

**SANITARY SEWER USE ORDINANCE**

**TOWN OF BATH**

**Title 4, Chapter 2  
of the  
General Ordinances**

**December 1988**

TOWN OF BATH

SANITARY SEWER USE ORDINANCE

Approved December 12, 1988

by

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TOWN OF BATH**

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Section 4-2-1. GENERAL PROVISIONS.

(a) Purpose and Policy.

This Ordinance sets forth uniform requirements for direct and indirect discharges into the wastewater disposal system for the Town of Bath and enables the local government to comply with all applicable State and Federal laws required by the Clean Water Act of 1977 and the General Pretreatment Regulations (40 CFR Part 403).

The objectives of this Ordinance are:

- (1) To prevent the discharge of pollutants into the wastewater disposal system which will interfere with the operation of the system or contaminate the resulting sludge;
- (2) To prevent the discharge of pollutants into the wastewater disposal system, which will pass through the system inadequately treated, into receiving waters or the atmosphere or otherwise be incompatible with the system;
- (3) To improve the opportunity to recycle and reclaim wastewaters and sludges from the system; and
- (4) To provide for equitable distribution of the cost of the wastewater disposal system.

This Ordinance provides for the regulation of direct and indirect discharges to the Publicly Owned Treatment Works through the issuance of permits to certain nondomestic users and through enforcement of general requirements for the other users, authorizes monitoring and enforcement activities, requires user reporting, assumes that existing customer's capacity will not be preempted, and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

This Ordinance shall apply to all users of the Town of Bath's wastewater treatment system. Except as otherwise provided herein, the Town Administrator shall administer, implement, and enforce the provisions of this Ordinance.

(b) Definitions.

Unless the context specifically indicates otherwise, the following terms and phrases, as used in the Ordinance, shall have the meanings hereinafter designated:

Act. The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended.

Approval Authority. The Director of the North Carolina Division of Environmental Management or his authorized representative.

Authorized Representative of Industrial User. An authorized representative of an industrial user may be: (1) a principal executive officer of at least the level of vice president, if the industrial user is a corporation; (2) a general partner or proprietor if the industrial user is a partnership or proprietorship, respectively; (3) a duly authorized representative of the individual designated above if such representative is responsible for the overall operation of the facilities from which the indirect discharge originates.

Biochemical Oxygen Demand (BOD). The quantity of oxygen, expressed in milligrams per liter (mg/l) utilized in the biochemical oxidation of organic matter under standard laboratory procedures in five (5) days at 20 degrees Centigrade.

Building Sewer. A sewer conveying wastewater from the premises of a user to the Town's wastewater treatment system.

Categorical Standards. National Categorical Pretreatment Standards or Pretreatment Standard.

Chemical Oxygen Demand (COD). The quantity of equivalent oxygen utilized in the chemical oxidation of organic matter as measured by standard laboratory methods as described in "Standards Methods."

Color. The true color due to the substances in solution expressed in wavelengths of light.

Environmental Protection Agency (EPA). The U.S. Environmental Protection Agency, or where appropriate the term may also be used as a designation for the Administrator or other duly authorized official of said agency.

Holding Tank Waste. Any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump tank trucks.

Industrial User. Any facility which discharges industrial wastes. An industrial user will be classified according to the latest edition of the Standard Industrial Classification Manual (SIC).

Industrial Waste. Wastes resulting from the processes employed in industrial, manufacturing, trade, or business establishments, as distinct from domestic wastes.

Interference. The inhibition or disruption of the POTW treatment processes or operations which contributes to a violation of any requirements of the POTW's NPDES Permit. The term includes prevention of sewage sludge use or disposal by the POTW in accordance with 405 of the Act, (33 U.S.C. 1345) or any criteria, guidelines, or regulation developed pursuant to the Solid Waste Disposal Act (SWDA), the Clean Air Act, the Toxic Substances Control Act, or more stringent State criteria (including those contained in any State sludge management plan prepared pursuant to Title IV of SWDA) applicable to the method of disposal or use employed by the POTW.

Local Government. The Town of Bath, Beaufort County, North Carolina, acting through it's Mayor and Town Board of Commissioners.

National Pollutant Discharge Elimination Permit. A permit issued under the National Pollutant Discharge Elimination System (NPDES) for discharge of wastewaters to the navigable waters of the United States.

Person. Any individual, partnership, co-partnership, firm, company, association, joint stock company, trust, estate, governmental entity or any other legal entity, or their legal representatives, agents or assigns.



Pretreatment. The reduction of the amount of pollutants, the elimination 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 POTW. The reduction or alteration can be obtained by physical, chemical or biological processes, or process changes of other means, except as prohibited by 40 CFR Section 403.6(d).

Publicly Owned Treatment Works (POTW). A wastewater treatment works as defined by Section 212 of the Act, (33 U.S.C. 1292) which is owned by the Town of Bath.

Receiving Water. A body of water, stream or water course receiving the discharge waters from the sewage treatment plant or formed by the waters discharged from the sewage treatment plant.

Sanitary Sewer. A sewer which carries sanitary and/or industrial wastewaters from residents, commercial buildings, industrial plants, and institutions. Sanitary sewers are separate and distinct from storm sewers and are not intended to carry surface runoff or groundwater.

Shall is mandatory. May is permissive.

Significant Industrial User. Any industrial user of the POTW who (i) has a discharge flow of 25,000 gallons or more per average work day, or (ii) has a flow greater than 5% of the flow in the POTW, or (iii) has in his wastes toxic substances as defined pursuant to Section 307 of the Act or State Statutes and rules, or (iv) is found by the local government, Division of Environmental Management (DEM), or the U.S. Environmental Protection Agency (EPA) to have significant impact, either singly or in combination with other contributing industries, on the wastewater treatment system, the quality of sludge, the system's effluent quality, or air emissions generated by the system.

Slug. Any discharge of water or wastewater which in concentration of any given constituent or in quantity of flow exceeds for any period duration longer than fifteen (15) minutes more than five (5) times the average twenty-four

(24) hour concentration or flow during normal operation and shall adversely affect the wastewater treatment system so as to prevent attainment of effluent limitations or to substantially increase operation and maintenance requirements.

Standard Industrial Classification (SIC). A classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1972.

Standard Methods. The laboratory procedures set forth in the following sources: Standard Method for the Examination of Water and Wastewater, 14th Edition, as amended, prepared and published jointly by the American Public Health Association, American Water Works Association, and Water Pollution Control Federation; Methods for Chemical Analysis of Water and Wastes, 1971, prepared and published by the Analytical Quality Control Laboratory, U.S. Environmental Protection Agency; "Guidelines Establishing Test Procedures for the Analysis of Pollutants," enumerated in 40 CFR Section 136.1 *et seq.* (1975), as amended; and/or any other procedures recognized by the U.S. Environmental Protection Agency and the North Carolina Division of Environmental Management.

State. State of North Carolina.

Storm Sewer. A sewer that carries only storm waters, surface runoff, street wash, and drainage, and to which sanitary and/or industrial wastewater is not intentionally admitted.

Subdivision. All divisions of a tract or parcel of land into two or more lots, building sites, or other division for the purpose of sale or building development (whether immediate or future) and shall include all divisions of land involving the dedication of a new street or a change in existing streets; but the following shall not be included within this definition nor be subject to the regulations authorized by this ordinance:

- . the division of land into parcels greater than ten acres where no street right-of-way dedication is involved;
- . the public acquisition by purchase of strips of land for widening or opening of streets; and
- . the division of a tract in single ownership whose entire area is no greater than two acres into not more than three lots, where resultant lots are equal to or exceed the standards of the Town, as shown in its zoning ordinance.

Suspended Solids (TSS). Total suspended matter that either floats on the surface of, or is in suspension with, water, wastewater, or other liquids and is removable by laboratory filtration as prescribed in "Standard Methods."

Town. Town of Bath, North Carolina.

User. Any person who contributes, causes or permits the contribution of wastewater into the POTW.

Wastewater. The liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, groundwater, surface water, and storm water that may be present, whether treated or untreated, which is contributed into or permitted to enter the Town's wastewater treatment system.

Wastewater Discharge Permit. As set in Section 4-2-2(d)(2) of this Ordinance.

Wastewater Treatment System. Any devices, facilities, structures, equipment or works owned or used by the Town of Bath for the purpose of the transmission, storage, treatment, recycling, and reclamation of industrial and domestic wastes, or necessary to recycle or reuse water at the most economical cost over the estimated life of the system, including intercepting sewers, outfall sewers, sewage collection systems, pumping, power, and other equipment, and their appurtenances; extensions, improvements, remodeling, additions, and alterations thereof; elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; and any works, including site acquisition of the land that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment.

(c) Abbreviations.

The following abbreviations shall have the designated meanings:

<u>BOD</u>	Biochemical Oxygen Demand
<u>CFR</u>	Code of Federal Regulations
<u>COD</u>	Chemical Oxygen Demand
<u>CWA</u>	Clean Water Act
<u>DEM</u>	Division of Environmental Management of the Department of Natural Resources and Community Development of the State of North Carolina
<u>EPA</u>	Environmental Protection Agency
<u>mg/l</u>	milligrams per liter
<u>NPDES</u>	National Pollutant Discharge Elimination System
<u>POTW</u>	Publicly Owned Treatment Works
<u>SIC</u>	Standard Industrial Classification
<u>USC</u>	United States Code

Section 4-2-2. REGULATIONS.(a) Use of Public Sewer Required.

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 Town of Bath or in any area under the jurisdiction of said Town, any human or animal excrement, garbage, or objectionable waste.

It shall be unlawful to discharge to any natural outlet within the Town of Bath or in any area under the jurisdiction of said Town, any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Ordinance and with regulations of the Division of Environmental Management, Department of Natural Resources and Community Development of the State. 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.

The Owner of all houses, buildings or properties used for human occupancy, employment, recreation, or other purposes, situated within the Town and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary sewer of the Town, is hereby required at the Owner(s) expense to install suitable toilet facilities and to connect such facilities directly with the proper public sewer in accordance with the provisions of this Ordinance, within ninety (90) days after the date of official notice to do so, provided that said public sewer is within two hundred (200) feet of the property line. Under unusual and/or special circumstances, the Town may waive or modify this provision.

All new subdivisions as defined in this Ordinance, shall connect to the Town of Bath's public sewer system if any perimeter property is within 200 feet of an existing sewer line. The connection shall be at the Subdivider's expense.

(b) Private Wastewater Disposal.

Where a public sanitary sewer is not available, the

building sewer shall be connected to a private wastewater disposal system complying with all applicable provisions of the Beaufort County Health Department.

At such time as a public sewer become available to a property served by a private wastewater disposal system, a direct connection shall be made to the public sewer within ninety (90) days. Under unusual and/or special circumstances, the Town may waive this provision.

(c) Building Sewers and Connections.

No unauthorized person(s) shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining written approval from the Town Administrator. All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the Owner(s). The Owner(s) shall indemnify the local government from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer provided, however, that such indemnification shall not extend to loss or damage due solely to willful misconduct or negligence on the part of the local government. Where any premises have more than one (1) sewer outlet pipe, it shall be the responsibility of the Owner(s) to install sewage disposal pipes into one (1) outlet to be tied into the sewer system.

Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Town Administrator, to meet all requirements of this Ordinance. Existing building sewers may be kept in service if, in the opinion of the Town Administrator, they are in acceptable structural condition and operate satisfactorily. All new building sewers including any necessary replacement of existing building sewers must comply with the North Carolina State Building Code, Volume II, Plumbing. The connection of the building sewer into the public sanitary sewer shall be made in accordance with applicable construction standard of the Town.

No person(s) shall make connection of roof downspouts, foundation drains, areaway drains, or other sources of infiltration/inflow to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.

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

It shall be the responsibility of the property Owner(s) to keep and maintain the building sewer connected to the public sewer in good repair. The Owner(s) shall be responsible for making necessary repairs, at his own expense, to the building sewer when notified in writing by the local government that repairs are necessary. Should the Owner(s) fail to repair the building sewer within sixty (60) days after receiving written notification by the local government that such repairs are necessary, the local government may make the necessary repairs to the building sewer and shall assess the Owner(s) for the cost of the repairs.

Town employees shall have the right to enter, at reasonable times, any premises, store, or dwelling for the purpose of installing pipes, simplex pumps, electrical boxes, switch boxes, wires, anchors, and other fixtures and appurtenances as the Town may from time to time require in the operation of the sewer treatment system.

It shall be the responsibility of the owner of the premises to supply electricity for the simplex pumps operating the sewer treatment system for their premises. The Town shall have the duty to connect the electrical service and the maintenance thereof, and the premises' owner shall have the duty to pay all electrical bills incurred on his premises.

Grease, oil, and sand interceptor sewers shall be provided when, in the opinion of the Town Administrator, they are necessary for the proper handling of liquid wastes containing floatable oil in excessive amounts, sand or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Town Administrator, and shall be located as to be readily and easily accessible for cleaning and inspection. Where installed, all grease, oil and sand interceptors shall be maintained by the Owner(s) at his

expense in continuously efficient operation at all times. In the maintaining of these interceptors, the Owner(s) shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates and means of disposal which are subject to review by the Town. Any removal and hauling of the collected materials not performed by Owner(s) personnel must be performed by currently licensed waste disposal firms.

(d) Authorization to Discharge Required.

It shall be unlawful to discharge to the POTW any wastewater except as authorized by the Town Administrator in accordance with the provisions of this Ordinance.

(1) General Users. Any person who shall hereafter desires to discharge any wastewater into the Town's POTW shall, before making any such discharge, first apply to the Town Administrator for permission to do so. The Administrator may grant such permission when evidence is submitted by the applicant that the discharge of wastes into the public sewers will comply with the requirements of this Ordinance. Disputes over the sufficiency of such evidence shall be first to the Town Administrator and then to the Town Board of Commissioners. Permission by the Town Administrator to discharge wastewater will in no way relieve such persons of the responsibility to produce an effluent acceptable to the Administrator under the terms of this Ordinance.

(2) Significant Industrial Users. All significant industrial users proposing to connect to or discharge into any part of the wastewater treatment system must first obtain an official Wastewater Discharge Permit as described in Section 4-2-3(a).

(3) Authorization to Modify Discharge. All users shall give notice to the Town Administrator in advance of any of the following:

(i) Any anticipated change in the average weekday wastewater flow for five consecutive weekdays that will result in a flow increase of 15% or more above the annual average weekday wastewater flow for the previous calendar year. If such an increase should occur



unexpectedly, then immediate notification must be given to the Town Administrator. Upon such notification, the Administrator will determine if such an increase in flow rate may continue.

(ii) Any change in the wastewater discharged to the sewer that has the potential of having an adverse effect on the wastewater collection system or the treatment facilities.

Such change in discharge shall not be carried out until permission has been granted by the Town Administrator. Such permission shall not relieve the user from complying with all the requirements of this Ordinance.

After permission has been granted by the Town Administrator, an evaluation period of ninety (90) days shall be utilized for determining the effects of the changes on the wastewater collection system and treatment facilities.

At the end of this period, the Administrator shall determine if the user is allowed to continue the discharge. During the ninety (90) day evaluation period, if the treatment facility becomes in violation of any State or Federal discharge permit or any State or Federal statutes, the Administrator may require the user to immediately cease the discharge.

(e) Prohibited Discharges.

It shall be unlawful for any person to discharge or cause to be discharged any pollutant or wastewater which will interfere with the operation and/or performance of the POTW. These general prohibitions apply to all such users of the POTW whether or not the user is subject to National Categorical Pretreatment Standards or any other national, State, or local pretreatment standard or requirements. A user may not discharge the following substances into the POTW:

(1) Any unpolluted waters such as infiltration/inflow to any sanitary sewer. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designed as storm sewers or to a natural outlet approved by the Town Administrator and DEM. Unpolluted industrial cooling water or process waters may be discharged on approval of the Town Administrator and DEM to a storm sewer or natural outlet.

(2) Any liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the POTW or to the operation of the POTW. At no time shall two successive readings on an explosion hazard meter, at the point of discharge into the system (or at any point in the system), be more than five percent (5%) nor any single reading over ten percent (10%) of the Lower Explosive Limit (LEL) of the meter. Materials specifically prohibited from discharge into the POTW include gasoline, kerosene, naphtha, fuel oil, and any other substances which the local government, the State or EPA has notified the user is a fire hazard or a hazard to the system.

(3) Solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the POTW such as, but not limited to: grease, garbage with particles greater than one-half inch (1/2") in any dimension, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood plastics, gas, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, mud or glass grinding or polishing wastes.

(4) Any wastewater having a pH less than 6.0 or greater than 9.0 or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment and/or personnel of the POTW.

(5) Any wastewater containing toxic substances in sufficient quantity, either singly or by interaction with other pollutants, to injure or interface with any wastewater treatment process, constitute a hazard to humans or animals, create a toxic effect in the receiving waters of the POTW, or to exceed the limitation set forth in a Categorical Pretreatment Standard.

(6) Any noxious or malodorous liquids, gases, or solids which either singly or by interaction with other wastes are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for their maintenance and repair.

(7) Any substance which may cause the POTW's effluent or any other product of the POTW such as residues, sludges, or scums, to be unsuitable for reclamation process where the POTW is pursuing a reuse and reclamation program. In no case shall a substance discharged to the POTW cause the POTW to fail to be in compliance with sludge use or disposal criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State criteria applicable to the sludge management method being used.

(8) Any substance which will cause the POTW to violate its NPDES and/or State Disposal System Permit or the receiving water quality standards.

(9) Any wastewater with objectionable color not removed in the treatment process, such as, but not limited to, dye wastes.

(10) Any wastewater, liquid, or vapors having a temperature higher than one hundred fifty (150) degrees Fahrenheit.

(11) Any pollutants, releasing at a flow rate and/or pollutant concentration which will cause interference with the POTW.

(12) Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the local government in compliance with applicable State and/or Federal regulations and which will or may cause damage or hazards to structures, equipment and/or personnel of the POTW.

(13) Quantities of flow, concentrations, or both which constitute a slug as defined herein.

(14) Any clothing, rags, textile remnants or waste, cloths, scraps, except fiber or scrap that will pass through the equivalent of a one-fourth inch (1/4") mesh screen.

(15) Any wastewater which contains greater than 100 mg/l of fat, oil, or grease.

(16) Any wastewater in which the suspended solids exceed 300 mg/l.

(17) Any wastewater in which the BOD exceeds 300 mg/l.

(18) Any wastewater in which the COD exceeds 600 mg/l.

When the Town Administrator determines that a user(s) is discharging any of the above enumerated substances or is discharging wastewater containing pollutants in levels exceeding those commonly associated with domestic wastewater, (except for significant industrial users as defined and regulated by this Ordinance), the Town Administrator shall: (1) Advise the user(s) of the impact of the discharge; and (2) develop effluent limitations(s) for such user to correct the discharge.

The Town Administrator may however, upon satisfactory presentation by a user(s) that a variance to one or more of the above enumerated substances is warranted, permit the user(s) to discharge an effluent in quantity or quality not consistent with the limitations set forth above. Such permission shall be granted only after suitable arrangements and fees have been established and set forth in the user's wastewater discharge permit.

(f) Federal Categorical Pretreatment Standards.

Upon the promulgation of the Federal Categorical Pretreatment Standards for a particular industrial subcategory, the Federal Standard, if more stringent than limitations imposed under this Ordinance for sources in that subcategory, shall immediately supersede the limitations imposed under this Ordinance. The Town Administrator shall notify all affected users of the applicable reporting requirements under 40 CFR, Section 403.12.

(g) State Requirements.

State requirements and limitations on discharges shall apply in any case where they are more stringent than Federal requirements and limitations or those in this Ordinance.

(h) Dilution Prohibition.

No user shall ever increase the use of process water or, in any way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in the Federal Categorical Pretreatment Standards, or in any other pollutant-specific limitation developed by the local government or State.

(i) Flow Equalization.

When a user's direct discharge flow rates or concentrations vary to the extent that significant operating difficulties are encountered in the POTW, the Town Administrator may require that the user construct and maintain, at his own expense, a flow equalization basin of a design approved by the Town.

(j) Accidental Discharge.

(1) Protection Required. Each user shall provide protection from accidental discharge of prohibited materials or other substances regulated by this Ordinance. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner or user's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the Town Administrator for review and shall be approved by the local government before construction of the facility. All existing users shall complete such a plan within 180 days of the effective date of this Ordinance. No user who commences contribution to the POTW after the effective date of this Ordinance shall be permitted to introduce pollutants until accidental discharge procedures have been approved by the local government. Review and approval of such plans and operating procedures shall not relieve the responsibility to modify the facility as necessary to meet the requirements of this Ordinance. In the case of an accidental discharge, it is the responsibility of the user to immediately telephone and notify the Town Administrator of the incident. The notification shall include location of discharge, type of waste, concentration and volume, and corrective actions.

(2) Notice to the Town Administrator. Within five (5) days following an accidental discharge, the user shall submit to the Town Administrator a detailed written report describing the cause of the discharge and the measures to be taken to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage, or other liability which may be incurred as a result of damage to the wastewater treatment system, fish kills, or any other damage to person or property, nor shall such notification relieve the user of any fines, civil penalties, or other liability which may be imposed by this article or other applicable law.

(3) Notice to Employees. A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees whom to call in the event of a dangerous discharge. Employers shall insure that all employees who may cause such a discharge to occur or may suffer from the discharge are advised of the emergency notification procedure.

(k) Town's Right of Revision.

The Town reserves the right to establish by Ordinance more stringent limitations or requirements on discharges to the wastewater treatment system if deemed necessary to comply with the objectives presented in 4-2-1(a).

Section 4-2-3. INDUSTRIAL DISCHARGES.(a) Wastewater Discharge Permits.

All significant industrial users proposing to connect to or discharge into any part of the wastewater treatment system must first obtain a Wastewater Discharge Permit.

(1) Permit Application. The application for a Wastewater Discharge Permit shall be filed with the Town Administrator and shall be accompanied by an application fee as set by the Town Board of Commissioners. In support of the application, the user shall submit, in units and terms appropriate for evaluation, the following information:

(i) Name, address and SIC number of applicant;

(ii) Wastewater constituents and characteristics including but not limited to those mentioned in Section 4-2-2(e); any constituent subject to a National Categorical Pretreatment Standard; or a toxic pollutant, as determined by a reliable analytical laboratory. All sampling and analysis shall be performed in accordance with procedures established by the EPA pursuant to Section 304(g) of the Act and contained in 40 CFR, Part 136, as amended;

(iii) Time and duration of discharge;

(iv) Estimated average daily and peak wastewater flow rates, including daily, monthly and seasonal variations if any;

(v) Plans or drawings showing all sewers, service connections, and appurtenances by the size, location and elevation with sufficient other details as to make the plans or drawings intelligible;

(vi) Site plans, floor plans, mechanical and plumbing plans and details to show all building drains, building sewers, and appurtenances by the size, location and elevation;

(vii) Description of activities, facilities and plant processes on the premises including all materials which are or could be discharged;

(viii) Where known, the nature and concentration of any pollutants in the discharge which are limited by any local government, State, or Federal Pretreatment Standards, and a statement regarding whether or not the pretreatment standards are being met on a consistent basis and if not, whether additional O&M (operation and maintenance) and/or additional pretreatment is required for the user to meet applicable Pretreatment Standards;

(ix) If additional pretreatment and/or O&M will be required to meet the Pretreatment Standards, the shortest schedule by which the user will provide such additional pretreatment. The completion date in this schedule shall not be later than the compliance date established for the applicable Pretreatment Standard.

The following conditions shall apply to this schedule:

1. The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable Pretreatment Standards or Requirement (e.g., hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, etc.).

2. No increment referred to in paragraph 1. shall exceed 9 months.

3. Not later than 14 days following each date in the schedule and the final date for compliance, the user shall submit a progress report to the Town Administrator including, as a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment of progress, the reason for delay, and the steps being taken by the user to return the construction to the schedule established. In no event shall more than 9 months elapse between such progress reports to the Town Administrator.



(x) Each product produced by type, amount, process or processes and rate of production;

(xi) Number of employees, and hours of operation of plant and proposed or actual hours of operation of pretreatment system;

(xii) Any other information as may be deemed by the Town to be necessary to evaluate the application.

The Town Administrator will evaluate the data furnished by the user and may require additional information. After evaluation and acceptance of the data provided, the Town Administrator may issue a Wastewater Discharge Permit subject to the terms and conditions provided here.

Significant industrial users which through changes in the use of the premises or water usage cause a significant change in wastewater volume, strength, or characteristic shall require a new application filed prior to making the change or alteration.

(2) Permit Modifications. Within 9 months of the promulgation of a National Categorical Pretreatment Standard, the Wastewater Discharge Permit of users subject to such standards shall be revised to require compliance with such standard within the time frame prescribed by such standard. Where a user, subject to a National Categorical Pretreatment Standard, has not previously submitted an application for a Wastewater Discharge Permit as required by Section 4-2-3, the user shall apply for a Wastewater Discharge Permit within 180 days after the promulgation of the Applicable National Categorical Pretreatment Standard. In addition, the user with an existing Wastewater Discharge Permit shall submit to the local government within 180 days after the promulgation of an applicable Federal Categorical Pretreatment Standard the information required by paragraphs (viii) and (ix) of Section 4-2-3(a)(1).

(3) Permit Conditions. Wastewater Discharge Permits shall be expressly subject to all provisions of this Ordinance and all other applicable regulations, user charges and fees established by the Town of Bath. Permits may contain the following:

(i) The unit charge or schedule of user charges and fees for the wastewater to be discharged to the POTW;

(ii) Limits on the average and maximum wastewater constituents and characteristics;

(iii) Limits on average and maximum rate and time of discharge or requirements for flow regulations and equalization;

(iv) Requirements for installation and maintenance of inspection and monitoring facilities;

(v) Specifications for monitoring programs which may include sampling locations, frequency of sampling, number, types and standards for tests and reporting schedule;

(vi) Compliance schedules;

(vii) Requirements for submission of technical reports or discharge reports (see Section 4-2-3(b));

(viii) Requirements for maintaining and retaining plant records relating to wastewater discharge as specified by the Town Administrator, and affording access thereto;

(ix) Requirements for notification of the Town Administrator of any new introduction of wastewater constituents or any substantial change in the volume or character of wastewater constituents being introduced into the wastewater treatment system;

(x) Requirements for notification of accidental indirect discharges and for any other indirect discharges which are prohibited in Section 4-2-2(e);

(xi) Other conditions as deemed appropriate by the Town Administrator to ensure compliance with this Ordinance.

(4) Permit Duration. Permits shall be issued for a specific time period, not to exceed three (3) years. A

permit may be issued for a period less than a year or may be stated to expire on a specific date. The user shall apply for permit reissuance a minimum of 30 days prior to the expiration of the user's existing permit. The terms and conditions of the permit may be subject to modification by the Town Administrator during the term of the permit as limitations or requirements as identified in Section 4-2-2 are modified or other just cause exists. The user shall be informed of any proposed changes in his permit at least 30 days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

(5) Permit Transfer. Wastewater Discharge Permits are issued to a specific user for a specific operation. A Wastewater Discharge Permit shall not be reassigned or transferred or sold to a new owner, new user, different premises, or a new or changed operation without the approval of the Town Administrator. Any succeeding owner or user shall also comply with the terms and conditions of the existing permit.

(b) Sampling and Monitoring Requirements.

(1) Compliance Data Report. Within 90 days following the date for final compliance with applicable Pretreatment Standards or, in the case of a New Source, following commencement of the introduction of wastewater into the POTW, any user subject to Pretreatment Standards and Requirements or required to obtain a Wastewater Discharge Permit shall submit to the Town Administrator a report indicating the nature and concentration of all pollutants in the discharge from the regulated process which are limited by Pretreatment Standards and Requirements and the average and maximum daily flow for these process units in the user facility which are limited by such Pretreatment Standards or Requirements. The report shall state whether the applicable Pretreatment Standards or Requirements are being met on a consistent basis and, if not, what additional O&M and/or pretreatment is necessary to bring the user into compliance with the applicable Pretreatment Standards or Requirements. This statement shall be signed by an authorized representative of the industrial user, and certified to by a qualified professional.

(2) Periodic Compliance Reports. Any user required to obtain a Wastewater Discharge Permit, or subject to a Pretreatment Standard, after the compliance date of such Pretreatment Standard, or, in the case of a New Source, after commencement of the discharge into the POTW, shall submit to the Town Administrator a report indicating the nature and concentration of pollutants in the effluent which are limited by such Pretreatment Standards or Requirements. In addition, this report shall include a record of measured or estimated average and maximum daily flows for the reporting period. Sampling and reporting shall be done at least twice in every one-year period, at such times as the Town Administrator may designate.

(c) Analysis of Discharge.

All measurements, tests and analyses of the characteristics or properties of waters and wastes to which reference is made in this Ordinance shall be made in accordance with "Standard Methods," herein defined, and shall be performed by a qualified laboratory.

(d) Inspection and Sampling; Right of Entry.

The Town Administrator or his representative shall inspect the facilities of any user to ascertain whether the purpose of this Ordinance is being met and all requirements are being complied with. Persons or occupants of premises where wastewater is created or discharged shall allow the Administrator or his representative ready access at all reasonable times to all parts of the premises for the purposes of inspection, sampling, records examination or in the performance of any of their duties. The Town, Approval Authority and EPA shall have the right to set up on the user's property such devices as are necessary to conduct sampling inspection, compliance monitoring and/or metering operations.

(e) Pretreatment.

Users shall provide necessary wastewater treatment as required to comply with this Ordinance and shall achieve compliance with all Federal Categorical Pretreatment

Standards within the time limitations as specified by the Federal Pretreatment Regulations. Any facilities required to pretreat wastewater to a level acceptable to the Town Administrator shall be provided, operated, and maintained at the user's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the Town Administrator for review, and shall be acceptable to the local government before construction of the facility. The review of such plans and operating procedures will in no way relieve the user from the responsibility of modifying the provisions of this Ordinance. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the local government prior to the user's initiation of the changes.

The Town shall annually publish in the Washington Daily News a list of users who were not in compliance with any pretreatment requirements or standards at least once during the previous 12 months. The notification shall also summarize and enforcement actions taken against the user(s) during the same 12 months.

All records relating to compliance with Pretreatment Standards shall be made available to officials of the EPA, the State, or other approval authority upon request.

(f) Confidentiality.

Information and data on a user obtained from reports, questionnaires discharge applications and monitoring programs and from inspections shall be available to the public or other governmental agency without restriction unless the user specifically requests and is able to demonstrate to the satisfaction of the Town that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets of the user. When requested by the person furnishing the report, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public. It will, however, be made available upon written request to governmental agencies for uses related to this Ordinance, the National Pollutant Discharge Elimination System (NPDES)

Permit, State Disposal System Permit and/or the Pretreatment Programs; provided, however, that such portions of a report shall be available for use by the State or any State Agency in judicial review or enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics shall not be recognized as confidential information.

Information accepted by the local government as confidential shall not be given to any governmental agency or to the general public by the local government until and unless a ten-day notification is given to the user.

Section 4-2-4. REVENUE SYSTEM; USER CHARGES(a) Intent.

The intent of the user charge system is to distribute the cost of operation and maintenance (including replacement) of the POTW to the pollutant source and to promote self-sufficiency of the POTW with respect to operation and maintenance costs.

As used in this Section, the term "replacement" is defined as those expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the service life of the POTW to maintain the capacity and performance for which such works were designed and constructed. The term "operation and maintenance" includes replacement.

The user charge system described in this section shall take precedence over any previous terms of conditions, agreements, or contracts.

(b) User Class.

Each user shall be charged a share of the treatment works operation and maintenance cost based on the measured proportional contribution to the treatment works loading. Generally, the user charge will be dependent upon flow insofar as BOD, suspended solids, and other pollutant contributions discharged by all users are approximately equal. Where such pollutants exceed the range of concentration of these pollutants in normal domestic sewage, a surcharge as described in Section 4-2-4 (e) will be added to the base charge.

(c) User Charge Criteria.

The revenue system shall be maintained by the Town in accordance with the following requirements:

(1) The system must result in the distribution of the cost of operation and maintenance of treatment works within the Town's jurisdiction to each user (or user class) in proportion to such user's contribution to the total wastewater loading of the POTW. Factors such as strength, volume, and delivery flow rate characteristics

shall be considered and included as the basis for the user's contribution to ensure a proportional distribution of operation and maintenance costs to each user (or user class).

(2) The user charge system must generate sufficient revenue to offset the cost of all treatment works operation and maintenance provided by the Town.

(3) The system must result in the distribution of the cost of operation and maintenance for extraneous flows (i.e., infiltration and inflow) among all users.

(4) Each user must be notified, at least annually, in conjunction with a regular bill, of the user charge rates and that portion of these rates which is attributable to wastewater treatment services.

(d) Calculation of User Charge.

The user charge fee shall be based on the following formula:

$$C_u = \frac{C_f}{N} + \frac{C_v}{F}$$

Where,

$C_u$  = User charge

$C_f$  = Total fixed operation and maintenance costs

$C_v$  = Total variable operation and maintenance costs

$N$  = Number of users

$F$  = Total volume of flow

Appendix A provides the basic data and calculations to determine user charges.

(e) Surcharge on Industrial Wastes.

The user charge for industrial customers shall be calculated on the same basis as a residential customer unless pollutant loadings exceed those concentrations in normal domestic sewage and are above the established baseline pollutant concentrations. Baseline pollutant concentrations shall be 300 mg/l for BOD and 300 mg/l for TSS. Where so determined, a surcharge, added to the base charge, shall be levied.



(f) Calculation of Industrial Surcharge.

The industrial surcharge shall be calculated based on the following formula:

$$C_S = C_B(BOD_5 - 300) + C_T(TSS - 300)$$

Where,

$C_S$	=	Total surcharge
$BOD_5$	=	the 5-day Biochemical Oxygen Demand (BOD) in mg/l of the industrial waste
$C_B$	=	the operation and maintenance cost for treatment of a unit of BOD
TSS	=	the total suspended solids in mg/l of the industrial waste
$C_T$	=	the operation and maintenance cost for treatment of a unit of TSS

(g) Adoption and Review of Rates.

The Town Board of Commissioners shall review the recommended user charge rate annually, or more often as deemed necessary, and adopt a rate or rates to be charged during the ensuing fiscal year or other time period designated by the Board.

(h) Billing.

The user charges, as set forth in this Section, shall be billed and payable monthly on a bill rendered to the proper persons by the Town.

Bills for sewer service are due when rendered and are delinquent after 30 days. In the event the bill for sewer service is not paid in 30 days after it was rendered, a penalty of five dollars (\$5.00) shall be added and shall be paid by the consumer.

Delinquent notices will be mailed to the consumer, and if not paid within 30 days after date of mailing, sewer service may be discontinued. A \$25.00 reconnection fee shall be charged for reinstating sewer service.

Failure to receive bills mailed or notices shall not prevent the bills from becoming delinquent nor relieve the consumer from payment.

(i) Hook-up Charges.

All those residences, businesses and churches receiving water from the Town water system and appearing on the original construction contract of T. A. Loving Co., Inc., dated May, 1986, shall be hooked up to the public sewer system at no charge to the owner.

Non-benefited users according to FmHA guidelines shall pay a hook-up fee prescribed by the Town Board of Commissioners.

All residences, businesses, and churches not receiving water and not appearing on the original construction contract with T. A. Loving Co., Inc. dated May, 1986, shall pay a hook-up fee in the amount of the Town's cost of such service, together with an administrative cost to be set by the Town Board. It is the intention of the Town to develop a standard rate for hook-ups to the system, and such policy shall be implemented at such time as system reserves are adequate and available to feasibly adopt a standard rate.

Section 4-2-5. EXTENSIONS

(a) General Provisions.

All extensions of or sanitary sewer service shall be governed by the following:

(1) The minimum distance for any extension of a sanitary sewer main shall be determined by the Town Board of Commissioners. In general, the minimum distance for extensions shall be one platted block.

(2) The size of sanitary sewer mains to be installed and the other required system facilities shall be determined by the Town Board of Commissioners in accordance with recognized standards and accepted engineering practices and design and in accordance with applicable system plans adopted by the Town.

(b) Application Required.

Any property owner, or owners, desiring sanitary sewer service shall apply in writing to the Town Board of Commissioners requesting the extension of sanitary sewer service. No request for the extension of services shall be considered unless submitted in writing in accordance with the requirements of this section.

The Town may require the applicant to submit as part of the written application information such as engineering plans, cost estimates or other data or information as may be required to adequately determine if the requirements of this ordinance are to be met.

When application is made for a sewer extension to serve an area or development that is planned as part of a larger development project or subdivision, all of which is to be developed at the time application is made, the owner or owners shall submit plans in sufficient detail in order to determine the size and type facilities which will be necessary to serve the entire development or subdivision when completed.

(c) Extensions Within the Corporate Limits.

(1) General. The Town shall be responsible for estimating the cost of extending sewer service within the corporate limits. When application is received requesting the extension of service to serve property within the corporate limits, the Town Board of Commissioners shall consider the application, the estimated cost and the required information.

If the application is approved by the Town Board of Commissioners, subject to the availability of funds and any constraints on the wastewater treatment system, the Town will install or have installed by contract under its supervision, the extensions which have been approved, and the extension(s) shall be financed in accordance with this section.

(2) Financing. When an approved sanitary sewer extension project has been completed and the total cost thereof has been determined, 70% of the total cost of the extensions shall be assessed against the property owners who's property abuts upon the extension. In determining the basis for making the assessment, the Town may consider any pertinent information regarding the particular extension, and may utilize any formula or basis permitted by G.S. 160A-218 and under the authority granted to the Town by G.S. 160A-216. The remaining 30% of the total cost of the extensions shall be borne by the Town.

Any property owner or owners shall have the opportunity to pay his or their proportionate share of the cost of such extensions after the assessment roll is confirmed rather paying his or their share in equal annual installments.

(3) Oversize Mains. When the Town determines that it is advisable to install larger size facilities than are necessary to serve the property requesting the extension, the difference in cost of the larger size facilities over the cost of the facilities required to serve the property requesting the extension shall be paid for by the Town and excluded from the total cost to be shared by the property owner(s) and the Town as provided for herein.

(4) Extension by Town's Initiative. Nothing in this section shall prevent the Town from extending sewer mains within the corporate limits on their own motion without receipt of an application from property owners, and to assess the cost of such extensions in accordance with paragraph (2) above when, in the opinion of the Town Board of Commissioners, the general public interest demands such extension or service.

(d) Extensions Outside the Corporate Limits.

(1) General. The applicant shall be responsible for estimating the cost of extending sewer service outside the corporate limits and shall assume all other costs that may be incurred in submitting an application under Section 4-2-5(b). Only properties served with Town water will be considered for service by Town sewer.

(2) Financing. If an application is approved by the Town Board of Commissioners, the owner or owners shall be required to pay 100% of the total cost of all extensions. However, the Town may participate to the extent agreed upon by the Board of Commissioners in the cost of larger size mains that are in excess of the size mains required to serve the project. No reimbursement shall be made upon any subsequent annexation, and all sewer lines connected to the Town system and located outside the corporate limits shall become the property of the Town at the time those facilities are connected.

Prior to the beginning of any construction, the owner or owners shall deposit with the Town funds in an amount equal to at least 100% of the total estimated cost of the extensions. Upon receipt of the funds a written contract shall be entered into by and between the Town and the property owner(s). The contract shall provide that in the event the funds deposited exceed the amount of the total extension cost when completed, then that portion in excess of the total cost will be refunded to the owner(s) without interest. The contract shall also provide that if the amount deposited is less than the total cost, when completed, the owner(s) shall pay the additional amount to the Town.

In lieu of depositing funds the owner(s) may execute a surety bond guaranteeing payment for the extension, or the owner(s) may have the extension work performed under private contract with the approval of the Town Board of Commissioners, provided the work is to be performed in accordance with all construction requirements of the Town and subject to inspection and approval of the Town.

(3) Specifications; Ownership. Any sanitary sewer main extended under the provisions of this section shall be installed and constructed in accordance with the approved plans, specifications, and other requirements of the Town. All facilities installed under the provisions of this section, whether within or outside the corporate limits shall become the sole property of the Town and under its jurisdiction and control for any and all purposes whatsoever at the time those facilities are connected to the Town system. When required, the property owner or owners shall grant to the Town such utility easements as the Town may require. In addition, a deed to the Town for sewer facilities installed which are located outside the corporate limits, the cost of which is borne by individual property owners, shall be executed prior to the time any extensions provided for in this section are connected to the Town system.

Section 4-2-6. ENFORCEMENT.(a) Notification of Violation.

Whenever the Town Administrator finds that any user has violated or is violating this Ordinance, a Wastewater Discharge Permit, or any prohibition, limitation or requirement contained herein, the Administrator shall serve upon such person a written notice stating the nature of the violation. Within thirty (30) days of the date of the notice, a plan for the satisfactory correction thereof shall be submitted to the Administrator by the user.

(b) Suspension of Service.

The Town Administrator may suspend the wastewater treatment service and/or a Wastewater Discharge Permit when, in the opinion of the Administrator, such suspension is necessary in order to stop an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health or welfare of persons, to the environment, causes interference to the POTW, or causes the Town to violate any condition of its NPDES Permit.

Any person notified of a suspension of the wastewater treatment service and/or the Wastewater Discharge Permit shall immediately stop or eliminate the contribution. In the event of a failure of the person to comply voluntarily with the suspension order, the Town Administrator shall take such steps as deemed necessary including immediate severance of the sewer connection, to prevent or minimize damage to the POTW or prevent endangerment to any individuals. The Administrator shall reinstate the Wastewater Discharge Permit and/or the wastewater treatment service upon proof of the elimination of the non-complying discharge.

(c) Revocation of Permit.

Any user who violates the following conditions of this Ordinance or any other applicable State and Federal regulations is subject to having his permission to discharge revoked:

(1) Failure of a user to factually report the wastewater constituents and characteristics of his discharge;

(2) Failure of a user to report significant changes in operations, or wastewater constituents or characteristics;

(3) Refusal of reasonable access to the user's premises for the purpose of inspection or monitoring; or

(4) Violation of Sections 4-2-2.e, 4-2-2.h, and 4-2-2.j of this Ordinance.

(5) Violation of any of the conditions set out in the permit to discharge.

(d) Show Cause Hearing.

(1) Hearing Notice. The Town Administrator may order any user who causes or allows an unauthorized discharge to enter the POTW to show cause before the Town Board of Commissioners why the proposed enforcement action should not be taken. The Town Board of Commissioners itself may conduct the hearing and take evidence, or may direct any of its members or an officer or employee to do so.

(2) Issuance of Order. After the Town Board of Commissioners has reviewed the evidence, it may issue an order to the user responsible for the discharge directing that, following a specified time period, the sewer service be discontinued unless adequate treatment facilities, devices or other related appurtenances shall have been installed or existing treatment facilities, devices or other related appurtenances are properly operated. Further orders and directives as are necessary and appropriate may be issued.



Section 4-2-7. PENALTIES.(a) Civil Penalties.

Any user who is found to have violated an Order of the Town Board of Commissioners or who failed to comply with any provision of this Ordinance, and the orders, rules, regulations and permits issued hereunder, shall be fined not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00) for each offense. Each day on which a violation may occur or continue shall be deemed a separate and distinct offense. The user also shall reimburse the Town upon demand for any expenses, loss, or damage actually sustained by the Town to its sewer system, treatment plant, treatment processes or receiving waters as a result of such a violation, and for the amount of any fine or penalty imposed upon the Town by any State or Federal regulatory agency as a result of such violation, and for other actual costs, including payroll costs, incurred by the Town as a result of such violation. In addition to the penalties provided herein, the Town may recover reasonable attorneys' fees, court costs, court reporters' fees and other expenses of litigation by appropriate suit at law against the person found to have violated this Ordinance or the orders, rules, regulations, and permits issued hereunder.

(b) Falsifying Information.

Any person who knowingly makes any false statements, representation or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to this Ordinance, or Wastewater Discharge Permit, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this Ordinance, shall, upon conviction, be punished by a fine of not more than \$1,000 or by imprisonment for not more than six (6) months, or by both.

(c) Malicious Damage.

No person(s) shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the Town's wastewater treatment system. Any person(s) violating this provision shall, upon conviction, be punished as provided for under Section 14-4 of the General Statutes of North Carolina.

Section 4-1-8. SEVERABILITY.

If any provision, paragraph, word, section or article of this Ordinance is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections, and chapters shall not be affected and shall continue in full force and effect.

Section 4-2-9. CONFLICT.

All other Ordinances, Regulations and portions of such documents inconsistent or conflicting with any part of this Ordinance are hereby repealed to the extent of such inconsistency or conflict.

Section 4-2-10. ORDINANCE IN FORCE.

This Ordinance shall be in full force and effect from and after its passage, approval, and recording.

Adopted this the 12th day of December, 1988.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Town Administrator

**APPENDIX A**

**Calculation of User Charge**



Table 2  
FIXED AND VARIABLE COSTS 1989

Expenditure Item	(% Total Cost)	Fixed Cost (\$)	Variable Cost (\$)	Total Cost (\$)
Salaries	75	7,425	2,475	9,900
FICA	75	480	160	640
Insurance	100	500	0	500
Debt Service	100	16,645	0	16,645
Utilities	25	450	1,350	1,800
Chemicals	25	150	450	600
Office	100	300	0	300
Contracted services	100	350	0	350
Extensions	0	0	3,000	3,000
Maintenance & repair	50	1,687	1,687	3,374
TOTAL	-	27,987	9,122	37,109

Source: Mid-East Commission calculations

Table 3  
USER CHARGE CALCULATIONS

Inputs	Estimated 1989
N= Number of Users	155
F= Fixed Expenses (\$)	27,987
V= Variable Expenses (\$)	9,122
T= Total Volume Flow (gallons per year) (based on 95% of water flow of 22,000 gpd)	7,628,500

$$\text{Monthly Charge} = \text{base rate} + \text{variable rate} \\ = [(F/12)/N] + (V/T)$$

$$\text{Base rate (\$/month)} = 15.05 \\ \text{Variable rate (\$/1000 gal)} = 1.20$$

Source: Mid-East Commission calculations

Table 4  
SAMPLE USER CHARGE

Monthly water use (gal)	3,500
Base rate (\$)	15.05
Variable rate (\$) (3,500 g x \$x.xx per 1,000 gal)	4.19
TOTAL CHARGE (\$)	19.23

Source: Mid-East Commission calculations

Table 5  
CHARGE COMPARISONS WORKSHEET (charges in \$)

Monthly Water Use (gal)	Fixed Charge	Variable Charge	Total Sewer	Total Water & Sewer (1)	Total Charge Under Current System	Difference (Proposed - Current)
1,400	15.05	1.67	16.72	24.22	20.00	4.22
1,600	15.05	1.91	16.96	24.46	20.00	4.46
1,800	15.05	2.15	17.20	24.70	20.00	4.70
2,000	15.05	2.39	17.44	24.94	20.00	4.94
2,200	15.05	2.63	17.68	25.18	21.00	4.18
2,400	15.05	2.87	17.92	25.42	22.00	3.42
2,600	15.05	3.11	18.16	25.66	23.00	2.66
2,800	15.05	3.35	18.39	25.89	24.00	1.89
3,000	15.05	3.59	18.63	26.13	25.00	1.13
3,200	15.05	3.83	18.87	26.37	26.00	0.37
3,400	15.05	4.07	19.11	26.61	27.00	-0.39
3,600	15.05	4.30	19.35	26.85	28.00	-1.15
3,800	15.05	4.54	19.59	27.09	29.00	-1.91
4,000	15.05	4.78	19.83	27.33	30.00	-2.67
4,200	15.05	5.02	20.07	27.57	31.00	-3.43
4,400	15.05	5.26	20.31	27.81	32.00	-4.19
4,600	15.05	5.50	20.55	28.05	33.00	-4.95
4,800	15.05	5.74	20.79	28.29	34.00	-5.71
5,000	15.05	5.98	21.03	28.53	35.00	-6.47

(1) add \$7.50 for water usage up to 5,000 gal/month

Source: Mid-East Commission calculations

# CHARGE COMPARISONS

