

## CHAPTER 53: SEWER SERVICE

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## **GENERAL PROVISIONS**

### **§ 53.01 DEFINITIONS.**

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

**BIOCHEMICAL OXYGEN DEMAND (BOD).** The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20 degrees Celsius, expressed in milligrams per liter.

**BUILDING DRAIN.** 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.** The extension from the building drain to the public sewer or other place of disposal, also called house connection.

**COMBINED SEWER.** A sewer intended to receive both wastewater and storm or surface water.

**COMMERCIAL USER.** User engaged in purchases for sale of goods; transaction of business or other rendering of service.

**EASEMENT.** An acquired legal right for the specific use of land owned by others.

**EXTRA STRENGTH WASTE.** A waste having either a CBOD<sub>5</sub> concentration greater than 350 mg/l or a suspended solid concentration greater than 350 mg/l or both CBOD<sub>5</sub> and suspended solid concentration greater than 350 mg/l.

**FLOATABLE OIL.** Oil, fat, or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. Wastewater will be considered free of floatable oil if it is properly pretreated and it does not interfere with the collection system.

**GARBAGE.** The animal and vegetable waste resulting from the handling, preparation, cooking, and serving of foods.

### **INDUSTRIAL USERS.**

- (1) As pertaining to the user charge system, those users that discharge wastewater from industrial processes, trades, or businesses as distinct from residential and commercial users.
- (2) As pertaining to the industrial cost recovery system, those users that discharge to

the central point lift station wastewater from industrial processes, trades, or businesses, as distinct from residential and commercial users.

**INDUSTRIAL WASTES.** The wastewater from industrial processes, trades, or businesses, as distinct from domestic or sanitary wastes.

**NATURAL OUTLET.** Any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake, or other body of surface or groundwater.

**PH.** The reciprocal of the logarithm of the hydrogen ion concentration. The concentration is the weight of hydrogen ions, in grams, per liter of solution. Neutral water, for example, has a pH value of 7 and a hydrogen-ion concentration of  $10^{-7}$ .

**PROPERLY SHREDED GARBAGE.** 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.

**PUBLIC SEWER.** A common sewer controlled by a governmental agency of public utility.

**RESIDENTIAL USER.** User whose premises or building is used primarily as domain for one or more persons and where waste originates from normal living activity.

**SANITARY SEWER.** A sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with minor quantities of ground, storm, and surface waters that are not admitted intentionally.

**SEWAGE.** The spent water of a community. The preferred term is **WASTEWATER**.

**SEWER.** A pipe or conduit that carries wastewater or drainage water.

**SLUG.** Any discharge of water or wastewater which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than 15 minutes more than five times the average 24-hour concentration or flows during normal operation and adversely affects the collection system or performance of the wastewater treatment works.

**STORM DRAIN OR STORM SEWER.** A drain or sewer for conveying water, groundwater, subsurface water, or unpolluted water from any source.

**SUSPENDED SOLIDS.** Total suspended matter that either floats on the surface of, or is in suspension in, water, wastewater, or other liquids and that is removable by laboratory filtering as prescribed in "Standard Methods for the Examination of Water and Wastewater" and referred to as non-filterable residue.

**UNPOLLUTED WATER.** Water of quality equal to or better than the effluent criteria in

effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.

**WASTEWATER SUPERVISOR.** The wastewater supervisor of wastewater facilities, wastewater treatment works, and water pollution control of the City or his or her authorized representative.

**WASTEWATER.** The spent water of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any groundwater, surface water, and storm water that may be present.

**WASTEWATER FACILITIES.** The structures, equipment, and processes required to collect, carry away, and treat domestic and industrial wastes and dispose of the effluent.

**WASTEWATER TREATMENT WORKS.** An arrangement of devices and structures for treating wastewater, industrial wastes, and sludge.

**WATERCOURSE.** A natural or artificial channel for the passage of water either continuously or intermittently.

#### **§ 53.02 USE OF PUBLIC SEWERS REQUIRED.**

(A) *Waste deposit.* It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the City or in any area under the jurisdiction of the City any human or animal excrement, garbage, or objectionable waste.

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

(C) *Unlawful facilities.* Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of wastewater.

(D) *Proper sewer connections.* The owner(s) of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes situated within the City and abutting on any street, alley, or right-of-way in which there is located now or may in the future be located a public sanitary or combined sewer of the City is required at the owner's expense to install suitable toilet facilities therein and to connect such facilities directly with the proper public sewer in accordance with the provisions of this Chapter within 90 days after date of official notice to do so, provided that the public sewer is within 100 feet (30.5 meters) of the property line.

### **§ 53.03 PRIVATE WASTEWATER DISPOSAL.**

(A) *Connection to private system.* Where a public sanitary or combined sewer is not available under the provisions of Section 53.02 of this Chapter, the building sewer must be connected to a private wastewater disposal system complying with the provisions of this Chapter. If the owner, resident, or other person in control of a premises objects to the inspection of or entrance to the property by the City in order to ensure that the sewer is connected to a private system, the City may, upon a showing that probable cause exists for the issuance of a valid administrative search warrant from a court of competent jurisdiction, petition and obtain an administrative search warrant before conducting the inspection or otherwise entering the property.

(B) *Application for permit.* Before commencement of construction of a private wastewater disposal system, the owner(s) must first obtain a written permit signed by the Wastewater Supervisor. The application for such permit must be made on a form furnished by the City, which the applicant must also provide any plans, specifications, and other information as are deemed necessary by the Wastewater Supervisor. Permit and inspection fees in amounts established by the City's fee schedule must be paid to the City at the time the application is filed.

(C) *Inspection.* A permit for a private wastewater disposal system will not become effective until the installation is completed to the satisfaction of the Wastewater Supervisor. The Waste Water Supervisor must be allowed to inspect the work at any stage of construction, and, in any event, the applicant for the permit must notify the Waste Water Supervisor when the work is ready for final inspection and before any underground portions are covered. The inspection must be made within 48 hours of the receipt of notice by the Wastewater Supervisor.

(D) *Compliance.* The type, capacities, location, and layout of a private wastewater disposal system must comply with all recommendations of the Minnesota Pollution Control Agency. No permit shall be issued for any private wastewater disposal system employing subsurface soil absorption facilities where the area of the lot is less than 20,000 square feet. No septic tank or cesspool will be permitted to discharge to any natural outlet.

(E) *Public sewer connection when available.* At such time as a public sewer becomes available to a property served by a private wastewater disposal system, as provided in Section 53.02, paragraph (D) of this Chapter, a direct connection in compliance with this Code must be made to the public sewer within 60 days and any septic tanks, cesspools, or similar private wastewater disposal facilities must be cleaned of sludge and filled with suitable material.

(F) *Responsibility of owner.* The owner must operate and maintain the private wastewater disposal facility in a sanitary manner at all times at no expense to the City.

(G) *Additional requirements; other agencies.* No statement contained herein shall be construed to interfere with any additional requirements that may be imposed by the Minnesota Pollution Control Agency.

### **§ 53.04 TAMPERING WITH EQUIPMENT PROHIBITED.**

No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the wastewater facilities.

**§ 53.05 POWERS AND AUTHORITY OF INSPECTORS.**

(A) *Permission to enter.* The Waste Water Supervisor and other duly authorized employees of the City bearing proper credentials and identification must be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing pertinent to discharge to the City waste water system in accordance with the provisions of this Chapter.

(B) *Obtaining information.* The Wastewater Supervisor or other duly authorized employees are authorized to obtain information concerning industrial processes which have a direct bearing on the kind and source of discharge to the wastewater collection system. The owner may withhold information considered confidential. The owner must establish that disclosure to the public of the information in question might result in an advantage to the owner's competitors.

(C) *Safety.* While performing any work on private properties, the Wastewater Supervisor or duly authorized employees of the City must observe all safety rules applicable to the premises established by the owner.

(D) *Easement properties.* The Waste Water Supervisor and other duly authorized employees of the City bearing proper credentials and identification must be permitted to enter all private properties through which the City holds an easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the wastewater facilities lying within the easement area. All entry and subsequent work, if any, within the easement area must be done in full accordance with the terms of the easement.

**§ 53.06 USER CHARGE SYSTEM.**

The City Council will review the user charges annually and revise them periodically in order to reflect actual wastewater treatment works operation and maintenance costs. The user charges will be set forth in the City's fee schedule.

**§ 53.07 ESTABLISHMENT OF CONNECTION CHARGES.**

(A) A connection charge is established for each connection to the City sanitary sewer system that is to be used by the City for the operation, maintenance, and depreciation of the City sanitary sewer system. The amount of the connection charge shall be set by the City's fee schedule. The charge must be paid to the City when obtaining the building permit and prior to the connection to the City's sanitary sewer system. The charge must be paid for every connection to each lot, dwelling unit, commercial and industrial building, or other structure that is connecting to the sanitary sewer system whether the connection is made directly or indirectly.

The connection charge is established and imposed pursuant to Minnesota Statutes Section 444.075 and is in addition to, and not in lieu of, monthly sewer charges or special assessments for the construction of sanitary sewer improvements otherwise imposed and established by the City.

(B) For a property owner who will be charged for five or more connection charges at a single time, the City may, upon receiving a signed petition and waiver agreement from the property owner, levy the charges as a special assessment on the property. The charges will then be collected with the real estate taxes for the property in equal annual installments of principal over a term not to exceed five years with interest on the unpaid balance thereof to be charged at a rate then determined by the City.

### **§ 53.08 RATES.**

(A) Sanitary sewer utility rates shall be established by the City Council and set forth in the City's fee schedule.

(B) All users shall be charged monthly for sewer service according to the respective monthly water meter readings.

(C) The sanitary sewer charge is based on all water used for sanitary and drinking purposes and all other ordinary uses. In special instances where water is used for processing or other operations where residual does not enter the sewer system and the water is metered separately, the sanitary sewer charge will be based only on water consumed for sanitary and drinking and all other ordinary uses. The charge for summer, April through October, residential services will be based on water use during the winter months of January, February, and March average use. If there is no water use during those months, those months will be deleted from the average.

(D) All sanitary sewer utility accounts must be carried in the name of the property owner, regardless of whether the property owner is occupying the property. In the event that a tenant is occupying the property, the tenant may be added to the sanitary sewer utility account and may pay for the sanitary sewer service, but in the event that the tenant does not pay the charges, any outstanding charges will be the responsibility of the property owner. Any sanitary sewer service charges may be certified by the City to the county auditor with taxes against the property served for collection as other taxes are collected in accordance with Minnesota Statutes 444.07, subdivision 3e.

### **§ 53.09 CONSTRUCTION REQUIREMENTS.**

All connections to the public sanitary sewer shall be made with iron, vitrified stoneware or transite pipe and have an internal diameter of four inches. No sewer pipe connection to any public sanitary sewer shall have a fall of less than one-fourth inch to the foot. All pipes shall be inspected by the Wastewater Supervisor before they are laid from the public sewer or water system to the street line. The pipe shall in no instance be covered until it has been inspected and approved by the Wastewater Supervisor. The requirements of this Code regulating excavations

in public streets are to be complied with in regard to excavating for sewer and water lines.

### ***BUILDING SEWERS AND CONNECTIONS***

#### **§ 53.25 PERMIT REQUIRED.**

No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenances thereof unless he or she is a licensed plumber and he or she has obtained a written connection permit from the City and has paid any applicable fees as set by the City fee schedule.

#### **§ 53.26 TYPES OF PERMITS.**

There shall be two classes of building sewer permits: for residential and commercial service; and for service to establishments producing industrial wastes. In either case, the owner or the owner's representative shall make application on a special form furnished by the City.

#### **§ 53.27 INSTALLATION COSTS.**

All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner. The owner shall agree to indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

#### **§ 53.28 SEPARATE SEWER FOR EVERY BUILDING.**

A separate and independent building sewer must be provided for every building, except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the front building sewer may be extended to the rear building and the whole considered as one building sewer. No obligation or responsibility shall be assumed by the City for damage caused by or resulting from this type of connection.

#### **§ 53.29 OLD SEWERS.**

Old building sewers may be used in connection with new buildings only when they are found on examination and test by the Wastewater Supervisor to meet all requirements of this Code.

#### **§ 53.30 CONFORMANCE TO BUILDING AND PLUMBING CODE.**

The size, slope, alignment, materials of construction of a building sewer and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench shall all conform to the requirements of the Minnesota Building and Plumbing Codes and any applicable City requirements. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the most current ASTM and WPCF Manual of Practice No. 9 shall apply.

**§ 53.31 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 building drain is too low to permit gravity flow to the public sanitary sewer, sanitary sewage carried by the building drain must be lifted by an approved means and discharged to the building sewer.

**§ 53.32 SURFACE RUNOFF OR GROUNDWATER.**

No person shall make connection of roof downspouts, foundation drains, areaway drains or other sources of surface runoff or groundwater to a building sewer or indirectly to a public sanitary sewer unless such connection is approved by the Waste Water Supervisor for purposes of disposal of polluted surface drainage.

**§ 53.33 PUBLIC SANITARY SEWER CONNECTION PROCEDURES.**

The connection of the building sewer into the public sanitary sewer shall conform to the requirements of the Minnesota Building and Plumbing Codes and other applicable rules and regulations of the City or the procedures set forth in appropriate specifications of the most current ASTM and the WPCF Manual of Practice. All such connections shall be made gastight and watertight and verified by proper testing. Any deviation from the prescribed procedures and materials must be approved by the Wastewater Supervisor before installation.

**§ 53.34 INSPECTION.**

The applicant for the building sewer permit shall notify the Wastewater Supervisor when the building sewer is ready for inspection and connection to the public sewer. The connection and testing shall be made under the supervision of the Wastewater Supervisor.

**§ 53.35 PUBLIC PROTECTION FROM HAZARD.**

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

***USE OF PUBLIC SEWERS***

**§ 53.50 WATER DISCHARGE; RUN-OFF; DRAINAGE.**

No person shall discharge or cause to be discharged any unpolluted waters such as storm water, groundwater, roof run-off, subsurface drainage or cooling water to any sanitary sewer, except storm water run-off from limited areas in cases where the storm water run-off may be polluted and permission of the Waste Water Supervisor is received.

**§ 53.51 SPECIAL DESIGNATED SEWERS.**

Storm water other than that exempted under Section 53.50 of this Chapter and all other unpolluted drainage must be discharged to such sewers as are specifically designated as combined sewers or storm sewers or to a natural outlet approved by the Waste Water Supervisor and other regulatory agencies. Unpolluted industrial cooling water or process waters may be discharged, on approval of the Wastewater Supervisor, to a storm sewer, combined sewer, or natural outlet.

### **§ 53.52 FORBIDDEN DISCHARGES OF WATER OR WASTES TO PUBLIC SEWER.**

No person(s) shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

(A) Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas;

(B) Any water containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, that interferes with any waste treatment process, that constitutes a hazard to humans or animals, that creates a public nuisance or creates any hazard in the receiving waters of the wastewater treatment plant;

(C) Any water or waste having a pH lower than 5.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the wastewater works;

(D) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers or other interference with the proper operation of the wastewater facilities such as, but not limited to, ashes, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshing, entrails and paper dishes, cups, milk containers and the like, either whole or ground by garbage grinders.

(E) There is hereby incorporated by reference, to the extent not inconsistent with the other provisions of this Section, as forbidden discharges of water or wastes to the public sewer, those general discharge prohibitions provided for in Section 54.20 of this Chapter.

### **§ 53.53 LIMITED DISCHARGES.**

(A) The following described substances, materials, water, or waste shall be limited in discharges to municipal systems to concentrations or quantities which will not harm either the sewers, wastewater treatment process, or equipment, will not have an adverse effect on the receiving stream or will not otherwise endanger lives, limb, public property, or constitute a nuisance. The Wastewater Supervisor may set limitations lower than limitations established in the provisions set forth below if in his or her opinion such more severe limitations are necessary to meet the above objectives. In forming his or her opinion as to the acceptability, the Waste Water Supervisor will give consideration to such factors as the quantity of subject waste in

reaction to flows and velocities in the sewers, materials of construction of the sewers, the wastewater treatment plant, and other pertinent factors.

(B) The following described substances, materials, water, and waste require the approval of the Wastewater Supervisor:

- (1) Wastewater having a temperature higher than 150° Fahrenheit (65° Celsius);
- (2) Wastewater containing more than 25 milligrams per liter of petroleum oil, non-biodegradable cutting oils or product of mineral oil origin;
- (3) Wastewater from industrial plants and commercial establishments containing floatable oils, fat, or grease;
- (4) Any garbage that has not been properly shredded (see Section 53.01 of this Chapter). Garbage disposals may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments, or similar places where garbage originates from the preparation of food in kitchens for the purposes of consumption on the premises or when served by caterers;
- (5) Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances to such degree that any such material received in the composite wastewater at the wastewater treatment works exceeds the limits established by the Waste Water Supervisor for such materials;
- (6) Any waters or wastes containing odor producing substances exceeding limits which may be established by the Wastewater Supervisor;
- (7) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Wastewater Supervisor in compliance with applicable state or federal regulations;
- (8) Quantities of flow, concentrations or both which constitute a slug, as defined herein;
- (9) Waters or wastes containing substances which are not amendable to treatment or reduction by the wastewater treatment processes employed or are amendable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters; and
- (10) Any water or wastes which, by interaction with other water or wastes in the public sewer system, release obnoxious gases, form suspended solids which interfere with the collection system or create a condition deleterious to

structures and treatment processes.

**§ 53.54 CITY COUNCIL POWERS.**

(A) If any water or wastes are discharged or are proposed to be discharged to the public sanitary sewer, which water or waste contains the substances or possess the characteristics enumerated in Section 53.53 of this Chapter, and which in the judgment of the Waste Water Supervisor may have a deleterious effect upon the wastewater facilities, processes, equipment, or receiving waters or which otherwise create a hazard to life or constitute a public nuisance, the City Council, upon review and recommendation by the Utility Board may:

- (1) Reject the wastes;
- (2) Require pretreatment to an acceptable condition for discharge to the public sanitary sewer;
- (3) Require control over the quantities and rates of discharge; or
- (4) Require payment to cover added costs of handling and treating the water or waste not covered by existing taxes or sewer charges.

(B) *Industrial users:* Industrial users that discharge an extra strength waste will be subject to a surcharge for handling and treating the extra strength waste. The amount of the surcharge and the formula for calculating the surcharge shall be as set forth in the City's fee schedule.

(C) Negative values will not be credited against the billing. Establishments not providing automatic waste monitoring equipment will be assessed on the basis of BOD and suspended solids as determined by analysis of a 24-hour composite sample collected annually by the Wastewater Supervisor. The waste producer may be required to provide a suitable point for metering and sample collection and shall cooperate in every way with the Wastewater Supervisor. Where it is not feasible to obtain a single representative sample, the Wastewater Supervisor may compute a theoretical waste strength based upon similar establishments. Where it is evident that a constituent of the waste significantly inhibits the standard analysis for BOD, the charges may be assessed on the basis of the T.O.C. analysis.

**§ 53.55 GREASE, OIL, AND SAND INTERCEPTORS.**

Grease, oil, and sand interceptors shall be provided when, in the opinion of the Waste Water Supervisor, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts, as specified in Section 53.53 of this Chapter, or any flammable wastes, sand or other harmful ingredients; except that such interceptors will not be required for private living quarters or dwelling units. All interceptors must be of a type and capacity approved by the Wastewater Supervisor and must be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors, the owner must be responsible for the proper removal and disposal by appropriate means of the captured material

and must maintain records of the dates and means of disposal. These records are subject to review by the Wastewater Supervisor. Any removal and hauling of the collected materials not performed by owner's personnel must be performed by a currently licensed waste disposal company.

**§ 53.56 PRETREATMENT AND FLOW-EQUALIZING FACILITIES; OWNER'S EXPENSE.**

Where pretreatment or flow-equalizing facilities are provided or required for any water or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at the owner's expense.

**§ 53.57 BUILDING SEWERS CARRYING INDUSTRIAL WASTES - STRUCTURE AND FACILITIES.**

When required by the Waste Water Supervisor, the owner of any property serviced by a building sewer carrying industrial wastes must install a suitable structure, together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such structure, when required, shall be accessible and safe. The structure must be constructed in accordance with plans approved by the Wastewater Supervisor. The structure shall be installed by the owner at the owner's expense. The structure must be maintained by the owner so that it is safe and accessible at all times.

**§ 53.58 WATER AND WASTES ANALYSIS.**

All measurements, tests and analysis of the characteristics of water and wastes to which reference is made in this Chapter shall be determined in accordance with the latest edition of *Standard Methods for the Examination of Water and Wastewater*, published by the American Public Health Association. Sampling methods, locations, times, durations, and frequencies are to be determined on an individual basis subject to approval by the Wastewater Supervisor.

**§ 53.59 SPECIAL AGREEMENTS AND ARRANGEMENTS.**

No statement contained in this Chapter shall be construed as preventing any special agreement or arrangement between the City and an owner regarding the City accepting an industrial waste of unusual strength or character for treatment.

**§ 53.99 PENALTIES.**

(A) *Violation.* Any person found to be violating any provision of this Chapter shall be given written notice either personally or by U.S. Mail stating the nature of the violation and providing a reasonable time limit for the satisfactory correction. The offender shall, within the period of time stated on such notice, permanently cease all violations.

(B) *Fines.* Any person who shall continue any violation beyond the time limits provided for in this Chapter shall be guilty of a misdemeanor as provided in Section 10.99 of the

City Code.

(C) *Liability.* Any person violating any of the provisions of this Chapter shall become liable to the City for any expense, loss or damage occasioned the City by reason of such violation.