

TITLE V: PUBLIC WORKS

Chapter

- 50. WATER SERVICE REGULATIONS
- 51. SEWER SERVICE REGULATIONS
- 52. WATER AND SEWER SERVICE RATES, CHARGES AND FEES

CHAPTER 50: WATER SERVICE REGULATIONS

Section

General Provisions

- 50.01 Definitions
- 50.02 State law incorporated by reference
- 50.03 Application for water service
- 50.04 Water taps and connections
- 50.05 Purchase and use of water
- 50.06 Ownership of lines and meters

Regulations, Prohibitions, and Conditions

- 50.20 Regulations supplemental to financing ordinances; amendments
- 50.21 Taps and connections to be supervised by Manager
- 50.22 Reasons for which service may be discontinued
- 50.23 Customer to give notice of discontinuance
- 50.24 Delivery of bills and notices
- 50.25 Meters; billings
- 50.26 Interruptions of service
- 50.27 Customers with boilers or pressure vessels
- 50.28 Premises subject to inspection by city
- 50.29 Service line installation and maintenance expense of customer
- 50.30 Liability of customer
- 50.31 Water furnished for domestic consumption only
- 50.32 Easements granted by customer
- 50.33 Water for building or construction purposes
- 50.34 Special terms for water used for public purposes
- 50.35 Extensions to water lines
- 50.36 City may refuse service
- 50.37 Complaints
- 50.38 Submittal of plans and specifications for public water supply projects required

Rates and Charges

- 50.50 Minimum tapping fees
- 50.51 Basic monthly water rates
- 50.52 New service connections
- 50.53 Meter deposits
- 50.54 Multiple users on one meter
- 50.55 Billing procedures
- 50.56 Disconnection for late payment

Water Shortages and Conservation Measures

- 50.70 Purpose
- 50.71 Definitions
- 50.72 Water shortage advisory declared

Water Shortages and Conservation Measures (Cont'd)

- 50.73 Water shortage alert declared
- 50.74 Water shortage emergency declared
- 50.75 Shortage water rates
- 50.76 Regulations

Water Use Rationing

- 50.80 Purpose
- 50.81 Definitions
- 50.82 Declaration of rationing
- 50.83 Objectives of rationing
- 50.84 Water use rationing for residential water customers
- 50.85 Water use rationing for nonresidential water customers
- 50.86 Water use rationing for hospitals and health care facilities
- 50.87 Enforcement of water rationing
- 50.88 Shortage water rates
- 50.89 Regulations

- 50.98 Violations
- 50.99 Penalty

GENERAL PROVISIONS

§ 50.01 DEFINITIONS.

For the purpose of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

"CUSTOMER." A property owner or his agent, or the tenant or person occupying the property who has agreed to purchase water from the city.

"MANAGER." The manager, superintendent, or other person duly employed and authorized by the city to supervise the operation of the system.

"SYSTEM." The municipal waterworks system, as now or hereafter constituted.
(Ord. 1985-8, passed 8-13-85)

§ 50.02 STATE LAW INCORPORATED BY REFERENCE.

All applicable Kentucky Statutes which now or may hereafter exist are incorporated herein and made a part of this chapter, and the city may use any powers therein contained, in addition to those herein set out.
(Ord. 1985-8, passed 8-13-85)

§ 50.03 APPLICATIONS FOR WATER SERVICE.

Each customer must make written application for water service at the water company office, and the application, including service received thereunder, is not assignable by the customer.
(Ord. 1985-8, passed 8-13-85)

§ 50.04 WATER TAPS AND CONNECTIONS.

Whenever the city shall determine that it is feasible to provide water service to a customer, the city shall install, maintain, and operate a main distribution pipeline or lines from the system's source of water supply and shall further install and maintain, at the city's expense, such portions of the necessary water service lines as may be needed to bring water from a water main to the lot or easement line of a customer. If the necessary water service line from the water main to the water meter of a customer is unusually long, as determined by the Manager, within guidelines fixed by the city, the customer may be required to pay a portion of the cost of the service line. The expense borne by the city in any event shall include the necessary tap, fittings, and shut-off valve, which items shall belong to the city. Each customer shall install and maintain at his expense that portion of the service line from the lot or easement line to his premises, including a stop and waste cock at the end of the house side of his service, which items shall belong to the customer. The minimum earth cover of the customer's service shall be 30 inches. The Manager shall determine the size and kind of service to be installed.
(Ord. 1985-8, passed 8-13-85)

§ 50.05 PURCHASE AND USE OF WATER.

(A) Each customer shall be entitled to purchase from the city, pursuant to such agreements as may from time to time be provided and

required by the city, such water as the customer may desire, subject, however, to the provisions of this chapter and to such further rules and regulations as may be prescribed by the city. Should a property owner sell or dispose of a portion of his property or subdivide the same, he or the new owner of each such new tract may not demand water and taps without paying connection fees for each such tract to be served.

(B) In the event that the total water supply shall be insufficient to meet all of the needs of the customers, or in the event that there is a shortage of water, the city or its Manager may prorate the water available among the various customers on such basis as is deemed equitable by the city or its Manager, and may also prescribe a schedule of hours covering use of water and require adherence thereto or prohibit the use of water for specified purposes, for such appropriate period of time as may be necessary under the circumstances.

(Ord. 1985-8, passed 8-13-85)

§ 50.06 OWNERSHIP OF LINES AND METERS.

The city shall own all lines, meters, and other water equipment as shall be paid for by the city.

(Ord. 1985-8, passed 8-13-85)

REGULATIONS, PROHIBITIONS, AND CONDITIONS

§ 50.20 REGULATIONS SUPPLEMENTAL TO FINANCING ORDINANCES; AMENDMENTS.

(A) The regulations, prohibitions, and conditions contained in §§ 50.21 through 50.37 shall be deemed to supplement the Bond Ordinance and the Water Rate Ordinance adopted by the city in connection with the financing of waterworks improvements.

(B) The rules contained in §§ 50.21 through 50.37 may be changed or amended.

(Ord. 1985-8, passed 8-13-85)

§ 50.21 TAPS AND CONNECTIONS TO BE SUPERVISED BY MANAGER.

All taps and connections to the mains of the city shall be made by or under the direction and supervision of the Manager.

(Ord. 1985-8, passed 8-13-85) Penalty, see § 50.99

§ 50.22 REASONS FOR WHICH SERVICE MAY BE DISCONTINUED.

Water service may be discontinued by the Manager for any violation of any rule, regulation, or condition of service and especially for any of the following reasons:

(A) Misrepresentation in the application or contract as to the property or fixtures to be supplied, or as to additional use of water.

(B) Failure to report to the city additions to the property or fixtures to be supplied, or of additional use of water.

(C) Resale or giving away of water.

(D) Waste or misuse of water due to improper or imperfect service pipes or failure to keep same in a suitable state of repair.

(E) Tampering with meter, meter seal, service, or valves, or permitting such tampering by others.

(F) Connection, cross-connection, or permitting the same, of any separate water supply to premises which receive water from the city.

(G) Nonpayment of bills.

(Ord. 1985-8, passed 8-13-85) Penalty, see § 50.99

§ 50.23 CUSTOMER TO GIVE NOTICE OF DISCONTINUANCE.

Any customer desiring to discontinue the water service to his premises for any reason must give notice of discontinuance in writing at the water company office; otherwise, a customer shall remain liable for all water used and services rendered to such premises by the city unless the notice is received by the city.

(Ord. 1985-8, passed 8-13-85)

§ 50.24 DELIVERY OF BILLS AND NOTICES.

Bills and notices relating to the conduct of the business of the city will be mailed to the customer at the address listed on the application unless a change of address has been filed in writing with the city. The city shall not otherwise be responsible for delivery of any bill or notice nor will the customer be excused from the payment of any bill or any performance required in the notice.

(Ord. 1985-8, passed 8-13-85)

§ 50.25 METERS; BILLINGS.

(A) Meters will be read monthly between the 14th and 20th of each month.

(B) Bills for water service are due and payable at the water company office or to any designated agent on their date of issue. The past due date shall be the tenth day after the date of issue. Bills will be dated and mailed on or before the first day of the next month immediately following the month during which the meters are read.

(C) All bills not paid on or before the past-due date shall be deemed delinquent, and the city shall serve a customer written notice of his delinquency as set forth in § 50.56. If the bill is not paid within ten days after the mailing of such notice, the city may disconnect the water service of such customer as set forth in § 50.56.

(D) If a deadline date falls on a Sunday or legal holiday, such deadline shall not expire until the next succeeding secular day.

(E) The Manager shall have the right to require that a nominal sum, or such other meter deposit as may be specified or revised from time to time in any applicable rate ordinance, shall be placed on deposit with the city by a customer for the purpose of establishing or maintaining such customer's credit or as assurance for the payment of water bills by such customer.

(F) All meters shall be installed, renewed, and maintained at the expense of the city, and the city reserves the right to determine the size and type of meter used.

(G) Upon written request of any customer, the meter servicing the customer shall be tested by the city. A charge of \$15 will be made if the test indicates meter accuracy within the limits of 2%. If a meter is inaccurate in excess of 2% no charge will be made for the test and adjustments shall be made for the two preceding months prior to the test according to the inaccuracy in excess of 2%.

(H) Where a meter has ceased to register, or meter reading cannot be obtained, the quantity of water consumed will be based upon an average of the prior six months' consumption, considering the conditions of water service prevailing during the period in which the meter fails to register.
(Ord. 1985-8, passed 8-13-85)

§ 50.26 INTERRUPTIONS OF SERVICE.

(A) The city shall make all reasonable efforts to eliminate interruption of service and when such interruptions occur will endeavor to re-establish service with the shortest possible delay. When the service is interrupted, all consumers affected by such interruption will be notified in advance whenever possible.

(B) The city shall in no event be held responsible for any claim made against it by reason of the breaking of any mains or service pipes, or by reason of any other interruption of the supply of water caused by the failure or breakage of machinery or stoppage for necessary repairs. No person shall be entitled to damages nor for any portion of a payment refunded for any interruption of service which in the opinion of the city may be deemed necessary.
(Ord. 1985-8, passed 8-13-85)

§ 50.27 CUSTOMERS WITH BOILERS OR PRESSURE VESSELS.

Customers having boilers or pressure vessels receiving a supply of water from the city must have a check valve on the water supply line and a vacuum valve on the steam line to prevent collapse in case water supply from the city is discontinued or interrupted for any reason, with or without notice.

(Ord. 1985-8, passed 8-13-85)

§ 50.28 PREMISES SUBJECT TO INSPECTION BY CITY.

(A) The premises receiving a supply of water and all service lines, meters, and fixtures, including any fixtures within the premises, shall at all reasonable hours be subject to inspection by the duly authorized employees of the city.

(B) Piping on the premises of a customer must be so installed that connections are conveniently located with respect to the city lines and mains. The customer shall provide a place for metering which is unobstructed and accessible at all times. The customer shall furnish and maintain a cutoff valve on his side of the meter, and the city will furnish a like valve on its side of the meter.

(C) While trying to make the monthly meter reading if the water company employee is confronted with an unchained dog and he or she determines that their personal safety would be at risk in attempting to read the meter then the customer will receive an estimated bill based upon prior water usage. A fence constructed around the water meter is considered an obstruction and not accessible. Any customer having such a fence shall have 30 days from June 21, 1994 in which to either relocate the water meter outside the fence or to remove the fence behind the water meter. If the water company has to make a second reading of the meter to determine the actual usage, the city shall be entitled to a fee of \$10 and it shall be added to the customer's next monthly bill.

(Ord. 1985-8, passed 8-13-85; Am. Ord. 1994-12, passed 6-21-94)

§ 50.29 SERVICE LINE INSTALLATION AND MAINTENANCE EXPENSE OF CUSTOMER.

The customer's service lines shall be installed and maintained by the customer at his own expense in a safe and efficient manner and in accordance with the city's rules and regulations and with the regulations of the Department.

(Ord. 1985-8, passed 8-13-85)

§ 50.30 LIABILITY OF CUSTOMER.

If any loss or damage to the property of the city or any accident or other injury to persons or property is caused by or results from the negligence or wrongful action of the customer, member of his household, his agent, or employee, the cost of the necessary repairs or replacements shall be paid by the customer to the city, and any liability otherwise resulting shall be that of the customer.

(Ord. 1985-8, passed 8-13-85)

§ 50.31 WATER FURNISHED FOR DOMESTIC CONSUMPTION ONLY.

Water furnished by the city may be used for domestic consumption by the customer, members of his household, and employees only. The customer shall not sell or give the water to any other person.

(Ord. 1985-8, passed 8-13-85) Penalty, see § 50.99

§ 50.32 EASEMENTS GRANTED BY CUSTOMER.

Each customer shall grant or convey or shall cause to be granted or conveyed to the city a perpetual easement and right-of-way across any property owned or controlled by the customer whenever the easement or right-of-way is necessary for the city water facilities and lines so as to enable the city to furnish service to the customer.
(Ord. 1985-8, passed 8-13-85)

§ 50.33 WATER FOR BUILDING OR CONSTRUCTION PURPOSES.

(A) Water for building or construction purposes will be furnished by meter measurement only after suitable deposit has been made, the minimum deposit being \$20, and the amount shall be determined by the city based upon the size of the construction work contemplated. All water for building or construction purposes, as set forth in the permit, must pass through one and the same meter.

(B) Water so supplied shall be discharged through a hose or pipe directly upon the material to be made wet, or into a barrel or other container, and in no case upon the ground or into or through a ditch or trench. All use of water by any party other than applicant, or use of water for any purpose or upon any premises not so stated or described in the application, must be prevented by the applicant, or water service may be discontinued to the applicant without notice.
(Ord. 1985-8, passed 8-13-85)

§ 50.34 SPECIAL TERMS FOR WATER USED FOR PUBLIC PURPOSES.

Special terms and conditions may be made where water is used by the city or community for public purposes such as fire extinguishment, public parks, and the like.
(Ord. 1985-8, passed 8-13-85)

§ 50.35 EXTENSIONS TO WATER LINES.

(A) The city will construct extensions to its water lines to points within its service area, but the city is not required to make any such installation unless the customer pays to the city the entire cost of the installation.

(B) All line extensions shall be evidenced by a contract signed by the city and the person advancing funds for said extension.

(C) All decisions in connection with the manner of installation of any extension and maintenance thereof shall remain in the exclusive control of the city; such extension shall be the property of the city; and no other person shall have any right, title, or interest therein.
(Ord. 1985-8, passed 8-13-85)

§ 50.36 CITY MAY REFUSE SERVICE.

The city may refuse service to any person, not presently a customer, when in the opinion of the city the capacity of the facilities will not permit such service.
(Ord. 1985-8, passed 8-13-85)

§ 50.37 COMPLAINTS.

Complaints may be made to the Manager of the system, whose decisions may be appealed to the governing body of the city within ten days; otherwise, the Manager's decision will be final.
(Ord. 1985-8, passed 8-13-85)

§ 50.38 SUBMITTAL OF PLANS AND SPECIFICATIONS FOR PUBLIC WATER SUPPLY PROJECTS REQUIRED.

(A) Anyone desiring to build, construct, or develop any project which requires the use of public water supplied by the city shall first submit to the city plans and specifications for said project for its approval and the approval of the Drinking Water Branch of the Division of Water of the State Natural Resources and Environmental Protection Cabinet, together with a permit fee of \$15, prior to construction beginning.

(B) In order for a water distribution system to function effectively and economically, with lines properly sized, valves and fire hydrants located properly, and adequate storage provided, approval of the plans and specifications for the project must be approved by the manager of the City Water Company and the Chief of the City Fire Department.

(C) After the approval of the Water Company, the Fire Chief, and the State Drinking Water Branch has been obtained, the City Clerk/Treasurer/Tax Collector shall issue a building permit and construction can then begin.
(Ord. 1988-9, passed 10-88)

RATES AND CHARGES

§ 50.50 MINIMUM TAPPING FEES.

(A) The minimum tapping fees for any customer desiring to tap on to a water line serviced by the city water system for inside city customers shall be as follows:

<u>Meter Size</u> <u>(Inches)</u>	<u>Tapping Fees</u>	<u>Installation Fee</u>
5/8 x 3/4	\$ 500	Actual cost
1	1,000	Actual cost
1-1/2	1,200	Actual cost
2	1,600	Actual cost
3	2,500	Actual cost
4	3,200	Actual cost
6	4,000	Actual cost

(B) The minimum tapping fee shall also be based on the meter size

except that multi-unit structures shall pay the maximum based upon the meter size or \$1,000 per flow unit of 350 gallons per day. (Ord. 1985-6, passed 8-13-85, Am. Ord. 1985-8, passed 8-13-85; Am. Ord. 1997-11, passed 11-5-97; Am. Ord. 2000-19, passed 8-15-00)

Cross reference:

Water and sewer service rates, charges and fees, see §§ 52.01, 52.02

§ 50.51 BASIC MONTHLY WATER RATES.

(A) The basic monthly rates or charges for the water supplied by the waterworks system of the city to city residents shall be as follows:

(1) Minimum water rate. The minimum water bill shall be \$9.40 per month, and each water customer shall be entitled to 2,000 gallons of water in each month for such minimum charge.

(2) Meter rates for water usage in addition to minimum charge. Subject to the minimum monthly water rate specified in division (1) above, the following metered charges shall be made for each 1,000 gallons of water consumption per month to customers of all size connections:

<u>Number of Gallons of Water Per Month</u>		<u>Monthly Charge Per 1,000 Gallons</u>
First	2,000 or less	\$9.40 (minimum monthly charge)
Next	8,000	2.75
Next	10,000	1.65
Next	30,000	1.25
All over	50,000	1.00

(B) The foregoing monthly water rates, exclusive of the minimum rate of \$9.40 for the first 2,000 gallons or less of water per month, shall be applied in increments of 100 gallons or less. Thus, if a customer uses more than 2,000 gallons and no more than 2,100 gallons of water in any month, the bill to such customer for that month will be \$9.68, consisting of the minimum bill of \$9.40 for the first 2,000 gallons, plus \$.28 for the next 100 gallons or less of water consumed in that month.

(C) Whenever the minimum monthly charge is in excess of the total metered charge, the minimum shall apply. Whenever the total metered charge is in excess of the prescribed minimum monthly charge, the metered charge shall apply.

(D) The basic monthly rates or charges for the water supplied by the waterworks system of this city to the residential and business customers located outside the city limits shall be \$1.90 per month plus the county water rates as set by the Christian Water District from time to time with their current rates updated and published as of September 21, 1993, which are incorporated in this section by reference. The

city adopts each and every amendment to the county water rates as established by the Christian County Water District and will adjust the monthly bills accordingly.

(Ord. 1985-6, passed 8-13-85; Am. Ord. 1985-8, passed 8-13-85; Am. Ord. 1993-16, passed 11-23-93)

§ 50.52 NEW SERVICE CONNECTIONS.

(A) In addition to connection charges as prescribed in § 50.50, all customers shall pay a new service connection fee of \$20 to the city for water service before the customer shall be entitled to service.

(B) When a current water customer moves to a new address serviced by the Oak Grove Water Department, the customer shall pay a fee of \$20 to the city for the water meter to be moved.

(Ord. 1985-8, passed 8-13-85; Am. Ord. 1993-8, passed 10-26-93)

§ 50.53 METER DEPOSITS.

(A) In addition to connection charges as set forth in §§ 50.50 and 50.52, all customers shall pay a meter deposit of \$50 to the city for water service before the customers shall be entitled to service. The deposit, less any unpaid charges, shall be refunded to the customer, his heirs or assigns, whenever the customer notifies the city in accordance with § 50.23 to disconnect or terminate service to the customer. The deposit may be paid in full or \$30 initially, with the balance to be paid \$10 per month added to the customer's monthly bill for three months.

(B) When a current water customer moves to a new address serviced by the Oak Grove Water Department, his or her water meter deposit shall be retained by the city until such time as the customer notifies the city in accordance with § 50.23 to disconnect or terminate service to the customer.

(Ord. 1985-8, passed 8-13-85; Am. Ord. 1993-3, passed 4-20-93; Am. Ord. 1993-8, passed 10-26-93; Am. Ord. 1993-20, passed 11-23-93)

§ 50.54 MULTIPLE USERS ON ONE METER.

All water users shall be required to have individual water meters within six months from October 9, 1984, or pay the minimum water bill per month per unit, plus cost of all water used per month as read from the master meter.

(Ord. 1985-8, passed 8-13-85)

§ 50.55 BILLING PROCEDURES.

The rates or charges shall be billed monthly, on statements which shall be issued on or about the first of each month, and all bills for such service shall be considered due and payable ten days after the date of issue. If a bill is not paid within ten days after such date of issue, the bill shall be considered delinquent, and there shall be imposed a penalty on each bill not so paid, in an amount equal to 10% of the charges (other than sales tax) shown on the face amount of such delinquent bill. The city shall serve a customer written notice of his delinquency in accordance with § 50.56. If the bill is not paid within ten days after the mailing of such notice, the city may disconnect the

water service of such customer as set forth in § 50.56. If water service is disconnected by the city by reason of delinquency in the payment of any water bill, reconnection of such service shall not be made until the owner or user pays all charges and penalties owed, plus the amount of \$15 as a disconnection and reconnection charge. If any deadline date falls on a Sunday or legal holiday, such deadline shall not expire until the next secular day thereafter.
(Ord. 1985-8, passed 8-13-85)

§ 50.56 DISCONNECTION FOR LATE PAYMENT.

The city shall disconnect utility service in accord with the following policies:

- (A) When it becomes necessary for the city to discontinue utility

service to a customer for nonpayment of bills, service will be reinstated only after all bills for service then due have been paid and any deposit required has been made.

It is the policy of the city to discontinue utility service to customers by reason of nonpayment of bills only after notice and a meaningful opportunity to be heard on disputed bills. The city's form for application for utility service and all bills shall contain, in addition to the title, address, room number, and telephone number of the official in charge of billing, clearly visible and easily readable provisions to the effect:

(1) That all bills are due and payable on or before the date set forth on the bill; and

(2) That if any bill is not paid by or before that date, a second bill will be mailed containing a cutoff notice that if the bill is not paid within ten days of the mailing of the second bill, service will be discontinued for nonpayment; and

(3) That any customer disputing the correctness of his bill shall have a right to a hearing at which time he may be represented in person and by counsel or any other person of his choosing and may present orally or in writing his complaint and contentions to the city official in charge of utility billing. This official shall be authorized to order that the customer's service not be discontinued and shall have the authority to make a final determination of the customer's complaint.

(B) Requests for delays or waiver of payment will not be entertained; only questions of proper and correct billing will be considered. In the absence of payment of the bill rendered or resort to the hearing procedure provided herein, service will be discontinued at the time specified.

WATER SHORTAGES AND CONSERVATION MEASURES

§ 50.70 PURPOSE.

The purpose of this subchapter is to provide for the declaration of official phases of water supply shortage situations and the implementation of voluntary and mandatory water conservation measures throughout the city in the event a shortage is declared. Nothing in this subchapter shall be construed to interfere with common law riparian or statutory water rights.

(Ord. 1988-1, passed 1-12-88)

§ 50.71 DEFINITIONS.

For the purpose of this subchapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

"CUSTOMER." Any person using water for any purpose from the city's water distribution system and for which either a regular charge

is made or, in the case of bulk sales, a cash charge is made at the site of delivery.

"OTHER SOURCES OF WATER." Water that has not been introduced by the city into its water distribution system.

"RAW WATER SUPPLIES." All water potentially available to persons in the city.

"TREATED WATER." Water that has been introduced by the city into its water distribution system, including water offered for sale. Uses of treated water are classified as follows:

(1) "ESSENTIAL WATER USES (CLASS 1)." The following uses of water, listed by site or user type, are essential:

(a) "DOMESTIC." Water necessary to sustain human life and the lives of the domestic pets, and to maintain minimum standards of hygiene and sanitation.

(b) "HEALTH CARE FACILITIES." Patient care and rehabilitation, including related filling and operation of swimming pools.

(c) "PUBLIC USE." Firefighting, health and public protection purposes, if specifically approved by health officers and the municipal governing body.

(d) "WATER HAULING." Sales for domestic use where not reasonably available elsewhere.

(2) "SOCIALLY OR ECONOMICALLY IMPORTANT USES OF WATER (CLASS 2)." The following uses of water, listed by site or user type, are socially or economically important:

(a) "AIR CONDITIONING." Refilling for startup at the beginning of the cooling season; makeup of water during the cooling season; and refilling specifically approved by health officials and the municipal governing body, where the system has been drained for health protection or repair services.

(b) "COMMERCIAL AND CIVIC USE." Commercial car and truck washes, laundromats, restaurants, clubs and eating places, schools, churches, motels/hotels, and similar commercial establishments.

(c) "DOMESTIC." Personal, in-house water use, including kitchen, bathroom, and laundry.

(d) "OUTDOOR COMMERCIAL OR PUBLIC WATERING." (Using conservation methods and when other sources of water are not available

or feasible to use). Agricultural irrigation for the production of food and fiber or the maintenance of livestock; watering by arboretums and public gardens of national, state, regional, or community significance where necessary to preserve specimens; watering by commercial nurseries at a minimum level necessary to maintain stock; watering at a minimum rate necessary to establish or maintain revegetation or landscape plantings required pursuant to law or regulation; watering of woody plants where necessary to preserve them; and minimal watering of golf course greens.

(e) "OUTDOOR NONCOMMERCIAL WATERING." Minimal watering of vegetable gardens; minimal watering of trees where necessary to preserve them.

(f) "RECREATIONAL." Operation of municipal swimming pools and residential pools that serve more than 25 dwelling units.

(g) "WATER HAULING." Nondomestic, when other sources are not reasonably available elsewhere.

(3) "NONESSENTIAL (CLASS 3)." Any waste of water, as defined herein, is nonessential. The following uses of water, listed by site or user type, are nonessential.

(a) "AIR-CONDITIONAL." (see also Class 2 purposes). Refilling cooling towers after draining.

(b) "COMMERCIAL AND CIVIC USE." Serving water in restaurants, clubs, or eating places, except by customer request; failure to repair a controllable leak; increasing water levels in scenic and recreational ponds and lakes, except for the minimum amount required to support fish and wildlife.

(c) Noncommercial washing of motor and other vehicles.

(d) "ORNAMENTAL PURPOSES." Fountains, reflecting pools, and artificial waterfalls.

(e) "OUTDOOR COMMERCIAL OR PUBLIC WATERING." Expanding nursery facilities, placing new irrigated agricultural land in production, or planting of landscaping except when required by a site design review process; use of water for dirt control or compaction; watering of lawns, parks, golf course fairways, playing fields, and other recreational areas; washing sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surface areas; washing down buildings or structures for purposes other than immediate fire protection; flushing gutters or permitting water to run or accumulate in any gutter or street.

(f) "OUTDOOR WATERING." Use of water for dirt control or compaction; watering of annual or nonwoody plants, lawns, parks,

golf course fairways, playing fields, and other recreational areas; washing sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surface areas; washing down buildings or structures for purposes other than immediate fire protection; flushing gutters or permitting water to run or accumulate in any gutter or street.

(g) "PUBLIC USE." Use of fire hydrants (excluding Class 1 and Class 2 uses), including use of sprinkler caps, testing fire apparatus and fire department drills; flushing of sewers and hydrants except as needed to ensure public health and safety as approved by health officials and the municipal governing body.

(h) Recreational uses other than those specified as Class 2.

"WASTER OF WATER." Includes, but is not limited to, permitting water to escape down a gutter, ditch, or other surface drain, or failure to repair a controllable leak of water due to defective plumbing.

"WATER SHORTAGE RESPONSE PHASES."

(1) "ADVISORY." Conditions exist which indicate the potential for serious water supply shortages.

(2) "ALERT." Raw water supplies are consistently below seasonal averages, and if they continue to decline, may not be adequate to meet normal needs.

(3) "EMERGENCY." Water supplies are below the level necessary to meet normal needs and serious shortages exist in the area. (Ord. 1988-1, passed 1-12-88)

§ 50.72 WATER SHORTAGE ADVISORY DECLARED.

Whenever the governing body of the city finds that a potential shortage of raw water supplies is indicated, it shall be empowered to declare by order that a water shortage advisory exists, and that the Water Manager or Superintendent shall, on a daily basis, monitor the supply and demands upon that supply. In addition, the Mayor or his agent is authorized to call upon all water customers to employ voluntary water conservation measures to limit nonessential (Class 3) water use and eliminate the waste of water. This order shall be published in the official city newspaper and may be publicized through the general news media or any other appropriate method for making such orders public.

(Ord. 1988-1, passed 1-12-88)

§ 50.73 WATER SHORTAGE ALERT DECLARED.

Whenever the governing body of the city finds raw water supplies

to be consistently below seasonal averages, and if they continue to decline and may not be adequate to meet normal needs, it shall be empowered to declare by order that a water shortage alert exists. The city shall continue to encourage voluntary water conservation measures defined under the advisory declaration, and further shall impose a ban on all nonessential (Class 3) water uses for the duration of the shortage until it is declared to have ended by order of the governing body. Declaration of these orders shall follow the guidelines in § 50.72

(Ord. 1988-1, passed 1-12-88)

§ 50.74 WATER SHORTAGE EMERGENCY DECLARED.

Whenever the governing body of the city finds that raw water supplies are below the level necessary to meet normal needs and that serious shortages exist, it shall be empowered to declare by order that a water shortage emergency exists. Essential uses (Class 1) shall be identified, in specific, as targets for voluntary conservation initiatives. Also, all socially or economically important uses (Class 2) shall be banned in addition to the nonessential uses (Class 3). These restrictions shall be considered ongoing until the emergency is ended by order of the governing body. Declaration of these orders shall follow the guidelines in § 50.72.

(Ord. 1988-1, passed 1-12-88)

§ 50.75 SHORTAGE WATER RATES.

Upon the declaration of a water shortage as provided in §§ 50.72 through 50.74, the governing body of the city shall have the power to adopt shortage water rates, by ordinance, designed to conserve water supplies. Such rates may provide for, but not be limited to:

(A) Higher charges per unit for increasing usage (increasing block rates);

(B) Uniform charges for water usage per unit of use (uniform unit rate);

(C) Extra charges for use in excess of a specified level (excess demand surcharge); or

(D) Discounts for conserving water beyond specified levels.
(Ord. 1988-1, passed 1-12-88)

§ 50.76 REGULATIONS.

During the effective period of any water supply shortage as provided for in §§ 50.72 through 50.74, the Mayor, City Manager, or Water Superintendent is empowered to promulgate such regulations as may be necessary to carry out the provisions of this subchapter, any water supply shortage order, or water shortage rate ordinance. Such

regulations shall be subject to the approval of the governing body at its next regular or emergency meeting.
(Ord. 1988-1, passed 1-12-88)

WATER USE RATIONING

§ 50.80 PURPOSE.

The purpose of this subchapter is to provide for the declaration of rationing the equitable distribution of critically short water supplies. Nothing in this subchapter shall be construed to interfere with common law riparian or statutory water rights.
(Ord. 1988-2, passed 1-12-88)

§ 50.81 DEFINITIONS.

For the purpose of this subchapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

"ALLOTMENT." The maximum quantity of water allowed for each customer over any applicable period as established in the provisions of this subchapter.

"CUSTOMER." Any person using water for any purpose from the city's water distribution system and for which either a regular charge is made or, in the case of bulk sales, a cash charge is made at the site of delivery.

"EXCESS USE." The usage of water by a water customer in excess of the water allotment provided under the provisions of this subchapter for that customer, over any applicable period.

"NONRESIDENTIAL CUSTOMER." Commercial, industrial, institutional, public, and all other such users, with the exception of hospitals and health care facilities.

"RATIONING." Procedures established to provide for the equitable distribution of critically limited water supplies, in order to balance demand and limited available supplies, and to assure that sufficient water is available to preserve public health and safety.

"RESIDENTIAL CUSTOMER." Any customer who receives water service for a single- or multi-family dwelling unit. The term **"RESIDENTIAL CUSTOMER"** does not include educational or other institutions, hotels, motels, or similar commercial establishments.

"SERVICE INTERRUPTION." The temporary suspension of water supply, or reduction of pressure below that required for adequate supply, to any customer, portion of a water supply, or entire system.

"WATER SUPPLIES." Water available to the city for treatment by virtue of its water rights or withdrawal permit or any treated water introduced by the city into its water distribution system, including water offered for sale.

(Ord. 1988-2, passed 1-12-88)

§ 50.82 DECLARATION OF RATIONING.

Whenever the City Council finds a need to provide for the equitable distribution of critically limited water supplies, in order to balance demand and limited available supplies, and to assure that sufficient water is available to preserve public health and safety, it shall be empowered to declare by order the adoption of mandatory rationing.

(Ord. 1988-2, passed 1-12-88)

§ 50.83 OBJECTIVES OF RATIONING.

(A) It is imperative that water customers achieve an immediate further reduction in water use in order to extend existing water supplies and, at the same time, assure that sufficient water is available to preserve the public health and sanitation and to provide fire protection service.

(B) Should shortages continue, further reductions in usage may be required. The additional usage reduction in the rationed area must be valid and attainable goal reflective of the conditions which currently exist.

(C) The plan provides for equitable reductions in water usage and for equal sacrifice on the part of each water customer. The success of this subchapter depends on the cooperation of all water customers in the emergency area.

(Ord. 1988-2, passed 1-12-88)

§ 50.84 WATER USE RATIONING FOR RESIDENTIAL WATER CUSTOMERS.

(A) Metered residential water customers and allotments.

(1) The number of permanent residents in each dwelling unit (household) will determine the amount of water that each household will be allowed.

(2) Each dwelling unit (household) shall be allotted 40 gallons per day for each resident of the household. Households with only one permanent resident will have a daily allotment of 55 gallons.

(3) Residential water customers are required to provide city and utility personnel with reasonable access to read meters as necessary to this rationing declaration. Where access is not readily

available, all reasonable efforts to contact customers in order to arrange for access to read meters shall be made. In the event a water customer does not allow entry to read the meter after reasonable efforts to arrange for such access, the dwelling unit (household) allotment will be reduced to 55 gallons per day; 40 gallons for households with only one permanent resident.

(4) (a) Where the residential water allotment provided under this section would create an extraordinary hardship, as in the case of special health-related requirements, the water customer may apply to the city for an exemption or variance from these requirements. If it is found that the allotment provided in this section would impose an extraordinary hardship, a revised allotment for the particular customer may be established.

(b) Any person aggrieved by a decision relating to such an exemption or variance rendered by a public utility or municipal corporation rendering water service beyond its corporate limits, may file a complaint with the City Council in accordance with the city's normal administrative procedures.

(B) Nonmetered residential water customers and allotments.

(1) In order to effectively implement and monitor the residential water conservation effort, a water allotment shall be established for the entire water system based on 40 gallons per day per capita served or 50% of the water used by the entire system during October 1987.

(2) The city and utility will establish a communication system with the customers through public media to inform them of the requirements of the water rationing provisions of this subchapter, possible conservation measures that customers may employ the system allotment, and a regularly scheduled report of whether the usage was within the allotment.

(C) Metered and nonmetered residential customers of the same water supply system. Where a water supply system serves both metered and nonmetered residential customers, the allotments and procedures provided in divisions (A) and (B) above shall be applied, as appropriate.

(Ord. 1988-2, passed 1-12-88)

§ 50.85 WATER USE RATIONING FOR NONRESIDENTIAL WATER CUSTOMERS.

(A) Nonresidential water customers shall further reduce their water usage to 50% of use levels during October 1987.

(B) It is the primary responsibility of each nonresidential water customer to meet its mandated water use reduction goal in whatever manner possible.

(C) The city will establish a water allotment for each nonresidential water customer, based upon a required further reduction of water usage from the rate of water used by the customer in effect on October 31, 1987, or the last recorded use level if no meter readings record the rate of the customers use on October 31, 1987.

(D) Each nonresidential water customer shall provide access to city personnel for purposes of meter reading and monitoring of compliance with this subchapter. All reasonable efforts will be made to contact customers to arrange for access.

(E) (1) If the mandated further reduction in water usage cannot be obtained without imposing an extraordinary hardship which threatens health and safety, the nonresidential customer may apply to the city for a variance. For these purposes "extraordinary hardship" means a permanent damage to property or economic loss which is substantially more severe than the sacrifices borne by other water users subject to this water rationing subchapter. If the further reduction would cause an extraordinary hardship or threaten health or safety, a variance may be granted and a revised water use reflection requirement for the particular customer may be established.

(2) Any person aggrieved by a decision relating to such a variance rendered by a public utility or municipal corporation rendering water service beyond its corporate limits may file a complaint with the State Public Service Commission in accordance with established procedures.

(F) The city will provide each nonresidential customer with suggested means to reduce usage levels.
(Ord. 1988-2, passed 1-12-88)

§ 50.86 WATER USE RATIONING FOR HOSPITALS AND HEALTH CARE FACILITIES.

(A) Hospitals and health care facilities shall comply with all restrictions imposed on residential and nonresidential water customers as may be applicable to each individual institution, to the extent compliance will not endanger the health of the patients or residents of the institution.

(B) Each hospital or health care facility shall survey its water usage patterns and requirements and implement such additional conservation measures as may be possible without endangering the health of its patients or residents to achieve a further reduction in the institution's water usage.

(C) The city will provide each hospital and health care facility with suggested means to reduce usage levels.
(Ord. 1988-2, passed 1-12-88)

§ 50.87 ENFORCEMENT OF WATER RATIONING.

(A) The city, or its water utility, will have primary responsibility for monitoring of compliance with this subchapter.

(B) The following provisions shall govern the implementation of service interruptions:

(1) In order to effectuate compliance with this subchapter, the city is hereby authorized and required to plan and implement service interruptions to all or part of its water supply system, as may be deemed appropriate, when any or all of the following conditions are determined to exist:

(a) The mandated reduction in system-wide usage has not been achieved;

(b) The mandated reduction in system-wide usage has been achieved, but has failed to have a significant impact in extending limited water supplies; or

(c) Service interruptions are necessary in order to further exceed limited or dwindling water supplies.

(2) In the event it is determined that service interruptions are necessary, the city shall notify its customers that a planned service interruption is to be imposed. This shall be done through the public media (newspaper, radio, and television) and at least one day prior to the service interruption. Such notice shall:

(a) State the day or days when the planned service interruptions will occur;

(b) State the time when such planned service interruptions will commence, and the time such interruptions will cease;

(c) State whether the planned service interruptions are to be imposed on the entire system, or part thereof, and, if only part of the system will experience planned service interruptions, identify geographic boundaries within which such interruptions will occur; and

(d) Advise all customers within the areas affected by planned service interruptions how to treat any water received from the system, for human consumption, during the period of such interruptions and for such additional time as may be necessary until full pressure is restored to the system.

(3) If a planned service interruption is imposed as authorized and required by this subchapter, it must provide for the

continued delivery of water to health care facilities within the area affected by such interruptions, by means of any adequate, alternative delivery measures that may be necessary.

(4) If a planned interruption is implemented, it must make provision, by any means possible, for the continued delivery of such water as may be necessary for the proper operation of sewage collection, treatment, and disposal systems and facilities.

(C) Any residential or nonresidential water customer who exceeds the allotments established pursuant to this water rationing will be subject to the following excess-use charges.

(1) Excess-use charges will be collected based on the amount by which a customer's use exceeds the water allotments established pursuant to the local water rationing declaration, computed in accordance with the following schedule:

<u>Excess Usage Per Month</u>	<u>Charge for Excess</u>
First 2,000 gallons or portion thereof	\$ 7
Each 1,000 gallons or portion thereof, thereafter	15

(2) Any monies collected through excess-use charges shall not be accounted for as income, but shall be placed in a reserve account that is dedicated to addressing water shortage problems and water conservation initiatives.

(D) In addition to the excess-use charge, noncompliance with the water rationing provisions of this subchapter will result in the following:

(1) For the first excess use, a warning of possible discontinuation shall be issued to the customer.

(2) For the second or subsequent excess use, service to the customer may be interrupted or shut off for a period not to exceed 48 hours, or, if the customer provides access, a flow restrictor may be installed in the customer's service line for the duration of the emergency. The cost incurred to interrupt or shut off and reinstate service, or to install and remove a flow restrictor, shall be assessed to the water customer.

(E) Meter reading schedules are authorized to be altered to assure adequate monitoring of compliance with this subchapter.

(F) Any customer or other person aggrieved by a decision or action imposing an excess-use charge or other remedy for noncompliance with the requirements of this subchapter may proceed in accordance with the following provisions:

(1) The city shall adopt procedures which provide an opportunity for the customer or aggrieved party to rebut the finding of violation, or provide evidence of circumstances beyond the customer's control which result in the violation. A record of evidence regarding disputed violations shall be kept, and a written notice of the city's final decision and action in such cases shall be provided to the customer or aggrieved party.

(2) Any person aggrieved by the final decision or action of a public utility or municipal corporation may file a complaint with the Public Service Commission in accordance with established procedures. (Ord. 1988-2, passed 1-12-88)

§ 50.88 SHORTAGE WATER RATES.

Upon the declaration of water rationing as provided in § 50.82, the governing body of the city shall have the power to adopt shortage water rates, by ordinance, designed to conserve water supplies. Such rates may provide for, but not be limited to:

(A) Higher charges per unit for increasing usage (increasing block rates);

(B) Uniform charges for water usage per unit of use (uniform unit rate);

(C) Extra charges for use in excess of a specified level (excess demand surcharge); or

(D) Discounts for conserving water beyond specified levels. (Ord. 1988-2, passed 1-12-88)

§ 50.89 REGULATIONS.

During the effective period of water rationing as provided for in § 50.82, the Mayor (or Water Superintendent) is empowered to promulgate such regulations as may be necessary to carry out the provisions of this subchapter, any water supply shortage order, or water shortage rate ordinance. Such regulations shall be subject to the approval of the City Council at its next regular or emergency meeting. (Ord. 1988-2, passed 1-12-88)

§ 50.98 VIOLATIONS.

(A) Any person who violates the provisions of §§ 50.70 through 50.89, who fails to carry out the duties and responsibilities imposed by these sections, or who impedes or interferes with any action undertaken or ordered pursuant to these sections shall be subject to the penalties described in division (B) below.

(B) If the Mayor, City Clerk/Treasurer/Tax Collector, Water Superintendent, or other city official or officials charged with implementation and enforcement of §§ 50.70 through 50.89 or a water supply shortage order learns of any violation of any water use restriction imposed pursuant to these sections, a written notice of the violation shall be affixed to the property where the violation occurred and mailed to the customer of record and to any other person known to the city who is responsible for the violation or its correction. Said notice shall describe the violation and order that it be corrected, cured, or abated immediately or within such specified time as the city determines is reasonable under the circumstances. If the order is not complied with, the city may terminate water service to the customer subject to the following procedures.

(1) The city shall give the customer notice by mail that, due to the violation, water services will be discontinued within a specified time and that the customer will have the opportunity to appeal the termination by requesting a hearing scheduled before the City Council or a city official designated as a hearing officer by the governing body;

(2) If such a hearing is requested by the customer charged with the violation, he shall be given full opportunity to be heard before termination is ordered; and

(3) The City Council or the hearing officer shall make findings of fact and order whether service should continue or be terminated.

(Ord. 1988-1, passed 1-12-88; Am. Ord. 1988-2, passed 1-12-88)

§ 50.99 PENALTY.

(A) Where an act or omission is prohibited or declared unlawful in this chapter, and no penalty is otherwise provided, the offense shall be deemed a violation and the offender shall be fined not more than \$250 for each offense.

(B) A fee of \$50 shall be paid for the reconnection of any water service terminated pursuant to § 50.98(B). In the event of subsequent violations, the reconnection fee shall be \$200 for the second violation and \$300 for each additional violation.

(C) Any customer may be charged with violation of this chapter and prosecuted in District Court. Any person so charged and found guilty in District Court of violating the provisions of §§ 50.70 through 50.89 shall be guilty of a Class B misdemeanor. Each day's violation shall constitute a separate offense.

(1) The penalty for an initial violation shall be a mandatory fine of \$100, which may not be adjusted by the District Court. In addition, such customer may be required by the court to serve a definite term of confinement in the county jail which shall be fixed by the court and which shall not exceed 30 days.

(2) The penalty for a second violation shall be a mandatory fine of \$300 for §§ 50.70 through 50.76 and \$200 for §§ 50.80 through 50.89, which may not be adjusted by the District Court. In addition, such customer shall serve a definite term of confinement in the county jail, which shall be fixed by the court and which shall not exceed 30 days.

(3) Penalties for additional violations shall be the same as the second violation.
(Ord. 1988-1, passed 1-12-88; Am. Ord. 1988-2, passed 1-12-88)

CHAPTER 51: SEWER SERVICE REGULATIONS

Section

General Provisions

51.01 User charge system

Requirements for Contributors

- 51.10 Purpose and policy
- 51.11 Definitions
- 51.12 Use of public sewers required
- 51.13 Private sewage disposal
- 51.14 Building sewers and connections
- 51.15 Prohibited discharges
- 51.16 Standards for industrial users
- 51.17 Protection of sewage works from damage
- 51.18 Powers and authority of inspection

Rules, Regulations and Conditions of Sewer System Service

- 51.30 Definitions
- 51.31 Applications for sewer service
- 51.32 Abutting sewer owners must connect to sewer lines; non-sewer facilities prohibited
- 51.33 Non-resident water customers must become sewer customers as to properties abutting sewer line
- 51.34 Sewer connections required for new buildings
- 51.35 Sewer connections; regulations
- 51.36 Sewer taps made only by city
- 51.37 Sewer service lines installed by property owners at own expense
- 51.38 Special meters for usage not related to water
- 51.39 Ownership of lines and meters
- 51.40 Regulations; prohibitions; conditions
- 51.41 State laws incorporated by reference
- 51.42 Amendments restricted

Fats, Oils and Grease Control

- 51.50 Scope and purpose
- 51.51 Definitions
- 51.52 Grease interceptor maintenance, recordkeeping, and grease removal
- 51.53 Stormwater system
- 51.54 Enforcement

- 51.99 Penalty

GENERAL PROVISIONS

§ 51.01 USER CHARGE SYSTEM.

(A) The user charge will be based on individual customers in the system.

(B) The user charge system will be reviewed annually and revised periodically by the City Council as required in order to generate sufficient revenue to pay for the cost of operation, maintenance, and replacement of equipment of the wastewater treatment system.

(C) A rate schedule will be included with the customer billing at least annually.

(D) The water usage will be the basis for waste treatment charges.

(E) The charge for waste treatment will be: in accordance with the present residential and commercial rate schedule.

(F) A surcharge will be charged to industrial customers which exceed the maximum organic strength allowed by this chapter. The basis for the surcharge will be \$0.04 per pound of BOD, \$0.05 per pound of suspended solids, and \$0.08 per pound of ammonia.

(Ord. 1987-3, passed 6-16-87; Am. Ord. 1995-14, passed 9-27-95; Am. Ord. 1997-11, passed 11-5-97; Am. Ord. 2000-19, passed 8-15-00)

REQUIREMENTS FOR CONTRIBUTORS

§ 51.10 PURPOSE AND POLICY.

(A) This subchapter sets forth uniform requirements for direct and indirect contributors into the wastewater collection and treatment system for the city, and enables the city to comply with all applicable state and federal laws required by the Clean Water Act of 1977 and the General Pretreatment Regulations (40 C.F.R. Part 403).

(B) The objectives of this subchapter are:

(1) To prevent the introduction of pollutants into the municipal wastewater system that will interfere with the operation of the system or contaminate the resulting sludge;

(2) To prevent the introduction of pollutants into the municipal wastewater system that will pass through the system inadequately treated into receiving waters or the atmosphere, or otherwise be incompatible with the system;

(3) To improve the opportunity to recycle and reclaim wastewaters and sludges from the system; and

(4) To provide for equitable distribution of the cost of the municipal wastewater system.

(C) This subchapter provides for the regulation of direct and indirect dischargers to the municipal wastewater system through the issuance of permits to certain non-domestic users, and through enforcement of general requirements for the other users; authorizes monitoring and enforcement activities; requires user reporting; assumes that existing customers' capacity will not be preempted or appropriated; and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

(D) This subchapter shall apply to the city and to persons outside the city who are, by contract or agreement with the city, users of the city POTW. Except as otherwise provided herein, the Superintendent of the city's POTW shall administer, implement, and enforce the provisions of this subchapter.

(Ord. 1987-4, passed 6-16-87)

§ 51.11 DEFINITIONS.

Unless the context specifically indicates otherwise, the following terms and phrases, as used in this subchapter, shall have the meanings designated here.

"ACT" or "THE ACT." The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251, et seq.

"APPROVAL AUTHORITY." The director in an NPDES state with an approved state pretreatment program, and the Administrator of the EPA in a non-NPDES state or NPDES state without an approved state pretreatment program.

"AUTHORIZED REPRESENTATIVE OF INDUSTRIAL USER." An authorized representative of an industrial user may be:

(1) A principal executive officer of at least the level of vice president, if the industrial user is a corporation;

(2) A general partner or proprietor if the industrial user is a partnership or proprietorship, respectively; or

(3) A duly authorized representative of the individual designated above, if that representative is responsible for the overall operation of the facilities from which the indirect discharge originates.

"BIOCHEMICAL OXYGEN DEMAND (BOD)." The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure, five days at 20°C., expressed in terms of weight and concentration (milligrams per liter).

"BUILDING DRAIN." The part of the lower horizontal piping of a drainage system that receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet (1.5 meters) outside the inner face of the building wall.

"BUILDING SEWER." The extension from the building drain to the public sewer or other place of disposal.

"CATEGORICAL STANDARDS." National categorical pretreatment standards or pretreatment standard.

"CITY." The City of Oak Grove, the Mayor, the City Council, the Wastewater Treatment Plant Superintendent, the Pump Station Superintendent, or their duly authorized representative.

"CITY CLERK." The duly authorized representative of the city.

"COD." Chemical oxygen demand.

"COMBINED SEWER." A sewer receiving both surface runoff and sewage.

"COMPATIBLE POLLUTANT." BOD, suspended solids, pH, fecal coliform bacteria, and such additional pollutants as are now or may in the future be specified and controlled in the city's NPDES permit for its wastewater treatment works, where those works have been designed and used to reduce or remove those pollutants.

"CONTROL AUTHORITY." The "approval authority," defined hereinabove, or the Superintendent if the city has an approved pretreatment program under the provisions of 40 C.F.R. 403.11.

"CONVENTIONAL POLLUTANTS." Those pollutants normally found.

"COOLING WATER." The water discharged from any use such as air conditioning, cooling, or refrigeration, or to which the only pollutant added is heat.

"DIRECT DISCHARGE." The discharge of treated or untreated wastewater directly to the waters of the Commonwealth of Kentucky.

"ENVIRONMENTAL PROTECTION AGENCY" or **"EPA."** The U.S. Environmental Protection Agency or, where appropriate, the term may also be used as a designation for the administrator or other duly authorized official of that agency.

"GARBAGE." Solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.

"GRAB SAMPLE." A sample that is taken from a waste stream on a one-time basis with no regard to the flow in the waste stream and without consideration of time.

"HOLDING TANK WASTE." Any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump tank trucks.

"INCOMPATIBLE POLLUTANT." Any pollutant that is not a "compatible pollutant" as defined in this section.

"INDIRECT DISCHARGE." The discharge or the introduction of non-domestic pollutants from any source regulated under Section 307(b) or (c) of the Act (33 U.S.C. 1317), into the POTW (including holding tank waste discharged into the system).

"INDUSTRIAL PRETREATMENT." Any necessary treatment processes performed on the industrial wastes by the industrial user prior to discharge into the public sewers in accordance with federal, state, and local regulations.

"INDUSTRIAL USER." A source of indirect discharge that does not constitute a discharge of pollutants under regulations issued pursuant to Section 402 of the Act (33 U.S.C. 1342).

"INDUSTRIAL WASTES." The liquid wastes from industrial manufacturing processes, trade, or business, as distinct from sanitary sewer.

"INHIBITION." Any pollutant that might impair, effectively reduce, or terminate the biological process and/or biological operation of the sewage treatment plant.

"INTERFERENCE." The inhibition or disruption of the POTW treatment processes or operations that contributes to a violation of any requirement of the city's NPDES permit. The term includes prevention of sewage sludge use or disposal by the POTW in accordance with 405 of the Act (33 U.S.C. 1345) or any criteria, guidelines, or regulations developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or more stringent state criteria (including those contained in any state sludge management plan prepared pursuant to Title IV of the Solid Waste Disposal Act) applicable to the method of disposal or use employed by the POTW.

"l." Liter.

"mg." Milligrams.

"mg/l." Milligrams per liter.

"MONITORING." Any method of sampling and analyzing of industrial waste discharged into the sanitary sewer by industrial users, employed by the city to enforce industrial pretreatment regulations.

"NATIONAL CATEGORICAL PRETREATMENT STANDARD" or "PRETREATMENT STANDARD." Any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307(b) and (c) of the Act (33 U.S.C. 1347) that applies to a specific category of industrial users.

"NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT." A permit issued pursuant to Section 402 of the Act (33 U.S.C. 1342).

"NATIONAL PROHIBITIVE DISCHARGE STANDARD" or "PROHIBITIVE DISCHARGE STANDARD." Any regulation developed under the authority of 307(b) of the Act and 40 C.F.R. 403.5.

"NATURAL OUTLET." Any outlet into a watercourse, pond, ditch, lake, or other body of surface or ground water.

"NEW SOURCE." Any source whose construction is commenced after the publication of proposed regulations prescribing a Section 307(c) 33 U.S.C. 1317 categorical pretreatment standard that will be applicable to that source, if that standard is thereafter published within 120 days of proposal in the Federal Register. Where the standard is promulgated later than 120 days after proposal, a new source means any source whose construction is commenced after the date of promulgation of the standard.

"NPDES." National Pollutants Discharge Elimination System.

"PASS THROUGH." Any pollutant that enters the sewage works and is not totally removed before entering the receiving stream.

"PERSON." Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity, or their legal representatives, agents, or assigns.

"pH." The logarithm (base 10) of the reciprocal of the concentration of hydrogen ions, expressed in grams per liter of solution.

"POLLUTANT." Any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt, and industrial, municipal, and agricultural waste discharged into water.

"POLLUTION." The man-made or man-induced alteration of the chemical, physical, biological, and radiological integrity of water.

"POTW TREATMENT PLANT." That portion of the POTW designed to provide treatment to wastewater.

"PRETREATMENT REQUIREMENTS." Any substantive or procedural requirement related to pretreatment, other than a national pretreatment standard imposed on an industrial user.

"PRIORITY POLLUTANTS." Shall mean any of the 129 pollutants that affect stream quality or stream life in the receiving stream and its subsequent waters.

"PROPERLY SHREDDED GARBAGE." The wastes from the preparation, cooking, and dispensing of foods, which 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 one-half inch (1.27 centimeters) in any dimension.

"PUBLICLY OWNED TREATMENT WORKS (POTW)." A treatment works as defined by Section 212 of the Act (33 U.S.C. 1292), that is owned in this instance by the city. This definition includes any sewers that convey wastewater to the POTW treatment plant, but does not include pipes, sewers, or other conveyances not connected to a facility providing treatment. For the purposes of this subchapter, POTW shall also include any sewers that convey wastewaters to the POTW from persons outside the city who are, by contract or agreement with the city, users of the city's POTW.

"PUBLIC SEWER." A sewer in which all owners of abutting properties have equal rights, and which is controlled by public authority.

"RECEIVING STREAM." The natural stream or watercourse that accepts the discharge from the sewage treatment plant.

"SANITARY SEWER." A sewer which carries sewage, and to which storm, surface, and ground waters are not intentionally admitted.

"SEWAGE." 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.

"SOLID WASTE DISPOSAL ACT (SWDA)." 42 U.S.C. 6901 et seq.

"STANDARD INDUSTRIAL CLASSIFICATION (SIC)." A classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1972.

"STORM WATER." Any flow occurring during or following any form of natural precipitation, and resulting therefrom.

"SUPERINTENDENT." The person designated by the city to supervise the operation of the POTW and who is charged with certain duties and responsibilities by this subchapter, or his duly authorized representatives.

"SUSPENDED SOLIDS." The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquids and that is removable by laboratory filtering.

"TOXIC POLLUTANT." Any pollutant or combination of pollutants listed as toxic in regulations published by the Administrator of the Environmental Protection Agency under the provision of CWA307(a) or other Acts.

"TSS." Total suspended solids.

"24-HOUR FLOW PROPORTIONAL COMPOSITE SAMPLE." Incremental samples with sample volumes proportional to flow are collected over a 24-hour period. This type of sample, when analyzed and compared to total flow, provides the most accurate measure of wastewater quality and pollutant loading.

"USER." Any person who contributes, causes, or permits the contribution of wastewater into city's POTW.

"WASTEWATER." The liquid- and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities, and institutions, together with any ground water, surface water, and storm water that may be present, whether treated or untreated, that is contributed into or permitted to enter the POTW.

"WASTEWATER CONTRIBUTION PERMIT." As set forth in § 51.16(J) below.

"WATERS OF THE COMMONWEALTH." All streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems, and other bodies of accumulation of water, surface or underground, natural or artificial, public or private, that are contained within, flow through, or border upon the Commonwealth of Kentucky or any portion thereof.

(Ord. 1987-4, passed 6-16-87)

§ 51.12 USE OF PUBLIC SEWERS REQUIRED.

(A) 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 boundaries of the city or in any area under the jurisdiction of the city, any human or animal excrement, garbage, or other objectionable waste if public sewer is available.

(B) It shall be unlawful to discharge to any natural outlet within the boundaries of the city or in any area under the jurisdiction of the city any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this subchapter.

(C) Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage if public sewer is available.

(D) The owner of any house, building, or property used for human occupancy, employment, recreation, or other purposes, situated within the city and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary or combined sewer of the city, is hereby required at his expense to install suitable toilet facilities therein, and to connect those facilities directly with the proper public sewer in accordance with the provisions of this policy, within 90 days after date of official notice to do so, provided that the public sewer is within 100 feet (30.5 meters) of the property line.

(Ord. 1987-4, passed 6-16-87) Penalty, see § 51.99

§ 51.13 PRIVATE SEWAGE DISPOSAL.

The disposal of sewage by means other than the use of the available sanitary sewage system shall be in accordance with local, county, and state law. The disposal of sewage by private disposal systems shall be permissible only in those instances where service from the sanitary sewage system is not available.

(Ord. 1987-4, passed 6-16-87) Penalty, see § 51.99

§ 51.14 BUILDING SEWERS AND CONNECTIONS.

(A) 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 Superintendent.

(B) There shall be two classes of building permits: for residential and commercial service; and for service to establishments producing industrial wastes. In either case the owner or his agent shall make application on a special form furnished by the city. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Superintendent. A permit and inspection fee of \$10 for a residential, commercial, or industrial building sewer permit shall be paid to the city at the time the application is filed.

(C) All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the city from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

(D) A separate and independent building sewer shall be provided for every building, except that when 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 building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

(E) Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Superintendent, to meet all requirements of this policy.

(F) The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench shall all conform to the requirements of the building and plumbing code and other applicable rules and regulations of the city. In the absence of code provisions or in amplification thereof, the materials set forth in the appropriate ASTM specifications and the procedures set forth in the WPCF Manual of Practice No. 9 shall apply.

(G) Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by that building drain shall be lifted by an approved means and discharged to the building sewer.

(H) No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or ground water to a building sewer or building drain that in turn is connected directly or indirectly to a public sanitary sewer.

(I) The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code and other applicable rules and regulations of the city, or to the materials requirements set forth in the appropriate ASTM specifications and the procedures set forth in the WPCF Manual of Practice No. 9. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Superintendent before installation.

(J) The applicant for the building sewer permit shall notify the Superintendent or his authorized representative when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Superintendent or his representative.

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

(L) Any work done in the street right-of-way will be covered by city street cut permit.

(M) Sewer service shall be provided to adjacent unincorporated areas at the discretion of the city officials. As stated in the 201 Facilities Plan, all development within the corporate limits of the city is to be sewered during the planning period, and the city may wish to annex and provide service to those areas adjacent to it that develop at densities high enough to make sewers economically feasible. If service is to be provided, potential users shall be subject to tapping fees and rate schedule as determined by the city. (Ord. 1987-4, passed 6-16-87) Penalty, see § 51.99

Cross-reference:

Building regulations, see Ch. 150

§ 51.15 PROHIBITED DISCHARGES.

(A) No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer, and, without exception, no sanitary wastewater shall be discharged into any storm sewer system.

(B) Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers or to a natural outlet approved by the Kentucky Department of Natural Resources and Environmental Protection, Division of Water Quality. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Kentucky Department of Natural Resources and Environmental Protection, Division of Water Quality, to a storm sewer or natural outlet.

(C) No person shall discharge or cause to be discharged any of the following described pollutants to any public sewer.

(1) Any liquids, solids, or gases that by reason of their nature or quantity may be sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any way to the POTW or to the operation of the POTW. At no time shall two successive readings on an explosion hazard meter at any point of the discharge into the system or at any point in the system be more than 5% nor any single reading over 10% of the lower explosive limit of the meter. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides, and any other substances that the city, the state, or EPA has notified the user is a fire hazard or a hazard to the system.

(2) Pollutants that cause corrosive structural damage to the system; in no case discharges with a pH lower than 6.0 or higher than 9.0, nor can the pH be increased more than 1.0 per hour.

(3) Solid or viscous substances that may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities; such as, but not limited to, grease, garbage with particles greater than one-half inch in any dimension, paunch manure, bones, hair, hides or flesh, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw shavings, grass clippings, rags, spent grains, spent hops, wastepaper, wood, plastics, gas, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, mud, or glass grinding or polishing wastes.

(4) Any pollutant, including oxygen demanding pollutants (BOD and the like), released in a discharge of such a volume or strength as to cause interference to the system.

(5) Heat in amounts which will inhibit biological activity in the system resulting in interference, but in no case heat in such quantities that the temperature at treatment plant influent exceeds 40°C (104 F°).

(6) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths horsepower (0.76 HP metric) or larger shall be subject to the review and approval of the Superintendent.

(7) Radioactive wastes or isotopes of such half-life or concentration that they do not comply with regulations or orders issued by the appropriate authority having control over their use, and that will or may cause damage or hazards to the sewerage facilities or personnel operating the system.

(D) No person, firm, association, or corporation shall clean out, drain, or flush any septic tank or any other type of wastewater or excreted disposal system into the POTW unless that person, firm, association, or corporation obtains a permit from the Superintendent to perform such acts or service.

(1) Any person, firm, association, or corporation desiring a permit to perform such services shall complete and file with the city an application on the form prescribed by the city. Upon any such application, the permit shall be issued by the Superintendent when the conditions of this subchapter have been met, providing the Superintendent is satisfied the applicant has adequate and proper equipment to perform the services contemplated in a safe and competent manner. An annual service charge payable to the city may be included as a provision to the permit.

(2) The Superintendent shall designate approved locations for the emptying and cleansing of all equipment used on the performance of the services rendered under the permit herein provided for, and it shall be a violation hereof for any person, firm, association, or corporation to empty or clean such equipment at any place other than a place so designated. No person, firm, association, or corporation rendering services under the permit herein provided for shall discharge any incompatible pollutant.

(E) Any person determined an industrial user shall not only be regulated by regulations set forth in this section, but shall also be required to adhere to all provisions established in § 51.16 below. (Ord. 1987-4, passed 6-16-87) Penalty, see § 51.99

§ 51.16 STANDARDS FOR INDUSTRIAL USERS.

(A) This section establishes limitations and prohibitions on the quantity and quality of wastewater that may be lawfully discharged to the POTW. The specific limitations set forth in subsequent sections are subject to change as necessary to enable the city to provide efficient wastewater treatment, to protect the public health and the environment, and to enable the city to meet requirements contained in its National Pollution Discharge Elimination System (NPDES) permit.

(B) The wastewater of every industrial user shall be evaluated upon the following criteria:

(1) Wastewater containing any element or compound that is not adequately removed by the treatment works, which is known to be an environmental hazard;

(2) Wastewater causing a discoloration or any other condition in the quality of the city's POTW treatment plant effluent such that receiving water quality requirements cannot be met;

(3) Wastewater containing any element or compound known to act as a lacrimator, known to cause nausea, or known to cause odors constituting a public nuisance;

(4) Wastewater causing interference with the effluent or any other product of the treatment process, residues, sludge, or scums, causing them to be unsuitable for reclamation process; and

(5) Wastewater having constituents and concentrations in excess of those listed in division (C) below.

(6) When the Superintendent determines that a user or users are contributing to the POTW any of the above enumerated substances in such amounts as to interfere with the operation of the POTW, the Superintendent shall:

(a) Advise the user of the impact of the contribution on the POTW; and

(b) Develop effluent limitation for those users to correct the interference with the POTW.

(7) Upon the promulgation of the federal categorical pretreatment standards for a particular industrial subcategory, the federal standard, if more stringent than limitations imposed under this subchapter for sources in that subcategory, shall immediately supersede the limitations imposed under this subchapter. The Superintendent shall notify all affected users of the applicable requirements under 40 C.F.R. 403.12.

(C) The Superintendent shall monitor the treatment works influent for each parameter in the following table. Each industrial user shall be responsible for monitoring and reporting these requirements. In the event that the influent at the treatment works reaches or exceeds the levels established by this table, the Superintendent shall initiate technical studies to determine the cause of the influent violation, and shall recommend to the City Clerk such remedial measures as are necessary, including, but not limited to, recommending the establishment of new or revised pretreatment levels for these parameters. The Superintendent shall also recommend changes to any of these criteria in the event the POTW effluent standards are changed, or in the event that there are changes in any applicable law or regulation affecting same, or in the event changes are needed for more effective operation of the POTW. The intent of these limitations is to prevent interference with the operation of the treatment works, pass through of pollutants in violation of the POTW's NPDES permit limitations, and municipal sludge contamination.

(1) Protection criteria: incompatible pollutant influent limitations for the city wastewater treatment plant.

<u>Pollutant</u>	<u>Maximum Daily Average Concentration (mg/l)</u>	<u>Maximum Instantaneous Concentration (mg/l)</u>
Arsenic	0.10	0.20
Cadmium	0.03	0.05
Chromium (hexavalent)	1.0	1.5
Chromium (total)	3.0	5.0
Copper	.0	2.0
Cyanide	0.05	0.10
Iron	10.0	15.0
Lead	0.10	0.20
Mercury	0.05	0.10
Nickel	1.0	2.0
Zinc	0.20	0.50

(2) Protection criteria: compatible pollutant influent limitations for the city wastewater treatment plant.

<u>Pollutant</u>	<u>Maximum Daily Average Concentration (mg/l)</u>	<u>Maximum Instantaneous Concentration (mg/l)</u>
5-day BOD	275	300
TSS	260	290

(3) Modification of federal categorical pretreatment standards. Where the city's wastewater treatment system achieves consistent removal of pollutants limited by federal pretreatment standards, the city may apply to the approval authority for modification of specific limits in the federal pretreatment standards. "Consistent removal" (as defined hereinafter) shall mean reduction in the amount of a pollutant or alteration of the nature of the pollutant by the wastewater treatment system to a less toxic or harmless state in the effluent that is achieved by the system when 95% of the samples taken measured according to the procedures set forth in 40 C.F.R. 403.7(c)(2), promulgated pursuant to the Act. The city may then modify pollutant discharge limits in the federal pretreatment standards if the requirements contained in 40 C.F.R. 403.7 are fulfilled and prior approval from the approval authority is obtained.

(D) Industrial users shall be required to perform any industrial pretreatment whenever necessary to reduce or modify the user's wastewater constituency to achieve compliance with the limitations set forth in division (C) above to meet applicable national pretreatment standards, or to meet any other wastewater condition or limitation contained in the user's wastewater discharge permit.

(E) State requirements and limitations on discharges shall apply in any case where they are more stringent than federal requirements and limitations or those in this subchapter.

(F) The city reserves the right to establish by ordinance more stringent limitations or requirements on discharges to the wastewater disposal system if deemed necessary to comply with the objectives presented in § 51.10 above.

(G) No user shall ever increase the use of process water or, in any way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in the federal categorical pretreatment standards, or in any other pollutant-specific limitation developed by the city or the state.

(H) Each user shall provide protection from accidental discharge of prohibited materials or other substances regulated by this subchapter. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner's or user's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the city for review and shall be approved by the city before construction of the facility. No user who commences contribution to the POTW after the effective date of this subchapter shall be permitted to introduce pollutants into the system until accidental discharge procedures have been approved by the city. Review and approval of such plans and operating procedures shall not relieve the industrial user from the responsibility to modify the user's facility as necessary to meet the requirements of this subchapter. In the case of an accidental discharge, it is the responsibility of the user immediately to telephone and notify the POTW of the incident. The notification shall include location of discharge, type of waste, concentration and volume, and corrective actions. The POTW shall keep a log on such events.

(1) Written notice. Within five days following an accidental discharge, the user shall submit to the Superintendent a detailed written report describing the cause of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage to the POTW, fish kills, or any other damage to person or property; nor shall such notification relieve the user of any fines, civil penalties, or other liability that may be imposed by this section or other applicable law.

(2) Notice to employees. A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees whom to call in the event of a dangerous discharge. Employers shall ensure that all employees who may cause or suffer such a dangerous discharge to occur are advised of the emergency notification procedure.

(I) The city may adopt charges and fees that may include:

(1) Fees for reimbursement of costs of setting up and operating the city's pretreatment program;

(2) Fees for monitoring, inspections, and surveillance procedures;

(3) Fees for reviewing accidental discharge procedures and construction;

(4) Fees for permit application;

(5) Fees for filing appeals;

(6) Fees for consistent removal by the city of pollutants otherwise subject to federal pretreatment standards; and

(7) Other fees as the city may deem necessary to carry out the requirements contained herein.

(8) These fees relate solely to the matters covered by this subchapter and are separate from all other fees chargeable by the city.

(J) All industrial users proposing to connect to or to contribute to the POTW shall obtain a wastewater discharge permit before connecting to or contributing to the POTW.

(K) Users required to obtain a wastewater contribution permit shall complete and file with the city an application in the form prescribed by the city, and accompanied by a fee of \$50. Users shall apply at least 90 days prior to connecting to or contributing to the POTW. In support of the application, the user shall submit, in units and terms appropriate for evaluation, the following information:

(1) Name, address, and location (if different from the address).

(2) SIC number according to the Standard Industrial Classification Manual, Bureau of the Budget, 1972, as amended.

(3) Wastewater constituents and characteristics, including, but not limited to, those mentioned in § 51.15(C), and § 51.16(B), (C) above, as determined by a reliable analytical laboratory. Sampling and analysis shall be performed in accordance with procedures established by the EPA pursuant to Section 304(g) of the Act and contained in 40 C.F.R., Part 136, as amended.

(4) Time and duration of contribution.

(5) Average daily and three-minute peak wastewater flow rates, including daily, monthly, and seasonal variations, if any.

(6) Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, sewer connections, and appurtenances by the size, location, and elevation.

(7) Description of activities, facilities, and plant processes on the premises, including all materials that are or could be discharged.

(8) Where known, the nature and concentration of any pollutants in the discharge that are limited by any city, state, or federal pretreatment standards, and a statement regarding whether or not the pretreatment standards are being met on a consistent basis, and, if not, whether additional operation and maintenance and/or additional pretreatment is required for the user to meet applicable pretreatment standards;

(9) If additional pretreatment and/or operation and maintenance will be required to meet the pretreatment standards, the shortest schedule by which the user will provide such additional pretreatment. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard. The following conditions shall apply to this schedule:

(a) The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (for example, hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, and the like).

(b) No increment referred to in division (9)(a) above shall exceed nine months.

(c) Not later than 14 days following each date in the schedule and the final date for compliance, the user shall submit a progress report to the Superintendent, including, as a minimum, whether or not it complied with the increment of progress to be met on such date, and, if not, the date on which it expects to comply with this increment of progress, the reason for delay, and the steps being taken by the user to return the construction to the schedule established. In no event shall more than nine months elapse between such progress reports to the Superintendent.

(10) Each product produced, by type, amount, process or processes, and rate of production.

(11) Type and amount of raw materials processed (average and maximum per day).

(12) Number and type of employees and hours of operation of plant, and proposed or actual hours of operation of pretreatment system.

(13) Any other information as may be deemed by the city to be necessary to evaluate the permit application.

(14) The city will evaluate the data furnished by the user and may require additional information. After evaluation and acceptance of the data furnished, the city may issue a wastewater contribution permit subject to terms and conditions provided herein.

(L) Within nine months of the promulgation of a national categorical pretreatment standard, the wastewater contribution permits of users subject to that standard shall be revised to require compliance with that standard within the time frame prescribed by the standard. Where a user subject to a national categorical pretreatment standard has not previously submitted an application for a wastewater contribution permit as required by division (K) of this section, the user shall apply for a wastewater contribution permit within 180 days after the promulgation of the applicable national categorical pretreatment standard. In addition, the user with an existing wastewater contribution permit shall submit to the Superintendent within 180 days after the promulgation of an applicable federal categorical pretreatment standard the information required by divisions (K)(8) and (9) of this section.

(M) Wastewater discharge permits shall be expressly subject to all provisions of this subchapter, and all other applicable regulations, user charges, and fees established by the city. Permits may contain the following:

(1) The unit charge or schedule of user charges and fees for the wastewater to be discharged to a community sewer;

(2) Limits on the average and maximum wastewater constituents and characteristics;

(3) Limits on average and maximum rate and time of discharge, or requirements for flow regulations and equalization;

(4) Requirements for installation and maintenance of inspection and sampling facilities;

(5) Specifications for monitoring programs, which may include sampling locations, frequency of sampling, reporting schedule, and number, types, and standards for tests.

(6) Compliance schedules;

(7) Requirements for submission of technical reports or discharge reports;

(8) Requirements for maintaining and retaining plant records relating to wastewater discharge as specified by the city, and affording the city access thereto;

(9) Requirements for notification of the city of any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater constituents being introduced into the wastewater treatment system;

(10) Requirements for notification of slug discharges in accordance with division (B) of this section; and

(11) Other conditions as deemed appropriate by the city to ensure compliance with this subchapter.

(N) Permits shall be issued for a specified time period not to exceed five years. A permit may be issued for a period of less than a year or may be stated to expire on a specific date. The user shall apply for permit reissuance a minimum of 180 days prior to the expiration of the user's existing permit. The terms and conditions of the permit may be subject to modifications by the city during the term of the permit as limitations or requirements identified in division (E) of this section are modified, or if some other just cause exists. The user shall be informed of any proposed changes in his permit at least 30 days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

(O) Wastewater discharge permits are issued to a specific user for a specific operation. A wastewater discharge permit shall not be reassigned or transferred or sold to a new owner, new user, different premises, or a new or changed operation without the approval of the city. Any succeeding owner or user shall also comply with the terms and conditions of the existing permit.

(P) Within 90 days following the date for final compliance with applicable pretreatment standards, or, in the case of a new source, following commencement of the introduction of wastewater into the POTW, any user subject to pretreatment standards and requirements shall submit to the Superintendent a report indicating the nature and concentration of all pollutants in the discharge from the regulated process that are limited by pretreatment standards and requirements, and the average and maximum daily flow for these process units in the user's facility that are limited by such pretreatment standards or requirements. The report shall state whether the applicable pretreatment standards or requirements are being met on a consistent basis, and, if not, what additional operation and maintenance and/or pretreatment is necessary to bring the user into compliance with the applicable pretreatment standards

or requirements. This statement shall be signed by an authorized representative of the industrial user and certified by a qualified professional.

(1) Any user subject to a pretreatment standard shall, after the compliance date of the pretreatment standard, or, in the case of a new source, after commencement of the discharge into the POTW, submit to the Superintendent during the months of June and December, unless required more frequently in the pretreatment standard or by the Superintendent, a report indicating the nature and concentration of pollutants in the effluent that are limited by the pretreatment standard. In addition, this report shall include a record of all daily flows that, during the reporting period, exceeded the average daily flows reported in division (K)(5) of this section. At the discretion of the Superintendent and in consideration of such factors as local high or low flow rates, holidays, budget cycles, and the like, the Superintendent may agree to alter the months during which the above reports are to be submitted.

(2) The Superintendent may impose mass limitations on users who are using dilution to meet applicable pretreatment standards or requirements, or in other cases where the imposition of mass limitations are appropriate.

(a) In such cases, the report required by division (P)(1) of this section shall indicate the mass of pollutants regulated by pretreatment standards in the effluent of the user. These reports shall contain the results of sampling and analysis of the discharge, including the flow and the nature and concentration, or production and mass where requested by the Superintendent, of pollutants contained therein that are limited by the applicable pretreatment standards. The frequency of monitoring shall be prescribed in the applicable pretreatment standards.

(b) All analysis shall be performed in accordance with procedures established by the Administrator pursuant to Section 304(g) of the Act and contained in 40 C.F.R., Part 136, and amendments thereto, or with any other test procedures approved by the Administrator. Sampling shall be performed in accordance with the techniques approved by the Administrator. Where 40 C.F.R., Part 136 does not include a sampling or analytical technique for the pollutant in question, sampling and analysis shall be performed in accordance with the procedures set forth in the EPA publication, "Sampling and Analysis Procedures for Screening of Industrial Effluents for Priority Pollutants," April, 1977, and amendments thereto, or with any other sampling and analytical procedures approved by the Superintendent.

(Q) When required by the Superintendent, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to

facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located and shall be constructed in accordance with plans approved by the Superintendent. The manhole shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.

(R) All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this policy shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association, and shall be determined based on suitable samples at the control manhole provided. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb, and property. The particular analyses involved will determine whether a 24-hour composite of all outfalls of a premise is appropriate, or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24-hour composites of all outfalls whereas pH's are determined from periodic grab samples.

(S) No statement contained in this section shall be construed as preventing any special agreement or arrangement between the city and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the city for treatment, subject to payment therefor, by the industrial concern. In no case shall any exception or variance or special agreement be granted that will violate the protection criteria. Before any exception, exemption, variance, or special agreement is granted, the industry must demonstrate good management practices. Good management practices include, but are not limited to, preventative operating and maintenance procedures, schedule of activities, process changes, prohibiting of activities, and other management practices to reduce the quality or quantity of effluent discharge and to control plant site runoff, spillage, leaks, and drainage from raw material storage.

(Ord. 1987-4, passed 6-16-87) Penalty, see § 51.99

§ 51.17 PROTECTION OF SEWAGE WORKS FROM DAMAGE.

No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment that is a part of the sewage works. Any person violating this provision shall be subject to immediate arrest under charge of criminal mischief in either the first, second, or third degree.

(Ord. 1987-4, passed 6-16-87) Penalty, see § 51.99

§ 51.18 POWERS AND AUTHORITY OF INSPECTION.

(A) The Superintendent and other duly authorized employees of the city bearing proper credentials and identification shall be

permitted to enter all properties for the purpose of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this policy. The Superintendent or his representatives shall have no authority to inquire into any processes, including metallurgical, chemical, oil, refining, ceramic, paper, or other industrial processes, beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

(B) While performing the necessary work on private properties referred to in division (A) above, the Superintendent or duly authorized employees of the city shall observe all safety rules applicable to the premises established by the company. The company shall be held harmless for injury or death to the city employees, and the city shall indemnify the company against loss or damage to its property by city employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in § 51.16(Q).

(C) The Superintendent and other duly authorized employees of the city hold a duly negotiated easement for the purpose of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within the easement. All entry and subsequent work, if any, on the easement shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.
(Ord. 1987-4, passed 6-16-87)

RULES, REGULATIONS AND CONDITIONS OF SEWER SYSTEM SERVICE

§ 51.30 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

"CITY." The City of Oak Grove, Kentucky, acting by and through its City Council or by and through such other body as shall be the governing body of said city under the laws of the state at any given time.

"CUSTOMER." A property owner or his agent who has agreed to purchase sewer service from the city or whose property abuts on a sewer line of the city, and who therefore becomes a customer of the system through connection thereto.

"MANAGER." The manager, superintendent or other person duly employed and authorized by the city to supervise the operation of the system.

"SYSTEM." The new municipal sewer system, including the sewage treatment plant, all sewage collection lines, pumping stations and

appurtenant facilities as now proposed and/or as hereafter constituted.
(Ord. 1990-12, passed 10-16-90)

§ 51.31 APPLICATIONS FOR SEWER SERVICE.

Each customer must make written application for sewer service at the City Hall, and said application, including service received thereunder, is not assignable by the customer. If such application is not made, such customer may connect to the system in compliance with applicable city ordinances.
(Ord. 1990-12, passed 10-16-90)

§ 51.32 ABUTTING SEWER OWNERS MUST CONNECT TO SEWER LINES; NON-SEWER FACILITIES PROHIBITED.

The city has heretofore enacted Ordinance Number 1987-4 concerning the requirement that abutting owners must connect to sewer lines and that all non-sewer facilities for the disposal of sewage are prohibited, as set out in §§ 51.10 through 51.18, and the City Council hereby readopts, reaffirms, and reenacts such provisions and incorporates same herein the same as if such provisions were copied in full herein.
(Ord. 1990-12, passed 10-16-90)

§ 51.33 NON-RESIDENT WATER CUSTOMERS MUST BECOME SEWER CUSTOMERS AS TO PROPERTIES ABUTTING SEWER LINE.

Each owner, tenant and/or occupant of similar property outside the city limits, who is connected to the city water system and receives water service from the city, and who receives written notice from the city that a city sewage collection line is available to such property, shall, within 90 days following the date on which the city sends such notice, connect such property to such sewage collection line, in accordance with city requirements; the city shall disconnect the water supply as to any such owner, tenant and/or occupant failing to make such connection within the time allowed.
(Ord. 1990-12, passed 10-16-90)

§ 51.34 SEWER CONNECTIONS REQUIRED FOR NEW BUILDINGS.

All architects, contractors, builders or other persons, before commencing the erection of any building or other improvement capable of emitting liquid wastes or sewage, on any lot or parcel of land abutting on a street, alley or easement, in which there may be hereafter installed and maintained any such sewage collection line, or on any lot or parcel of land through which there may be hereafter installed a sewage collection line or to which a sewage collection line is made available, shall, before erecting or installing such building or improvement, exhibit to the City Council, or to such official as the City Council may designate, satisfactory evidence that a means has been provided or will be provided for connecting the sanitary sewage drain pipes from such building or other improvement with such sewage collection line.
(Ord. 1990-12, passed 10-16-90)

§ 51.35 SEWER CONNECTIONS; REGULATIONS.

All sewer connections shall be made under such regulations as the city may establish. Failure to effect such connection is hereby declared to be unlawful and shall constitute a nuisance.
(Ord. 1990-12, passed 10-16-90)

§ 51.36 SEWER TAPS MADE ONLY BY CITY.

No sewer taps (breaking or entering into sewer lines of the city) shall be made by any person, firm, or corporation except the city. The city will, upon application to the city and payment of any tapping or connection fee, as may be prescribed by the city, tap the city sewer and run a lateral to the property line of any applicant where sewers are available, and any and all installations or attachments thereto shall be made by the applicant under the directions and supervision of the city, provided that nothing herein shall be construed as requiring the city to furnish a sewer connection or sewer services to any premises where a city sewer is not available at the time that the application is made.
(Ord. 1990-12, passed 10-16-90)

§ 31.37 SEWER SERVICE LINES INSTALLED BY PROPERTY OWNERS AT OWN EXPENSE.

Each sewer user shall install and maintain, at his own expense, a sewer service line which shall begin at the water meter or other appropriate measuring device and shall extend to the dwelling or place of use. The location of the meter or other device will be determined by the Manager. The city shall pay for the meter or other device, together with a cutoff valve, and shall have exclusive rights to both items. All connections shall be made under the supervision of the Manager of the sewer system or other duly authorized official of the city.
(Ord. 1990-12, passed 10-16-90)

§ 51.38 SPECIAL METERS FOR USAGE NOT RELATED TO WATER.

In the event any building or premises uses water in excess of 10,000 gallons per month as shown by the water meter readings for two consecutive months, and it can be shown that a substantial portion of the water as so measured does not and cannot enter the municipal sewer facilities, then the Manager may determine, in such manner as may be found practicable, the amount of water entering the sewers, in which event the sewer rate or charge shall be based thereon, or the Manager may require or permit the installation of additional meters or measuring devices in such manner as to determine the quantity of water or sewage actually entering the municipal sewer facilities, in which case the sewer rate or charge shall be based thereon.
(Ord. 1990-12, passed 10-16-90)

§ 51.39 OWNERSHIP OF LINES AND METERS.

The city shall own all lines, meters, and other water and sewer

equipment as shall be paid for by the city.
(Ord. 1990-12, passed 10-16-90)

§ 51.40 REGULATIONS; PROHIBITIONS; CONDITIONS.

The following regulations, prohibitions and conditions shall be applicable to the system:

(A) All of the provisions of §§ 51.10 - 51.18 with regard to rates, fees, billing, and procedure for connections, are hereby readopted, reaffirmed and reenacted, and are incorporated herein by reference the same as if copied in full herein.

(B) Water service may be discontinued by the Manager for any violation of any rule, regulation, or condition of service, and especially for any of the following reasons:

- (1) Misrepresentation as to additional use of sewer service, or as to unusual or extraordinary use of sewer facilities;
- (2) Failure to report to the city additions to the property or fixtures to be supplied, or of additional use of sewer service;
- (3) Tampering with sewer service; or
- (4) Nonpayment of bills.

(a) Bills for both water and sewer service are due and payable in full at the City Hall, or to any designated agent, on their date of issue. The past due date shall be the tenth day after the date of issue. Bills will be dated and mailed on the first day of each month.

(b) All bills not paid on or before the past due date shall be deemed delinquent, and the city may serve a customer a written final notice of such delinquency, and of the fact that such customer is entitled, upon written request, to a hearing on the question of termination of water service. If a delinquent bill is not paid within ten days after the date of such final notice, and if no hearing is requested, or if a hearing is requested and timely held, and such customer's delinquency is thereby established, the water supply to the customer may be discontinued without further notice; payment of all water charges, with nonpayment of the applicable sewer charges, shall not constitute an excuse for delinquency in the aggregate bill or otherwise prevent such discontinuance; provided, however, if, prior to discontinuance of service, there is delivered to the city, or to its employee empowered to discontinue service, a written certificate signed by a physician, a registered nurse, or a public health officer, that, in the opinion of the certifier, discontinuance of service will aggravate an existing illness or infirmity on the affected premises, service shall not be discontinued until the affected resident can make other living arrangements or until ten days elapse from the time of the city's receipt of said certification, whichever occurs first.

(c) If a deadline fall on a Sunday or legal holiday, such deadline shall not expire until the next succeeding secular day.

(d) Each customer shall grant or convey, or cause to be granted or conveyed, to the city, a perpetual easement and right-of-way across any property owned or controlled by the customer whenever said easement or right-of-way is necessary for the city sewer facilities and lines so as to enable the city to furnish sewer service to such customer.

(e) 1. The city will construct extensions to its sewer lines to points within its service area, but the city is not required to make any such installation unless the customer pays to the city the entire cost of such installation.

2. All line extensions shall be evidenced by a contract signed by the city and the person advancing funds for said extension, provided each contract shall be null and void unless and until approved by the Farmers Home Administration, United States Department of Agriculture (the FmHA) and other governing bodies.

3. All decisions in connection with the manner of installation of any extension and maintenance thereof shall remain in the exclusive control of the city; such extension shall be the exclusive property of the city; and no other person shall have any right, title, or interest therein.

(f) The city may refuse service to any person, not presently a customer, when in the opinion of the city, the capacity of the facilities of the system will not permit such service.

(g) Complaints may be made to the Manager of the system, whose decision may be appealed to the governing body of the city within ten days; otherwise, the Manager's decision will be final. (Ord. 1990-12, passed 10-16-90)

§ 51.41 STATE LAWS INCORPORATED BY REFERENCE.

All applicable state statutes which now or may hereafter exist are incorporated herein and made a part of this subchapter, and the city may use any powers therein contained, in addition to those herein set out.

(Ord. 1990-12, passed 10-16-90)

§ 51.42 AMENDMENTS RESTRICTED.

This subchapter shall not be amended without the permission of the FmHA, so long as the FmHA is the owner or insurer of any bonds issued by the city and payable from the revenues of the system.

(Ord. 1990-12, passed 10-16-90)

FATS, OILS AND GREASE CONTROL

§ 51.50 SCOPE AND PURPOSE.

To aid in the prevention of storm sewer blockages, illicit discharges and obstructions from contributions and accumulation of fats, oils and greases into the storm water system from industrial or commercial establishments, particularly food preparation and serving facilities.

(Ord. 1999-14, passed 9-21-99; Am. Ord. 2001-28, passed 11-20-01; Am. Ord. 2007-06, passed 3-6-07)

§ 51.51 DEFINITIONS.

For the purpose of this subchapter the following definitions shall apply unless the context indicates or clearly requires a different meaning.

"COOKING ESTABLISHMENTS." Those establishments primarily engaged in activities of preparing, serving, or otherwise making available for consumption foodstuffs and that use one or more of the following preparation activities: cooking by frying (all methods), baking (all methods), grilling, sauteing, rotisserie cooking, broiling (all methods), boiling, blanching, roasting, toasting, or poaching. Also included are infrared heating, searing, barbecuing, and any other food preparation activity that produces a hot, non-drinkable food product in or on a receptacle that requires washing.

"FATS, OILS, AND GREASES." Organic polar compounds derived from animal and/or plant sources that contain multiple carbon chain triglyceride molecules. These substances are detectable and measurable using analytical test procedures established in 40 CFR 136 (as may be amended from time to time. All are sometimes referred to herein as "Grease" or "Greases".

"GREASE INTERCEPTOR MAINTENANCE." Any work performed on the grease interceptor including the pumping of waste from the interceptor.

"GREASE TRAP OR INTERCEPTOR." A device for separating and retaining waterborne Greases and Grease complexes prior to the wastewater exiting the trap and entering the sanitary sewer collection and treatment system. These devices also serve to collect settleable solids, generated by and from food preparation activities, prior to the water exiting the trap and entering the sanitary sewer collection and treatment system. Grease traps and interceptors are sometimes referred to herein as "Grease Interceptors".

"NON-COOKING ESTABLISHMENTS." Those establishments primarily engaged in the preparation of precooked foodstuffs that do not include

any form of cooking. These include cold dairy and frozen foodstuffs preparation and serving establishments,

"USER." Any person, including those located outside the jurisdictional limits of the City, who contributes, causes or permits the contribution or discharge of wastewater into the storm water system, including persons who contribute such wastewater from mobile sources, such as those who discharge hauled wastewater.

(Ord. 1999-14, passed 9-21-99; Am. Ord. 2001-28, passed 11-20-01; Am. Ord. 2007-06, passed 3-6-07)

§ 51.52 GREASE INTERCEPTOR MAINTENANCE, RECORDKEEPING, AND GREASE REMOVAL.

Grease interceptors shall be installed at all new commercial cooking establishments, existing facilities that were required under this subchapter, and any other users as required by the City Representative or his or her designee. Grease interceptors shall be installed at the user's expense. Installation of grease interceptors may also be required in non-cooking or cold dairy and frozen foodstuffs establishments and other industrial or commercial establishments when they are deemed necessary by the City Representative for the proper handling of liquid wastes containing grease. No user shall allow wastewater discharge concentration from subject grease interceptor to exceed 100 milligrams per liter, as identified by method EPA Method 1664 or EPA method 413. All grease Interceptors shall be of a type, design, and capacity approved by the City Representative or his or her designee and shall be readily and easily accessible for user cleaning and city inspection.

(Ord. 1999-14, passed 9-21-99; Am. Ord. 2001-28, passed 11-20-01; Am. Ord. 2007-06, passed 3-6-07) Penalty, see § 51.99

§ 51.53 STORM WATER SYSTEM.

Any non-potable water containing grease shall not, under any circumstances, be placed or allow to be placed into the city storm sewer system. The grease shall pass through a grease interceptor, as described above, and into the wastewater system. The water containing grease is treated and released through the city's waste water treatment plant, whereas water entering the storm sewer system will discharge into the waters of the Commonwealth. All commercial cooking or non-cooking establishments shall verify their grease trap is in good working order, so as to not overflow into the storm sewer system. Said verifications shall take place every two years with supporting documentation presented to the Planning Office.

(Ord. 2007-06, passed 3-6-07)

§ 51.54 ENFORCEMENT.

All enforcement of this chapter shall be handled by the Code Enforcement Officer. Any violations shall be submitted to the Code Enforcement Board.

(Ord. 2001-28, passed 11-20-01; Am. Ord. 2007-06, passed 3-6-07)

§ 51.99 PENALTY.

(A) Any person found to be violating any provision of §§ 51.10 through 51.16 and 51.18 shall be served by the city with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations. Any person who shall continue any violation beyond the time limit provided for, shall be guilty of a misdemeanor, and, on conviction therefor, shall be fined in an amount not exceeding \$50 for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

(B) Any person violating any of the provisions of §§ 51.10 through 51.18 shall become liable to the city for any expense, loss, or damage occasioned the city by reason of such violation.

(C) The city shall be empowered with the right to disconnect any person in violation of any provision of §§ 51.10 through 51.18 if corrective action is not taken upon the initiation of the \$50 per day fined from sanitary services in accordance with the national pretreatment regulations.

(D) The city shall annually publish in the local newspaper a list of the users that were not in compliance with any pretreatment requirements or standards at least once during the 12 previous months. The notification shall also summarize any enforcement actions taken against the users during the same 12 months. All records relating to compliance with pretreatment standards shall be made available to officials of the EPA or approval authority upon request.

(Ord. 1987-4, passed 6-16-87)

(E) (1) Any person violating any of the provisions of §§ 51.50 et seq. shall be fined in accordance with the following schedule:

- | | |
|---|----------|
| (a) First Offense: | \$200.00 |
| (b) Second Offense: | \$350.00 |
| (c) Third Offense and all
Offenses thereafter: | \$500.00 |

(2) Any person choosing not to contest the charge for the Code Enforcement Board instead wishing to pre-pay their fine shall be allowed to pay an amount equal to 50% of the fine for the applicable offense with which they have been charged for the first offense. Offenders who violate §§ 51.50 et seq. more than one time must pay the full amount for offenses thereafter. Violators of this ordinance shall be subject to and be held liable for, the cost of any cleanup to the storm water appurtenances and mitigation thereof.

(Ord. 1999-14, passed 9-21-99; Am. Ord. 2001-28, passed 11-20-01; Am. Ord. 2008-03, passed 3-18-08)

CHAPTER 52: WATER AND SEWER SERVICE RATES, CHARGES AND FEES

Section

- 52.01 Applicability of standard water contract
- 52.02 Sewer agreements with the Hopkinsville Water Environment Authority (HWEA)
- 52.03 Schedule of rates, charges, and fees
- 52.04 Installation fee
- 52.05 Approval of size and location of meters and private service lines
- 52.06 Compliance with city specifications
- 52.07 Water rates based on meter measurements
- 52.08 Request for availability of water and/or sewer
- 52.09 Review of site plans or subdivisions
- 52.10 Utility construction inspection
- 52.11 Sequence of construction
- 52.12 Filling in of septic tanks
- 52.13 Yard meters
- 52.14 Private fire protection service access fees and rates
- 52.15 Enforcement
- 52.16 Appeals

- 52.99 Penalty

§ 52.01 APPLICABILITY OF STANDARD WATER CONTRACT.

Any customer/developer/builder extending water lines within the city shall, before extending said water lines, enter into and comply with the terms of the Water Contract for Public and Private Water Lines, the terms of which are incorporated by reference herein. (Ord. 2001-07, passed 7-17-01; Am. Ord. 2007-02, passed 2-26-07; Am. Ord. 2007-17, passed 8-7-07; Am. Ord. 2008-04, passed 4-30-08; Am. Ord. 2008-17, passed 9-16-08; Am. Ord. 2010-03, passed 2-16-10; Am. Ord. 2015-02, passed 5-5-15)

§ 52.02 SEWER AGREEMENTS WITH THE HOPKINSVILLE WATER ENVIRONMENT AUTHORITY (HWEA).

Any customer/developer/builder extending sewer lines within the city shall, before extending said sewer lines, enter into an agreement with HWEA in accordance with their laws, rules, regulations and ordinances. HWEA shall have approval authority over wastewater aspects of all projects in the city, pursuant to the contract agreed upon by both parties. (Ord. 2001-07, passed 7-17-01; Am. Ord. 2007-02, passed

2-26-07; Am. Ord. 2007-17, passed 8-7-07; Am. Ord. 2008-04, passed 4-30-08; Am. Ord. 2008-17, passed 9-16-08; Am. Ord. 2010-03, passed 2-16-10; Am. Ord. 2015-02, passed 5-5-15)

§ 52.03 SCHEDULE OF RATES, CHARGES, AND FEES.

Water service from the Oak Grove system shall include an access fee/system development fee that is deposited to the Utility System Tap Reserve Fund, an installation fee and a monthly service fee based on quantity used. The minimum access fee/system development fee and the minimum monthly bill for a single-family structure or each unit of a duplex, triplex, multi-unit residential structure or shopping center and a single-unit nonresidential structure, such as a stand-alone commercial structure, shall be determined in accordance with the following schedule based on meter size requested by the customer and approved by the city. The access fee and minimum monthly bill for a multi-unit structure shall be calculated individually per the total number of units.

(A) Water access fees are set up as follows:

WATER

<u>Meter Size</u>	<u>Access/System Development Fee</u>
5/8" or 3/4"	\$250.00
1"	900.00
1 1/2"	1,000.00
2"	1,200.00
3"	1,500.00
4"	1,700.00
6"	2,200.00

(B) All water access fees referred to in this chapter shall be paid in full prior to the issuance of a building permit for a designated site, and the fees shall not be transferable to any other location. The developer must also show proof of approval by HWEA before a building permit will be issued.

(C) Any property located within 150 feet of public water utility, which is not connected to the city water system within 90 days after notification to do so shall be charged a monthly minimum bill. Connections made within 90 days of the notification date will not be required to pay a water system access fee. However, after 90 days, the current water system access fee will apply.

(D) Rules and regulations for customer service: to aid in the administration and understanding of this chapter by all parties, a reference guide titled "Rules and Regulations for Customer Service" is attached to the ordinance codified herein and labeled "Exhibit B". A

copy of such can be obtained from the Oak Grove Water Department.
(Ord. 2001-07, passed 7-17-01; Am. Ord. 2002-20, passed 12-3-02; Am. Ord. 2003-01, passed 1-28-03; Am. Ord. 2005-05, passed 7-5-05; Am. Ord. 2006-07, passed 10-17-06; Am. Ord. 2007-02, passed 2-26-07; Am. Ord. 2007-17, passed 8-7-07; Am. Ord. 2008-04, passed 4-30-08; Am. Ord. 2008-17, passed 9-16-08; Am. Ord. 2010-03, passed 2-16-10; Am. Ord. 2015-02, passed 5-5-15)

§ 52.04 INSTALLATION FEE.

(A) All installation fees shall be paid by the customer/builder/developer, including the actual cost of service assembly, such as, tapping the line, furnishing and installing the service line, meter, meter box, yoke, and other fittings, highway crossings, or other restorative work, such as pavement repair, and the like.

(B) The customer/builder/developer shall install at no cost to the city, all necessary extensions to the city's water system in newly dedicated public road right-of-ways or utility easements;

(C) The customer/builder/developer shall transfer to the city prior to installation, the title and all necessary easements for those extensions at no cost to the city; and

(D) The customer/builder/developer shall agree to immediately repair or cause to be repaired at no cost to the city all breaks, leaks, or defects of any type whatsoever arising from any cause whatsoever occurring within one year from the date such extensions are accepted in writing by the city.

(Ord. 2001-07, passed 7-17-01; Am. Ord. 2002-20, passed 12-3-02; Am. Ord. 2003-01, passed 1-28-03; Am. Ord. 2005-05, passed 7-5-05; Am. Ord. 2006-07, passed 10-17-06; Am. Ord. 2007-02, passed 2-26-07; Am. Ord. 2007-17, passed 8-7-07; Am. Ord. 2008-04, passed 4-30-08; Am. Ord. 2008-17, passed 9-16-08; Am. Ord. 2010-03, passed 2-16-10; Am. Ord. 2015-02, passed 5-5-15)

§ 52.05 APPROVAL OF SIZE AND LOCATION OF METERS AND PRIVATE SERVICE LINES.

The city must approve the size and location of each meter to be installed and the size and location of each private water service line. Each individual commercial or residential unit shall have a separate metered water service at the expense of said unit. Oak Grove Water Service Regulations § 50.54 allows for more than one unit to be served by a single meter. When § 50.54 applies, the account for the meter will be set up for all available units and billed monthly, as defined in § 50.54, for all available units, regardless of occupancy. (Ord. 2001-07, passed 7-17-01; Am. Ord. 2007-02, passed 2-26-07; Am. Ord. 2007-17, passed 8-7-07; Am. Ord. 2008-04, passed 4-30-08; Am. Ord. 2008-17, passed 9-16-08; Am. Ord. 2010-03, passed 2-16-10; Am. Ord. 2015-02, passed 5-5-15)

§ 52.06 COMPLIANCE WITH CITY SPECIFICATIONS.

All connections and extensions to the city's system must comply with the specifications of the city and must be approved in writing by the city prior to water services being provided. (Ord. 2001-07, passed 7-17-01; Am. Ord. 2007-02, passed 2-26-07; Am. Ord. 2007-17, passed 8-7-07; Am. Ord. 2008-04, passed 4-30-08; Am. Ord. 2008-17, passed 9-16-08; Am. Ord. 2015-02, passed 5-5-15)

§ 52.07 WATER RATES BASED ON METER MEASUREMENTS.

(A) Each residential and commercial customer shall pay monthly in accordance with the rates established in the city's annual budget ordinance effective July 1 of each year.

RESIDENTIAL CUSTOMERS	
Monthly customer charge	Rate per 1,000 gallons
\$12.00	\$5.00

COMMERCIAL CUSTOMERS		
Meter Size	Monthly customer charge	Rate per 1,000 gallons
3/4"	\$20.00	\$.00
1"	\$50.00	\$6.00
1 1/2"	\$75.00	\$6.00
2"	\$200.00	\$6.00
3"	\$500.00	\$6.00
4" and larger	\$750.00	\$6.00

(B) Water service will be provided to customers outside the city limits who execute a consent to annexation agreement, the terms of which are incorporated by reference herein (a copy of the agreement is attached to the ordinance codified herein). This requirement applies to new accounts and existing accounts that are being changed over to a new customer. Failure to execute the consent to annexation agreement by the property owner(s) will result in the denial of water service to that property. County residential and commercial customers serviced by city water shall pay the prevailing Christian County Water District rate plus a monthly service charge of \$2.00.

(C) In order to initiate said water service, each customer shall execute the water contract of water service, the terms of which are incorporated herein by reference. Each customer shall adhere to the items contained in the "important information" fact sheet, provided by Oak Grove Utility Department Personnel when the new account is opened.

(D) A deposit of \$100.00 and a new service connection fee of \$35.00 will be paid by each residential customer in order to initiate water service. One hundred and five dollars of said fees shall be payable in three consecutive monthly installments of \$10.00 per month, to conclude no longer than three months after service is initiated.

(E) A deposit of \$250.00 and a new service connection fee of \$25.00 will be paid by each commercial customer in order to initiate water service.

(F) Delinquent bills/reprocessing fee. Should any customer fail to pay their bill by the termination date, services are subject to be disconnected. Delinquent bills received on or after the termination date must be paid in cash, money order, MasterCard or Visa. Payment must include the full bill amount, the reprocessing fee of \$50.00 plus any and all other applicable fees (as defined below). Water service will not be restored until full payment is received. Once the account is delinquent, the Oak Grove Utility will only accept money orders for payment through the overnight drop box. Checks will not be accepted as payment for a delinquent bill (only cash, money order, MasterCard or Visa). Cash payments are not accepted through the overnight drop box at any time.

(G) Trip fees. The customer shall be charged a trip fee of \$35.00 per each additional trip made to accomplish or perform a service. This is in addition to any/all other applicable fees incurred during the process of completing the task.

(H) Labor fees. A fee of \$35.00 per hour per technician shall apply when any repair or field work/services are performed. In addition, a fee of \$45.00 per hour per vehicle shall apply for the use of light-duty equipment (e.g. small backhoe, service trucks, and the like) and \$65.00 per hour for heavy-duty equipment (e.g. large backhoe, dump truck, and the like). In the event contractor rental services are required, the cost for such and a 15% administrative fee will be applied (see division (M) of this section).

(I) Overtime service charge. Any services performed or call outs made after hours shall result in an overtime service charge fee of \$35.00. This is in addition to the \$35.00 trip fee cost, plus any and all applicable fees incurred for labor, parts, supplies, or the use of equipment.

(J) Reconnection fee/connection fee. Should services be discontinued due to a problem with a customer's action (example: bad check), a reconnection fee of \$50.00 shall be due, in addition to all

monies owed the utility. For services connected after hours, full bill payment is due by noon the following workday, to include any fees applicable plus an overtime service charge. Services will be immediately discontinued again if payment is not received in the allotted time. Services will not be reinstated until the account is paid in full to include an additional trip fee.

(K) Returned check fee. A returned check service fee of \$50.00 shall apply should the utility receive notification of a customer's insufficient funds check. The fee plus all monies owed are payable in cash, money order, Visa or MasterCard only. The utility shall notify and allow the customer three days to pick up the returned check and pay in full all monies owed. If the balance due is not paid within the allotted time, the customer's service will be discontinued. Should the utility receive two insufficient fund notices on a customer, the customer is placed on the "no checks list" for one year. After a year, the customer may resume writing checks. Should the utility receive any additional insufficient funds notices on the customer, the customer shall be permanently placed on the "no checks list".

(L) Tampering fees. Should any equipment or hardware within the meter pit area be damaged, disturbed or tampered with, the water account holder/property owner shall be subject to an additional \$100.00 tamper fee. This fee shall be paid in conjunction with any and all other fees and charges incurred by the customer due to delinquency, necessary repairs, and equipment replacement. Should services be disconnected due to non-payment of the items, water service will not be restored to the customer until all fees and associated costs are paid in full. The water meter box and the equipment therein are the property of the Oak Grove Utility. The customer has the right to open the box and read the meter. All other actions will be subject to possible tampering charges. Meter boxes are not to be opened when temperatures are below 40°F.

(M) Meter testing. Water meters will be tested upon the customer's request. This will be done at the customer's expense, unless it is found the meter is overcharging the customer outside of allowable tolerances defined by the American Water Works Association (AWWA). The customer will be responsible for any and all costs associated with the testing process. Those costs consist of the actual meter testing, shipping fees, a 15% administration fee, as well as any and all trip and labor fees defined in this chapter.

(N) Hydrant meters. A deposit of \$250.00 shall be charged for the use of a two-inch meter for use on a fire hydrant. This shall include the use of a backflow apparatus and a hydrant wrench. The deposit shall be paid at the Oak Grove Utility Office when requesting a hydrant meter. A rental contract and agreement shall be

filled out and signed by the requesting company's representative. The utility shall install the backflow and meter on the hydrant at the requested time. A representative from the requesting company must be present at the time of delivery to receive instruction on the use of the hydrant and equipment. The responsible party is to remove all equipment from the hydrant and properly reinstall it on a daily basis. The renting company shall notify the utility when it is finished with the hydrant meter and equipment. The utility shall retrieve the hydrant meter and equipment immediately. The cost of the usage on the meter and trip fees shall be deducted from the deposit money. The remaining funds shall be returned to the renting company.

(O) All contract services, materials, equipment and testing ordered by the Oak Grove Water Department at the request of the customer/developer/builder or due to actions from the customer/developer/builder are subject to a 15% administrative fee.

(P) A wholesale rate may be available to any large commercial, industrial, or water utility, as established and approved by the City Council.

(Ord. 2001-07, passed 7-17-01; Am. Ord. 2002-20, passed 12-3-02; Am. Ord. 2003-01, passed 1-28-03; Am. Ord. 2005-05, passed 7-5-05; Am. Ord. 2006-07, passed 10-17-06; Am. Ord. 2007-02, passed 2-26-07; Am. Ord. 2007-17, passed 8-7-07; Am. Ord. 2008-04, passed 4-30-08; Am. Ord. 2008-17, passed 9-16-08; Am. Ord. 2010-03, passed 2-16-10; Am. Ord. 2015-02, passed 5-5-15)

§ 52.08 REQUEST FOR AVAILABILITY OF WATER AND/OR SEWER.

(A) In order for a developer to receive a letter of reservation for water services, the developer must submit a request in writing to the city.

(B) Reservations for water availability do not automatically guarantee availability. Availability must be approved in writing by the city and is valid for one year from the date of issuance.

(C) Developers must request sewer availability from the Hopkinsville Water Environment Authority (HWEA), pursuant to their laws, rules, regulations and ordinances. The Developer will be required to provide proof of approval by HWEA before a building permit will be issued.

(Ord. 2001-07, passed 7-17-01; Am. Ord. 2007-02, passed 2-26-07; Am. Ord. 2007-17, passed 8-7-07; Am. Ord. 2008-04, passed 4-30-08; Am. Ord. 2008-17, passed 9-16-08; Am. Ord. 2015-02, passed 5-5-15)

§ 52.09 REVIEW OF SITE PLANS OR SUBDIVISIONS.

Prior to any construction, the developer shall submit plans for review, and shall pay a fee based on the following scale to the city:

Less than 2 acres	\$350.00
2 - 4.99 acres	\$500.00
5 plus acres	\$1,200.00
Subdivision with less than 50 lots	\$750.00
Subdivision with 50 or more lots	\$1,000.00

If any subdivision or site plan is required to be reviewed four times or more, then an additional \$100.00 will be charged for each review thereafter. Every development shall be required to submit "as-builts" for water lines and appurtenances to the Oak Grove Utility Office. The "as-builts" shall include all changes made to the initial water submittal (such as field changes or re-engineered changes). The development shall not receive any water meters until this requirement is fulfilled and approved by the Oak Grove Utility Office.

(Ord. 2001-17, passed 7-17-01; Am. Ord. 2007-02, passed 2-26-07; Am. Ord. 2007-17, passed 8-7-07; Am. Ord. 2008-04, passed 4-30-08; Am. Ord. 2008-17, passed 9-16-08; Am. Ord. 2015-02, passed 5-5-15)

§ 52.10 UTILITY CONSTRUCTION INSPECTION.

(A) All utility construction must be inspected by an authorized representative of the city and HWEA. The cost of water line inspection services will be paid by the customer/developer/builder upon execution of the water contract for public and private water lines. Sewer line inspection fees shall be paid to HWEA pursuant to their laws, rules, regulations and ordinances.

(B) The following construction/inspection fees shall apply for water projects not covered by the contracts referenced in division (A) above:

(1) Base fee of \$50.00 per hour with a minimum fee of \$75.00. This fee shall include the following services:

(a) Inspection of lines before backfill.

- (b) Verify pressure tests.
- (c) Bacteriological tests.
- (d) Final clean-up.
- (e) Leakage tests.

(2) In addition to the base fee, the customer/developer/builder shall pay for the cost of all test chemicals and test materials needed.

(3) If a customer/developer/builder is found to be in noncompliance requiring additional inspection(s), for each additional inspection, the city shall receive a fee of \$75.00 per hour with a minimum fee of \$100.00.

(4) All work shall be conducted within the city's normal business hours. Any work outside of said hours will require written notice from the customer/developer/builder 48 hours prior to the time work is to begin and written approval by the city. Said work shall be charged to the customer/developer/builder at the rate of 1½ times the base fee.

(5) The cost of inspection services will be paid by the customer/developer/builder within 15 days of being billed by the city. (Ord. 2001-07, passed 7-17-01; Am. Ord. 2007-02, passed 2-26-07; Am. Ord. 2007-17, passed 8-7-07; Am. Ord. 2008-04, passed 4-30-08; Am. Ord. 2008-17, passed 9-16-08; Am. Ord. 2010-03, passed 2-16-10; Am. Ord. 2015-02, passed 5-5-15)

§ 52.11 SEQUENCE OF CONSTRUCTION.

(A) Any construction project in the city that requires public utilities shall install these facilities before any construction, including but not limited to, the construction of slabs or footers, laying of block or framing of any walls, shall begin. This requirement is need to facilitate the duties of the Oak Grove Fire Department.

(B) A one year warranty on the water lines and appurtenances shall go into effect after the project phase has been completed to the satisfaction and approval of the city. Any leaks, defects, or predicaments in workmanship shall be the responsibility of the developer to address upon notification within said warranty period. The developer shall comply with any warranties on sewer lines and appurtenances pursuant to KWEA's laws, rules, regulations and ordinances.

(C) Further, any roads to be dedicated to public use shall not lay the top cover of asphalt until the construction of the structures in 90% complete. No residential or commercial landowner or tenant shall construct a concrete or gravel driveway to extend over the gutter on city-maintained roads. This practice disrupts storm water flow to the catch basins and may force it into the roads.
(Ord. 2007-02, passed 2-26-07; Am. Ord. 2007-17, passed 8-7-07; Am. Ord. 2008-17, passed 9-16-08; Am. Ord. 2015-02, passed 5-5-15)

§ 52.12 FILLING IN OF SEPTIC TANKS.

In the event a residence, business or other structure taps onto the municipal sewer system, the owner must fill any septic tank on the property within 90 days. The septic tank must be pumped dry and filled in with gravel. The owner must then notify the Oak Grove Utility Department that the septic tank has been filled in with gravel in accordance with this section and provide proof that any actions taken meet the regulations and specifications of the HWEA, Christian County Health Department and Kentucky Plumbing Code.
(Ord. 2008-04, passed 4-30-08; Am. Ord. 2008-17, passed 9-16-08; Am. Ord. 2010-03, passed 2-16-10; Am. Ord. 2015-02, passed 5-5-15)

§ 52.13 YARD METERS.

(A) In the event a customer would like to install a yard meter, the customer shall contact the Oak Grove Utility Office and request an inspection of the area where the proposed meter is to be placed. If the area is acceptable to the Utility Office, the customer shall purchase a meter, box, and yoke from the Utility Office. The customer shall be responsible for hiring a Kentucky State Certified plumber to do all tapping and installation. The plumber shall have a business license with the city before any work is done.

(B) Once installed, the customer shall contact the Oak Grove Utility Office to inspect the connection before backfilling occurs and a trip fee will be applied to the account. The customer shall pay a deposit establishing an account for said yard meter. Only water usage recorded on the meter shall be billed, plus any applicable fees.

(C) Any yard meter accounts may become temporarily inactive when not in use without effecting the deposit (such as deployment or winter season), provided all billing payments are kept current. If payments are not current, this account shall be treated the same as a homeowners account and be locked off for non-payment and closed. Should the account be closed, a new deposit shall be paid as defined in this chapter, to reinstate the yard meter service. The Oak Grove Utility Office must receive signed and dated written instructions as to when to reactivate and temporarily deactivate this account. A trip fee shall be charged for each trip made to accommodate the customer.

(D) This meter shall be solely for the purpose of yard use, including but not limited to, washing cars, watering gardens, watering lawns, filling swimming pools and filling hot tubs. Under no circumstances shall a customer use the meter for any other purpose except as stated above. In the event a yard meter is being used for another purpose, said account shall be closed. The account shall be reconnected upon the payment in full of any applicable charges and fees and violating activity discontinued. The customer shall pay trip fees for reactivation.

(Ord. 2008-04, passed 4-30-08; Am. Ord. 2008-17, passed 9-16-08; Am. Ord. 2010-03, passed 2-16-10; Am. Ord. 2015-02, passed 5-5-15)

§ 52.14 PRIVATE FIRE PROTECTION SERVICE ACCESS FEES AND RATES.

(A) To aid in fire protection and savings in fire insurance premiums, the Oak Grove Water Department may allow the installation of a private fire protection system. The tap on the existing water main and all line work will be done at the customer's expense. For all new construction, a resilient wedge gate valve will be installed at the customer's property line and will delineate the point of ownership between the Oak Grove Water Utility and the customer.

(B) To account for water loss in private systems and guard against possible contamination from stagnant water in private fire protection lines, an appropriately sized radio-read fire service meter and check valve will be required in a dry, in-ground vault, located immediately following the previously mentioned gate valve. The fire service meter and check valve vault will be sized adequately to accommodate the future installation of an appropriately sized dual-check valve. A fire service access fee will be charged for each application. The Oak Grove Water Department will provide the tapping sleeve and tapping valve and inspection of all publically owned main extensions.

(C) The fire service access fee is based upon the following main line sizes:

SIZE OF MAIN (BEING TAPPED)	FEE
2"	\$1,200.00
4"	\$1,600.00
6"	\$1,800.00
8"	\$2,500.00
10"	\$2,500.00
12"	\$3,000.00
16"	\$7,000.00

(D) For existing customers with non-metered, private fire protection service connections, the Oak Grove Water Department allow the installation of a gate valve, meter, check valve and vault. The fire service access fees will not apply to customers who have established connections at the time of the enactment of this chapter.

(E) Private fire protection service rate: (rates and charges for existing and non-metered - billed semi-annually in advance).

Through 2" connection	\$65.00 per year
Through 3" connection	\$65.00 per year
Through 4" connection	\$140.00 per year
Through 6" connection	\$400.00 per year
Through 8" connection	\$850.00 per year
Through 10" connection	\$1,525.00 per year
Through 12" connection	\$2,475.00 per year

(F) For metered private fire protection services, the water usage will be billed at the commercial rate defined in this chapter. However, should no water be used, the standard, minimum rate, will not be applied. Private fire protection service meters and the check valve will be subject to the same testing requirements as commercial meters, defined herein.

(Ord. 2010-03, passed 2-16-10; Am. Ord. 2015-02, passed 5-5-15)

§ 52.15 ENFORCEMENT.

All enforcement of this chapter shall be handled by the code enforcement officer.

(Ord. 2001-07, passed 7-17-01; Am. Ord. 2005-05, passed 7-5-05; Am. Ord. 2007-02, passed 2-26-07; Am. Ord. 2007-17, passed 8-7-07; Am. Ord. 2008-04, passed 4-30-08; Am. Ord. 2008-17, passed 9-16-08; Am. Ord. 2015-02, passed 5-5-15)

§ 52.16 APPEALS.

Any appeals of action taken and/or penalties assessed by the city shall be taken to the Code Enforcement Board within 30 days of the date of such action or penalty assessment.

(Ord. 2001-17, passed 7-17-01; Am. Ord. 2005-05, passed 7-5-05; Am. Ord. 2007-02, passed 2-26-07; Am. Ord. 2007-17, passed 8-7-07; Am. Ord. 2008-04, passed 4-30-08; Am. Ord. 2008-17, passed 9-16-08; Am. Ord. 2015-02, passed 5-5-15)

§ 52.99 PENALTY.

Any person in violation of this chapter shall be subject to a fine of up to \$250.00 per day, except as otherwise provided herein for a period of one month. After one month, city ordinance will apply and the penalties of this section will start anew until such time as the violation is corrected.

(Ord. 2001-07, passed 7-17-01; Am. Ord. 2007-02, passed 2-26-07; Am. Ord. 2007-17, passed 8-7-07; Am. Ord. 2008-04, passed 4-30-08; Am. Ord. 2008-17, passed 9-16-08; Am. Ord. 2010-03, passed 2-16-10; Am. Ord. 2012-08, passed 5-15-12; Am. Ord. 2015-02, passed 5-5-15)