

USES AND DISCHARGES**§ 51.40 PROHIBITED USES.**

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

(B) No person shall discharge or cause to be discharged to any sanitary sewer, either directly or indirectly, storm waters, surface water, ground water, roof run-off, subsurface drainage, cooling water, unpolluted water, or unpolluted industrial process water. The city shall require the removal of unpolluted wastewater collection or treatment facility if that removal is cost-effective and in the best interests of all users of those facilities.

(C) Storm water, surface water, ground water, roof run-off, subsurface drainage, cooling water, unpolluted water, or unpolluted industrial process water may be admitted to storm sewers which have adequate capacity for their accommodation. No person shall use these sewers, however, without the specific permission of the city.

(D) No new connection shall be made to any sanitary or storm sewer unless there is capacity available in all downstream sewers, lift stations, force mains, and the sewage treatment plant, including capacity for BOD and suspended solids.

(E) No person shall place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the jurisdiction of the city any wastewater or other polluted waters except where suitable treatment has been provided in accordance with provisions of this chapter and the NPDES permit.

(F) No person shall discharge or cause to be discharged to any natural outlet any wastewater or other polluted waters except where suitable treatment has been provided in accordance with provisions of this chapter and the NPDES permit.

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

(H) The owner 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 now located a public sanitary sewer of the city, is required at his or her expense to install suitable toilet facilities therein and to connect these facilities directly with the proper public sewer in accordance with the provisions of this chapter, within 60 days after date of official notice to do so, provided that the public sewer is within 300 feet of the property line.

(' 83 Code, § 9-34) (Ord. 987, passed 4-15-85) Penalty, see § 10.99

§ 51.41 PROHIBITED SUBSTANCES.

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

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

(2) Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant;

(3) Any waters or wastes 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 sewage works or interfering with any treatment process;

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

(5) Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to injure or interfere with any wastewater treatment process, constitute a hazard to animals or humans, create a toxic effect in the receiving waters of the wastewater works, or to exceed the limitations set forth in the applicable Federal Categorical Pretreatment Standards or other pretreatment standards or regulations issued by the EPA or the State Board of Health. A toxic pollutant shall include but not be limited to any pollutant identified pursuant to Section 307(a) of the Federal Water Pollution Control Act (33 USC 317(a)), as amended.

(B) No person shall discharge or cause to be discharged the following described substances, materials, or wastes if it appears likely in the opinion of the Board that these wastes can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, or public property or constitute a nuisance. In forming its opinion as to the acceptability of wastes, the Board will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The substances prohibited are:

(1) Any liquid or vapor having a temperature higher than 150°F or 65°C;

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(2) Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of 100 mg/l or containing substances which may solidify or become viscous at temperatures between 32°F and 150°F or 0°C and 65°C;

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

(4) Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not;

(5) Any waters or wastes containing phenols or other taste or odor producing substances, in a concentration exceeding limits which may be established by the Board as necessary, after treatment of the composite sewage, to meet the requirements of the state, federal, or other public agencies of jurisdiction of the discharge to the receiving waters;

(6) Any radioactive wastes or isotopes of a half-life or concentration which may exceed limits established by the Board in compliance with applicable state or federal regulations;

(7) Any waters or wastes having pH in excess of 9.0;

(8) Materials which exert or cause:

(a) Unusual concentrations of inert suspended solids such as, but not limited to, Fullers earth, lime slurries, and lime residues, or of dissolved solids such as, but not limited to, sodium chloride and sodium sulfate;

(b) Excessive discoloration such as, but not limited to, dye wastes and vegetable tanning solutions;

(c) Unusual BOD, chemical oxygen demand, or chlorine requirements in quantities so as to constitute a significant load on the sewage treatment works; or

(d) Unusual volume of flow or concentration of wastes constituting slugs as defined herein.

(9) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to a degree so that the sewage treatment effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

(C) If any waters or wastes are discharged, or are proposed to be discharged, to the public sewers, which waters contain the substances or possess the characteristics enumerated in division (B) of this

section, and which in the judgment of the Board may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which may otherwise create a hazard to life or constitute a public nuisance, the Board may:

(1) Require new industries or industries with significant increase in discharges to submit information on wastewater quantities and characteristics and obtain prior approval for discharges;

(2) Reject the wastes in whole or in part for any reason deemed appropriate by the city;

(3) Require pretreatment of these wastes to within the limits of normal sewage as defined;

(4) Require control or flow equalization of these wastes so as to avoid any slug loads or excessive loads that may be harmful to the treatment works;

(a) If the Board permits the pretreatment or equalization of waste flows, the design and installation of the plant and equipment shall be subject to the review and approval of the Superintendent and subject to the requirements of all applicable codes, ordinances, and laws.

(b) Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his or her expense.

(5) Require payment of a surcharge on any excessive flows or loadings discharged to the treatment works to cover the additional costs of having capacity for and treating these wastes.

(D) No statement contained in this chapter shall be construed as preventing any special agreement or arrangement between the city and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the city for treatment, subject to payment therefor, by the industrial concern, at rates which are compatible with the rate provisions of this chapter.

(⁸³ Code, § 9-36) (Ord. 987, passed 4-15-85) Penalty, see § 10.99

§ 51.42 UNPOLLUTED WATER; DISCHARGE TO SANITARY SEWER RESTRICTED.

(A) Unpolluted water from air conditioners, cooling, condensing systems, or swimming pools, shall be discharged to a storm sewer, where one is available, or to a combined sewer approved by the city. Where a storm sewer is not available, discharge may be to a natural outlet approved by the city and by the state.

(B) Where a storm sewer, combined sewer, or natural sewer is not available, the unpolluted water may be discharged to a sanitary sewer pending written approval by the city.

(⁸³ Code, § 9-38) (Ord. 987, passed 4-15-85)

§ 51.43 UNUSUAL DISCHARGES; IMMEDIATE NOTIFICATION REQUIRED.

Users of the treatment works shall immediately notify the city of any unusual flows or wastes that are discharged accidentally or otherwise to the sewer system.

(¹83 Code, § 9-45) (Ord. 987, passed 4-15-85)

INDUSTRIAL USERS**§ 51.55 CONTROL MANHOLE REQUIREMENT.**

(A) When required by the Superintendent, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with any necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. The manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Superintendent. The manhole shall be installed by the owner at his or her expense, and shall be maintained so as to be safe and accessible at all times. Agents of the city, the state Water Pollution Control Agencies, and the U.S. Environmental Protection Agency (EPA) shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling, and testing.

(B) All measurements, tests, and analyses of the characteristics of waters 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, and shall be determined at the control manhole provided, or upon suitable samples taken at the control manhole, except for applications for NPDES permits and report thereof which shall be conducted in accordance with rules and regulations adopted by the U.S. EPA (40 CFR 136). In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb, and property. The particular analyses involved will determine whether a 24-hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24-hour composites of all outfalls whereas pHs are determined from periodic grab samples.

(¹83 Code, § 9-37) (Ord. 987, passed 4-15-85)

§ 51.56 PRETREATMENT REQUIREMENT.

Pretreatment of industrial wastes from major contributing industries prior to discharge to the treatment works is required and subject to the EPA rules and regulations as contained in 40 CFR 403,

entitled *General Pretreatment Regulations for Existing and New Sources of Pollution*, dated January 28, 1981, as amended.

(`83 Code, § 9-39) (Ord. 987, passed 4-15-85)

§ 51.57 PRETREATMENT FACILITY; APPROVAL, MAINTENANCE, AND INSPECTION.

(A) Plans, specifications, and any other pertinent information relating to pretreatment or control facilities shall be submitted for approval of the city, and no construction of these facilities shall be commenced until approval in writing is granted.

(B) Where this type of facilities are provided, they shall be maintained continuously in satisfactory and effective operating order by the owner at his or her expense.

(C) These facilities shall be subject to periodic inspection by the city to determine that they are being operated in conformance with the applicable federal, state, and local laws and permits.

(D) The owner shall maintain operating records of the influent and effluent to show the performance of the treatment facilities and for comparison against city monitoring records.

(`83 Code, § 9-40) (Ord. 987, passed 4-15-85) Penalty, see § 10.99

§ 51.58 INDUSTRIAL COOLING WATER.

Industrial cooling water, which may be polluted with insoluble oils or grease or suspended solids, shall be pretreated for removal of pollutants, and the resultant clear water shall be discharged in accordance with § 51.42 of this code.

(`83 Code, § 9-41) (Ord. 987, passed 4-15-85)

§ 51.59 NONRESIDENTIAL USERS; WASTEWATER ANALYSIS.

The city may require users of the treatment works, other than residential users, to supply pertinent information on wastewater flow characteristics. The measurements, tests, and analyses shall be made at the user's expense. If made by the city, an appropriate charge may be assessed to the user at the option of the city.

(`83 Code, § 9-42) (Ord. 987, passed 4-15-85)

§ 51.60 USAGE CHARGES BASED ON ANALYSIS.

The strength of wastewaters shall be determined, for periodic establishment of charges provided for in the rate provisions of this chapter, from samplings taken at the aforementioned structure at any period

of time and of a duration and in that manner as the city may elect, or at any place mutually agreed upon between the user and the city. Appropriate charges for sampling and analysis may be assessed to the user at the option of the city. The results of routine sampling and analysis by the user may also be used for determination of charges, after verification by the city.

(⁸³ Code, § 9-43) (Ord. 987, passed 4-15-85)

§ 51.61 INTERCEPTORS REQUIREMENT.

Grease, oil, and sand interceptors or traps shall be provided when, in the opinion of the city, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, and other harmful ingredients; except that this type of interceptors or traps will not be required for private living quarters or dwelling units. All interceptors or traps shall be located so as to be readily and easily accessible for cleaning and inspection. They shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperatures and shall be of substantial construction, be gas tight, water tight, and equipped with easily removable covers. Where installed, all grease, oil, and sand interceptors or traps shall be maintained by the owner, at his or her expense, in continuously efficient operation at all times.

(⁸³ Code, § 9-44) (Ord. 987, passed 4-15-85)

ADMINISTRATION AND ENFORCEMENT

§ 51.75 CITY AUTHORITY.

(A) The city shall make and enforce by-laws and regulations as may be deemed necessary for the safe, economical, and efficient management of the city's sewerage system, pumping stations, and sewage treatment works, for the construction and use of house sewers and connections to the sewerage treatment works, the sewerage collection system, and for the regulation, collection, rebating, and refunding of sewer rates and charges.

(B) The city is hereby authorized to prohibit dumping of wastes into the city's sewerage system which, in its discretion, are deemed harmful to the operation of the sewage treatment works of the city, or to require methods effecting pretreatment of these wastes to comply with the pretreatment standards included in the NPDES permit issued to the sewage works or as may be contained in the EPA's general pretreatment regulations, 40 CFR 403, as amended, or the city's pretreatment program plan.

(Ord. 1240, passed 8-18-97)

§ 51.76 COMPLIANCE WITH STATE AND FEDERAL LAW REQUIRED.

All provisions of this chapter and limits set herein shall comply with any applicable state and/or federal requirements now or projected to be in effect.

(`83 Code, § 9-46) (Ord. 987, passed 4-15-85)

§ 51.77 DAMAGE TO SEWAGE WORKS PROHIBITED.

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

(`83 Code, § 9-47) (Ord. 987, passed 4-15-85) Penalty, see § 10.99

§ 51.78 RIGHT OF ENTRY; SAFETY RULES; EASEMENTS.

(A) The Superintendent, Inspector, and other duly authorized employees of the city bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this chapter. The Superintendent or his or her representative shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper, or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

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

(C) The Superintendent and other duly authorized employees of the city bearing proper credentials and identification shall be permitted to enter all private properties through which the city holds a duly negotiated easement for the purpose of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within the easement. All entry and subsequent work, if any, on the easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

(`83 Code, § 9-48) (Ord. 987, passed 4-15-85)

§ 51.79 VIOLATIONS; NOTICE TO CORRECT; LIABILITY FOR DAMAGES.

(A) Any person found to be violating any provisions of this chapter shall be served by the city with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in the notice, permanently cease all violations. Any person who shall continue any violation beyond the time limit provided shall be guilty of a violation, and on conviction thereof, shall be fined.

(B) 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 that violation.
(⁸³ Code, § 9-49) (Ord. 987, passed 4-15-85) Penalty, see § 10.99

§ 51.80 APPEALS.

Any differences that may arise between users and officials of the sewage works that cannot be resolved at that level may be appealed to the Board of Public Works and Safety of the city.
(⁸³ Code, § 9-50) (Ord. 987, passed 4-15-85; Am. Ord. 1240, passed 8-18-97)

RATES AND CHARGES**§ 51.90 USER CHARGES ESTABLISHED; CLASSES.**

(A) Every person whose premises are served by the sewage works shall be charged for the service provided. These charges are established for each user class, as defined, in order that the sewage works shall recover, from each user and user class, revenue which is proportional to its use of the treatment works in terms of volume and load. User charges are levied to defray the cost of operation and maintenance (including replacement) of the treatment works. User charges shall be uniform in magnitude with a user class.

(B) User charges are subject to the rules and regulations adopted by the U.S. Environmental Protection Agency, published in the Federal Register February 17, 1984 (40 CFR 35.2140). Replacement costs, which are recovered through the system of user charges, shall be based upon the expected useful life of the sewage works equipment.

(C) The various classes of users of the treatment works for the purpose of this subchapter, shall be as follows:

- (1) Class I, residential;
- (2) Commercial;