisions of this code;
- C. Establish a requirement for the pretreatment of wastewater that does not meet the pollutant limitations;
- D. Establish steps the town will use to monitor and enforce the discharge limitations to protect water and bio-solids resources; and,
- E. Establish special procedures for receiving and processing discharges from septic pumpers.

[Ord. 488, 3/14/23]

Section 11-4-3 Administration

- A. The provisions of this code shall be administered and enforced by the Town Manager or the designated Director of Public Works in conjunction with the Wastewater Operator, and such other officers or employees of the town as the Town Manager may approve, direct, or designate.
- B. The designated Director of Public Works in conjunction with the Wastewater Operator shall be responsible to develop, implement and enforce policies, procedures, and/or guidelines to ensure the water reclamation facility pretreatment design, permitting, and discharge limitation requirements are met by all users of sewer system.
- C. As such, a written inventory or survey of each significant industrial user will be conducted to determine permit status.
- D. Results of the survey or inventory will be analyzed and appropriate measures will be established, in the form of an industrial wastewater permit, to ensure the Publicly Owned Treatment Works is protected.

[Ord. 488, 3/14/23]

Section 11-4-4 Authority to Enforce

Authorization for the regulations set forth in this chapter is granted to the Town of Jerome pursuant to Arizona Revised Statutes §9-240(B)(5)(a) as such may be amended from time to time.

[Ord. 488, 3/14/23]

Section 11-4-5 Enforcement Jurisdiction of Town

Jurisdiction for enforcement of the regulations set forth in this chapter is granted to the Town of Jerome pursuant to Arizona Revised Statutes §9-240(B)(25)(b) as such may be amended from time to time and all proceedings to enforce the provisions of this article, whether civil or criminal, shall be in the Town of Jerome Magistrate Court.

[Ord. 488, 3/14/23]

Section 11-4-6 Abbreviations

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

- ADEQ - Arizona Department of Environmental Quality
- AZPDES - Arizona Pollutant Discharge Elimination System
- BMPS - Best Management Practices
- BOD - Biochemical Oxygen Demand
- CFR - Code of Federal Regulations
- COD - Chemical Oxygen Demand
- EPA - U.S. Environmental Protection Agency
- Gpd - gallons per day
- IU - Industrial User
- mg/l - milligrams per liter
- NPDES - National Pollutant Discharge Elimination System
- POTW - Publicly Owned Treatment Works
- RCRA - Resource Conservation and Recovery Act
- SIU - Significant Industrial User
- TSS - Total Suspended Solids
- ug/l - micrograms per liter
- U.S.C. – United States Code

[Ord. 488, 3/14/23]

Section 11-4-7 Definitions

Unless a provision explicitly states otherwise, the following terms and phrases, as used in this chapter, shall have the following definitions/meanings hereinafter designated.

Act or “the Act” means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. § 1251 *et seq.*

Alert level means the concentration or loading at which a contaminate in the liquid or solid products of the POTW must be reported to regulators prior to a violation in the permit.

AZPDES means the Arizona Pollutant Discharge Elimination System.

Best Management Practices or BMPS means schedules of activities, pollution treatment practices or devices, prohibitions of practices, good housekeeping practices, pollution prevention, waste minimization, educational practices, maintenance procedures, or other management practices or devices to prevent or reduce the amount of pollutants entering the Publicly Owned Treatment Works.

Biochemical Oxygen Demand or BOD means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at 20° centigrade, usually expressed as a concentration (e.g., mg/l).

By-pass means the intentional diversion of wastewater flows from any portion of a treatment process or the POTW.

Categorical Pretreatment Standard or Categorical Standard means any regulation containing pollutant discharge limits promulgated by EPA in accordance with Sections 307(b) and (c) of the Act (33 U.S.C. § 1317) which apply to a specific category of users and which appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.

Clean Water Act means the Federal Water Pollution Control Act, as amended, 33 United States Code § 1251 et seq.

Concentration means the chemical and physical results indicating the amount of a characteristic in a defined unit of mass.

Contaminant means any chemical, biologic mass, metal or non-metal that at some concentration may become a pollutant or combine with any other characteristic of the wastewater to become a pollutant.

Control Manhole means an access point into the sanitary sewer for the purpose of collecting a representative sample of wastewater discharge to determine compliance with this chapter. Access points used as control manholes will be approved by the water utilities manager.

Discharge means the disposal of sewage, pollutants, suspended solids, wastewater or any liquid from any user into the wastewater sewer and treatment system of the town.

Discharge Limit means the concentration or loading defining the limitation of acceptable discharge of a contaminant in the liquid or solid products to a POTW.

Environmental Protection Agency or EPA means the U.S. Environmental Protection Agency, the federal agency charged with enforcement of the Clean Water Act.

Existing Source means any source of discharge, the construction or operation of which commenced prior to the publication by EPA of proposed categorical pretreatment standards, which will be applicable to such source if the standard is thereafter promulgated in accordance with Section 307 of the Act.

Garbage means solid wastes from the preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.

Grab Sample means a sample which is taken from a waste stream without regard to the flow in the waste stream and over a period of time not to exceed fifteen (15) minutes.

Grease Trap or Interceptor means a device used to separate oil, grease, and sand or any flammable wastes from wastewater.

Indirect/ Discharge or Discharge means the introduction of pollutants into the POTW from any Nondomestic Source regulated under any laws, rules or regulations of the United States, the State of Arizona or any political subdivision thereof.

Industrial Process Water. means any liquid, pollutants, regulated substance, free-flowing waste, including polluted cooling water, resulting from any industrial or manufacturing process or from the development, recovery or processing of natural resources, with or without suspended solids, discharged from any non-single-family residential source.

Industrial User means any facility that discharges wastewater into the town's sewer system, including industrial facilities, commercial businesses, government agencies, food service and medical facilities, wastewater haulers, multi-family housing units consisting of five or more units, and or any other facility that is not designated as a single-family residential user.

Interference means a discharge, which alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the POTW, its treatment processes or operations or its sludge processes, use or disposal; and therefore, is a cause of a violation of any applicable NPDES or AZPDES 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.

Nondomestic Source means discharges of any substances other than human excrement and household gray water derived from the ordinary living process of residential family homes.

Pass Through means a contaminant or pollutant that may pass through and exit the POTW in concentrations that result in a violation or an alert of any end disposition of the liquid or solid products of the POTW. This shall include any contaminant or pollutant that may combine with any other characteristic of the wastewater and pass through the POTW that results in a violation of any end disposition of the liquid or solid products of the POTW.

Person means any individual, partnership, co-partnership, firm, company, corporation, limited liability company, association, joint stock company, trust, estate, governmental entity, or any other legal entity; or their legal representatives, agents, or assigns. This definition includes all users and all federal, state, and local governmental entities.

pH means a measure of the acidity or alkalinity of a solution, expressed in standard units.

Pollutant means dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, medical wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, municipal, agricultural and industrial wastes, commercial food waste including but not limited to fats, oils, and grease, and certain characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor).

Pretreatment means any concentration of contaminants that exceeds the established discharge limits, including but not limited to: solid waste; incinerator residue; sewage screenings; sewage sludge; chemical wastes; biological materials; radioactive materials; pesticides; herbicides; fertilizers and other agricultural chemicals; munitions; petroleum products; heat, rock, sand, and industrial, municipal and agricultural garbage; wrecked or discarded equipment; cellar dirt and mining waste; industrial, municipal and agricultural wastes; or any other liquid, solid, gaseous, or any other hazardous substances discharged into the POTW.

Pretreatment Device means equipment, material or structures to reduce, eliminate, or alter the nature of pollutant properties in wastewater before, or in lieu of, introducing pollutants into the POTW.

Pretreatment Sludge means the waste byproduct from a commercial or manufacturing process that is removed as the result of cleaning the pretreatment device, including but not limited to plating sludge, decant water, lint, sand, fats, oil and grease and solids.

Pretreatment Standards or Standards means prohibited discharge standards, categorical pretreatment standards, and local limits as may have been established pursuant to the laws or regulations of the United States, the State of Arizona, or of the town.

Prohibited Discharge Standards or Prohibited Discharges means absolute prohibitions against the discharge of certain substances and limitations on others; these prohibitions appear in Section 12-8-9 of this chapter.

Properly Shredded Garbage means garbage that has been shredded to a degree that all particles will be carried freely under the flow conditions normally prevailing in sanitary sewers, with no particle greater than one-quarter inch in any dimension.

Publicly Owned Treatment Works or POTW means a "treatment works," as defined by Section 212 of the Act (33 U.S.C. § 1292) in which the town owns an interest. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature and any conveyances which convey wastewater to a treatment plant.

Septic Pumpers means any mobile wastewater collection provider or contractor in the business of removing and disposing of septic waste.

Septic Tank Waste means any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.

Severe Non-Compliance means multiple, meaning more than two, accidental discharges resulting in an upset, or bypass caused by a user of the sewer system, or minor failures of any sewer system user to comply with the meaning or intent of this chapter.

Sewer means a pipe or conduit that carries sewage to the publicly owned treatment works.

Significant Industrial User means:

- Any industrial user that is designated as such and required to obtain a permit by the Director of Public Works in conjunction with the Wastewater Operator, on the basis that the industrial user has the potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement; or
- Any industrial user that is subject to Categorical Pretreatment Standards as established by the EPA; or
- Any industrial user that discharges an average of 25,000 gallons per day or more of process wastewaters; or
- Any industrial user that contributes a process waste stream that makes up 5% or more of the average dry weather hydraulic or organic capacity of the POTW.

Significant Non-Compliance means any single, accidental discharge resulting in an upset, or bypass caused by a user of the sewer system, or any minor failure of any sewer system user to comply with the meaning or intent of this chapter.

Storm Water means any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.

Suspended Solids means the total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and which is removable by laboratory filtering or measurable by laboratory process.

Upset means any incident in which there is unintentional and temporary noncompliance with discharge limits or alert limits because of factors beyond the reasonable control of the user. An upset is the chemical, biochemical, biological or physical failure of a process to properly treat or control the quality of the wastewater discharged to a sewer, or the liquid and solid products discharged from a POTW. An *upset* does not include a failure due to consistent operational error, improper design of treatment facilities, inadequate treatment facilities, inadequate preventative maintenance, or careless operation.

User or Industrial User or Nondomestic User means a source of discharge into the POTW from a nondomestic use.

Wastewater means liquid and water-carried industrial wastes and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW.

Wastewater, Sludge or Biosolid means the solids or semisolids, residues and precipitate separated from or created in wastewater.

Wastewater Treatment Plant or Treatment Plant means that portion of the POTW which is designed to provide treatment of municipal sewage and industrial waste.

[Ord. 488, 3/14/23]

Section 11-4-8 User Requirements

- A. No person shall uncover, make any connections with, open into, use, alter or disturb any part of the POTW, or appurtenance thereof, without first obtaining written approval from the town.
- B. No person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any part of the POTW, or appurtenance thereof.
- C. All users of the POTW within the town shall be in compliance with the requirements of this chapter.
- D. Users of the sewer system will be required to follow, at their own expense, any policies, procedures or guidelines established by the town to ensure adherence to the proper pretreatment and discharge limitation requirements.
- E. No person shall discharge, or cause to be discharged, any storm water, surface water, ground water, roof runoff, subsurface drainage, cooling water, swimming pool water, or unpolluted industrial process waters to any sanitary sewer, without complying with the requirements of this chapter.
- F. No person shall discharge, or cause to be discharged, any pollutant or wastewater that causes pass-through or interference of the treatment process as outlined in Section 11-4-9.
- G. Any person considered a non-residential or industrial user shall not discharge, or cause to be discharged, any industrial wastewater directly or indirectly to the POTW, without first meeting with town staff to complete an inventory or survey of discharges and potential discharges, then staff shall determine if the user shall be categorized as:
 - 1. Non-significant industrial user:
After conducting the survey, if town staff determines the user to be a non-significant industrial user, the user may discharge wastewater into the POTW, providing they remain in compliance with this chapter in its entirety; or,
 - 2. Significant industrial user:
 - a. After conducting the survey, if Town staff determine the user to be a significant industrial user, the user will be required to comply with all pretreatment requirements before discharge of wastewater into the POTW can occur; and,

- b. Additionally, any costs associated with adhering to the permit, such as testing, pretreatment, maintenance of facility equipment, and reporting shall be at the user's expense.
- H. No wastewater hauler or septic pumper shall discharge septic waste or other wastes into the POTW without first obtaining approval from the town based upon the following:
 - 1. If permitted, wastewater haulers or septic pumps shall be required to discharge hauled waste at town-designated disposal points only;
 - 2. The Director of Public Works in conjunction with the Wastewater Operator shall develop and administer specific guidelines as to the procedure that shall be followed by wastewater haulers; and,
 - 3. Guidelines shall include, at a minimum, the current fee schedule, disposal procedure, testing requirements, and designation of a disposal site.
- I. It shall be a violation of this chapter for anyone to discharge wastewater, industrial wastes, industrial process waters, or hauled wastewater anywhere within the town limits other than at a designated POTW disposal site or connection.

[Ord. 488, 3/14/23]

Section 11-4-9 Prohibited Discharges

- A. **General Prohibitions.** No person 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 persons discharging to the POTW whether or not they are subject to categorical pretreatment standards or any other national, state, or local pretreatment standards or requirements.
- B. **Specific Prohibitions.** No person shall introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:
 - 1. Any liquid or vapor having a temperature higher than 150° F at the point of discharge, or 104° F at the treatment plant headworks.
 - 2. Any water or waste that may contain more than 100 milligrams per liter by weight, including: fat, mineral, organic oil, grease, or any waste that may form persistent oil emulsions.
 - 3. Any gasoline, benzene, naptha, fuel oil, or other flammable or explosive liquid, solid or gases:
 - a. Waste streams with a closed cup flashpoint of less than 140° F (or 60° C), using the test methods specified in 40 C.F.R. pt. 261.61; or,

- b. Pollutants that exceed 10% of the lower explosive limit at any point within the POTW for any single reading, or more than 5% for any two consecutive readings.
4. Any solid waste or viscous matter:
 - a. Any garbage or vegetable parings of any kind; not to include discharges from domestic garbage disposals; or,
 - b. Any ashes, cinder, sand, mud, straw, shavings, metal, glass, rags, feathers, tar plastic, wood, paunch manure, grits such as brick, cement, stone carbide or any other solid or viscous substance capable of causing obstruction to the flow in sewers, or other interference with the proper operation of wastewater treatment facilities.
5. Any waters or wastes having a pH lower than 5.5 or higher than 9, or having other corrosive property capable of causing damage or hazard to structures, equipment and personnel of wastewater treatment facilities.
6. Any pollutant, including oxygen-demanding pollutants (BOD, etc.) released in a discharge at a flow rate and/or concentration that, either singly or by interaction with other pollutants, that will cause interference with the POTW.
7. Any water or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, or create any hazard in the receiving waters of the wastewater treatment facilities. This includes noxious or malodorous liquids, solids or gases that, either singly or by interaction with other wastes:
 - a. Are sufficient to create a public nuisance or a hazard to life; or
 - b. Are sufficient to prevent entry into the sewers for maintenance and repair; or
 - c. May 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; or
 - d. Are sufficient to cause the effluent (alone or in conjunction with other sources) to fail a toxicity test.
8. Any waters or wastes containing suspended solids of a character or quantity that requires unusual attention or expense for their handling in the wastewater treatment facilities.
9. Any noxious or malodorous gas or substance capable of creating a public nuisance.

10. Any waters or wastes containing strong acid, pickling wastes or concentrated plating solutions whether neutralized or not.
11. Any wastewater, pollutants or septage tracked or hauled at discharge points that have not been designated and permitted by the Department of Public Works.
12. Any waste or water containing metals, such as copper, lead, mercury, chromium and cadmium, that cannot be destroyed or broken down through treatment.
13. Any waste or water containing toxic organic chemicals, such as solvents, pesticides, dioxins and polychlorinated biphenyl chemicals (PCB s), that cause interference or pass-through.
14. Wastewater imparting color that cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently impart color and/or unsettleable solids to the treatment plant's effluent, thereby violating any applicable NPDES or AZPDES permit.
15. Wastewater containing any radioactive wastes or isotopes, except in compliance with applicable state or federal regulations.
16. Detergents, surface-active agents or other substances that may cause excessive foaming in the POTW.
17. Pollutants that will cause excessive corrosive structural damage to the POTW beyond that which is normally associated with the treatment of wastewater.
18. Any of the following prohibited substances:
 - a. BHC-Alpha.
 - b. BHC-Beta
 - c. BHC-Gamma (Lindane)
 - d. Chrysene
 - e. Heptachlor Epoxide.
 - f. Polychlorinated Biphenyl Compounds (PCBs).
 - g. Phenanthrene.
19. More than the maximum allowable daily discharge limits of the following substances: (This subsection modifies 13.09.100)

Pollutant	Mass Concentration	Sampling Method
Arsenic	100 ug/1	Composite
Barium	10 mg/1	Composite
Benzene	130 ug/1	Grab
Boron	5000 ug/l	Composite
Cadmium	47 ug/1	Composite
Chlorine (total)	10 mg/l	Grab
Chloroform	420 ug/l	Grab
Chromium	1200 ug/1	Composite
Copper	100 ug/l	Composite
Cyanide	d00 ug/l	Grab
Cyanide (amenable to chlorination)	50 ug/l	Grab
Iron	1500 ug/l	Composite
Lead	500 ug/1	Composite
Manganese	83 mg/l	Composite
Mercury	4.6 ug/1	Composite
Methylene Chloride	4200 ug/l	Composite
Nickel	3980 ug/1	Composite
Oil and Grease (TPH)	100 mg/l	Grab
Phenols	0.05 mg/1	Grab
Selenium	100 ug/1	Composite
Silver	500 ug/1	Composite
Sulfides	10.0 mg/1	Grab
Sulfides (dissolved)	500 ug/l	Grab
Sulfides (total)	2.0 mg/1	Composite
Tetrachloroethylene	530 ug/1	Grab
Trichloroethylene	700 ug/1	Grab
Zinc	5400 ug/l	Composite

20. Based on fume toxicity, more than the discharge limits for the following substances (all grab samples):

Pollutant	Mass Concentration (mg/l)
1, 1,1-Trichloroethane	1.55
1, 1-Dichloroethane	4.58
1,2,4-Trichlorobenzene	0.43
1,2-Dichlorobenzene	3.74
1,2-Dichloropropene	3.65
1,3-Dichloropropene	0.09
1,4-Dichlorobenzene	3.54
Acrylonitrile	1.24

Aroclor 1242	0.01
Aroclor 1254	0.005
Benzene	0.13
Bromomethane	0.002
Carbon Disulfide	0.06
Carbon Tetrachloride	0.03
Chlorobenzene	2.35
Chloromethane	0.42
Chloroform	0.42
Chloromethane	0.007
Dichlorodifluoromethane	0.04
Ethyl Benzene	1 .59
Ethylene dichloride	1.05
Heptachlor	0.003
Hexachloro-1,3-butadiene	0.0002
Hexachloroethane	0.96
Methyl ethyl ketone (2-butanone)	249
Methylene chloride	4. 15
Tetrachloroethylene	0.53
Toluene	1.35
Trans-1,2-Dichloroethylene	0.28
Trichloroethylene	0.7 l
Trichlorofluoromethane	1.22
Vinyl chloride	0.003
Vinylidene chloride	0.003

21. Based on nitrification inhibition, the following substances shall not exceed the discharge limits below from a composite sample:

*ND=Not detectable

Pollutant	Mass* Concentration (mg/1)
0-Cresol	.12
1-Naphthylamine	45
2,2'-Bipyridine	23
2,4-Dinitrophenol	ND
8-Hydroxyquinoline	7.5
Acetone	220
Allyl alcohol	1.9
Allyl chloride	18
Allyl isothiocyanate	ND
Aniline	ND
Benzidine diHCl	12
Benzocaine	ND

Benzothiazole disulfide	.38
Benzylamine	ND
Carbon disulfideCarbon disulfide	.35
Chloroform	.18
Diallyl ether	10
Dicyandiamide	25
Diguanide	S
Dimethylgloxime	ND
Dithiooximide	ND
Dodecylamine	ND
Ethanol	240
Ethylenediamine	41
Guanidine carbonate	.16
Hexamethylene diamine	20
Hydazine	5.8
Mercaptobenzothiazole	.03
Methyl isothiocyanate	ND
Methyl thiuronium sulfate	.06
Methylamine hydrochloride	155
Monoethanolamine	ND
Naphylethylenediamine diHCl	29
Ninhydrin	31
Nitrapyrin	ND
n-Methylaniline	71
O-ethy1 potassium carbonodithioate	ND
p-Aminopropiophenone	22
Phenol	.05
p-Nitroaniline	46
p-Nitrobenzaldehyde	29
Potassium thiiocyanate	30
p-Phenylazoaniline	ND
Skatol	.07
Sodium dimethyl dithiocarbamate	ND
Sodium methyl dithicarbamate	1.3
Tannic Acid	ND
Tetramethyl thiuram disulfide	3.0
Thioacetamide	ND
Thiosemicarbazide	ND
Thiourea	ND
Triethylamine	ND
Trihalomethyl-1,3,5-triazine	ND
Trimethylamine	11.8

22. Water or wastes that exceed the categorical pretreatment limits listed in 40 C.F.R. Ch. 1, Subch. N, pt. 405-471.
23. Biochemical Oxygen Demand greater than 300 mg/1 and/or Total Suspended Solids greater than 350 mg/1 by weight, unless approved by the Public Works Director through an industrial wastewater discharge permit.
24. Materials which exert or cause:
 - a. 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); or,
 - b. Unusual BOD, chemical oxygen demand, or chlorination requirements in such quantities as to constitute a significant load on the sewage treatment plant.
25. Other Prohibited Pollutants:
 - a. Inflows of any storm water, runoff, ground water, street drainage, root drainage, yard drainage, water from fountains, ponds, pools, and lawn sprays are not permitted to be discharged with the POTW; or,
 - b. Any single-pass cooling or heating water, any blow-down or bleed water from HVAC, which causes problems with hydraulic loading are not permitted.
26. An increase in process water or any attempt to dilute a discharge, as a partial or complete substitute for adequate treatment, to achieve compliance with a discharge limit, unless expressly authorized by an applicable pretreatment standard or requirement.
27. Any item containing any combined quantity of substances having any characteristics described in this section.
28. Healthcare-related waste that shall not be discharged to the sewer system by any means:
 - a. Any potential liquid wastes generated in the rooms of patients who are isolated because of a suspected or diagnosed communicable disease; or,
 - b. Recognizable portions of the human anatomy; or,
 - c. Equipment, instruments, utensils and other materials of a disposable nature that may harbor or transmit pathogenic organisms, and that are used in the rooms of patients with a suspected or diagnosed communicable disease, which by its nature requires their isolation by public health agencies; or,

- d. Wastes excluded by the other provisions of this code, state laws and or federal regulations.
29. Any person engaged in a manufacture or process, including deactivation of processes, in which cyanide or cyanogen compounds are used, shall have each and every room where said compounds are stored or used so constructed that none of said compounds can escape therefrom by means of any building sewer or drain or otherwise enter, either directly or indirectly, any sanitary sewer or storm sewer except as specifically permitted in this section. Any person wishing to discharge cyanide or cyanogen compound-bearing wastes to a sanitary sewer shall submit detailed plans of the waste collection system and, where necessary of a pretreatment system to the Director of Public Works in conjunction with the Wastewater Operator for his approval. Subsequent to receiving the approval of the Director and to the issuance of a permit to the town for said applicant by the Arizona Department of Environmental Quality (A.D.E.Q.) certain dilute wastes may be discharged to the sanitary sewer providing the cyanide and cyanogen compound in the waste does not at any time exceed the concentrations set forth in this section. The maximum rate at which such wastes may be discharged to the sewer shall be fixed by a specific agreement between the town and such person. Discharge without such agreement is prohibited.
30. Recreational vehicle wastewater shall be tested and treated as necessary to meet the requirements in this section.
31. Future revisions in state or federal law regarding the operation and protection of POTWs that may also affect the provisions of 11-4-9 shall supersede any requirements of this section, and will become enforceable under the provisions of this section, and will become enforceable under the provisions of this chapter.
32. Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail a toxicity test.

[Ord. 488, 3/14/23]

Section 11-4-10 Local Limits

- A. All persons owning or operating facilities or engaged in activities that will or may reasonably be expected to result in pollutants entering the Town of Jerome sanitary sewer system or affecting the sanitary sewer system or affecting the POTW, shall undertake all practicable best management practices identified by the Director of Public Works in conjunction with the Wastewater Operator to minimize the discharge of pollutants. Such measures shall include the requirements imposed by this chapter, any applicable NPDES or AZPDES permits, and any written guidelines promulgated for general use by the Director of Public Works in conjunction with the Wastewater Operator.
- B. The Director of Public Works in conjunction with the Wastewater Operator shall have the authority to:

1. Establish limitations for individual users or classes of users for various pollutants, materials, waters or wastes that can be accepted into the sanitary sewer system;
 2. Specify those pollutants, materials, waters, or wastes that are prohibited from entering the sanitary sewer;
 3. Identify those pollutants, materials, waters, or wastes that shall be controlled with best management practices; and
 4. Require individual users or classes of users to implement best management practices for any pollutant.
- C. All affected individual users or classes of users shall comply with the prohibitions and effluent limitations established pursuant to this section, and with any best management practices required by the Director of Public Works in conjunction with the Wastewater Operator.
- D. All prohibitions and effluent limitations so established and all best management practices identified by the Director of Public Works in conjunction with the Wastewater Operator must be adhered to.

[Ord. 488, 3/14/23]

Section 11-4-11 Town's Right of Revision

The town reserves the right to establish new, additional or more stringent standards or requirements on discharges to the POTW.

[Ord. 488, 3/14/23]

Section 11-4-12 Pretreatment Facilities

- A. Pretreatment Facilities.
1. Users shall provide wastewater treatment as necessary to comply with this article and shall achieve compliance with all categorical pretreatment standards, local limits, and the prohibitions set out in Section 11-4-9 of this chapter within the time limitations specified by EPA, the state, or the Director of Public Works in conjunction with the Wastewater Operator, whichever is more stringent.
 2. Where necessary, as determined by the Director of Public Works in conjunction with the Wastewater Operator, the owner shall provide, at his or her expense, the pretreatment needed resulting from the following:
 - a. BOD of over 300 mg/1 and suspended solids over 350 mg/1 by weight;
 - b. Objectionable constituents above the levels listed under the discharge limitations; and/or,

- c. Excessive quantities and rates of discharges of such waters or wastes.
 3. Whenever deemed necessary, the Director of Public Works in conjunction with the Wastewater Operator may require users to restrict their discharge during peak flow periods, designate that certain wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage waste streams from industrial waste streams, and such other conditions as may be necessary to protect the POTW and determine the user's compliance with the requirements of this article.
 4. The Director of Public Works in conjunction with the Wastewater Operator may require any user discharging into the POTW to install and maintain, on their property and at their expense, a suitable storage and flow-control facility to ensure equalization of flow. A wastewater discharge permit may be issued solely for flow equalization.
- B. Pretreatment method and plans:
 1. The method of pretreatment and plans, specifications, and any other pertinent information relating to proposed pretreatment facilities shall be prepared and sealed by a professional engineer familiar with such treatment, and registered in the state;
 2. Two copies shall be submitted to the Town's Public Works Department, who shall review each submittal and shall be the sole approving authority;
 3. 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 in compliance with the provisions of this article; and,
 4. Installation shall be at the user's expense unless the town has been contracted for treating the wastes.
- C. Maintenance and inspection of pretreatment facilities:
 1. Where pretreatment facilities are provided for any industrial waters or wastes, the owner shall maintain them continuously in satisfactory and effective operation, at the owner's expense; and,
 2. Any such pretreatment facilities may also be subject to inspection by the town.
- D. Grease traps and grease interceptors:
 1. The Director of Public Works in conjunction with the Wastewater Operator may require users to install grease, lint, sand/oil interceptors, oil/water separators, hair or grease trap(s) as needed for the proper handling of wastewater containing excessive amounts of fats, oils, grease, lint or sand; except that such interceptors or traps shall not be required for residential users. Requirements for the proper handling of fats, oils, grease, lint, sand and solids in wastewater are as follows:

- a. Grease interceptors and grease traps shall be required, installed, and maintained as specified in this chapter and the Director of Public Work's policies and procedures for the sizing and cleaning of interceptors and traps for the food service industry.
 - b. Grease traps and grease interceptors shall be provided by all new and/or existing laundries, restaurants, service stations, auto repair shops, car washes and other industrial users when, in the opinion of the town, grease traps or interceptors are necessary.
 - c. Generally, no facility shall discharge into the POTW any wastewater containing any fat, mineral, organic oil, grease or any waste that may form persistent oil emulsions more than 100 milligrams per liter by weight, or any sand or flammable wastes.
 - d. Such grease traps and grease interceptors shall not be required for domestic users.
 - e. Facilities established prior to the execution of this chapter amendment will have one (1) year, from the execution date of this chapter, to conform with the requirements to have or install a grease trap or grease interceptor, as deemed necessary by the Director of Public Works in conjunction with the Wastewater Operator. provided they comply with the discharge limitations established herein.
 - f. Facilities that cannot meet these standards, however, must install grease traps immediately, or arrange for offsite disposal of their grease.
 - g. All grease traps and grease interceptors shall be of a type and capacity approved by the town, and in compliance with the International Plumbing Code and shall be so located as to be readily and easily accessible for cleaning and inspection.
 - h. Where installed, all grease traps and grease interceptors shall be maintained by the industrial user, at his or her expense, in efficient operating condition at all times.
 - i. The owner shall keep written records and documentation of all cleaning, repair, calibration and maintenance required to demonstrate compliance. Such records shall be available for inspection by the Director of Public Works in conjunction with the Wastewater Operator upon request.
2. The method for determining the size of traps or interceptors is the drainage fixture unit value. The minimum size for all interceptors is a capacity of fifteen hundred (1,500) gallons and the maximum size for all interceptors is a capacity of twenty-five hundred (2,500) gallons. Interceptors must be constructed with at least three (3) chambers. Sizing for all traps is a minimum of a fifty (50) gallon per minute one hundred (100) pound capacity with the flow control valve installed in a manner that

provides access at all times. The appropriate size for interceptors and traps is determined as follows:

- a. *Interceptor Sizing.* The interceptor shall be sized using the drainage fixture-unit value as defined in the following table. Using the drain outlet or trap size, these sizes are converted to discharge rates on the basis that one fixture-unit equals 7.5 gpm.

Fixture Outlet or Trap Size (Inches)	Drainage Fixture- Unit Value	Gpm Equivalent
1 1/4	1	7.5
1 1/2	2	15.0
2	3	22.0
2 1/2	4	30.0
3	5	37.5
4	6	45.0
Floor Drains (All Sizes)	2	15.0
Dishwashers	Double Size	

- b. *Calculating Interceptor Size.* The formula to calculate the size of the interceptor is:
 - 1) Determine total fixture-unit value by multiplying fixture type count by drainage value;
 - 2) Total all values;
 - 3) Determine total flow by multiplying total value by flow rate of 3 gpm;
 - 4) Multiply total flow by 12; and
 - 5) Round up to the next nearest size interceptor.
- c. *Requirements for Interceptors.* The interceptor shall be:
 - 1) Constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature;
 - 2) They shall be of substantial construction, watertight, and equipped with easily removable covers;
 - 3) Constructed with the appropriate traffic-rated cover. The cover(s) shall be gastight and watertight and must not be marked with any wording indicating it is owned by the Town of Jerome;
 - 4) A minimum of fifteen hundred (1,500) gallon capacity, three (3)

chamber concrete container (fiber glass and/or other type material must be approved by the Director of Public Works in conjunction with the Wastewater Operator;

- 5) Constructed with inlet piping with a ninety-degree (90°) elbow and minimum of an eighteen (18) inch down spout;
- 6) Constructed with outlet piping with a tee connection and a threaded cover with a minimum of an eighteen (18) inch down spout; and
- 7) Installed with a two (2) way clean-out within five (5) feet before and five (5) feet after the interception.

d. *Grease Trap Installation and Sizing.* Grease traps are allowed only when there are four (4) or fewer than four (4) fixtures used for food preparation. Any facility installing a dishwasher shall install a grease interceptor. For the purpose of sizing a grease trap, a fixture means the entire unit, e.g., a three (3) compartment sink is considered one unit. Grease traps must be installed as follows;

- 1) A grease trap shall be installed whenever a three (3) compartment sink is required by Yavapai County;
- 2) The minimum size grease trap to be installed shall be rated no smaller than fifty (50) gallon-per-minute with a one hundred (100) pound grease capacity; and,
- 3) A flow restriction valve shall be installed upstream of the grease trap and vented properly. If placed below floor level the flow restriction valve must be installed in a manner which allows for inspection and maintenance.

e. Except for domestic sources, users shall not install or replace equipment designed to convert garbage or solid waste into liquefied waste and introduce such waste into the POTW by means of a garbage grinder/disposal. Disposal of garbage and solid waste shall be disposed of as solid waste.

f. Users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter.

E. Grit interceptors:

1. The Director of Public Works in conjunction with the Wastewater Operator may require users to install grease, lint, sand/oil interceptors, oil/water separators, hair or grease trap(s) as needed for the proper handling of wastewater containing excessive amounts of fats, oils, grease, lint or sand; except that such interceptors or

traps shall not be required for residential users. Requirements for the proper handling of fats, oils, grease, lint, sand and solids in wastewater are as follows:

- a. Grit interceptors shall be provided by all new and or existing laundries, service stations, auto repair shops, car washes and other industrial users when, in the opinion of the town, grit interceptors are necessary.
- b. All grit interceptors shall be of a type and capacity approved by the town, and in compliance with the International Plumbing Code and shall be so located as to be readily and easily accessible for cleaning and inspection;
- c. Where installed, all grit interceptors shall be maintained by the industrial user, at his or her expense, in efficient operating condition at all times; and
- d. The owner shall keep written records and documentation of all cleaning, repair, calibration and maintenance required to demonstrate compliance. Such records shall be available for inspection by the Director of Public Works in conjunction with the Wastewater Operator upon request.

F. Control manholes:

1. Where required by the town and to facilitate observation and sampling of wastes, the owner of any property served by a building sewer carrying industrial wastes shall install a suitable control manhole in the building sewer;
2. When required, the manhole shall be accessible and safely located, and shall be constructed in accordance with plans approved by the town;
3. The manhole shall be installed by the owner at the owner's expense, and shall be maintained by the owner so as to be safe and accessible at all times.

[Ord. 488, 3/14/23]

Section 11-4-13 Disposal of Pretreatment Sludge

Any sludge or other material removed from the industrial waste by a pretreatment facility shall be disposed of in accordance with applicable federal, state and local laws.

[Ord. 488, 3/14/23]

Section 11-4-14 Significant Non-Compliance a Civil Violation

- A. It shall be a civil infraction punishable pursuant to the Code of the Town of Jerome for any person, enterprise, or corporation to violate any of the requirement of this Chapter which shall be considered significant non-compliance.
- B. Significant non-compliance shall be considered any single, accidental discharge, upset, bypass or toxic overload caused by a user of the sewer system, or any single failure of any

sewer system user to comply with the meaning or intent of this chapter, including failure to maintain any required pretreatment device, such as a grease trap or grease interceptor, upon first inspection by the town.

- C. If a user of the sewer system is identified as being in significant non-compliance, the town may decide, at the discretion of the Director of Public Works in conjunction with the Wastewater Operator, to implement compliance remedies commensurate to the violation.
- D. Measures may include, but are not limited to:
 - 1. Notice of violation;
 - 2. Right of the town to suspend a business license;
 - 3. Suspension or revocation of discharge permit;
 - 4. Consent order;
 - 5. Cease and desist order;
 - 6. Emergency suspension;
 - 7. Right to bring civil suits, including but not limited to injunctive relief and/or damages; and
 - 8. A fine up to \$500.
- E. If a user originally identified as a non-significant industrial user during the initial survey or inventory becomes non-compliant, the town may direct such user to comply with the permitting requirements of a significant industrial user, until such time that the Director of Public Works in conjunction with the Wastewater Operator deems this action no longer necessary.

[Ord. 488, 3/14/23]

Section 11-4-15 Severe Non-Compliance a Criminal Violation

- A. Severe non-compliance shall be considered any willful violation of this code and any person who commits a violation of this chapter after having previously been found responsible by the Town Magistrate for committing two (2) or more civil violations of this chapter within a twenty-four (24) month period, whether by admission, by payment of the fine, by default, or by judgment after hearing shall be guilty of a class one misdemeanor. The Town Attorney is authorized to file a criminal misdemeanor complaint in the Magistrate Court against a habitual or severe non-compliance offender who violate this chapter. In applying the twenty-four (24) month provision, the dates of which the offender was found responsible shall be the determining factor, irrespective of the sequence of the commission of the offense.

- B. Those POTW users identified as habitual non-compliers or in severe non-compliance shall be subject to the following remedies:
1. Reimbursement to the town for repairs;
 2. Liens imposed on the property;
 3. Removal of sewer connection;
 4. Right to bring civil suits, including but not limited to, injunctive relief and/or damages;
 5. Cease and desist order (immediate closure of facility); and
 6. Criminal charges, including a fine of \$2,500 for each uncorrected occurrence or failed inspection 30 days after the initial inspection, each day constituting a separate violation.

[Ord. 488, 3/14/23]

Section 11-4-16 Interference with Enforcement Procedure

Any person who interferes, prevents, or attempts to interfere or prevent, an individual employed by the Town or other person contracted for by the Town, from investigating an alleged violation of this article or from correcting or abating a violation of this article shall be guilty of a class three misdemeanor and shall be subject to thirty (30) days in jail, 1-year probation and \$500.00 fine plus surcharge.

[Ord. 488, 3/14/23]

ARTICLE 11-5 Rates

Rates for the provision of sewer service as provided in this Chapter, and procedures for billing, collection and enforcement of rates and other fees imposed, shall be set in accordance with the provisions of Chapter 13.

[Ord. 278, 08/21/1995]