

Town of Swepsonville

Sewer Use Ordinance

SECTION 1. GENERAL PROVISIONS

1.1 Purpose and Policy:

This Ordinance sets forth uniform requirements for direct and indirect contributors into the wastewater collection system for the Town of Swepsonville (hereafter called the Town) and enables the Town to comply with all applicable state and federal laws required by the Clean Water Act of 1977.

The objectives of this Ordinance are:

- A. To prevent the introduction of pollutants into the wastewater collection system which will interfere with the operation of the system;
- B. To prevent the introduction of pollutants into the municipal wastewater system which will pass through the system, inadequately treated, into receiving waters or the atmosphere, or otherwise be incompatible with the system;
- C. To protect both municipal personnel who may come into contact with sewage, sludge, and effluent in the course of their employment as well as protecting the general public;

1.2 Management and Control of Wastewater Collection System

This Ordinance shall apply to the Town and to persons outside the Town who are, by contract or agreement with the Town, users of the Town's wastewater collection system. Except as otherwise provided herein, the Town Administrator shall administer, implement, and enforce the provisions of this Ordinance. Any powers granted to duties imposed upon the Town Administrator may be delegated by the Town Administrator to other Town personnel.

1.3 Incorporation of Disposal Services Agreement

The agreement for disposal services between the City of Burlington and the Town, including without limitation all City of Burlington sewer use ordinances and specifications referred to therein, is incorporated by reference and made a part of this Ordinance as if fully set forth herein.

1.4 Definitions:

Act or the Act shall mean the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended 33 USC 1251 et seq.

Building drain shall mean that part of the lowest horizontal piping of a drainage system which 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 shall mean the extension from the building drain up to and including the connection fitting on the public sewer or other place of disposal.

Biochemical oxygen demand (BOD) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20° C., expressed in milligrams per liter (mg/l)

Collection system shall mean the system of public sewer to be operated by the Town designed for the collection of sanitary sewage.

Commercial user shall mean any premises used for commercial or business purposes, which are not an industry, as defined in this ordinance.

Domestic waste shall mean any wastewater emanating from dwellings.

Garbage shall mean solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.

Industrial waste shall mean that portion of the wastewater emanating from an industrial user, which is not domestic waste, or waste from sanitary convenience.

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

pH shall mean a measure of acidity or alkalinity of a substance, expressed in standard units.

POTW shall mean the East Burlington Publicly Owned Treatment Works.

Properly shredded garbage shall mean the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch (1.27 centimeters) in any dimension.

Replacement shall mean obtaining and installing equipment accessories or appurtenances that are necessary during the design or useful life, whichever is longer, of the collection and treatment works to maintain the capacity and performance for which such works were designed and constructed.

Residential user shall mean user of a single-family dwelling.

Sanitary Sewer shall mean a sewer, which carries sewage, and to which storm, surface and ground waters are not intentionally admitted.

Service lateral shall mean the building sewer up to and including the connection fitting on the public sewer.

Sewage shall mean a combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such ground, surface and stormwaters as may be present.

Shall is mandatory; *may* is permissive.

Storm drain (sometimes termed “storm sewer”) shall mean a sewer which carries storm and surface waters and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

Town shall mean the Town of Swepsonville or the Town Council of Swepsonville or its authorized representative.

Town Administrator shall mean the Chief Executive Officer of the Town, responsible to the Town Council.

SECTION 2. USE REGULATIONS

2.1 Connections Required

All owners of improved property located within a reasonable distance of a Town sewer line shall be required to connect the premises to Town sewer lines; provided that existing septic tanks may continue to be used until such time as maintenance is necessary.

The construction of laterals for the connection of sewer pipes on any lot with the Town systems, and the necessary excavation thereof shall be done by a licensed plumber in accordance with the directions of the Town Administrator.

Maintenance and repair of the building sewer is the responsibility of the owner of the property served. The building sewer may extend any distance of 3”, 4”, 6”, 8” or larger pipe size to a public main as defined with segment endpoints with appurtenances or to a point on the building sewer where a second building sewer from a second property is connected.

2.2 Construction of Sewer Lines

All new sewer mains and service laterals that are to be connected to the Town’s wastewater collection system shall be constructed and tested in conformance with the Town’s Standard Specifications and Details.

2.3 Prohibited Discharges.

No person shall make connection of roof downspouts, exterior foundation drains, areaway drains or other sources of surface run-off or groundwater to a building sewer or building drain that in turn is connected directly or indirectly to a public sanitary sewer.

Specific Discharge Prohibitions.

A user may not contribute the following substances to the wastewater collection system:

- A. Any liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the POTW or to the operation of the POTW. Included in this prohibition are wastestreams with a closed cup flashpoint of less than 140 degrees F (60 degrees C). At no time, shall two successive readings on an explosion hazard meter, at the point of discharge into the system (or at any point in the system) be more than five percent (5%) nor any single reading over ten percent (10%) of the Lower Explosive Limit (LEL) 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.

- B. Solid or viscous substances which 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 (1/2") in any dimension, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, gas, tar, asphalt residues, residues from refining, or processing of fuel or lubricating oil, mud, or glass grinding or polishing wastes.
- C. Any wastewater having a pH less than 6.0 or greater than 9.0, or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment, and/or personnel of the POTW.
- D. Any wastewater containing toxic pollutants (including gases, vapors, or fumes) in sufficient quantity (flow or concentration), either singly or by interaction with other pollutants, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a toxic effect in the receiving waters of the POTW, or to exceed the limitation set forth in a Categorical Pretreatment Standard. A toxic pollutant shall include but not be limited to any pollutant identified pursuant to Section 307(a) of the Act.
- E. Any noxious or malodorous liquids, gases, or solids or other wastewater which, either singly or by interaction with other wastes are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for maintenance and repair.
- F. Any substance which may cause the POTW's effluent or any other product of the POTW such as residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case, shall a substance discharged to the POTW cause the POTW to be in non-compliance with sludge use or disposal regulations or permits issued under Section 405 of the Act; the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State criteria applicable to the sludge management method being used.
- G. Any substance which will cause the POTW to violate its NPDES and/or State Disposal System Permit or the receiving water quality standards.
- H. Any wastewater which imparts color which cannot be removed by the treatment process, including, but not limited to, dye wastes and vegetables tanning solutions, which consequently imparts sufficient color to the treatment plant's effluent to render the waters injurious to public health or secondary recreation or to aquatic life and wildlife or to adversely affect the palatability of fish or aesthetic quality or impair the receiving waters for any designated uses.
- I. Any wastewater having a temperature which will inhibit biological activity in the POTW treatment plant resulting in Interference, but in no case wastewater with a temperature at the introduction into the POTW which exceeds 40 degrees C (104 degrees F).
- J. Any pollutants, including oxygen-demanding pollutants (BOD, etc.) released at a flow rate and/or pollutant concentration which will cause Pass Through or Interference to the POTW is prohibited. The Federal regulations provide for an affirmative defense (40 CFR 403.5(a)(2)) for the User. The User must

demonstrate that it did not know that the discharge alone or combined with other wastes would cause Pass Through or Interference. Furthermore, there must have been a local limit set for the pollutant causing Pass Through or Interference and that limit must have been met. If no local limit has been established, the User must demonstrate that its discharge did not change significantly from its prior discharge activity when the POTW was in compliance with its NPDES requirements.

- K. Any wastewater containing radioactive wastes or isotopes of such half life or concentration as may exceed limits established by the City of Burlington in compliance with applicable State or Federal regulations.
- L. Any wastewater which causes a hazard to human life or creates a public nuisance.
- M. Storm water, surface water, ground water, artesian well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, 14 cooling water, and unpolluted industrial wastewater, unless specifically authorized by the POTW.
- N. Any industrial waste containing floatable fats, waxes, grease, or oils, or which become floatable at the introduction to the wastewater plant. The Town may require grease, oil, or sand interceptors (traps) and proper maintenance of the same.
- O. Non-biodegradable cutting oils (soluble oils) which form a persistent water emulsion, and non-biodegradable complex carbon compounds.
- P. Any sludges, screenings or other residue from the pretreatment of industrial wastes.
- Q. Any medical wastes, except as specifically authorized by the POTW Director in a wastewater contribution permit.
- R. Any material identified as hazardous waste according to 40 CFR Part 261 unless specifically authorized by the POTW Director.
- S. Recognizable parts of the human or animal anatomy.
- T. Wastes containing detergents, surface active agents, or other substances which may cause excessive foaming in the municipal wastewater system.

Wastes prohibited by this section shall not be processed or stored in such a manner that these wastes could be discharged to the municipal wastewater system. All floor drains located in the process or materials storage areas must discharge to the industrial user's pretreatment facility before connecting to the system.

2.4 Privies

No outdoor privy or surface toilet of any kind shall be used or maintained within the corporate limits.

2.5 Injury to Sewers Prohibited

No person shall obstruct, break, remove, or otherwise injure any manhole, flush-tank, or other part of any sanitary or storm sewer.

2.6 Emergency Termination of Service.

The Town Administrator, or his/her designee, may immediately suspend a user's discharge, after informal notice to the user, whenever such suspension is necessary to stop an actual or threatened discharge which reasonably appears to present or cause an imminent or substantial endangerment to the health or welfare of persons. The Town Administrator, or his/her designee, may also immediately suspend a user's discharge, after notice and opportunity to respond, that threatens to interfere with the operation of the POTW, or which presents, or may present, an endangerment to the environment.

SECTION 3. RATES AND ENFORCEMENT

3.1 Sewer Rates

The rates and charges for sewer service shall be as established by the Town Council. (see current schedule of charges on file in Town Hall.) Additional charges for new connections are also on file in Town Hall.

3.2 Notice of Violation

Whenever it is found that any person is violating any of the provisions or requirements set out in this Ordinance, a written notice stating the offense and setting a time limit not exceeding 30 days for the correction thereof shall be served upon the offender by mail. The offender shall, within the time stated in the notice served upon him, forever cease all violations.

3.3 Penalty

Failure to comply with the provisions of this chapter shall be cause for the discontinuance of sewer service to the offending party, in addition to other available remedies.