Sewage

ORDINANCE 2014-22

AN ORDINANCE AMENDING CHAPTER 51, PUBLIC WORKS, OF TITLE V OF THE CODE OF ORDINANCES OF THE CITY OF COLUMBIA CITY, INDIANA

WHEREAS, the Common Council of the City of Columbia City, Indiana, after full consideration given to the number of amendments needed to update its Sewage Service ordinance, deems it necessary to restate and amend in its entirety Chapter 51 of the Code of Ordinances of the City of Columbia City, Indiana.

NOW, THEREFORE, BE IT ORDAINED, ORDERED, AND ESTABLISHED by the Common Council of the City of Columbia City, Indiana, that Chapter 51 of the Columbia City Code of Ordinances is hereby restated and amended in its entirety as follows:

§ 51.01 DEFINITIONS.

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

BOARD. The Board of Public Works and Safety of the city or any duly authorized officials acting in its behalf.

B.O.D. or BIOCHEMICAL OXYGEN DEMAND. The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20°C, expressed in parts per million by weight.

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 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.

COMBINED SEWER. A sewer receiving both surface runoff and sewage.

EXCESSIVE STRENGTH SURCHARGES. An additional charge which is billed to users for treating sewage wastes with an average strength in excess of NORMAL DOMESTIC SEWAGE.

GARBAGE. Solid wastes from the preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.

ILLEGAL DISCHARGE. Any discharge to a conveyance (or to the sanitary sewer) that is not composed entirely of sewage.

ILLICIT CONNECTION.

(1) Any drain or conveyance, whether on the surface or subsurface, which allows an illegal discharge to enter the sanitary sewer including, but not limited to, any conveyances which allow any storm water, surface water, ground water, roof runoff, subsurface drainage, cooling water, or unpolluted process water to enter the sanitary sewer;

(2) Any connections to the sanitary sewer from floor drains, perimeter drains, sump pumps, or any storm water connection (as "storm water" is defined in Chapter 56), installed or connected after the effective date of Ord. 2013-16; or

(3) Any drain or conveyance connected from a commercial or industrial land use to the sanitary sewer which has not been documented in plans, maps or equivalent records and approved by the city.

(4) For purposes of this definition, in the event a connection otherwise grand-fathered in under this chapter shall be disconnected for any reason and by anyone and then reconnected, such reconnection shall not relate back to the prior connection and shall instead be deemed to have occurred after the effective date of Ord. 2013-16.

INDUSTRIAL WASTES. The wastewater discharges from industrial, trade, or business processes as distinct from employees-wastes or wastes from sanitary conveniences.

INSPECTOR. The person or persons duly authorized by the city, through its Board of Public Works and Safety, to inspect and approve the installation of building sewers and their connection to the public sewer system.

NATURAL OUTLET. Any outlet into a watercourse, pond, ditch, lake, or other body of surface or ground water.

NORMAL DOMESTIC SEWAGE.

(1) For the purpose of determining surcharges, wastewater or sewage having an average daily concentration as follows:
   (a) B.O.D. not more than 250 mg/l.
   (b) T.S.S. not more than 250 mg/l.
   (c) Phosphorus not more than 10 mg/l.
   (d) Nitrogen, ammonia not more than 25 mg/l.
   (e) Hexane-soluble matter (oil and grease), not more than 25 mg/l total soluble and insoluble oil, and grease not more than 100 mg/l.

(2) As defined by origin, wastewater from segregated domestic or sanitary conveniences as distinct from wastes from industrial processes.

OTHER SERVICE CHARGES. Tap charges, connection charges, area charges, and other identifiable charges, other than user charges, debt service charges, and excessive strength surcharges.

PERSON. Any and all persons, natural or artificial, including any individual, firm, company, municipal or private corporation, association, society, institution, enterprise, governmental agency, or other entity.

pH. The logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

PROPERLY SHREDDED 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 in any dimension.

PUBLIC OWNED TREATMENT WORKS (POTW). A treatment works which is owned by a municipality as defined by § 502(4) of the Clean Water Act. This definition includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes all sewers, pipes and other conveyances that transfer wastewater to a POTW. The term also means the municipality as defined in § 502(4) of the Act which has jurisdiction over the indirect discharges to and the discharges from a treatment works.

PUBLIC SEWER. Any sanitary sewer facility owned, operated, and maintained by the City of Columbia City.

SANITARY SEWER. A sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.

SEWAGE. A combination of the water- carried waste from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and storm waters as may be present.

SEWER. A pipe or conduit for carrying sewage.

SHALL is mandatory; MAY is permissive.

STORM SEWER or STORM DRAIN. A sewer which carries storm and surface waters and drainage, but excludes sewage and polluted industrial wastes.

SUPERINTENDENT. The Superintendent of the Municipal POTW of the city, or his or her authorized deputy, agent, or representative.

SUSPENDED SOLIDS. Solids that either float on the surface of or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.

TAP OR LATERAL CONNECTION. A connection from a private pipe or conduit to the city's POTW.

WATERCOURSE. A channel in which a flow of water occurs, either continuously or intermittently.

REGULATIONS

§ 51.05 SEWAGE DISPOSAL REGULATED.

(A) No person shall place, deposit, or permit to be deposited in an 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) It shall be unlawful to discharge to any natural outlet within the city, or in any area under the jurisdiction of the city, any sanitary sewage, industrial waste, or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this chapter.

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

(D) The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the city and abutting any street, alley, or right-of-way in which there is now located, or may in the future be located, a public sewer or combined sewer of the city, is required at his or her 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 the date of official notice to do so, provided that the public sewer is within 300 feet of the property line.

§ 51.06 PRIVATE DISPOSAL FACILITIES PERMITTED.

(A) Where a public sanitary or combined sewer is not available under the provisions of § 51.05(D), the building sewer shall be connected to a private sewage disposal system complying with all recommendations of the State Board of Health.

(B) (1) At such time as a public sewer becomes available to a property served by a private sewage disposal system as provided in § 51.05(D), a direct connection shall be made to the public sewer in compliance with this chapter, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned.

(2) Septic tanks shall be abandoned accordingly:

(a) The tanks shall be thoroughly and completely pumped by a licensed septic hauler registered with the state. A copy of the receipt for hauling must be filed with the County Health Department. It is the responsibility of the home owner to present this to the County Health Department.

(b) The lid of the tank is to be crushed in completely, and all non-concrete parts shall not be buried with the lid but shall be disposed of properly. This includes the residential sewer line.

(c) The entire holding capacity of the tank shall be filed with gravel or sand.

(d) The County Health Department shall be notified of all abandonments and must be present to inspect the abandonment before the tank is covered. It will be the responsibility of the home owner or agent of the home owner to contact the County Health Department of when the abandonment shall take place.

(3) The abandonment of a private sewage disposal system or privy must occur within 30 days of the residence's connection to a sanitary sewerage system.

(C) The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times at no expense to the city.

(D) No statement contained in this section shall be construed to interfere with any additional requirements that may be imposed by the local health officer.

§ 51.07 APPROVAL FOR SEWER CONNECTION REQUIRED.

(A) No unauthorized person shall uncover, make any connections to or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first notifying the City Utilities office and obtaining approval from the City. For approval, the City may require plans, specifications or other information the City considers to be pertinent.

(B) All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner (or the owner's contractor or legal representative) shall indemnify the city from any loss or damage that may directly or indirectly be occasioned by the installation.

§ 51.08 CONSTRUCTION REQUIREMENTS.

(A) A separate and independent building sewer shall be provided for every building except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

(B) Existing sewers may be used in connection with new construction when they are found on examination and test by the Inspector to meet all requirements of this chapter.

(C) The building sewer shall be cast iron soil pipe, A.S.T.M. specification or equal; vitrified clay sewer pipe, A.S.T.M. specification or equal; or other suitable material approved by the Inspector. Joints shall be tight and waterproof. Any part of the building sewer that is located within ten feet of a water service pipe shall be constructed of cast iron soil pipe with leaded joints. Cast iron pipes with leaded joints may be required by the Inspector where the building sewer is exposed to damage by tree roots. If installed in filled or unstable ground, the building sewer shall be of cast iron soil pipe, except that nonmetallic material may be accepted if laid on a suitable concrete bed or cradle as approved by the Inspector.

(D) The connection of the building sewer into the public sewer shall be made by the "Y" branch, if such branch is available at a suitable location. If the public sewer is 12 inches in diameter or less, and no properly located "Y" branch is available, the owner shall at his or her expense install a "Y" branch in the public sewer at the location specified by the Inspector. Where the public sewer is greater than 12 inches in diameter, and no properly located "Y" branch is available, a saddle type fitting may be cut in the public sewer to receive the building sewer, with entry in the downstream direction of an angle of about 45 degrees. A 45-degree elbow may be used to make such connection, with the spigot end cut so as not to extend past the inner surface of the public sewer. The invert of the building sewer at the point of connection shall be at the same or at a higher elevation than the invert of the public sewer. A smooth, neat joint shall be made, and the connection made secure and watertight by encasement in concrete. Fittings may be used for the connection only when approved by the Inspector.

(E) The owner (or the owner's contractor or legal representative) seeking to connect to the City's sewer shall notify the Inspector when the building's sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision

of the Inspector or his or her representative.

(F) 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 city. The property owner shall be responsible for any necessary permits.

§ 51.09 DISCHARGE OF STORM WATER.

(A) No person shall discharge, or cause to be discharged, any storm water, surface water, ground water, roof runoff, subsurface drainage, cooling water or unpolluted industrial process waters in to a sanitary sewer.

(B) The construction, use, or maintenance of illicit connections to the sanitary sewer is prohibited. This prohibition applies to illicit connections made after the effective date of Ord. 2013-16. A person is considered to be in violation of this section if the person connects a line conveying any discharges set forth in division (A) above.

§ 51.10 DISCHARGE OF CERTAIN WASTES PROHIBITED.

Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:

(A) Any liquid or vapor having a temperature higher than 150° F;

(B) Any water or waste which may contain more than 100 parts per million by weight of fat, oil, or grease;

(C) Any water or waste which may contain more than 25 parts per million by weight of soluble oils;

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

(E) Any garbage that has not been properly shredded;

(F) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, or any other solid or viscous substance capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the POTW;

(G) Any waters or wastes having a pH lower than 5.0 (standard unit) or higher than 10.0

(standard unit), or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the POTW;

(H) Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any hazard in receiving waters of the POTW;

(I) Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the POTW; and

(J) Any noxious or malodorous gas or substance capable of creating a public nuisance.

§ 51.11 GREASE, OIL, AND SAND INTERCEPTORS.

(A) Scope and purpose. The purpose of this section is to control discharges into the public sewerage collection system and POTW that interfere with the operations of the system, cause blockage and plugging of pipelines, interfere with normal operation of pumps and their controls and contribute waste of a strength or form that either causes treatment difficulties or is beyond the treatment capability of the POTW.

(B) Definitions. For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

FATS, OILS AND GREASES. Material composed primarily of fats, oils and greases (FOG) from animal or vegetable sources. The terms fats, oils and greases shall be deemed as GREASE by definition. These substances are detectable and measurable using analytical test procedures established in the 40 C.F.R. 136, as may be amended from time to time. GREASE does not include petroleum base products.

FOOD SERVICE ESTABLISHMENT. Those establishments engaged in activities of preparing, serving or otherwise making available for consumption by the public, including but not limited to, restaurants, commercial kitchens, churches, clubs, caterers, hotels, schools, hospitals, prisons, correctional facilities and care institutions. These establishments use one or more of the following preparation activities: cooking by frying (all methods), baking (all methods), grilling, sautéing, rotisserie cooking, broiling (all methods), boiling, blanching, roasting, toasting or poaching. Also included are infrared heating, searing, barbecuing and any other food preparation activity that produces a hot, non-drinkable food product in or on a receptacle that requires washing.

GREASE INTERCEPTOR. A structure or device designed for the purpose of removing and preventing fats, oils and greases from entering the sanitary sewer collection system. These devices are below-ground units in outside areas and are built as two or three chamber baffled tanks.

GREASE TRAP. A device for separating and retaining waterborne greases and grease complexes prior to the wastewater exiting the trap and entering the sanitary sewer collection and treatment system. Such traps are compact under-the-sink units that are near food preparation areas. These devices also serve to collect settleable solids, generated by and from food preparation activities, prior to the water exiting the trap and entering the sanitary sewer collection and treatment system.

INDIANA PLUMBING CODE. References herein to the Indiana Plumbing Code shall mean Indiana Administrative Code (I.A.C.) 675 16-1.3, as amended or replaced. Application of the Indiana Plumbing Code to the provisions of this section and the enforcement thereof shall always be the application and interpretation of the most current version of the code section.

MAILING. For purposes of mailing documents and receipt thereof, notices shall be mailed by certified mail, return receipt requested, and delivery shall be deemed made on the date signified on the return receipt. Notices may also be hand delivered with receipt determined on the date of such delivery.

MINIMUM DESIGN CAPABILITY. The design features of a grease interceptor and its ability or volume required to effectively intercept and retain greases from grease-laden wastewater discharged to the public sanitary sewer.

POTW or PUBLICLY OWNED TREATMENT WORKS. A treatment works which is owned by a municipality as defined by § 502(4) of the Clean Water Act. This definition includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes all sewers, pipes and other conveyances that transfer wastewater to a POTW. The term also means the municipality as defined in § 502(4) of the Act, which has jurisdiction over the indirect discharges to and the discharges from such a treatment works. For purposes of this section, the terms SANITARY SEWER SYSTEM and POTW may be used interchangeably.

SAND, SOIL AND OIL INTERCEPTORS. Approved and industry standard system that is specifically designed and manufactured to separate sand, soil and oil from water. The system shall allow the sand, soil and oil to be collected and removed on a regular basis as to prevent it from being discharged into the wastewater collection system.

USER. Any person, including those located outside the jurisdictional limits of the city, who contributes, causes or permits the contribution or discharge of wastewater into sewers within the wastewater service area, including persons who contribute such wastewater from mobile sources, such as those who discharge hauled wastewater.

(C) General criteria.

(1) Installation requirements. All existing, proposed or newly remodeled food service facilities inside the city wastewater service area shall be required to install, at the user's expense, and approved, properly operated and maintained grease interceptor or trap which complies with the Indiana Plumbing Code.

(2) Sanitary sewer flows. Sanitary sewer flows from toilets, urinals, lavatories and the like shall not be discharged into the grease trap. These flows shall be conveyed separately to the sanitary sewer service lateral.

(3) Floor drains. Only floor drains which discharge or have the potential to discharge grease shall be connected to a grease trap.

(4) Garbage grinders/disposers. It is recommended that solid food waste products be disposed of through normal solid waste/garbage disposal means. If a grinder/disposal is used it must be connected to the grease trap, although it may decrease the operational capacity of the grease trap, which will require an increased pumping frequency to ensure continuous and effective operation.

(5) Dishwashers. Commercial dishwashers must be connected to the grease trap unless discharge water exceeds 140°F/60°C, at which time temperature equalization equipment must be used before discharge enters the collection system. Dishwashers discharge soap and hot water which can melt grease and allow it to pass through an undersized grease trap. Therefore, grease traps must be sized accordingly to allow enough detention time to allow water to cool and grease to solidify and float to the top of the trap.

(6) Location. Grease trap shall be installed inside the building upstream from the sanitary sewer service lateral connection. This will allow easy access for inspection, cleaning and removal of the intercepted grease at any time. A grease trap may not be installed inside any part of a building without written approval by the Columbia City/Whitley County Planning/Building Department (herein often referred to as "Joint Building Department").

(7) Pass through limits. No user shall allow wastewater discharge concentrations from the grease trap to exceed 100 mg/l (milligrams per liter) as identified by EPA test method 1664.

(D) Discharge criteria.

(1) Where fats and greases are a byproduct of food preparation and/or cleanup, reasonable efforts shall be made to separate fats and greases into a separate

container for proper disposal. Fats and greases shall not be discharged to any drains or grease interceptors, except as contained in byproducts of food preparation and/or clean up. Such waste shall be placed in a container designed to hold such waste and either utilized by the industry or disposed of at suitable locations.

(2) None of the following agents shall be placed directly into a grease interceptor, or into any drain that leads to the interceptor:

(a) Emulsifiers, de-emulsifiers, surface active agents, enzymes, degreasers or any type of product that will liquefy grease interceptor wastes;
(b) Any substance that may cause excessive foaming in the POTW; or
(c) Any substance capable of passing the solid or semi-solid contents of the grease interceptor to the POTW.

(3) The influent to grease interceptors or grease traps shall not exceed 140°F/60°C.

(E) Grease interceptor requirements.

(1) Grease interceptor sizing and installation shall conform to the Indiana Plumbing Code.

(2) Grease interceptors shall be constructed in accordance with design approved by the Joint Building Department and shall have a minimum of two compartments with fittings designed for grease retention.

(3) Grease interceptors shall be installed at a location where it shall be easily accessible for inspection, cleaning and removal of intercepted grease. The grease interceptor may not be installed in any part of the building where food is handled. Location of the grease interceptor must meet the approval of the Joint Building Department.

(4) All such grease interceptors shall be serviced and emptied of accumulated waste content as required in order to maintain minimum design capability. Users who are required to maintain a grease interceptor shall:

(a) Provide for a minimum hydraulic retention time in accordance with the Indiana Plumbing Code;
(b) Remove any accumulated grease cap and sludge pocket as required to maintain minimum design capability; and
(c) Keep grease interceptors free of inorganic solid materials such as grit, rocks, gravel, sand, eating utensils, cigarettes, shells, towels, rags and the like, which could settle in the interceptor and thereby reduce the effective

volume of the device.

(5) Access manholes shall be provided over each grease interceptor chamber and sanitary tee. The access manholes shall extend at least to finished grade and be designed and maintained to prevent water inflow or infiltration. The manholes shall also have readily removable covers to facilitate inspection, grease removal and wastewater sampling activities.

(6) Grease interceptors required under this section shall be installed in all food service facilities unless the Joint Building Department authorizes the installation of an indoor grease trap or other alternative pretreatment technology and determines that the installation of a grease interceptor is not feasible. If a facility believes the installation of a grease interceptor is infeasible, because of documented space constraints, the request for an alternative grease removal device shall contain the following information:

(a) Location of sewer main and easements in relation to available exterior space; and
(b) General information about existing plumbing at the site.

(F) Grease trap maintenance and design.

(1) Cleaning/pumping. The user, at the user's expense, shall maintain all grease traps to assure proper operation and efficiency and maintain compliance with the city's pass through limits. Maintenance of grease traps shall include the complete removal of all contents, including floating materials, wastewater and bottom sludge and solids. This work shall be performed by a qualified and licensed hauler. Decanting or discharging of removed waste back into the trap from which it was removed or any other grease trap, for the purpose of reducing the volume to be disposed, is prohibited. This service shall also include a thorough inspection of the trap and its components. Any needed repairs shall be noted by the inspecting city representative, provided in writing to the user, and repaired at the user's expense.

(2) Disposal. All waste removed from each grease trap must be disposed of at a facility approved to receive such waste in accordance with the provisions of this program. In no way shall the pumpage be returned to any private or public portion of the city's sanitary sewer collection system. All pumpage from grease traps must be tracked by a manifest, which confirms pumping, hauling and disposal of waste. The customer must obtain and retain a copy of the original manifest from the hauler.

(3) Maintenance log. A grease trap cleaning/maintenance log indicating each

pumping for the previous 24 months shall be maintained by each food service facility. This log shall include the date, time, amount pumped, hauler and disposal site and shall be kept in a conspicuous location for inspection. The log shall be made available to the Joint Building Department or POTW representative upon request.

(4) Inlet and outlet piping. Wastewater discharging to a grease trap shall enter only through the inlet pipe of the trap. Each grease trap shall have only one inlet and one outlet pipe.

(5) Construction. Grease traps shall be constructed in accordance with Indiana Plumbing Code standards and shall have a minimum of two compartments with fittings designed for grease retention. All grease removal devises or technologies shall be subject to the written approval of the Joint Building Department. Such approval shall be based on demonstrated removal efficiencies of the proposed technology.

(6) Access. Access to grease traps shall be available at all times, to allow for their maintenance and inspection.

(7) Load-bearing capacity. In areas where additional weight loads may exist, the grease trap shall be designed to have adequate load-bearing capacity. (Example: vehicular traffic in driving or parking areas.)

(8) Sand, soil and oil interceptors. All car washes, truck washes, garages, service stations, car and truck maintenance facilities, fabricators, utility equipment shops and other facilities (as determined by the Indiana Plumbing Code) that have sources of sand, soil and oil shall install effective sand, soil and oil traps, interceptors and/or oil/water separators. These systems shall be sized to effectively remove sand, soil and oil at the expected flow rates. These systems shall be, at the user's expense, cleaned or pumped on a regular basis to prevent impact upon the wastewater collection and treatment systems. Users whose systems are deemed to be ineffective by the Joint Building Department shall be asked to change the cleaning frequency or to increase the size of the system. Owners or operators of washing facilities will be required to prevent the inflow of detergents and rainwater into the wastewater collection system. Oil/water separator installations shall be required at facilities that accumulate petroleum oils and greases and at facilities deemed necessary by the Joint Building Department.

(9) Laundries. Commercial laundries shall be equipped with an interceptor with a wire basket or similar device, removable for cleaning, that prevents passage (into the wastewater collection system) of solids one-half inch or larger in size such as rags, strings, buttons or other solids detrimental to the system.

(10) Control equipment. The equipment or facilities installed to control FOG, food waste, sand, soil, oil and lint must be designed in accordance with the Indiana Plumbing Code, most current engineering standards, or other applicable guidelines approved by the Joint Building Department. Underground equipment shall be tightly sealed to prevent inflow of rainwater and shall be easily accessible to allow regular maintenance and inspection. Control equipment shall be maintained by the owner and/or operator of the facility as to prevent a stoppage of the wastewater collection system, and the accumulation of FOG, food waste, sand and lint in the collection lines, pump stations and POTW. If the city is required to clean out the wastewater collection lines, as a result of a stoppage resulting from poorly maintained control equipment (or lack thereof) the owner or operator shall be required to refund the labor, equipment, materials and any overhead costs to the city including any fines incurred due to any sanitary sewer overflow due directly to the stoppage. The city retains the right to inspect and approve any and all installations of control equipment. The city, through the Joint Building Department, reserves the right to request additional control measures if existing control equipment is shown to be insufficient to protect the wastewater collection system and POTW from interference due to the discharge of FOG, sand, soil, lint or any other undesirable materials.

(G) Violation.

(1) Any person who violates this section, in part or whole, shall be guilty of a civil violation punishable under and according to the general penalty provision of the city's Municipal Code of Ordinances. Each day's violation of this section shall be considered a separate offense.

(2) It is unlawful for any user to discharge into the POTW in any manner that is in violation of this section, or of any condition set forth in this section. Additionally, a person commits an offense if the person causes or permits the plugging of, blocking of or otherwise interferes with or permits interference with a grease interceptor or the POTW, including alteration or removal of any flow constricting devices so as to cause flow to rise above the design capacity of the interceptor.

(3) No person, and/or facility shall discharge grease to the POTW, except as expressly authorized by this section. If such discharge occurs, the person or facility shall be considered in violation of this section and subject to the remedies described herein.

(4) In addition to prohibiting certain conduct by natural persons, it is the intent of this section to hold a corporation, association, LLC, LLP, PS or other entity of organization legally responsible for prohibited conduct performed by an agent action on behalf of such an entity and within the scope of his or her office or

employment.

(5) The POTW may recover the fees and costs imposed by this section in a civil action and may pursue any other remedy available at law or in equity to address a violation of this section or to enforce compliance with it.

(H) Appeal process.

(1) The Board of Public Works and Safety shall hear and decide appeals when it is alleged there is an error in any requirement, decision or determination made by the inspecting city representative in the enforcement or administration of this section.

(2) Appeals shall be made in writing to the Board of Public Works and Safety, attention to the Columbia City Clerk-Treasurer, no later than 30 days from the date of receipt of the violation. The Clerk-Treasurer shall then schedule the appeal on the Board of Works agenda as a regular agenda item.

(I) Authorization. POTW representatives are authorized to promulgate such rules and regulations as shall be reasonable and necessary to carry out the provisions of this section according to its terms and intent.

§ 51.12 DAMAGING SEWAGE FACILITIES.

No unauthorized 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 municipal POTW. Any person violating this provision shall be subject to immediate arrest for criminal mischief or under such charge as deemed appropriate by the prosecuting attorney.

§ 51.13 INSPECTION OF PREMISES.

The Superintendent, Inspector, and other duly authorized employees of the city bearing proper credentials and identification shall be permitted to enter on all properties for the purpose of inspection, observation, measurement, sampling, and testing, in accordance with the provisions of this chapter.

RATES

§ 51.20 SCOPE.

(A) Every person whose premises are served by the POTW shall be charged for the services provided.

(B) For the use of and the service rendered by the POTW, rates and charges shall be collected

from the owners of each and every lot, parcel of real estate, or building that is connected with the city sanitary system or otherwise discharges sanitary sewage, industrial wastes, water, or other liquids, either directly or indirectly, into the sanitary sewerage system of the city. Such rates and charges shall be payable as hereinafter provided and shall be in an amount determinable as follows.

§ 51.21 BASIS OF CHARGES.

(A) The sewage rates and charges shall be based on the quantity of water used and the size of the water meter on or in the property or premises subject to such rates and charges. Water meters shall be read once each month, and sewage service bills shall be rendered once each month (or period equaling a month).

(B) The rates and charges for sewage service is as follows:

(1) The water usage (flow) shall be billed at a rate of $8.95 per 1,000 gallons of water used for the first full billing cycle after March 1, 2015; $9.89 per 1,000 gallons of water used for the first full billing cycle after March 1, 2016; and $10.68 per 1,000 gallons of water used for the first full billing cycle after March 1, 2017.

(2) In addition, each user shall pay a monthly flat rate charge based on the water meter size as follows:

Monthly Flat rate, effective for the first full billing cycle after March 1, 2015

Meter Size (Inches)	City User	Rural User
5/8 to 3/4	$21.20	$33.45
1	63.35	100.30
~~1-1/4~~	~~84.60~~	~~132.05~~
1-1/2	105.70	166.35
2	169.05	266.65
3	359.00	565.10
4	570.25	897.80
6	1,055.80	1,663.50

Monthly Flat rate, effective for the first full billing cycle after March 1, 2016

Meter Size (Inches)	City User	Rural User
5/8 to 3/4	$23.45	$36.95
1	70.00	110.85
1-1/4	93.50	145.95
1-1/2	116.85	183.85
2	186.85	294.75
3	396.80	624.60
4	630.30	992.35
6	1,167.00	1,838.65

Monthly Flat rate, effective for the first full billing cycle after March 1, 2017

Meter Size (Inches)	City User	Rural User
5/8 to 3/4	$25.30	$39.90
1	75.55	119.65
1-1/4	100.90	157.55
1-1/2	126.15	198.45
2	201.70	318.15
3	428.30	674.20
4	680.35	1,071.15
6	1,259.65	1,984.65

(3) The above rates and charges will apply except as herein otherwise provided.

(4) For service rendered to the city, the city shall be subject to the same rates and charges as hereinabove provided.

(5) Special industrial rate:

Gallons Used	Monthly Rate Per 1,000 gallons
First full billing cycle after March 1, 2015	
First 1,000,000 gallons, per month	$8.95
Over 1,000,000 gallons, per month	$3.67
First full billing cycle after March 1, 2016	
First 1,000,000 gallons, per month	$9.89
Over 1,000,000 gallons, per month	$4.06
First full billing cycle after March, 1, 2017	
First 1,000,000 gallons, per month	$10.68
Over 1,000,000 gallons, per month	$4.38

§ 51.22 RATES FOR DISCHARGE OF WATER OBTAINED FROM OTHER THAN CITY WATER SUPPLY.

(A) The quantity of water discharged into the sanitary sewerage system and obtained from sources other than the utility that serves the city shall be determined by the city in such manner as the city shall reasonably elect, and the sewage service shall be billed at the above appropriate rates. Further, as is hereinafter provided in this section, the city may make proper allowances in determining the sewage bill for quantities of water shown on the records to be consumed, but which are also shown to the satisfaction of the city that such quantities cannot and do not enter the sanitary sewage system.

(B) (1) In the event sewage services are provided to single-family or multiple-family residential users, and such users have a supply of water not provided by the municipal waterworks, then such user, at the option of such user, shall be charged either (a) pursuant to such user's metered well water usage or (b) as provided in the following table:

Effective Date	City User	Rural User
First full billing cycle after March 1, 2015	$57.00	$57.00
First full billing cycle after March 1, 2016	63.00	63.00
First full billing cycle after March 1, 2017	68.00	68.00

(2) For purposes of this section, a "dwelling unit" shall be defined as any space in which cooking or eating facilities are provided.

(3) In the event a residential user subject to this Section elects to have their well metered, such user shall notify the Clerk Treasurer of the user's election to have their well metered and such metering shall apply to the user's next full billing cycle.

(C) In the event any user, other than residential, is not a user of the municipal supply of water, has a supply of water other than municipal used in or on the premises, uses a supply of water in a product, has a portion of the water used in or on the premises diverted away from the sanitary sewer system, or, if for any other reason, the measurement of the municipal supply of water in or on the premises is not an accurate measurement of the sanitary effluent discharged into the city sanitary system, then the amount of water discharged to the sanitary system shall be otherwise measured or determined. In such event, the owner or other interested party shall install and maintain at his or her expense meters, weirs, volumetric measuring devices, or any other adequate approved method of measurement acceptable to the city for the determination of sewage discharge.

(D) In order that the single-family domestic and residential users of sewage service shall not be penalized for sprinkling lawns during the summer months of June, July, August, and September, the billing for sewage service for residential or domestic users for said months shall be based on the water usage for the previous month of April. In the event the water usage for the previous month of April is greater than the water usage for the summer month, then the billing for sewage services shall be computed on the actual water used in the month for which the sewage service bill is being rendered. Domestic or residential sewage service as applicable to the sprinkling rate shall apply to each lot, parcel of real estate, or building which is occupied and used as a single-family residence. Said sprinkling rate shall not apply to any premises which are partially or wholly used for commercial or industrial purposes. In the event a portion of such premises shall be used for commercial or industrial purposes, the owner shall have the privilege of separating the water served through a separate meter purchased and maintained at the owner's expense,

and in such case, the water usage as registered by the water meter serving such portion of the premises used for residential purposes shall qualify for the sprinkling rate.

§ 51.23 SEWER AVAILABILITY FEE.

For City and rural residential users who receive city water but are not connected to city sewage services when such services are located within 300' of such user's property line, such residential user shall be charged a monthly Sewer Availability Fee. The Sewer Availability Fee shall be the sum of $20.00 per month, which sum may be modified from time to time by the City.

§ 51.24 EXCESSIVE STRENGTH SURCHARGES.

(A) In order that the rates and charges may be justly and equitably adjusted to the service rendered to industrial users, the city shall base its charges not only on the volume but also on the strength and character of stronger-than-normal domestic sewage and wastes which it is required to treat and dispose of. The city shall require the industrial user to determine the strength and content of all sewage and wastes discharged, either directly or indirectly, into the sanitary sewage system in such manner and by such method as the city may deem practicable in light of the conditions and attending circumstances of the case in order to determine the proper charge. In all cases, the cost of measuring and monitoring will be borne by the industrial user. The industrial user shall furnish a central sampling point available to the city at all times.

(B) Normal domestic sewage waste strength should not exceed a biochemical oxygen demand of 250 milligrams per liter of fluid, or total suspended solids in excess of 250 milligrams per liter of fluid. Additional charges for treating stronger-than-normal domestic waste shall be made on the following basis:

(1) Rate surcharge based on total suspended solids (TSS). There shall be an additional charge per pound of total suspended solids (TSS) received in excess of 250 milligrams per liter of fluid as set forth in division (B)(4) of this section.

(2) Rate surcharge based on B.O.D. There shall be an additional charge per pound of biochemical oxygen demand for B.O.D. received in excess of 250 milligrams per liter of fluid as set forth in division (B)(4) of this section.

(3) There shall be an additional charge per pound of nitrogen, ammonia received in excess of 25 milligrams per liter (25mg/l) as set forth in division (B)(4) of this section.

(4) Table of additional charges:

Effective Date	Additional Charge Per Pound
First full billing cycle after March 1, 2015	$0.40
First full billing cycle after March 1, 2016	0.44
First full billing cycle after March 1, 2017	0.47

(C) The determination of total suspended solids and five-day B.O.D. contained in the waste shall be in accordance with the latest copy of Standard Methods for the Examination of Water, Sewage, and Industrial Wastes, as written by the American Public Health Association, the American Water Works Association, and the Water Pollution Control Federation, and in conformance with Guidelines Establishing Test Procedures for Analysis of Pollutants, 40 C.F.R. part 136.

§ 51.25 BILLING.

Rates and charges shall be prepared, billed, and collected by the city in the following manner:

(A) The rates and charges for all users shall be prepared and billed monthly.

(B) The rates and charges may be billed to the tenant or tenants occupying the properties served unless otherwise requested in writing by the owner, but such billing shall in no way relieve the owner from the liability in event payment is not made as herein required. The owners of properties served, which are occupied by a tenant or tenants, shall have the right to examine the collection records of the city for the purpose of determining whether bills have been paid by such tenant or tenants, provided that such examination shall be made at the office at which said records are kept and during the hours that such office is open for business.

(C) As is provided by statute, all rates and charges not paid when due are declared to be delinquent, and a penalty of 10% of the rates or charges shall attach thereupon thereto. The time at which such rates or charges shall be paid is now fixed at 15 days after the date of mailing the bill.

§ 51.26 RATE FOR ESTABLISHMENTS SERVED BY SAME WATER METER.

(A) In the event that two or more business establishments discharging sanitary sewage, water, or other liquids into the city's sanitary sewerage system, either directly or indirectly, are users of water and the quantity of water is measured by a single water meter, then in such case, billing shall be for a single service in the manner set out elsewhere herein, except that an additional charge shall be added thereto in the amount as set forth in division (C) of this section per month for each such business establishment over one served through the single water meter.

(B) In the event two or more dwelling units, such as trailers, apartments or housekeeping rooms, or duplexes, discharging sanitary sewage, water, or other liquids into the city's sanitary system, either directly or indirectly, are users of water and the quantity of water is measured by a single water meter, then in such case, billing shall be for a single service in the manner set out elsewhere herein, except that an additional charge shall be added thereto in the amount as set forth in division (C) of this section per month for each dwelling unit over one served through the single water meter. In the case of trailer parks, the number of dwelling units shall be interpreted as the maximum capacity for trailers in the park, plus any other dwelling units served through the meter. A dwelling unit shall be interpreted as a room or rooms or other living space or spaces in which cooking facilities are provided.

(C) Table of additional charges:

Effective Date	Additional Charge Per Month
First full billing cycle after March 1, 2015	$8.95
First full billing cycle after March 1, 2016	9.89
First full billing cycle after March 1, 2017	10.68

§ 51.27 SPECIAL RATE CONTRACTS.

The Board is authorized to enter into special rate contracts with customers of the POTW where clearly definable reductions in cost to the POTW can be determined, and such reduction shall be limited to such reduced costs. Such proposed contracts shall be subject to the approval of the Common Council.

§ 51.28 PROHIBITING DUMPING HARMFUL WASTES INTO SEWERAGE SYSTEM.

The city is authorized to prohibit dumping wastes into the city's sewage system which, in its discretion, are deemed harmful to the operation of the POTW, or to require methods affecting pretreatment of said wastes to comply with the pretreatment standards included in the National Pollution Discharge Elimination System (NPDES) permit issued to the POTW.

§ 51.29 [RESERVED].

§ 51.30 [RESERVED].

§ 51.31 [RESERVED].

§ 51.32 [RESERVED].

§ 51.33 BYLAWS AND REGULATIONS.

The city shall make and enforce such bylaws and regulations as may be deemed necessary for the safe, economical, and efficient management of the city's sewerage system, pumping stations, and POTW; for the construction and use of house sewers and connections to the sewerage system; and for regulating, collecting, rebating, and refunding such rates and charges.

§ 51.34 ONE-TIME CONNECTION CHARGES *(TAP FEES)*.

(A) The one-time connection charges (commonly referred to by the City as tap fees) to be paid by each user shall be based upon the meter size and charged as follows:

Meter Sizes (Inches)	One-time Connection Charges
5/8 - 3/4	$1,000
1	2,250
1-1/2	4,000
2	6,000
3	13,000
4	22,000

(B) The Board of Public Works and Safety may, by resolution, and as it may feel necessary from time to time, amend the one-time connection charge to be charged for each individual sewer tap based upon the considerations and requirements as set forth in I.C. 36-9-23-25 and I.C. 36-9-23-26, as the same may be amended from time to time.

§ 51.35 INTERIM RATE INCREASE FOR MANAGEMENT OF STORMWATER.

(A) For purposes of this section, an equivalent residential unit (ERU) is defined as the amount of impervious area included upon an average residential property. An "impervious area" refers to those surface areas of residential and non-residential properties which water will not penetrate and from which stormwater runoff will be produced, as determined by a detailed study performed by the city's consulting engineer, Bonar Group.

(B) An interim monthly stormwater fee is hereby created. The interim monthly fee is to be paid by each user and shall be paid according to the following schedule:

Phase I Rates (effective January 1, 2010)

Classification	Monthly Charge
Residential	$9.15
Non-Residential -Impervious Area:	
Less than 4,500 square feet	9.15
4,500-5,999 square feet	11.65
6,000-7,499 square feet	15.00
7,500-9,999 square feet	18.30
10,000-14,999 square feet	24.95
15,000-19,999 square feet	38.30
20,000-24,999 square feet	51.60
25,000-29,999 square feet	64.90
30,000-34,999 square feet	76.55
35,000-39,999 square feet	89.85
40,000-49,999 square feet	103.15
50,000-59,999 square feet	129.80
60,000-69,999 square feet	153.05
70,00079,999 square feet	179.70
80,000-99,999 square feet	216.30
100,000-129,999 square feet	257.90
130,000-149,999 square feet	332.75
150,000-250,000 square feet	399.30
Greater than 250,000 square feet	499.10

(C) Rates and charges incurred under this section shall be prepared and collected by the city in accordance with those provisions regulating the preparation and issuance of bills for sewer service generally. The monies collected under this section shall be deposited in the Stormwater Revenue Fund.

Cross-reference:

Illicit discharge and connection to the municipal stormwater system, see Ch. 56.

§ 51.99 PENALTY.

(A) Any person violating any provision of this chapter, except § 51.13, shall be served by the city with written notices stating the nature of the violation and providing 30 days for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

(B) Any person who shall continue any violation beyond the time limit provided for in division (A) shall be fined in an amount not to exceed $250 for each violation. Each day a violation continues or exists shall be deemed a separate offense.

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

(D) (1) Minor violation. Any person violating any of the provisions of § 51.11 shall be subject to a written warning for the first violation, a $250 civil penalty for the second violation, a $500 civil penalty for the third violation and a $1,000 civil penalty for the fourth violation within a two-year period. Consistent violations will result in a $500 increase in civil penalty and may result in termination of service.

(2) Major violation. If the POTW determines that a User is responsible for a blockage of a collection system line:

(a) For the first offense, a field citation with date for compliance shall be issued to the responsible person on site. The focus of the citation shall be education. The cost of removal of the blockage shall not be assessed for the first occurrence. However, the facility shall be notified of the cost that they may incur.

(b) For the second offense within a 12 month period, a notice of violation shall be issued with a penalty of no less than $1,000 in addition to the cost of the removal both the first and second blockages to be assessed. The discharger shall be informed that a future occurrence will result in termination of sewer service.

(c) For the third offense within a two-year period, a Notice of Violation shall be issued with a penalty of no less than $2,500 per violation, the cost of the removal of the blockage and termination of sewer service.

This ordinance shall be in full force and effect from and after its passage and publication as may be required by law.

PASSED AND ADOPTED by the Common Council of the City of Columbia City, Indiana, this 13 day of January, 2015

COMMON COUNCIL OF THE CITY OF COLUMBIA CITY, INDIANA, BY:

Daniel L. Weigold

William H. Simpson

Jacqueline A. Worrick

Ben T. Romine

Nicole Penrod

Attest:

Rosie Coyle, Clerk-Treasurer

Approved this 13 day of January, 2015

Ryan L. Daniel, Mayor
City of Columbia City