



CITY OF HAMILTON
Codified Ordinance CHAPTER 931
Sewer Regulations

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931.01 DEFINITIONS.

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

(a) "Sewage works" means all the facilities for collecting, pumping, transporting, treating and disposal of sanitary sewage and industrial wastes.

(b) "Sewer" means a pipe or conduit for carrying sewage.

(c) "Sanitary sewer" means a sewer which carries sanitary sewage and/or industrial wastes and to which storm, surface and ground waters are not intentionally admitted.

(d) "Storm sewer" or "storm drain" means a sewer which carries stormwater, surface water, drainage and some industrial water discharges, such as cooling and air conditioning waters, but excludes sanitary sewer and polluted industrial wastes.

(e) "Combined sewer" means a sewer receiving both surface runoff and sanitary sewage and/or industrial wastes.

(f) "Sewage treatment plant" means any device and/or structure and facilities used for treating of sanitary sewage and industrial wastes.

(g) "Sewage" means any combination of water-carried wastes from residences, buildings, industrial establishments, institutions, manufacturing plants, processing plants, commercial establishments, or other places in which such wastes are produced, together with such ground, surface, storm or other water as may be present.

(h) "Industrial waste" means any liquid substance rejected or escaping from an industrial, manufacturing, trade or business process as distinct from sanitary sewage.

(i) "Garbage" means solid waste from the preparation of cooking and dispensing of food and from the handling, storage and sale of produce.

(j) "Properly shredded garbage" means garbage which has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch in any dimension.

(k) "Biochemical oxygen demand (B.O.D.)" means the quantity of dissolved oxygen required for biochemical oxidation of decomposable organic matter under aerobic conditions in a period of five days at a temperature of twenty degrees Centigrade, expressed in parts per million by weight. Such B.O.D. shall be determined as described under the heading "Biochemical Oxygen Demand" in the "Standard Methods for Examination of Water, Sewage and Industrial Wastes" (latest edition), as published jointly by the American Public Health Association, the American Water Works Association and the Federation of Sewage and Industrial Wastes Association.

(l) "Suspended solids" means the dry weight of the solids physically suspended in a flow of sewage, industrial waste or water as determined by the method of determining suspended matter described under "Suspended Matter" in the "Standard Methods for Examination of Water, Sewage and Industrial Wastes" (latest edition), as published jointly by the American Public

Health Association, the American Water Works Association and the Federation of Sewage and Industrial Wastes Association, and expressed as parts per million by weight.

(m) "pH" means the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of the solution.

(n) "Natural outlet" means any outlet into a watercourse, ditch, pond, lake or other body of surface or ground water.

(o) "Person" means any individual, firm, company, association, society, corporation or group.

(p) "Private well" means any well owned by any person for his private use in providing water for any purpose whatever.

(q) "Records" means books, documents, papers, electronic media, apparatus, data, readings, records of analysis, plans or graphs.

(r) "Categorical pretreatment standards" means national pretreatment standards specifying quantities or concentrations of pollutants or pollutant properties which may be discharged or introduced into a POTW by specific industrial dischargers.

(s) "Other wastes" means decayed wood, sawdust, shavings, bark, lime, refuse, ashes, garbage, offal, tar, chemicals and all other substances except sewage and industrial wastes.

(t) "POTW" means any sewage treatment works and the sewers and conveyance appurtenances discharging thereto, owned and operated by the City.

(u) "Act" means the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) as amended by the Federal Water Pollution Control Act Amendments of 1972 (PL-92-500) and subsequent amendments.

(v) "Control authority" means the City of Hamilton.

(w) "Pretreatment" means any treatment of wastewaters to remove incompatible pollutants from industrial sources before introduction into the POTW.

(x) "Industrial discharger" as defined in the United States Environmental Protection Agency (USEPA) Rules and Regulations 40 Code of Federal Regulations (CFR) 35.905-8 as may be amended from time to time, means any nonresidential user of the POTW identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented under the following divisions.

- (1) Division A, Agriculture, Forestry and Fishing;
- (2) Division B, Mining;
- (3) Division D, Manufacturing;
- (4) Division E, Transportation, Communications, Electric, Gas and Sanitary Services;
- (5) Division I, Services.

(y) "Significant industrial user" means:

(1) All dischargers subject to categorical pretreatment standards;

(2) All noncategorical dischargers that, in the opinion of the control authority, have a reasonable potential to adversely affect the POTW's operation, or that contribute a process wastestream which makes up five percent (5%) or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant, or that discharge an average of 25,000 gallons per day or more of process wastewater to the POTW.

(z) "Wastewater" means industrial waste, or sewage or any other waste including that which may be combined with ground water, surface water or storm water, that may be discharged to the POTW.

(aa) "National pollution discharge elimination system (NPDES)" means the national system for the issuance of permits under Section 402 of the Act and includes any state or interstate program which has been approved by the Administrator, in whole or in part, pursuant to Section 402 of the Act.

(bb) "Slugload" means any substance released in a discharge at a rate and/or concentration which causes interference to a POTW.

(cc) "Pollutant" means any substance which upon exposure to or assimilation into any organism will cause adverse effects such as cancer, genetic mutations or physiological manifestations, as defined in standards issued pursuant to Section 307(a) of the Act.

(dd) "Indirect discharge" means the discharge or the introduction of nondomestic pollutants from a source regulated under Section 307(b) or (c) of the Act, into a POTW.

(ee) "Interference" means a discharge which, alone or in conjunction with a discharge or discharges from other sources, both:

(1) Inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, or disposal;

(2) Therefore is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in magnitude or duration of a violation; or the prevention of sewage sludge use or disposal.

(ff) "New sources" means any building, structure, facility or installation from which there is or may be a discharge of pollutants, the construction of which commenced after the publication of the proposed pretreatment standards under Section 307(c) of the Act, providing:

(1) The construction is carried out at a site at which no other source is located.

(2) The construction totally replaces the process or production equipment that causes the discharge of pollutants at an existing source.

(3) Where the production or wastewater generating process of the constructed facility is substantially independent of an existing source at the same site.

(gg) "Passthrough" means a discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge from other sources, is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation).

(hh) "Shall" means mandatory; and

(ii) "May" means permissive.

(jj) "Wastewater discharge permit" means the document issued to a significant industrial user by the City Manager or his designee which authorizes and controls the discharge of process wastewater to the POTW.

(kk) "Best Management Practices or BMP's" means schedules of activities, prohibitions or practices, maintenance procedures, and other management practices to implement the prohibitions listed in 40 CFR 403.5 (a)(1) and (b), as may be amended from time to time. BMPs include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage of raw materials storage. BMP's also include alternative means (i.e. management plans) of complying with or in place of certain established categorical Pretreatment Standards and effluent limits.
(Ord. 2011-4-30. Passed 4-27-11.)

(ll) "Pretreatment Requirements" means any substantive or procedural requirement related to Pretreatment, other than a National Pretreatment Standard, imposed on an Industrial User.

(Ord. 2014-3-21. Passed 3-12-14.)

931.02 USE OF PUBLIC SEWERS REQUIRED.

(a) No person shall place, deposit or permit to be deposited in an unsanitary manner upon public or private property within the City, or in any area under the jurisdiction of the City, human or animal excrement, garbage or other objectionable waste.

(b) No person shall discharge sanitary sewage into any natural outlet within the City, or discharge any industrial wastes or other polluted water into such outlets unless the person doing it is operating with the approval of, or under a permit issued by, the Ohio Environmental Protection Agency.

(c) Except herein provided, no person shall construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended to or used for garbage disposal.

(d) The owners of all houses, buildings or properties used for human occupancy, employment, recreation or other purpose, situated in 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 sewer of the City, are hereby required at their expense to install suitable toilet facilities therein, and to connect such facilities and industrial waste outlets directly with the proper public sewer in accordance with the provisions of this chapter within ninety days after the date of official notice to do so, provided that such public sewers are within 100 feet of the property line. The above action is not required

if the owner of such property is operating under a permit from, or with the approval of, the Ohio Environmental Protection Agency.

(Ord. 2011-4-30. Passed 4-27-11.)

931.03 USE OF PUBLIC SEWERS.

(a) No industrial discharger shall discharge sewage, industrial waste or other waste to the POTW without first filing an application for a wastewater discharge permit and receiving notification of acceptance by the City Manager or his designee.

All industrial dischargers proposing to discharge to the POTW shall file an application for a wastewater discharge permit which shall contain the information listed in subsection (b) hereof at least ninety days prior to connecting to the POTW.

(b) Industrial dischargers shall complete and file with the City a permit application therefore in the form prescribed by the City Manager or his designee, and accompanied by the appropriate fee. No discharge permit shall be issued unless and until disclosure forms are filed with the City Manager or his designee. Information on the disclosure form shall include the following:

(1) Name and address;

(2) Title of official contact;

(3) Location of establishment;

(4) The nature of the business conducted in such establishment, including activities, facilities and plant processes on the premises including all materials which are or may be discharged to the sewers, products produced by type and amount, and the type and amount of raw materials utilized.

(5) The volume of industrial waste mixture and sewage discharged by each establishment to sanitary and storm sewers, and the time and duration of these discharges, including average daily and instantaneous peak wastewater flow rates, in gallons per day, including any daily, monthly and seasonal variations;

(6) The daily average number of employees in each establishment by shifts;

(7) The source of water supply of each establishment and the volume of water used by each establishment daily, specified separately as to each source;

(8) Data on production, flows, amounts of regulated pollutants and any pretreatment methods used, and any additional information as is deemed applicable to ascertain the volume, nature and composition of the waste to be discharged;

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

(10) Site plan, floor plans, mechanical or plumbing plans with details to show all sewers, sewer connections, inspection manholes, sampling chambers, and appurtenances by size, location and elevation;

(11) The nature and concentration of any pollutants or materials in the discharge which are limited by this chapter or any pretreatment standard;

(12) Where additional pretreatment and/or operation and maintenance activities are required to comply with this chapter, the discharger shall provide a compliance report;

The compliance report shall include new production rates, flow, pollutant data and a compliance schedule listing specific dates for activities that will bring the discharge in compliance with this chapter;

(13) New source dischargers requiring pretreatment shall be required to install and start up pretreatment facilities prior to discharging and to achieve compliance within the shortest possible time feasible, not to exceed ninety days after commencement of discharge; and

(14) A. All reports shall include a certification on permit applications, user reports and initial monitoring waiver. The following certification statement is required to be signed and submitted by users submitting applications for permits to discharge; users submitting baseline monitoring reports; users submitting reports on compliance with the categorical Pretreatment Standard deadlines and users submitting periodic compliance reports required. The following certification statement must be signed by an Authorized Representative:

"I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH A SYSTEM DESIGNED TO ASSURE THAT QUALIFIED PERSONNEL PROPERLY GATHER AND EVALUATE THE INFORMATION SUBMITTED. BASED ON MY INQUIRY OF THE PERSON OR PERSONS WHO MANAGE THE SYSTEM, OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION, THE INFORMATION SUBMITTED IS, TO THE BEST OF MY KNOWLEDGE AND BELIEF, TRUE, ACCURATE, AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS."

B. Additionally, this report shall be signed by:

1. A president, secretary, treasurer or vice president of the corporation, or;
2. A general partner or proprietor if the industrial user is a partnership or sole proprietorship respectively, or;
3. A duly authorized representative of this section if the authorization is previously made in writing to the control authority.

The City Manager or his designee shall evaluate the application and data furnished by the discharger and may require additional information. Within thirty days after full evaluation and

acceptance of that data furnished, the City Manager or his designee shall issue a wastewater discharge permit subject to terms and conditions provided herein.

(c) All wastewater discharge permits issued by the City Manager or his designee shall specify no less than the following:

(1) Fees and charges to be paid upon initial permit issuance.

(2) Limits on the average and maximum wastewater constituents and characteristics regulated thereby, including Best Management Practices, based on applicable pretreatment standards.

(3) Limits on average and maximum rate and time of discharge and/or requirements for flow regulation and equalization.

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

(5) Special conditions as the City may reasonably require under particular circumstances of a given discharge including sampling, numbers, types and standards for tests and reporting schedules.

(6) Compliance schedules.

(7) Requirement for submission of special technical reports or discharge reports where the same differ from those prescribed by this chapter.

(8) Requirements to control Slug Discharge, if determined by the City Manager or his designee to be necessary.

(d) The City reserves the right to amend any wastewater discharge permit issued hereunder in order to assure compliance by the City with applicable laws and regulations.

(e) All wastewater discharge permits shall be issued for a period of no more than five years, subject to amendments or revocation as provided by this chapter. Under certain circumstances, a permit may be issued for a stated period or may be stated to expire on a specific date.

(f) Wastewater discharge permits are issued to a specific discharger for a specific operation and are not assignable to another discharger or transferable to another location without the prior written approval of the City Manager or his designee.

(g) Within ninety days following the date for final compliance with applicable categorical pretreatment standards, or ninety days following commencement of the introduction of wastewater into the POTW by a new discharger, any discharger subject to categorical pretreatment standards shall submit to the City a report indicating the nature and concentration of all prohibited or regulated substances contained in its discharge, the average and maximum daily flow in gallons. 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 discharger into compliance with the applicable pretreatment standards or requirements. This report shall include a certification

statement and shall be signed by an authorized representative of the discharger according to subsection (b)(14) hereof.

(h) All industrial dischargers classified as "significant industrial user" as set forth in this chapter, after commencing discharge to the POTW, shall submit to the City periodic reports indicating the nature and concentration of prohibited or regulated substances in the effluent. These periodic reports shall be submitted according to requirements established in the industrial discharger's wastewater discharge permit. These reports shall include a record of all measured or estimated average and maximum daily flows during the reporting period reported. Flows shall be reported on the basis of actual measurement. Samples collected to satisfy reporting requirements must be based on data obtained through appropriate sampling and analysis performed during the period covered by the report, based on data that is representative of conditions occurring during the reporting period.

(1) Except as indicated in Section B and C below, the User must collect wastewater samples using 24-hour flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by City Manager or his designee. Where time-proportional composite sampling or grab sampling is authorized by the City, the samples must be representative of the discharge. Using protocols (including appropriate preservation) specified in 40 CFR Part 136 and appropriate EPA guidance as may be amended from time to time, multiple grab samples collected during a 24-hour period may be composited prior to the analysis as follows: for cyanide, total phenols, and sulfides the samples may be composited in the laboratory or in the field; for volatile organics and oil and grease, the samples may be composited in the laboratory. Composite samples for other parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by the City, as appropriate. In addition, grab samples may be required to show compliance with Instantaneous Limits.

(2) Samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.

(3) For sampling required in support of baseline monitoring and 90-day compliance reports required by 40 CFR 403.12(b) and (d), as may be amended from time to time, a minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds for facilities for which historical sampling data do not exist; for facilities for which historical sampling data are available, City Manager or his designee may authorize a lower minimum. For the reports required by 40 CFR 403.12(e) and 403.12(h), as may be amended from time to time, the Industrial User is required to collect the number of grab samples necessary to assess and assure compliance with applicable Pretreatment Standards and Requirements.

Reports of dischargers shall contain all results of sampling and analysis of the discharge, including the flow and the nature and concentration. The frequency of monitoring by the discharger shall be prescribed in the wastewater discharge permit issued to the discharger.

All analyses, scheduled or unscheduled, shall be performed in accordance with 40 CFR, Part 136, and amendments thereto. In cases where the Pretreatment Standard requires compliance with a Best Management Practice (BMP) or pollution prevention alternative, the User must

submit documentation required by the City Manager or his designee or the Pretreatment Standard necessary to determine the compliance status of the User.

If sampling performed by a User indicates a violation, the User must notify the City Manager or his designee within twenty-four (24) hours of becoming aware of the violation. The User shall also repeat the sampling and analysis and submit the results of the repeat analysis to the City Manager or his designee within thirty (30) days after becoming aware of the violation. Resampling by the Industrial User is not required if the City performs sampling at the User's facility at least once a month, or if the City performs sampling at the User between the time when the initial sampling was conducted and the time when the User or the City receives the results of this sampling, or if the City has performed the sampling and analysis in lieu of the Industrial User.

(i) Significant industrial users shall provide and maintain a suitable monitoring station(s) to facilitate observation, sampling and measurement of the waste originating from the property. Such monitoring station(s) shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the City Manager or his designee. The monitoring station 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. Other industrial users shall be required to provide a monitoring station if it is found and determined that the characteristics of the wastes are in excess of any limitations set forth herein or have an impact on the POTW or upon the quality of the effluent from the treatment works. All wastewater samples must be representative of the User's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a User to keep its monitoring facility in good working order shall not be grounds for the User to claim that sample results are unrepresentative of its discharge.

(j) No discharger shall discharge wastewater containing concentrations (and/or mass limitations) or pollutants in excess of those specified in its wastewater discharge permit.

(k) Every person discharging any industrial waste mixture into a City sanitary sewer, or sewers connected thereto, shall keep and maintain records of the data required to be furnished in the questionnaire in subsection (b) hereof, and such records including documentation associated with Best Management Practices, shall be available for inspection during regular business hours by authorized representatives or employees of the City upon presenting written credentials of their authority, and such representatives or employees shall be permitted to make and retain copies of such records. Records shall be retained for a minimum of three years. This period shall be automatically extended for the duration of any litigation concerning the User or City, or where the User has been specifically notified of a longer retention period by the City Manager or his designee.

(l) All industrial users shall promptly notify the City Manager or his designee in advance of any substantial changes in the volume or character of pollutants in their discharge, including the listed or characteristic hazardous wastes for which the industrial user has submitted initial notification under 40 CFR 403.12(p) as may be amended from time to time or if any changes at the facility affect the potential for a Slug Discharge.

(m) Each discharger shall provide protection from accidental discharge of prohibited or regulated materials or substances established by this chapter. Where necessary, facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the discharger's 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 before construction of the facility. Each existing discharger shall complete its plans and submit same to the City.

City Manager or his designee shall evaluate whether each SIU needs an accidental discharge/slug discharge control plan or other action to control Slug Discharges. The City Manager or his designee may require any User to develop, submit for approval, and implement such a plan or take such other action that may be necessary to control Slug Discharges. Alternatively, the City Manager or his designee may develop such a plan for any User. An accidental discharge/slug discharge control plan shall address, at a minimum, the following:

- (1) Description of discharge practices, including non-routine batch discharges;
- (2) Description of stored chemicals;
- (3) Procedures for immediately notifying City Manager or his designee of any accidental or Slug Discharge; and
- (4) Procedures to prevent adverse impact from any accidental or Slug Discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.

No discharger who discharges to the POTW shall be permitted to introduce pollutants into the system until accidental discharge protection procedures have been approved by the City. Review and approval of such plans and operating procedures by the City shall not relieve the discharger from the responsibility to modify its facility as necessary to meet the requirements of this chapter.

All industrial dischargers shall notify the City immediately upon the occurrence of a "slugload", or accidental discharge of substances prohibited by this chapter. The notification shall include location of discharge, date and time thereof, type of waste, concentration and volume, and corrective actions. Any discharger who discharges a slugload of prohibited materials shall be liable for any expense, loss or damage to the POTW and/or the collection system, in addition to the amount of any fines imposed on the City on account thereof under state or federal law.

Signs shall be permanently posted in conspicuous places on the discharger's premises, advising employees whom to call in the event of a slugload or accidental discharge. Employers shall instruct all employees who may cause or discover such a discharge with respect to emergency notification procedures.

(n) Information and data obtained from reports, questionnaires, monitoring programs and inspections concerning a user, shall be made available to the public without restriction unless the

user specifically requests and satisfactorily demonstrates that the information would divulge trade secrets of the user. This information would be made available to governmental agencies for uses related to this chapter, the NPDES permit and pretreatment programs. Wastewater constituents and characteristics shall not be recognized as confidential information. Information accepted as confidential shall not be transmitted to any governmental agency or to the general public by the City until and unless a ten-day notification is given to the discharger.

(o) No person shall discharge or cause to be discharged any storm sewer, surface drainage, ground discharge, roof runoff, subsurface drainage, cooling water or unpolluted industrial process water into any sanitary sewer, except discharge from a condensing use or other wastewater not in excess of twenty-four gallons per hour from any air conditioning system may be connected into any sanitary sewer of the City.

(p) Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or a natural outlet approved by the City Manager or his designee. Industrial cooling water or unpolluted process water shall be discharged to a storm sewer approved by the City Manager or his designee or to a natural outlet.

(q) No person shall discharge, cause to be discharged or permit to be discharged, into any City-owned sanitary sewer any of the following described substances

(1) Any wastewater having a temperature which will inhibit biological activity in the POTW plant resulting in interference, but in no case, wastewater with a temperature at the introduction of the POTW plant that exceeds forty degrees Centigrade (104 degrees Fahrenheit) or 65.5 degrees Centigrade (150 degrees Fahrenheit) at point of entry to sewers.

(2) Any water or waste which may contain more than 100 parts per million, by weight, of fat, oil or grease, or which may cause passthrough or cause interference as defined by this chapter.

(3) Any gasoline, benzene, naphtha, fuel oil or other liquid, solid or gas which creates a fire or explosion hazard in the POTW, including, but not limited to, wastestreams with a closed cup flashpoint of less than 140 degrees Fahrenheit or sixty degrees Centigrade using the test method specified in 40 CFR 261.21 as may be amended from time to time.

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

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

(6) Any waters or wastes having a pH lower than 5.5 or higher than 9.5, unless otherwise specified in a wastewater discharge permit, or any waters or wastes having any other corrosive property capable of causing damage to the collection system or hazard to any structure, equipment, processes or personnel of the sewage works.

(7) Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to cause health and safety problems for POTW workers or to interfere with any sewage treatment

process, constitutes a hazard to humans or animals, or which creates any hazard in the receiving waters of the POTW.

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

(9) Any noxious or malodorous liquids, gases or solids which either singly or by interaction are capable of creating a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for their maintenance and repair.

(10) Any substance which may cause the POTW's effluent or treatment residues, sludges or scums to be unsuitable for reclamation and reuse or to interfere with the reclamation process.

(11) Any slugload, which means any pollutant, including oxygen demanding pollutants (BOD, etc.), released in a single extraordinary discharge episode of sufficient volume or strength to cause interference to the POTW.

(12) Any wastewater containing any radioactive waste or isotopes of such half life or concentration as exceed limits established by the City in compliance with applicable state and federal regulation.

(13) Any substance which will cause the POTW to violate its NPDES permit or the receiving water quality standards.

(14) Any substance which will alter the natural color of the receiving water to such a degree as to create a nuisance.

(15) Any wastewater containing concentrations exceeding background levels of heavy metals unless otherwise specified in a wastewater discharge permit.

(r) No person shall access the sewer system or POTW for any activity including discharge of hauled septic or industrial wastes except at locations and at times as designated by the City Manager or his designee. Any removal of manhole lids or other access to the sewer system for the purpose of discharging wastes at times and/or locations other than those designated by the City Manager or his designee, or without the expressed permission of the City Manager or his designee, shall be considered a violation and shall be subject to enforcement action including fines and penalties allowed under this chapter.

(s) Grease, oil and sand interceptors shall be provided for outlets connected with the City sewers when, in the opinion of the City Manager or his designee, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable waste, sand and other harmful ingredients, except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the City Manager or his designee, and shall be located so as to be readily and easily accessible for cleaning and inspection.

Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial

construction, watertight and equipped with easily removable covers which when bolted in place shall be gastight and watertight.

(t) Where installed, all grease, oil and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times.

(u) The owner of the property or premises producing wastes having the characteristics described in subsection (q) hereof shall provide at his expense such preliminary treatment as may be necessary to reduce objectionable characteristics or constituents to within the maximum limits provided in subsection (q) hereof.

Construction drawings, specifications and other pertinent information relating to the proposed preliminary treatment facilities shall be prepared by the owner at his expense and shall be submitted for the approval of the City Manager or his designee, and no construction of such facilities shall be commenced until such approvals are obtained in writing.

(v) Where pretreatment facilities are provided for any waters or waste, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense. Bypassing pretreatment facilities is prohibited unless the bypass was to prevent the loss of life, personal injury or severe property damage.

(w) In lieu of introducing untreated or partially treated industrial wastes and polluted waters into the City sanitary sewers, the owner of premises producing such wastes may construct and operate at his expense private waste treatment facilities, with the effluent discharged to a natural outlet, provided such facilities are constructed and operated in compliance with Ohio R.C. Chapter 6111.

(x) Where such private waste treatment facilities are provided, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

(y) No person, firm or corporation shall use the type of joint commonly called the "slip-seal joint" used in the construction of sanitary sewer pipes on any sanitary sewer installation, either main line or house connection, which is connected to the sanitary sewer of the City.

(z) No person, firm or corporation shall connect any underground drainage field tile, either under the basement floor, around the outside foundation walls or otherwise, or channel any other surface water into a sanitary sewer which is connected to or proposed to be connected to the sanitary sewer system of the City.

(aa) No discharger shall increase the use of potable water in any way, nor mix separate wastestreams for the purpose of diluting a discharge as a partial or complete substitute for adequate treatment to achieve compliance with national categorical standards or the standards set forth in this chapter.

(bb) The City reserves the right to amend this chapter to assure compliance by the City with applicable laws and regulations. Within nine months of the promulgation of a national categorical pretreatment standard, the wastewater from users subject to such standards shall be required to be in compliance with such standards within the prescribed time frame proposed in the standard. Dischargers affected by any proposed changes in this chapter shall be informed at

least thirty days prior to the effective date of the change and any changes or new conditions in this chapter shall include a reasonable time schedule for compliance.

(cc) The City reserves the right to amend this chapter to provide for more stringent limitations or requirements on discharges to the POTW where deemed necessary to comply with the objectives set forth in this chapter.

(Ord. 2011-4-30. Passed 4-27-11.)

931.031 RESPONSIBILITY FOR MAINTENANCE AND REPAIR OF SANITARY SEWER LATERAL SERVICE LINES.

Any customer served by a sanitary sewer lateral service line shall be responsible for maintenance and repair of the same as follows:

(a) In those instances where the sanitary sewer main is located in the street right of way, such customer shall be responsible for repair of the sanitary sewer lateral service line from the sanitary sewer main to the building to which such service line is connected.

(b) The City may, under unusual circumstances as contained in the rules and regulations promulgated and approved by the City Manager or his designee, participate in the cost of the replacement of such sanitary sewer lateral service line.

(Ord. 2011-4-30. Passed 4-27-11.)

931.032 DISCONNECTION OF STORM WATER AND DRAINAGE FACILITIES FROM SANITARY SEWER LATERALS.

(a) The owner of any parcel of real estate or building within corporate limits which is connected with the municipal sanitary sewer system and which discharges sewage in violation of Sections [931.03\(o\)](#) and (p) shall disconnect the sources of storm water and all other improper or illegal drainage from the sanitary sewer connection lateral or main and reconnect such sources to discharge into a sewer lateral or main specifically designated and approved by the City Manager or his designee as a storm sewer or a natural outlet.

(b) When such disconnection and reconnection as required by subsection (a) hereof is made at a location that did not have separate sanitary sewer and storm sewer facilities or a natural outlet available at the time of construction of the sanitary sewer connection lateral, the City may participate financially with the owner in the payment of costs of performance of such work to disconnect and reconnect the improper or illegal discharge source, provided that the owner has made arrangements for such work with and received written approval in advance from the City Manager or his designee. The amount of the participation by the City shall be limited to fifty percent (50%) of the cost of the work approved by the City Manager or his designee up to a maximum amount of one thousand dollars (\$1,000).

(Ord. 2011-4-30. Passed 4-27-11.)

931.04 NEW SEWER SERVICE OUTSIDE THE CITY.

Applications for connections or taps to or services by sewers or drains of the City, in cases wherein the laying down or extension of sewers or drains to premises outside the City would be required, shall be accompanied by a petition signed by the owners of the premises to be served, and addressed to Council, agreeing at the petitioner's expense to lay down and extend such sewers and drains, according to the standard practice and specifications of the City, and subject to the supervision and inspection of the proper City authority, and further agreeing that when such drains and sewers are laid down and extended or constructed, the City shall take full charge and control of the same and that in the event that the territory including such premises is annexed to the City, such sewers and drains shall become the property of the City, without payment of any money thereof by the City. When Council by resolution has authorized the granting of such petition, the City Manager or his designee shall supervise and inspect, or construct, all at the expense of the petitioners, the necessary sewers and drains, and shall furnish the service as petitioned and applied for.

(Ord. 2011-4-30. Passed 4-27-11.)

931.05 TAPPING EXISTING SEWERS OUTSIDE THE CITY.

Applications for connections or taps from premises outside the City to existing sewers or storm drains in charge of the City, may be granted by the City Manager or his designee.

(Ord. 2011-4-30. Passed 4-27-11.)

931.06 TAPS AND CONNECTIONS; PERMIT.

(a) No person shall tap or make any connection with any City sewer unless all connecting pipes and the drain or plumbing to be connected therewith conforms in all particulars to the applicable requirements of law or ordinance, and unless such tap or connection is made at the place and in the manner prescribed therefore in a permit, hereby required, to be issued by the City Manager or his designee authorizing such work. Every application for such permit shall be made in writing, on a form prescribed by the City Manager or his designee, and accompanied by such plans, sketches or relevant exhibits as the City Manager or his designee requires.

(b) The provisions of this section shall not apply to Household Sewage Treatments Systems as set forth in Chapter [1776](#) hereof.

(Ord. 2012-3-14. Passed 3-14-12.)

931.07 SEWER INSPECTION.

(a) After the sewer system has been approved, such persons or property owners constructing the sewers, whether within or outside the City, shall, before laying or constructing the sewers, obtain a permit to do so from the City Engineer or such officer as may be designated to grant such permit. However, no permit shall be issued for the laying or construction of the sewers until persons have signed an application agreeing to all of the following conditions:

(b) Such persons, property owners or subdivider shall post with the City a sum of money for inspection, which sum shall be determined by the City Manager or his designee , based on the amount of construction and the number of days required for construction, and shall be the inspection fee for such work for the protection of the City that such work is done in compliance with City specifications. The City shall appoint an inspector for daily inspection of laying and construction and his compensation shall be paid from the sum posted with the City by the property owners, persons or subdivider. The inspector shall receive the hourly rate in accordance with the City's Classification and Compensation Plan and shall be under the direction of the City Manager or his designee. Any excess remaining after the completion of the sewer to the satisfaction of the City Manager or his designee shall be returned to the property owners, persons or subdivider. No construction or laying of sewers that are to be connected to the City sewer system shall be carried on without the inspection required by this section.

(Ord. 2011-4-30. Passed 4-27-11.)

931.08 TAMPERING PROHIBITED.

No unauthorized persons shall maliciously, willfully or negligently break damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is part of the City sewage works.

(Ord. 2011-4-30 . Passed 4-27-11.)

931.09 RIGHT OF ENTRY.

The City Manager or his designee, and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling and testing in accordance with the provisions of this chapter.

(Ord. 2011-4-30. Passed 4-27-11.)

931.10 APPEALS.

(a) The City Manager or his designee shall hear, or shall appoint authorized personnel to hear, any complaints, protests or disputes arising out of any provisions of this chapter and shall review the actions relating to the enforcement of the provisions of this chapter.

(b) The City Manager or his designee may conduct investigations, hold hearings and take testimony of witnesses concerning any matter covered by this chapter. The conduct of such hearings shall be informal. No informality in the manner of taking testimony in such hearing shall invalidate the proceedings, nor any rule or decision made by the City Manager or his designee based on such proceedings. The decision of the City Manager or his designee shall be final.

(c) Any discharger who causes or allows an unauthorized discharge to enter the POTW may be ordered by the City to show cause why the proposed enforcement action should not be taken. A written notice shall be served on the discharger specifying the time and place of the hearing regarding the violation.

(d) Appeal of any final judicial order entered pursuant to this chapter may be taken in accordance with state law.

(Ord. 2011-4-30. Passed 4-27-11.)

931.11 EMERGENCY SUSPENSION OF SERVICE.

The City may suspend the wastewater treatment service of a discharger when it appears to the City that an actual or threatened discharge presents or threatens an imminent or substantial danger to the health or welfare of persons, to the environment, to the operation of the POTW, or violates any pretreatment limits imposed by this chapter or causes a violation of the City's NPDES permit. Any discharger notified of the suspension of the City's wastewater treatment service shall, within a reasonable period of time, as determined by the City, cease all discharges. In the event of failure of the discharger to comply voluntarily with the suspension order within the specified time, the City shall commence judicial proceedings immediately thereafter to compel the discharger's compliance with such orders. The City shall reinstate the wastewater treatment service and terminate judicial proceedings pending proof by the discharger of the elimination of the noncomplying discharge or conditions creating the threat of imminent or substantial danger as set forth above.

(Ord. 2011-4-30. Passed 4-27-11.)

931.12 REVOCATION OF SERVICE.

The City may revoke the wastewater treatment service if the discharger violates a City ordinance, state or federal regulations, fails to factually report constituents and characteristics of wastewater discharge or changes in discharge constituents or characteristics, or refuses reasonable access to the user's premises for inspection and monitoring.

(Ord. 2011-4-30. Passed 4-27-11.)

931.13 PUBLICATION OF ENFORCEMENT ACTION.

At least annually, the City Manager or his designee shall publish a list of all industrial users which at any time during the previous twelve months were in significant noncompliance with applicable pretreatment requirements. For the purposes of this provision, an industrial user is in significant noncompliance if its violations meet one or more of the following criteria:

(a) Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all the measurements taken during a six-month period exceed (by any magnitude); a numeric Pretreatment Standard or Requirement, including Instantaneous Limits as defined herein.

(b) Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of all of the measurements for each pollutant parameter taken during a six-month period equal or exceed the product of the numeric Pretreatment Standard or Requirement, including Instantaneous Limits as define herein multiplied by the applicable criteria (TRC = 1.4 for BOD, TSS, fat, oil and grease, and 1.2 for all other pollutants except pH);

(c) Any other violation of a Pretreatment Standard or Requirement as defined herein (daily maximum, longer term average, Instantaneous Limit, slugload or narrative Standard) that the City Manager or his designee determines has caused, alone or in combination with other discharges, Interference or Pass Through (including endangering the health of POTW personnel or the general public);

(d) Any discharge of a pollutant that has caused imminent endangerment of human health, welfare or to the environment or has resulted in the POTW's exercise of emergency authority to halt or prevent such a discharge;

(e) Failure to meet, within ninety days after the schedule date, a compliance schedule milestone contained in a wastewater discharge permit or enforcement order for starting construction, completing construction or attaining final compliance;

(f) Failure to provide, within forty five (45) days after the due date, required reports such as baseline monitoring reports, ninety-day compliance reports, periodic self-monitoring reports and reports on compliance with compliance schedules;

(g) Failure to accurately report noncompliance;

(h) Any other violation or group of violations which the City Manager or his designee determines will or has adversely affected the operation or implementation of the City's pretreatment program.

(Ord. 2011-4-30. Passed 4-27-11.)

931.14 OPERATING UPSETS; REPORTING REQUIREMENTS.

Any discharger which experiences an operations upset which places him in a state of noncompliance with this chapter shall notify the City within twenty-four hours of commencement of the upset. The discharger shall submit to the City, within five days of the upset, a written detailed report describing the discharge and cause of discharge and measures taken to prevent similar future occurrences.

(Ord. 2011-4-30. Passed 4-27-11.)

931.15 FALSIFYING INFORMATION.

Any person who knowingly makes any false statement, representation or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to this chapter, or who falsifies, tampers with or knowingly renders inaccurate any monitoring device or method required under this chapter, shall be fined not more than one thousand dollars (\$1,000) or imprisoned not more than sixty days or both.

(Ord. 2011-4-30. Passed 4-27-11.)

931.16 SEVERABILITY.

If any portion of this chapter is invalidated by any court with jurisdiction, the remaining portions of this chapter shall not be affected and shall continue in full force and effect.

(Ord. 2011-4-30. Passed 4-27-11.)

931.99 PENALTY.

(a) Whoever violates any provision of this chapter other than Section [931.03\(a\)](#), [931.08](#) or [931.15](#) or violates federal or state pretreatment requirements, 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. Whoever violates Section [931.03\(a\)](#) and Section [931.08](#) shall be fined not more than one thousand dollars (\$1,000) or imprisoned not more than sixty days or both.

(b) Any person who continues any violation beyond the time limit provided for in subsection (a) hereof shall be fined not more than one thousand dollars (\$1,000) for each violation. Each day during or on which any violation occurs or continues shall be deemed a separate offense.

(c) Whoever violates any provision of this chapter shall become liable to the City for any expense, loss or damage occasioned by the City by reason of such violation.

(Ord. 2011-4-30. Passed 4-27-11.)