

CITY OF VASSAR

WASTEWATER TREATMENT PLANT

5515 S. Vassar Rd.
Vassar, MI 48768

SEWER USE ORDINANCE PURPOSE AND POLICY

This ordinance sets forth uniform requirements for discharges in the City of Vassar's wastewater treatment plant and sanitary collection system, and enables the city to protect Public Health in conformity with all applicable federal, state and local, laws relating hereto.

The objectives of this ordinance are to:

1. Prevent the introduction of pollutants into the wastewater system; which will interfere with the normal operations of the system or contaminate the resulting municipal sludge.
2. Prevent the introduction of pollutants into the wastewater system which do not receive adequate treatment in the treatment plant and which will pass through the system into receiving waters or the atmosphere or are otherwise incompatible with the system.
3. Improve the opportunity to recycle and reclaim wastewater from the system.

This ordinance provides for the regulation of discharges into the wastewater system through the issuance of permits, execution of binding contracts and enforcement of administrative regulations.

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AN ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS, KNOWN AS THE CITY OF VASSAR WASTEWATER SYSTEM.

The City of Vassar, Tuscola County, Michigan Ordains:

Short Title. This Ordinance shall be known as the City of Vassar Sewer Use Ordinance. This ordinance can be found in the ordinance section on the city's web-site under Chapter 78 Utilities, Article III. Sewer Service.

DIVISION 1. GENERALLY

Sec. 78-101. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Act means the Federal Water Pollution Control Act, as amended, Public Law 92-500 (33) USC 1251 et seq.

ASTM means the American Society for Testing Materials

Authority means the City of Vassar.

BOD means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures in five days at 20 degrees Celsius, expressed in milligram per liter.

Building lead means that portion of the building sewer from the soil pipe to the sewer stub.

Building sewer means that portion of the sewer from the soil pipe to the wye branch of the main sewer.

Bypass means the intentional diversion of wastestream from any portion of an industrial user's facility.

Categorical Industrial User (CIU) means an industrial user subject to categorical pretreatment standards.

City means the City of Vassar.

Chlorine demand means the difference between the amount of chlorine added and the amount of residual chlorine remaining at the end of a specified contact period.

Classes of user means the kind of user connected to the sanitary sewers including but not limited to, residential, commercial, institutional, industrial, and governmental.

(1) *Residential user* means a user of the wastewater facilities whose premises or building is used primarily as a residence for one or more persons, including dwelling units such as detached, semidetached, and row houses; mobile homes, apartments, foster care homes or permanent multifamily dwellings. Transit lodging shall not be including as it is to be considered commercial.

(2) *Industrial user* means any nongovernmental or nonresidential users of the wastewater facilities that discharge industrial wastes to the wastewater facilities. Industrial users shall be identified in the Standard Industrial Classification Manual, 1972 edition, Office of Management and Budget, as amended and supplemented under the following divisions:

TABLE INSET:

Division A	Agriculture, Forestry and Fishing
Division B	Mining
Division D	Manufacturing
Division E	Transportation, Communication, Gas and Sanitary Services
Division I	Services

A user of the division listed above may be excluded if it is determined by the superintendent that it will introduce primarily segregated domestic waste or wastes from sanitary conveniences.

(3) *Commercial user* means an establishment as listed in the Standard Industrial Classification Manual, 1972 edition, involved in a commercial enterprise, business or service which, based on a determination by the superintendent, discharges primarily segregated domestic waste or wastes from sanitary services.

(4) *Institutional user* means an establishment listed in the Standard Industrial Classification Manual, 1972 edition, involved in a social, charitable, religious or educational function which, based on a determination by the superintendent, discharges primarily domestic waste or wastes from sanitary conveniences.

(5) *Governmental user* means any federal, state or, local governmental user of the wastewater facilities.

COD (chemical oxygen demand) means the quantity of oxygen utilized in the chemical oxidation of organic matter with strong chemical oxidant under standard laboratory procedures and expressed as milligrams per liter.

Collector sewer means the sewer is designed to receive a building lead sewer.

Compatible pollutants means those pollutants that the wastewater treatment plant has been designed for specific removal of and shall mean biochemical oxygen demand, suspended

solids, fecal coliform bacteria, total phosphorus, ammonia nitrogen, and any other that may be determined effectively treatable and added, as such, to the NPDES permit in the future.

Critical materials means organic and inorganic substances, elements or compounds listed in the register compiled by the Michigan Water Resources Commission of the Department of Environmental Quality of the State of Michigan.

Daily average means that based upon a minimum of eight grab samples within a 24-hour period.

Director means the superintendent/coordinator of public works of the city, or his authorized agent, deputy or representative.

Discharge permit means that permit required by section 78-126(a).

Dissolved solids means those solids in wastewater other than suspended solids.

Domestic waste means wastes normally emanating from residential living units and resulting from the day-to-day activities usually considered to be carried on in a domicile. Wastes emanating from other units which are to be considered domestic wastes shall be of the same matter and strength and have the same flow characteristics. (See also the definition for *Residential user*.)

Dwelling means any structure designed for habitation including, but not limited to, houses, mobile homes, apartment houses, condominiums and townhouses.

Equalized means the on-site storage of sewage to allow for pre-determined flow into the sewer line.

Excessive means in such magnitude that in the judgment of the superintendent, it will cause damage to any facility, will be harmful to the sewage treatment process, cannot be removed in the sewage treatment plant to the degree required to meet the Act, can otherwise endanger life, limb or public property, and or which can constitute a public nuisance.

Footing drains means the pipe or conduit placed around the perimeter of a building foundation and which intentionally admits groundwater.

Garbage means solid wastes from the preparation, cooking, or serving of food; from the handling, storage or sale of produce; or from the canning or packaging of food. It is composed largely of putrescible organic matter and its natural or added moisture content.

Groundwater means the subsurface water occupying the saturation zone from which wells and springs are fed.

Incompatible pollutant means any pollutant which is not defined as a compatible pollutant.

Industrial wastes means the liquid, solid or gaseous wastes from industrial manufacturing processes, food processing, laboratories, trades or businesses, as distinct from domestic sewage. (See also the definition of *Industrial user*.)

Industry means a manufacturing establishment which produces a product from raw or purchased materials.

Infiltration means any water entering the sewerage system from the ground, through such means as, but not limited to, defective pipes, pipe joints, connections or manhole walls. Infiltration does not include, and is distinguished from, inflow.

Infiltration/inflow means the total quantity of water from both infiltration and inflow without distinguishing the source.

Inflow means any water entering the sewer system from such sources as, but not limited to, roof leaders; cellar, yard or area drains; and footing drains, sump pumps, cooling water discharges, drains from springs and swampy areas, manhole covers, cross connections from storm sewers, catch basins, stormwaters, and surface runoffs. Inflow does not include, and is distinguished from, infiltration.

Interceptor sewer means a sewer that receives the dry weather flow from a number of collector sewers, sewer stubs or other sewers or outlets, and conducts such waters to a point of treatment or disposal.

Local unit means the City of Vassar.

May is permissive. (See the definition of *Shall*.)

MDEQ means Michigan Department of Environmental Quality.

New source means construction at a source where no other point source is located, the process of production causing discharge is totally replaced due to construction or production, or wastewater generating processes of the facility are modified or substantially independent of the existing source at the same source.

Notification means mailing by first class United States mail addressed to the premises, as reflected on the tax role of the city.

NPDES permit means the National Pollutant Discharge Elimination System permit issued by the Michigan Department of Environmental Quality.

Operation and maintenance means all work, materials, equipment, utilities and other efforts required to operate and maintain the sewer system, consistent with ensuring adequate treatment of wastewater to produce an effluent in compliance with the NPDES permit and other applicable state and federal regulations.

Person shall include, but not limited to any individual, firm, company, association, society group, trust or governmental authority.

pH means the logarithm of the reciprocal of concentration of hydrogen ions in moles per liter of solution.

Pretreatment means the reduction of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into the sewer system. The reduction or alterations can be obtained by physical, chemical or biological processes, process changes or by other means except as prohibited by section 403.6(d) of the Act.

Private means jurisdiction by a nongovernmental entity.

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

Public means jurisdiction by a governmental entity.

Publicly owned treatment works (POTW) means any sewer treatment works and the sewers and conveyance appurtenances discharging thereto, which are owned and operated by the city.

Public sewer means a sewer in which all owners of abutting properties have equal rights, if any, and which is controlled by public authority.

Replacement means the replacement, in whole or in part, of any equipment or facility in the sewer system to ensure continuous treatment of wastewater in accordance with the NPDES permit and other applicable state and federal regulations.

Sanitary sewage means a combination of water-carried domestic wastes from residences, business buildings, institutions, governmental and industrial establishments.

Sanitary sewer means a sewer which carries sewage and to which stormwater, surface water, and subsurface water are not intentionally admitted.

Sediment means that matter which settles to the bottom of a liquid.

Separate means a wastewater transmission facility which is only intended to transport sanitary wastewater.

Septic tank disposal means the disposal of wastewater at the treatment plant by other means than through the sewer mains.

Sewage means a combination of water-carried waste from residences, business buildings, institutions, governmental, and industrial establishments, together with subsurface water and stormwater that may be present.

Sewer means a pipe or conduit for carrying the wastewaters.

Sewer main means that part of the sewer system which is the interceptor and/or collector sewer.

Sewer stub means that part of the sewerage system extending from the wye branch of the sewer main to the property or easement line of the property.

Sewer system means all properties, structures, manholes, inlets, equipment, conduits, and processes for the propose of collecting, treating, testing and dispensing of domestic wastewaters, as existing now or hereinafter added to, expanded or improved, and within the city's wastewater system.

Sewer Use Ordinance (SUO) means the rules in which the City of Vassar uses to govern, operate and maintain the city's sewer system and refers to Article III Sewer Service.

Shall is mandatory. (See the definition of *May*.)

Shall discharge means cause or allow to be discharged, either directly or indirectly.

Significant discharge means anybody who discharges more than 10,000 gallons a day or discharges any toxic or hazardous materials or any substance that may cause interference with the operation of the treatment works.

Significant industrial user (SIU) means all industrial users subject to categorical pretreatment standards under 40 CFR chapter I, subchapter N. and any other user that discharges an average of 25,000 gallons per day or more of process wastewater to the POTW (excluding sanitary, non-contact cooling water and boiler blow down water); contributes a process waste stream that makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the treatment plant; or is designated as such by the control authority as defined in 40 CFR 403.12(a) for adversely affecting the treatment plants operation or violating any pretreatment standard or requirement (in accordance with 40 CFR 403.8(f)(6)).

Slug means any discharge of water, sewage or industrial waste which, in concentration of any given constituent or in any quantity of flow, exceeds for any period of duration, longer than 15 minutes, more than five times the average 24-hour concentration of flows during normal operation, or five times the allowable limit for those substances with allowable limits in this article.

Soil pipe means that part of the lowest horizontal piping of a drainage system which receives the discharge soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer beginning five feet outside the inner face of the building wall.

Standard classification means a classification based on the most current publication of the Standard Industrial Classification Manual (SIC). Standard Industrial Classification Code (SIC) numbers and descriptions as found in the 1972 or latest edition of the Standard Industrial Classification Manual, prepared by the Office of the President, Office of Management and Budget.

Standard Method means the latest edition of Standard Methods for the Examination of Water and Wastewater, published by the American Public Health Association, the American Water Works Association, and the Water Environmental Federation.

Superintendent means the superintendent of the treatment plant or his authorized deputy, agent or representative.

Surface water means all on the surface, as distinguished from subsurface water.

Suspended solids means solids that either float on the surface, or are in suspension in the water, wastewater or other liquids and which are removable by laboratory filtering and are not referred to as nonfilterable residue in laboratory testing.

Total phosphorus means the total phosphorus content of a sample including all of the orthophosphates and condensed phosphates, both soluble and insoluble, and organic and inorganic species, and referred to in Standard Methods as total phosphorus.

Uncontaminated water means any water that has been taken in and used by a person and discharged without chemical change and meets the same physical requirements as exhibited before use. This does not include noncontact cooling water.

Unpolluted industrial process water means industrial process water or cooling water which is completely compatible with applicable stream standards, excepting thermal limitations. This includes noncontact cooling water.

User means any person that discharges wastes into the sewer system.

Wastes means substances in liquid, solid or gaseous form that is added to the discharge water by the user.

Wastewater means any water that has been used and degraded or altered physically and/or chemically and discharged as an unwanted substance.

(1) *Combined wastewater* means a combination of stormwater and other wastewater such as domestic or industrial wastewater.

(2) *Sanitary wastewater* means a combination of domestic and industrial wastewaters, together with allowable infiltration.

Wye branch means that part of the sewer system connecting the sewer main to the sewer stub.

(Ord. No. 22K, § 2.81, 7-28-00)

Sec. 78-102. Sewer system regulations.

(a) *Regulations.* The city manager shall have the authority to make reasonable rules and regulations concerning the sewer system of the city as he or she shall finds necessary, and to change and modify such rules after notice as required by law; provided, however, that such regulations are not contrary to the provisions of this article.

(b) *Appeals.* Any person aggrieved by a rule or regulation of the city manager shall have the right to appeal to the city council, which shall confirm, modify or revoke such rule or regulation; provided, however, that such right of appeal must be exercised within a reasonable time.

(Ord. No. 22K, § 3.02, 7-28-00)

Sec. 78-103. Disposal of excrement, garbage or other objectionable wastes on public or private property.

It shall be unlawful for any person to 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, any human or animal excrements, garbage or other objectionable wastes.

(Ord. No. 22K, § 3.03, 7-28-00)

Sec. 78-104. Article provisions not to operate as abatement of action, charges or proceedings.

This ordinance shall not operate as an abatement of any action, charges, or proceedings now pending or which may hereafter arise under or by virtue of any ordinance or part thereof required.

(Ord. No. 22K, § 3.05, 7-28-00)

Sec. 78-105. Septic tank disposal.

(a) Wastes from septic, vehicular or marine holding tanks may be disposed of only at the treatment plant. No wastes in violation of this article will be allowed. Wastes of unusual strengths or characteristics not covered in this article, if determined that such wastes could be harmful to the sewer system, will not be allowed, variations from wastes prohibited may be allowed, if it is determined by the superintendent that such variation will not be harmful to the sewer system.

(b) All operators of septic tank trucks and other waste disposal units that are allowed to use the dump site shall be approved by the local unit and the superintendent. Such approval may be revoked at any time for rules of ordinance violations.

(c) The city and/or the city council may provide for a user charge system by ordinance.

(Ord. No. 22K, § 2.92, 7-28-00)

Secs. 78-106--78-125. Reserved.

DIVISION 2. ADMINISTRATION AND ENFORCEMENT

Sec. 78-126. Discharge permit and reports.

(a) *Permit required.* Discharge permits shall be required of users as follows:

(1) *Users requiring.* Persons engaged in any activities listed in section 306(b) (1) (a) of the Act, and as revised by the administrator of the Act, shall obtain from the superintendent, prior to connecting to or discharging to the sewer system, a discharge permit. All major industrial users, as identified by quantity of flow or type of discharge, shall also obtain a permit. The following listed users must also obtain permits:

Pulp and paper mills
Paperboard, builder's paper, and board mills
Meat product and rendering processing
Dairy product processing
Grain mills
Canned and preserved fruits and vegetable produce
Canned and preserves seafood processing
Sugar processing
Textile mills
Cement manufacturing
Feedlots
Electroplating
Organic chemicals manufacturing
Inorganic chemicals manufacturing
Plastic and synthetic materials manufacturing
Potato processing
Soap and detergent manufacturing
Fertilizer manufacturing
Petroleum refining
Iron and steel manufacturing
Nonferrous metals
Phosphate manufacturing
Steam electric plants
Ferroalloy manufacturing
Leather tanning and finishing
Glass and asbestos manufacturing
Rubber processing
Timber products processing
Or anyone who meets the definition of a Significant Industrial User

(2) *Sixty-day grace period.* Such persons presently engaged in the actions discharging to the sewer system shall, within 60 days from the effective date of the ordinance from which this section is derived, complete and file an application for a permit with the superintendent.

Discharge permits and discharge reports must be signed by a responsible corporate officer such as president, vice-president or secretary of the corporation or any other person who performs similar policy or decision-making functions for the corporation.

(3) Superintendent's responsibility and authority. The superintendent shall require any person who is engaged in such activities and who is discharging or proposing to discharge wastes into the sewer system to obtain a discharge permit. The superintendent may change the conditions of the permit as circumstances, laws or regulations enacted by state or federal governments may require change. Limitations on discharge of wastes into the sewer system shall be in accordance and agreement with the current effluent guidelines developed by the Environmental Protection Agency and as modified by the state and the city.

(b) Discharge permit application. Discharge permit application forms are available at the office of the superintendent, and persons required to obtain a permit shall produce and complete the application at their own expense and file the application with the superintendent and the local unit, and the superintendent will evaluate the data furnished. If insufficient data has been furnished, the superintendent will notify the applicant and action will not be taken until the desired information is received. After acceptance of the data, the superintendent may issue a permit with any restrictions, conditions, limitations or special requirements noted thereon, which may contain, but is not limited to, the following:

- (1) Limits on rate and time of discharge or requirements for flow regulation and equalization;
- (2) Installation of inspection, sampling and flow interruption facilities including access to such facilities;
- (3) Specifications for monitoring programs which may include sampling locations, frequency and method of sampling, number, types and standards for tests and reporting schedule;
- (4) Submission of discharge reports;
- (5) Special service charge or fees;
- (6) Pretreatment requirements;
- (7) Submission of samples, with chemical analyses, of all substances that may appear in the sewage discharge; and
- (8) A continuously updated inventory of all substances that may appear in the sewage discharge, with normal usage and amount on hand shown thereon.

(c) Change in information; bypass. Any significant change in information supplied on the

application form or in strengths or volumes of waters and wastewaters shall be reported immediately to the superintendent for determination of need to change conditions of the permit and related fees. The treatment plant superintendent shall be notified in the event of any anticipated or unanticipated bypasses. Such bypasses shall be prohibited unless unavoidable or justifiable.

(d) *Transfer of permit.* A discharge permit shall not be transferred to a new person or location or be valid for a different manufacturing process. A new application shall be made in accordance with subsection (b) of this section.

(e) *Baseline monitoring report.* New and existing sources that are classified as categorical industries by EPA standards are required to file baseline monitoring reports (BMRs) at least 90 days prior to discharge. New sources are required to include information on pretreatment methods they intend to use and to provide data on production, flow and amounts of regulated pollutants.

((Ord. No. 22K, § 2.89 (5), 7-28-00)

(f) *Permit renewal.* All permits that are issued shall be subject to review of the discharge terms and conditions periodically, and shall be reviewed and renewed at least once every five years.

(g) *Enforcement.* The conditions of the discharge permit shall be enforced by the superintendent in accordance with the provisions of this section. Any permit holder who fails to conform to the conditions and provisions of the permit will be subject to enforcement provisions of section 78-130. New sources are required to install and start up technology prior to discharge, to comply with categorical standards, and to achieve compliance within the shortest time feasible, not to exceed 90 days after commencement of discharge.

(h) *Discharge reports.* Each person issued a discharge permit shall submit a signed discharge report to the superintendent in June and December of each year. The superintendent may require a permit holder to submit more frequent reports if, in his judgment, believe the wastes being discharged are in violation of this article. This report shall include, but not be limited to, chemical constituents of the user's wastewater discharge, the nature of process, volume, rates of flow, mass emissions, production quantities, hours of operation and other information that relates to the generation, handling and discharge of wastes. The report may also include the chemical constituents and quantity of liquid or gaseous materials stored on the site. If sufficient data has been furnished, other information shall be provided upon request of the superintendent. The cost of any sampling that is required is the responsibility of the industrial user of the sewer system.

(i) *New source compliance deadline (40 CFR 403.6(b)).* New sources are required to install and start up technology prior to discharge, to comply with categorical standards and to achieve compliance within the shortest time feasible, not to exceed 90 days after the commencement of discharge.

(j) *Violations.* All persons engaged in activities set forth in subsection (a) of this section and who are discharging wastes to the sewer system shall notify the superintendent immediately upon discharge of wastes in violation of this article or the user's permit. A copy of this section and the treatment plant's telephone number shall be posted on the user's premises.

(k) *Violation reports.* This notification shall be followed by a detailed written report, describing the causes of the accident and measures being taken to prevent future occurrences. Dates shall be set for completion of such measures, and the completion shall be reported to the superintendent. Notification will not relieve users of liabilities for any expense, loss or damage to the system, or for any fines imposed on the city on account thereof.

(Ord. No. 22K, § 2.90, 7-28-00)

Sec. 78-127. Restricted information; notification of industrial users.

(a) *Restricted information.* All information and data on a user obtained from reports, questionnaires, permit applications, permits and monitoring programs, and from inspections, shall be available to the public without restriction, unless the user specifically requests in writing that it is not to be released pursuant to the Freedom of Information Act. However, federal regulations require that effluent data furnished by industrial user be available without restriction, as defined by 40 CFR 2.302, including:

(1) Information necessary to determine the identity, amount, frequency, concentration, temperature or other characteristics of any pollutant discharges.

(2) A description of the manner or rate of operation of any source to the extent necessary to determine what was discharged as regards to any applicable standards or limitation.

(3) A general description of the location and nature of the source to the extent necessary to distinguish it from others.

(4) Information on research, products, processes and methods can be protected to the extent that it is not effluent data.

(b) *Notification of industrial users.* The city shall notify users of all applicable pretreatment standards and any other applicable requirements under section 204(b) and 405 of the Clean Water Act and subtitles (c) and (d) of the Resource Conservation and Recovery Act. This shall give the superintendent authority to conduct such notification.

(Ord. No. 22K, § 2.93, 7-28-00)

Sec. 78-128. Enforcement and termination of service.

(a) *Cease discharge.* The city or superintendent may issue an order to cease and desist if it is determined that a discharge of wastes has been taking place, or threatens to take

place in violation of prohibitions or limitations of this article, or provisions of the discharge permit, and direct those persons not complying, to comply immediately or comply in accordance with a time schedule provided by the superintendent, or to take appropriate or remedial preventative action in the event of threatened violation.

(b) *Corrective schedule.* If it is determined that a discharge of wastes has been occurring or threatens to occur, in violation of this article or the provisions of the discharge permit, the city or the superintendent may require the user to submit for approval by the city or the superintendent, with such modifications considered necessary, a detailed time schedule of corrective and/or preventative action.

(c) *Permit revocation.* The city manager or city council may revoke any discharge permit or terminate, or cause to be terminated, wastewater service to any person or industry, if a violation of this article is found to endanger the environment or threatens to interfere with the operation of the sewer system and shall be effective immediately upon written notification by the city or the superintendent.

(d) *Show cause hearing.* Where the violation of this article is not corrected by timely compliance, the city council may order the user to show cause before the city council, or its duly authorized representative, why the proposed service termination should not be taken. A written notice shall be served on the discharger by personal service, certified or registered mail, return receipt requested, specifying the time, place and date of a hearing to be held by the council or its designee regarding the violation; the reasons why the enforcement action is to be taken; the proposed enforcement action; and directing the discharger to show cause before the council why the enforcement action should not be taken. The notice of hearing shall be served no less than ten days before the hearing. The proceedings at the hearing shall be considered by the council which shall then enter appropriate orders with respect to the alleged improper activities of the discharger. Appeal of such orders may be taken by the discharger in accordance with applicable local or state law.

(e) *Reconstruction.* Any user permit applicant, or permit holder affected by any decision or determination, including cease and desist orders, made by the city or superintendent interpreting or implementing the provisions of this article, or in any permit issued under this article, may file with the city manager a written request for reconsideration within ten days of such decision, action or determination, setting forth in detail the facts supporting the user's request for reconsideration. The city manager, after consultation with the superintendent, shall make a ruling on the appeal within ten days.

(f) *Compliance orders.* When the superintendent finds that a user has violated or continues to violate any provisions of this article, discharge permit or any other pretreatment standard or requirement. The city or superintendent may issue a compliance order to the user to come into compliance within the specified time. If the user does not come into compliance within the time specified. The user's sewer service may be discontinued, unless adequate treatment facilities, devices or other related appurtenances are installed and properly operated.

Compliance orders may also contain other requirements to address the noncompliance including, but not limited to, additional self-monitoring and management practice to minimize the amount of pollutants discharged to the sewer. A compliance order may not extend the deadline for compliance established for a pretreatment standard or requirement, nor does a compliance order relieve the discharger of any liability for violations, including any continuing violations. Issuance of a compliance order shall not be a bar against or be a prerequisite for taking any other action against the user.

(Ord. No. 22K, § 2.94, 7-28-00)

Sec. 78-129. Agreements.

No provision of this article shall be construed as preventing any special agreement or arrangement between the user and the city whereby sewage or waste of unusual strength, volume or character may be accepted by the sewer system for treatment, subject to payment by such user of additional charges as may be reasonable, providing they do not extend to federal categorical pretreatment standards or any federal or state regulations.

(Ord. No. 22K, § 2.95, 7-28-00)

Sec. 78-130. Penalties.

(a) *Assessments.* When a discharge, by any user, of wastes or other material causes an obstruction, damage, unusual operational problems or other impairment to the sewer system, the superintendent may assess a charge against the user's waste service charge.

(b) *Discontinuation of service.* Whenever a discharger of wastes or other material is in violation of the provisions of this article, or otherwise causes or threatens to cause a condition of contamination, pollution or nuisance, the city council may order all discharge into the sewer system stopped by written notice served on any such persons engaged in such activities or causing discharge into the sewer system, and any such person shall forthwith stop such discharge until authorized by the superintendent to proceed otherwise. The user shall have the opportunity to respond to this notification within ten days.

(c) *Injunctive relief.* Any wastes which are discharged into the sewer system in violation of this article will allow the city to seek injunctive relief in the appropriate court.

(d) *Falsification of records.* Any person who violates the provisions of this article or any person who knowingly makes any false statements, representations, records, reports, plans or other documents filed with the city, or knowingly renders inaccurate any monitoring device or method, required under the article, shall be in violation and be subject to a fine not greater than \$1,000.00, confinement in the county jail for not longer than 90 days, or any combination in the discretion of the sentencing judge. Each day in which any such violation continues shall be deemed a separate offense.

(e) *Indemnification of the city.* Any user that discharges wastes in violation of the provisions of this article and causes the city to be penalized or fined by state or

federal governments for such violations shall be charged the cost of the fines imposed against the local unit and such costs shall be added to the user's service charge.

(f) *Enforcement action.* A list of all significant dischargers which were subject of enforcement actions of this article during the previous 12 months, shall be published by the city in the newspaper with the largest circulation in the municipality in which the unit is located, summarizing the enforcement actions taken against the dischargers during the same 12 months, whose violations remained uncorrected 45 days or more after notifications of noncompliance over that 12-month period, or which involve failure to accurately report noncompliance. Remedies for violations of pretreatment standards or requirements are contained in 40 CFR 403.8(f)(1)(vi). This provision requires the POTWs to have the authority to seek or assess civil or criminal penalties of at least \$1,000.00 a day, plus legal fees, for each violation by IUs of pretreatment standards and requirements.

(Ord. No. 22K, § 2.96, 7-28-00)

(g) *Municipal civil infraction and fines.* A person who violates any provision of this article shall be responsible for a municipal civil infraction, subject to payment of a civil fine of not less than \$1,000.00 and not more than \$10,000.00, plus costs and other sanctions for the first violation. In addition to the civil fine provided in this division, the city shall also cover its costs, including all direct and indirect expenses to which the city has been put in connection with this violation.

A violator of this division shall also be subject to such additional sanctions, remedies and judicial orders as are authorized under state law.

(h) *Repeat offenses.* Repeat offenses under this division shall be subject to increased fines as provided in this section, below. As used in this section, "repeat offenses," means a second (or any subsequent) violation of the same requirement or provision of this division for which the person admits responsibility or is determined to be responsible. The increased fine for a repeat offense under this division shall be as follow:

(1) The fine for any offense, which is a first, repeat offense, shall be \$2,500.00, plus costs.

(2) The fine for any offense, which is a second repeat offense, or any subsequent repeat offense, shall be \$5,000.00 each, plus costs.

(i) *Separate violation.* Each day that a violation under this article continues to exist shall be considered a separate violation subject to the penalties hereinafter set forth.

(j) *Threat to health, safety and welfare of the community.* If the superintendent determines that situation causes or will cause an immediate, imminent and/or impending threat to health, safety and welfare of the community, or if the condition which causes the violation of this article is not corrected within 90 days of the first notice of violation, the city may proceed to abate, remediate or otherwise eliminate the offending condition

and may assess all cost incurred by the city, including attorney's fees and other costs, against the real property. The city shall have a lien for costs, which it incurs against the real property on which the offending condition existed. This lien for costs shall be collected and treated in the same matter as provided for property tax liens under the general property tax act, Public Act 206 of the Michigan Public Acts of 1983, as amended, being Section 211.1 et seq. of Michigan Compiled Laws.

(k) *Civil judgment.* In addition to other remedies under this article, the city may bring an action against the owner of the property on which the offending condition existed for the full costs incurred by the city in cleaning up and abating the offending condition. In such action, the city shall be entitled to recover its costs of suit, together with its reasonable attorney fees.

(Ord. No. 22K, § 2.98, 7-28-00)

(l) *Reporting requirements for permittee.* Within 90 days following the date for final compliance by the discharger with applicable pretreatment standards set forth in this article or 90 days following commencement of the introduction of wastewater into the treatment system by a new discharger, any discharger subject to this article shall submit to the city a report indicating the nature and concentration of all prohibited or regulated substances contained in its discharge and the average maximum daily flow in gallons. The report shall show that 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 statement shall be signed by an authorized representative of the discharger and certified to by a qualified engineer.

(m) *Analytical requirements.* All pollutant analysis including sampling techniques that are submitted as part of a discharge permit application or report, shall be performed in accordance with techniques as described in 40CFR part 136, unless otherwise specified in an applicable categorical pretreatment standard. If 40 CFR part 136 does not contain sampling or analytical techniques for the pollutant in question, sampling and analysis must be performed in accordance with procedures approved by the POTW.

(n) *Sample collection.* Except as indicated below, the user must collect samples using flow proportional composite collection techniques. The superintendent may authorize the use of time proportional sampling or a minimum of four (4) grab samples where the user demonstrates that this will provide a representative sample of the effluent being sampled. In addition, grab samples may be required to show compliance with instantaneous discharge limits. Samples for oil and grease, temperature, pH, cyanide, phenols, sulfides, and volatile organic compounds must be collected using grab sample techniques.

(o) *Noncompliance process report.* Where additional pretreatment and/or operation and maintenance activities will be required to comply with this article, the discharger shall provide a declaration of the shortest schedule by which the discharger will provide such additional pretreatment and/or implementation of additional operational and maintenance activities.

(1) *Milestones.* The schedule shall contain milestone dates for commencement and completion of major events leading to the construction and operation of additional pretreatment required for the discharger to comply with the requirements of this article, including, but not limited to, hiring an engineer, hiring the other appropriate personnel, completing preliminary plans, executing contracts for major components, commencing construction and all other major acts necessary to achieve compliance with this article.

(2) *Time increments.* Under no circumstances shall the city permit a time increment for any single step directed toward compliance which exceeds nine months.

(3) *Progress reports.* Not later than 14 days following each milestone date in the schedule and the final date of compliance, the discharger shall submit a progress report to the city, including no less than a statement as to whether or not it complied with the increment of progress represented by the milestone date and, if not, the date on which it expects to comply with this increment of progress, the reason for the delay, and the steps being taken by the discharger to return to the approved schedule. In no event shall more than nine months elapse between such progress reports to the city.

(Ord. No. 22K, § 2.97, 7-28-00)

Sec. 78-131. Operations upset.

(a) *Upset reports.* Any discharger who experiences an upset in operations which places the discharger in a temporary state of noncompliance with this article shall inform the city thereof within 24 hours of the first awareness of the commencement of the upset. Where such information is given orally, a written follow-up report shall be filed by the discharger with the city within five days. The report shall specify:

(1) Description of the upset, the cause thereof, and the upset's impact upon the discharger's compliance status.

(2) Duration of noncompliance, including exact dates and times of noncompliance, and if the noncompliance continues, the time by which compliance is reasonably expected to occur.

(3) All steps taken to reduce, eliminate, and prevent recurrence of such an upset or other conditions of noncompliance.

(b) *Upset a defense.* A documented and verified bona fide operating upset shall be an affirmative defense to any enforcement action brought by the city against a discharger for any noncompliance with the article which rises out of violations alleged to have occurred during the period of the upset.

(Ord. No. 22K, § 3.00, 7-28-00)

Sec. 78-132. Records retention.

All dischargers subject to this article shall retain and preserve for no less than three

years, any records, books, documents, memoranda, reports, correspondence and any and all summaries thereof relating to monitoring, sampling and chemical analysis made by or in behalf of a discharger in connection with its discharge. All records which pertain to matters which are subject of administrative adjustment or any other enforcement or litigation activities pursuant hereto shall be retained and preserved by the discharger until all enforcement activities have concluded and all periods of limitation with respect to any and all appeals have expired. (Ord. No. 22K, § 3.02, 7-28-00)

Sec. 78-133--78-155. Reserved.

Division 3. SEWER AND CONNECTIONS

Sec. 78-156. Connection required.

The owners of all houses, buildings, or properties used for human occupancy, employment, recreation or other purposes, and from which sanitary sewage originates and which are situated within the city and which are not more than 200 feet from an available sewer, are hereby required at the owners expense to install wastewater facilities therein in accordance with law and to connect such facilities directly with the available public sewer in acceptance with the provisions of this article within 90 days after notification from the city. (Ord. No. 22K, § 2.82(1), 7-28-00)

Sec. 78-157. Other laws.

The requirements of section 78-156 shall be in addition to any requirements that may be imposed by the United States, the state, the county or the city. (Ord. No. 22K, § 2.82(2), 7-28-00)

Sec. 78-158. Engineering.

Plans and specifications for all public sewers to be constructed within the local unit shall be prepared by a registered professional engineer and approved by the local unit and director. (Ord. No. 22K, § 2.82(3), 7-28-00)

Sec. 78-159. Construction permits.

Each new sewer for which a sewer stub is not presently available but which is designed and constructed so as to connect with or constitute an integral part of the sewer system shall not be constructed without a written permit issued by the local unit and approved by the director. (Ord. No. 22K, § 2.82(4), 7-28-00)

Sec. 78-160. Connection permits required.

No person shall uncover, make any connections or opening into, use, alter, or disturb any public sewer or appurtenance thereof, including sewer stub, wye branch, and sewer main, without first obtaining a written permit from the city which shall be approved by the director. (Ord. No. 22K, § 2.82(5), 7-28-00)

Sec. 78-161. Fees set by council.

All permit fees and inspection fees shall be established from time to time by resolution of the local unit.

(Ord. No. 22K, § 2.82(6), 7-28-00)

Sec. 78-162. Construction procedures.

No openings shall be made in the sewer system without first obtaining a connection permit on the application form furnished by the city. All applications for a permit shall be made by the owner of the premises or the owner's authorized agent. Each application for a permit shall be accompanied by an application and inspection fee to defray the cost of processing the application and subsequent inspection of the construction or installation. All inspections shall be done in conformance with regulations as adopted by the city and approved by the director. Should conditions require more than one inspection or should a full-time inspector is required, an additional inspection fee will be charged. The removal of the cookie or stopper and connection to the sewer system shall be performed only in the immediate presence of the city inspector or his authorized representative. It shall be unlawful for any person laying a sewer stub or building lead to cover any portion thereof until such time as same has been inspected and approved by the city inspector or his authorized agent. Such person shall give the city notice when the work is ready for inspection and shall leave the premises in a condition convenient for examination by the inspector. The person that applies for the permit shall be responsible to remove and replace all rejected work, restore all public streets and alleys to a similar condition as existed prior to excavation, and shall make adjustments necessary to fully meet the requirements of this article, other rules and regulations hereafter established and the conditions of the permit, to the reasonable satisfaction of the director.

(Ord. No. 22K, § 2.82(7), 7-28-00)

Sec. 78-163. Maintenance cost.

All costs and expenses incidental to the installation, connection, and maintenance, including inspection of the sewer stub and building lead, 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, connection, and maintenance of the sewer stub and building lead. If a maintenance problem develops and it is determined, after inspection, that the sewer stub is damaged, the cost of uncovering and repairing the sewer stub shall be the cost of the city. If it is discovered after the inspection that the problem is with the building lead or connection between the building lead and sewer stub, including roots that have entered the sewer stub through said connection, the cost of uncovering, repairing and incidental restoration shall be the cost of the owner.

(Ord. No. 22K, § 2.82(8), 7-28-00)

Sec. 78-164. Building sewers and building leads; use of old sewers.

A separate and independent building sewer shall be provided for every building except where one building stands at the rear of another on an interior lot, and no building sewer is available or can be constructed to the rear building through an adjoining alley, courtyard, or driveway.

The front building may extend a sanitary sewer to the rear building, and the whole may be considered as one building sewer after approval by the city. Old building leads and sewer stubs may be used in connection with the new buildings only when they are found, after examination and test, to meet all requirements of this article.
(Ord. No. 22K, § 2.82(9), 7-28-00)

Sec. 78-165. Sewer elevation.

Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any soil pipe is too low to permit gravity flow to the public sewer, wastewater carried by such soil pipe shall be lifted by approved means and discharge to the building sewer. All excavations required for the installation of a sewer shall be open trench unless otherwise approved. Pipe laying, bedding and backfill shall not be placed until the work has been inspected and approved.
((Ord. No. 22K, § 2.82(10), 7-28-00)

Sec. 78-166. Connection of surface runoff to sewer.

No person shall make connection of roof downspouts, footing drains, areaway drains, sump pumps, or other sources of surface runoffs or groundwater and other sources of uncontaminated water to a sewer stub or building lead which is in turn is connected directly to a public sewer. Refer to the City of Vassar's, Sanitary Sewer Inflow and Infiltration Reduction Ordinance.
(Ord. No. 22K, § 2.82(11), 7-28-00)

Sec. 78-167. Guarding of excavations; restoration of public property.

All excavations for the wye branch or sewer shall be adequately guarded with barricades and lights so as to protect the public from hazard, and shall be in conformance with the latest edition of the Michigan Manual of Uniform Traffic Control Devices. Streets, sidewalks, parkways and other public property disturbed in the course of the construction shall be restored to the same or better condition than prior to excavation, by the party responsible for the damage.
(Ord. No. 22K, § 2.82(12), 7-28-00)

Sec. 78-168. Pipe and fittings.

The type and quality of sanitary sewer pipe and fittings used shall conform to the current specifications of the city at time the permit is issued, and/or shall be approved by the director.
(Ord. No. 22K, § 2.82(13), 7-28-00)

Sec. 78-169. Construction specifications.

All sewer connections, backfilling of trench, protection of existing structures and replacement of a site to its original conditions, and other items connected therewith, shall be done in full accordance with city specifications.

The use and construction of sewer connections shall be in accordance with the rules and regulations of the state plumbing code, insofar as they apply.
(Ord. No. 22K, § 2.82(14), 7-28-00)

Sec. 78-170. Backfill and paving.

Backfill must be 100 percent sand, compacted to city specifications. Gravel base and pavement shall correspond to existing materials, except when, in the opinion of the director, additional strength is required. In no case shall removed materials be used as backfill.
(Ord. No. 22K, § 2.82(15), 7-28-00)

Secs. 78-171--78-190. Reserved.

DIVISION 4. SEWER EXTENSIONS

Sec. 78-191. Plans.

Plans and specifications for all sewer main extensions shall be prepared by a registered professional engineer and approved by the local unit.
(Ord. No. 22K, § 2.83(1), 7-28-00)

Sec. 78-192. Connections at wye.

All sewer stubs and building leads shall be made at the wye branch in the sewer main designated for the property if such branch is available. Any connection not made at the designated wye branch in the sewer main shall be made only as directed by the inspector and the director.
(Ord. No. 22K, § 2.83(2), 7-28-00)

Sec. 78-193. Testing.

It shall be unlawful to connect any sanitary sewer to the existing sewer system until it has been tested. Copies of the test results and procedures shall be kept on file for inspection.
(Ord. No. 22K, § 2.83(3), 7-28-00)

Sec. 78-194. Downstream capacity.

No sewer extension shall be allowed unless there is capacity available in all downstream sewers, lift stations, force mains and the wastewater treatment plant, including capacity for BOD and suspended solids.
(Ord. No. 22K, § 2.83(4), 7-28-00)

Sec. 78-195. City to provide wye.

The city shall construct a public sewer connection from the public sewer to the nearest property line for each house, building or property which by the terms of this article is now or may in the future be required to be connected to the public sewer.
(Ord. No. 22K, § 2.83(5), 7-28-00)

Secs. 78-196—78-215. Reserved.

DIVISION 5. USE OF PUBLIC SEWERS

Sec. 78-216. Prohibited discharges.

(a) Except as provided in this section, no person shall discharge, permit to be discharged or cause to be discharged any of the following described waters or wastes, directly or indirectly, to any public sewer.

(1) *Volatiles*. Gasoline, benzene, naphtha, fuel oil, or other explosive liquid, solid or gas.

(2) *Acidity*. Waters having a pH lower than 6.5 or higher than 9.5 or having any other corrosive property capable of causing damage to structures, equipment, treatment processes or personnel of the sewer system.

(3) *Temperature*. Any water or wastes having a temperature higher than 104 degrees Fahrenheit.

(4) *Obstructions*. Solids or viscous substances in such quantities or of such size capable of causing obstruction to the flow sewers, or other interference with the proper operation of the sewer system, such as, but not limited to, stone gravel, ashes, cinders, sand, concrete, paving material, mud, straw, sticks, plaster, cement, mortar, shavings, metal, glass, rags, feathers, plastics, wood, brewery mash, whole blood, paunch manure, hair, and fleshings, entrails, paper dishes, cups, milk containers, or any other substances detrimental to the sewers or to the operation of the sewer system.

(5) *Garbage*. Garbage that has not been properly shredded.

(6) *Viscous materials*. Any water or wastes which may contain more than 100 milligrams per liter of fats, waxes, oils or greases.

(7) *Holding tanks and septic tank sludge*. Contents of septic, vehicular or marine holding tanks or other similar facilities, except at the location designated in the confines of the treatment plant and under the conditions and provisions established by the superintendent.

(8) *Radioactive materials*. Radioactive wastes or isotopes of such half-life or concentration that they are in noncompliance with the regulations issued by the appropriate authority having control over their use and which will or may cause damage or hazards to sewer system or personnel operating the treatment plant.

(9) *Slugs*. Quantities of flow, concentrations, or both, which constitute a slug.

(10) *Other materials*. Substances which either alone or by interaction with other waters or wastes:

a. Solidify or become viscous in the sewer system.

b. Release malodorous, noxious, or toxic substances.

c. Cause excessive discoloration such as, but not limited to, dye wastes and vegetable tanning solutions.

d. Exert or cause high concentrations of suspended solids such as, but not limited to, lime slurs, diatomaceous earth and lime residues.

e. Exert or cause high concentrations of dissolved solids such as, but not limited to, sodium chloride.

f. Cause or exert COD that would increase operational expense or treatment problems.

g. Cause high chlorine demand such as, but not limited to, nitrite, cyanide, thiothiocyanate, sulfite and thiosulfate.

h. Results in water or waste materials containing toxic or poisonous substances that tend to damage or interfere with any sewage treatment process or that may constitute a hazard to any person, animal, fish or aquatic life or that may tend to be a hazard in the receiving waters of the treatment plant.

(11) *Incompatible pollutants*. Incompatible pollutants in excess of the allowed limits as determined by the county, local, state, and/or federal laws and regulations as determined and amended, referred to as effluent guidelines developed by the Environmental Protection Agency, or as modified by state or county regulations.

(12) *Pretreatment waste*. Any sludge, precipitate or waste resulting from any industrial or commercial treatment, or pretreatment of any person's wastewater or air pollutants.

(13) *Unusual wastes*. Any waters or wastes of such character and quantity that unusual attention or expense is required to handle them in the sewer system.

(14) *Excessive pollutants.* Wastewaters containing in excess of the following:

a. The allowable limits, as determined by the EPA, for any incompatible pollutant; or

b. For the following specified pollutants, the following amounts:

Biochemical Oxygen Demand	300 mg/l	
Suspended Solids	300 mg/l	
Phosphorus (T)	15 mg/l	
Ammonia Nitrogen	15 mg/l	
Oil and Grease	55 mg/l	mass limitations
Copper	0.7168 mg/l	0.0885 lbs/day
Lead	1.004 mg/l	0.124 lbs/day
Nickel	3.199 mg/l	0.3949 lbs/day
Cyanide	0.028 mg/l	0.004 lbs/day
Cadmium	0.0773 mg/l	0.0095 lbs/day
Silver	0.009 mg/l	0.0001 lbs/day
Chromium (T)	4.29 mg/l	0.53 lbs/day
Zinc	8.126 mg/l	1.0031 lbs/day
Arsenic	2.046 mg/l	0.2526 lbs/day
Mercury	non-detect mg/l	0.0 lbs/day
Mercury analysis US EPA method 245.1	detection limits shall not exceed 0.2 UG/L	

(b) Calculation of equivalent mass and concentration limits (40CFR 403.6(c) (2) and 40 CFR 403.6(c) (5)) and/or the treatment works may convert mass per unit of production limits to equivalent mass per day or concentration limits, and they may be deemed pretreatment standards which industrial users will be required to comply within in lieu of the promulgated standards.

(Ord. No. 22K, § 2.85, 7-28-00)

Sec. 78-217. Limitation on wastewater strength.

(a) *National requirements.* National categorical pretreatment standards as promulgated by the United States Environmental Protection Agency (EPA) pursuant to the act shall be met by all discharges of the regulated industrial categories. An application for modification of the national categorical pretreatment standards may be considered for submittal to the regional administrator by the city, when the city's wastewater treatment system achieves consistent removal of the pollutants, as defined by 40CFR 403.7.

(b) *State requirements.* State requirements and limitations on discharges to the treatment plant shall be met by all dischargers which are subject to such standards in any instance in which they are more stringent than federal requirements and limitations or those in this article, or any other applicable ordinance.

(c) *Right of revision of article.* The city reserves the right to amend this article to provide for more stringent limitations or regulations on discharges to the treatment system where deemed necessary to comply with the objectives set forth in this article.

(d) *Dilution.* No discharger shall increase the use of potable water or process 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 the objectives set forth in this article.

(e) *Accidental discharges.* Each discharger shall provide protection from accidental discharge of prohibited or regulated materials or substances established by this article. Where judged necessary by the superintendent, 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 by the city before construction of facility begins. Each existing discharger shall complete and submit to the city review and approval of such plans and operating procedures by the city and shall not relieve the discharger from responsibility to modify its facility as necessary to meet the requirement to meet the requirements of this article.

(f) *Notification of city.* Dischargers shall notify the city immediately upon the occurrence of a slugload or accidental discharge of substances prohibited by this article. The notification shall include location of the discharge, the date, and the time, type of waste, concentration and volume, and corrective actions. Any dischargers who discharge a slugload of prohibited materials shall be liable for any expense, loss, damage to the POTW, in addition to the amount of any fines imposed on the city under state and federal law.

(g) *Procedure posting.* Signs shall be permanently posted in conspicuous places on the discharger's premises, advising employees whom to call in the event of a slug or accidental discharge. Employers shall instruct all employees who may cause such a discharge or discover such a discharge as to the emergency notification procedure.

(Ord. No. 22K, § 2.86, 7-28-00)

Sec. 78-218. Limitation on discharge.

(a) *Quantitative limitations.* Quantitative limitations of discharge may be placed on BOD, suspended solids, phosphorus, and fecal coliform bacteria. Rates of discharge shall be controlled at the sources to prevent slugs from entering the system. The pH of wastes entering the sewer system shall be within the limits specified in section 78-216(2).

(b) *Incompatible pollutants.* Persons discharging incompatible pollutants, other than those constituents described in section 78-216 which are strictly prohibited from being discharged into the sewer system, shall comply with section 307 of the Act and related regulations by reducing to a level suitable for treatment of any such pollutant which interferes with, passes through or is otherwise incompatible with the treatment process.

(c) *Toxics*. All persons discharging or proposing to discharge any toxic pollutant as defined by Section 307 (a) (1) of the Act, shall apply for permission from the superintendent.

(d) *Dilution*. Attainment of allowed concentrations by dilution will not be allowed as a manner to meet discharge standards.

(Ord. No. 22K, § 2.87, 7-28-00)

Secs. 78-219--78-240. Reserved.

DIVISION 6. PROTECTION FROM DAMAGE

Sec.78-241. Grease, oil, sand and sediment traps or bar screens.

(a) *Traps specifications*. Trap specifications shall be provided when, in the determination of the superintendent, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, sediment and other harmful ingredients; except that such traps shall not be required for private living quarters or dwelling units. All traps shall be located so as to be readily and easily accessible for cleaning and inspection. All traps shall be of a type and capacity approved by the superintendent. Grease and oil traps shall be constructed of impervious material capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight and equipped with easily removable covers when bolted in place. They shall be gastight and watertight.

(b) *Owner's expense*. Where installed, all grease, oil, sand and sediment traps and bar screens shall be provided by the owner at his expense and maintained for efficient operation at all times.

(c) *Bar screens*. Bar screens shall be provided when, in the determination of the superintendent, they are necessary for the proper removal of rags, plastics, paper products or other materials which may enter the sewage system and cause blockage.

(Ord. No. 22K, § 2.84, 7-28-00)

Sec. 78-242. Control of toxic material.

All storage of toxic materials in any area or building shall be contained in such a manner that none of the materials spill or otherwise get into the sewer system in any manner.

(Ord. No. 22K, § 2.88, 7-28-00)

Sec. 78-243. Pretreatment.

(a) *Required*. Users shall make wastewater acceptable under the standards established in this section and within the allowances of the discharge permit as required before discharging to the sewer system. All pretreatment costs to the acceptable level and monitoring and enforcement expenses of the city shall be at the owner's expense.

Detailed plans showing the facilities and operating procedures and effluent characteristics shall be submitted to the superintendent for review and approval before the construction of the facility. The approval of such plans and procedures will in no way relieve such persons from the responsibility of modifying the facility, if necessary, to produce an acceptable effluent. Any changes in the approved facilities or method of operation shall be reviewed prior to use by the superintendent. Any person to which pretreatment standards are applicable shall be in compliance with such standards.

(b) *Effluent limitations.* The city is required to meet certain effluent limitations under federal and state regulations, as established and amended. The admission into the sewer system, directly or indirectly, of any wastes or waters exceeding the limits listed in this subsection is subject to review and approval by the superintendent to meet state and federal regulations:

- (1) A five-day BOD greater than 300 milligrams per liter.
- (2) Suspended solids greater than 300 milligrams per liter.
- (3) An average daily flow exceeding two percent of the total average flow of the sewer system.
- (4) A total phosphorus quantity greater than fifteen milligrams per liter.
- (5) Any toxic substance that will interfere with the biological aspects of operation or will pass through the plant to adversely affect the receiving waters.
- (6) Any metals that will affect the proper treatment and disposal of wastes at the POTW.

(c) *Surcharges.* Effluent limitations in excess of those set forth in subsection (b) of this section shall be surcharged to the user at the following rates:

- | | |
|--|------------------------|
| (1) Per pound of BOD, \$0.0556. | Max. allowed 500 mg/l |
| (2) Per pound of suspended solids, \$0.0436. | Max. allowed 3500 mg/l |
| (3) Per pound of phosphorus, \$1.5485. | Max. allowed 20 mg/l |

Such surcharge shall be in addition to any other sewer use charges.

(d) *Pretreatment standards.* If determined necessary by the superintendent, the owner shall provide the necessary pretreatment or curtailment to stay within the limitations of this section. Nothing in this article shall prohibit the superintendent from requiring the lower constituent amount if it is determined necessary for the protection of the sewer system. If the limitations of this section are exceeded, then the user will be required to pay additional costs if it is determined by the superintendent that additional treatment expenses have been incurred.

(Ord. No. 22K, § 2.89, 7-28-00)

Sec. 78-244. Control manholes and monitoring facilities.

(a) *Installation of equipment.* When the superintendent has determined that it is necessary to ascertain the character of the water or wastewater, industrial wastes and other substances discharged to the sewer system, or whether such discharges violates any provision of this article, or whether preliminary treatment of water or wastewater is required or provided, the user of such property served by the sewer system shall install approved control manholes on the building lead to allow observations, sampling, and measuring of all substances discharged therein. The cost of all manholes and all equipment determined to be necessary by the superintendent to be necessary for sampling and metering and all installation and operation of the sampling and metering equipment shall be at the expense of the user.

(b) *Manhole location.* All control manholes shall be located on the user's property within ten feet of the property line, or as otherwise approved by the local unit and the superintendent. The control manholes shall be constructed on the building lead. If the property is fenced, a gate shall be constructed at the manhole location with provision for a lock to be provided to the local unit and superintendent. If the user does not want direct access to his property for security or other reasons, he shall at his expense construct a security fence around the control manhole of an area accessible to the local unit and the superintendent. The local unit and the superintendent may approve control manholes in the street right-of-way.

(c) *Facility plans.* The user shall provide acceptable drawings to the local unit and superintendent for their records showing the locations of all building leads and control manholes. The manholes shall be located from both street lines and building lines. The drawings shall show the roadways and access points to the control manholes and any other data considered pertinent to the local unit and the superintendent. Ample space shall be provided around the manholes and shall be maintained free and clear by the owner at all times.

(d) *Inspections.* The city and the superintendent may inspect the facilities of any user to determine whether the purpose of this article is being met and that all wastewater requirements are being complied with. Persons or occupants of premises where wastewater is created or discharged shall allow the local unit and superintendent or his representative ready access at all reasonable times and provisions for emergency entrance to all parts or premises for the propose of inspection or sampling in the performance of their duties. Where a user has security measures in force, which require proper identification and clearance before entry into their business or onto their property, the user shall make necessary arrangement acceptable to the local unit and superintendent with the user's security personnel so that, upon presentation of suitable identification, personnel from the local unit and the superintendent will be permitted to enter without delay for the purpose of carrying out their responsibilities.

(Ord. No. 22K, § 2.91, 7-28-00)

Secs. 78-245--78-247. Reserved.

Sec. 78-248. Ordinances repealed.

Sewer Use Ordinance 22K, adopted on Aug. 27, 1990 and Sewer Use Ordinance 22K, adopted on June 28th 2000 is hereby repealed.
(Ord. No. 22K, § 3.04, 7-28-00)

Sec. 78-249. Invalidity.

If any section, paragraph, clause or provision of this ordinance be held invalid, the invalidity of such section, paragraph, clause or provision shall not effect any other provision of this ordinance.

(Ord. No. 22K, § 3.06, 7-28-00)

Sec. 78-250. Conflict.

In the event of a conflict between a provision of this ordinance and any other ordinance or parts of ordinances, the provisions of this ordinance shall govern.

(Ord. No. 22K, § 3.07, 7-28-00)

Effective date

This ordinance is hereby declared to be necessary for the preservation of the public health and welfare of the people of the City of Vassar and shall take effect on the thirty-first (31st) day after publication in a newspaper of general circulation in the City of Vassar, Michigan.

(Ord. No. 22K, § 3.08, 7-28-00)

Mayor

City Clerk

First reading by City Council
Public Hearing by City Council

Adopted by City Council
Published in the Pioneer Times

Effective Date: