

*BILL NO. 89-42

Ordinance No. 3447

AN ORDINANCE RELATING TO WASTEWATER COLLECTION AND TREATMENT;
AMENDING TITLE 14 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS,
NEVADA, 1983 EDITION, BY ADDING THERETO A NEW CHAPTER PROVIDING
REGULATIONS CONCERNING THE DISCHARGE OF INDUSTRIAL WASTES INTO
THE WASTEWATER COLLECTION AND TREATMENT SYSTEM OF SAID CITY;
REPEALING CHAPTER 16 OF SAID TITLE; PROVIDING FOR OTHER MATTERS
PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION
HEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN
CONFLICT HERewith.

Sponsored by:
Mayor Ron Lurie

Summary: Provides Regulations for
Discharge of Industrial Wastes
into Wastewater Collection and
Treatment System

THE CITY COUNCIL OF THE CITY OF LAS VEGAS, NEVADA, DOES
HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Title 14 of the Municipal Code of the
City of Las Vegas, Nevada, 1983 Edition, is hereby amended by
adding thereto a new chapter to consist of the provisions that
are set forth as Sections 2 to 151, inclusive, of this
Ordinance.

SECTION 2: The purpose of this Chapter is to set
forth uniform requirements for the direct and indirect use of the
wastewater collection and treatment system of the City in order
to comply with all applicable State and Federal standards that
are established in accordance with the Clean Water Act of 1977,
the General Pretreatment Regulations (40 CFR Part 403) and all
related and applicable Federal regulations and grant conditions,
as they are now constituted or as they may hereafter be amended
or recodified.

SECTION 3: Except where the context otherwise
requires, the definitions that are provided in Sections 4 to 80,
inclusive, of this Ordinance govern the construction of this
Chapter; provided, however, if any of such definitions conflict
with the definition of the corresponding word or term in any

1 Federal or State law or regulation, the definition that is con-
2 tained in such law or regulation shall prevail.

3 SECTION 4: "Act" means the Federal Water Pollution
4 Control Act Amendments of 1972 and any amendment thereto,
5 including without limitation the Clean Water Act of 1977,
6 together with all guidelines, limitations and standards that are
7 promulgated by the EPA pursuant to that act.

8 SECTION 5: "Authorized representative of the user"
9 means an authorized representative of a user, who may be:

10 (A) A principal executive officer of at least the level
11 of vice-president, if the user is a corporation;

12 (B) A general partner or proprietor if the user is a
13 partnership or a sole proprietorship, respectively; or

14 (C) A duly authorized representative of an individual
15 designated in subsection (A) or (B) of this Section, if such
16 representative is responsible for the overall operation of the
17 facilities from which an indirect discharge of the user origi-
18 nates.

19 SECTION 6: "Biochemical oxygen demand" or "BOD"
20 means the quantity of oxygen, expressed in milligrams per liter,
21 utilized in the biochemical oxidation of organic matter, as
22 determined in accordance with the appropriate procedures that are
23 set forth in 40 CFR Part 136.

24 SECTION 7: "Bypass" means the intentional diversion
25 of wastestreams from any portion of an industrial user's
26 pretreatment facility.

27 SECTION 8: "Cesspool" means an excavation in the
28 ground that is made for receiving sewage and is so constructed
29 that the solid matter is retained and the liquid portion is per-
30 mitted to seep away.

31 SECTION 9: "CFR" means the Code of Federal Regula-
32 tions.

1 SECTION 10: "Chlorine demand" means the difference
2 between the amount of chlorine that is added to a sewage sample
3 and the amount that remains at the end of a 30-minute period, as
4 determined in accordance with the appropriate procedures that are
5 set forth in 40 CFR Part 136.

6 SECTION 11: "Chemical oxygen demand" means the
7 measurement of sewage strength in terms of the total quantity of
8 oxygen that is required for the oxidation of organic matter, as
9 determined in accordance with the appropriate procedures that are
10 set forth in 40 CFR Part 136.

11 SECTION 12: "Compliance determination" means the
12 sampling and analysis conducted on specific industrial wastes to
13 ascertain compliance with Sections 94 to 105, inclusive, of this
14 Ordinance or with any more stringent applicable Federal or State
15 pretreatment standards.

16 SECTION 13: "Compliance schedule" means the period
17 that is allowed by the City in which an industrial user must
18 comply with its permit conditions or discharge requirements.

19 SECTION 14: "Composite samples" means a combination
20 of individual samples of sewage that are taken at hourly or
21 selected intervals in order to minimize the variability of each
22 individual sample. Individual samples may be combined in quan-
23 tities that are proportional to the flow at the time of the
24 sampling.

25 SECTION 15: "Contaminated water" means any water that
26 is impaired in quality by waste to such a degree as to create a
27 hazard to the public health through poisoning or through the
28 spread of disease.

29 SECTION 16: "Contamination" means the impairment of
30 quality by the disposal of industrial waste to such a degree as
31 to create a hazard to the public health through poisoning or
32 through the spread of disease.

1 SECTION 17: "Cooling water" means the water that is
2 discharged from any use, such as air-conditioning, cooling or
3 refrigeration or to which the only pollutant that is added is
4 heat.

5 SECTION 18: "Demand monitoring" means any flow
6 measurement, sampling and analysis that is required as a result
7 of accidental, toxic or shock loads on the system.

8 SECTION 19: "Direct discharge" means the discharge of
9 treated or untreated wastewater directly to the waters of the
10 State.

11 SECTION 20: "Director" means the Director of Public
12 Works of the City or his authorized agent or representative.

13 SECTION 21: "Discharge" means the introduction of
14 sewage, liquid waste, industrial waste or other polluted water
15 into the system.

16 SECTION 22: "Dissolved solids," "dissolved matter" or
17 "total dissolved solids" means the solid matter in solution in
18 the sewage and shall be determined by the evaporation of a sewage
19 sample from which all suspended matter has been removed by
20 filtration, as determined in accordance with the appropriate pro-
21 cedures that are set forth in 40 CFR Part 136.

22 SECTION 23: "Domestic sewage" means the liquid and
23 water borne waste matter that is derived from the process of
24 ordinary residential living, free from industrial waste and of
25 such a character as to permit satisfactory disposal without spe-
26 cial treatment into the system or by means of a private sewage
27 disposal system.

28 SECTION 24: "Effluent" means the liquid outflow from
29 any treatment plant or facility that is designated to treat, con-
30 vey or store sewage, liquid waste or industrial waste.

31 SECTION 25: "EPA" means the United States Environmen-
32 tal Protection Agency, and, when it is appropriate, the Adminis-

1 trator thereof or any other duly authorized official of that
2 agency.

3 SECTION 26: "Fee" means any charge that is made to a
4 user of the system and shall include without limitation occupancy
5 fees for sewer connections by new customers, monthly sewer user
6 charges, industrial or liquid waste permit fees, use charges,
7 unusual industrial waste charges, testing laboratory charges and
8 oversize sewer charges.

9 SECTION 27: "Garbage" means the putrescible animal
10 and vegetable wastes that result from the handling, preparation
11 and dispensing of food.

12 SECTION 28: "Grab sample" means a liquid sample that
13 is taken as a representative flow at any given instant.

14 SECTION 29: "Grease" means without limitation waxes,
15 fats, oils and other non-volatile materials as determined in
16 accordance with the appropriate procedures that are set forth in
17 40 CFR Part 136.

18 SECTION 30: "Grease trap" means a device that is
19 designed and installed in such a manner as to separate and retain
20 grease, and, at the same time, permitting normal sewage to be
21 discharged into the system.

22 SECTION 31: "Ground garbage" means the residue from
23 the handling, preparation and dispensing of food that has been
24 shredded to such a degree that all particles will be carried
25 freely in suspension under the flow conditions that normally pre-
26 vail in the system and contains no particle greater than one-half
27 inch in any dimension.

28 SECTION 32: "Gravity separation interceptor" means
29 any facility that is designed, constructed and operated for the
30 purpose of removing and retaining dangerous, deleterious or pro-
31 hibited constituents from wastewater by differential gravity
32 separation before its discharge into the system.

1 SECTION 33: "Holding tank waste" means any waste from
2 a holding tank, such as vessels, chemical toilets, campers,
3 trailers, septic tanks and vacuum pump tank trucks.

4 SECTION 34: "Indirect discharge" means the discharge
5 or the introduction of nondomestic pollutants from any source
6 that is regulated in accordance with this Chapter into the
7 system, including without limitation holding tank waste.

8 SECTION 35: "Industrial connection sewer" means the
9 sewer that connects a building sewer or building waste drainage
10 system to the system for the purpose of discharging industrial
11 wastes into the system.

12 SECTION 36: "Industrial user" means:

13 (A) Any user who discharges wastewater into the system
14 of which the solid, liquid or gaseous waste discharge has pollu-
15 tants different from, stronger than or with constituents other
16 than those defined for, domestic sewage;

17 (B) Any user who discharges industrial wastes,
18 including without limitation those that are subject to regula-
19 tions that are promulgated pursuant to Section 307(b), et. seq.,
20 of the Clean Water Act of 1977, regardless of the volume thereof;
21 or

22 (C) Any user who is identified in the Standard
23 Industrial Classification Manual, 1972, prepared by the Office of
24 Management and Budget, as the same may subsequently be amended
25 and supplemented from time to time under the Divisions A, B, C,
26 D, E and I thereof.

27 SECTION 37: "Industrial waste" or "industrial wastes"
28 means any solid, liquid, radioactive or gaseous waste substance
29 that is discharged, flows or is permitted to escape from any pro-
30 ducing, manufacturing, processing, institutional, commercial,
31 agricultural or other operation or from the development, recovery
32 or processing of any material resource which will enter into the

1 system.

2 SECTION 38: "Inflow source" means any building,
3 structure, facility or installation from which water, other than
4 wastewater, enters the system from sources, including without
5 limitation roof leaders, cellar drains, yard drains, area drains,
6 foundation drains, drains from springs and swampy areas, manhole
7 covers, cross connections between storm sewers and the system,
8 catch basins, cooling towers, storm waters, surface runoff,
9 street wash waters and drainage.

10 SECTION 39: "Inspector" means the person who is
11 authorized by the director to inspect wastewater generation, con-
12 veyance, processing and disposal facilities within the City.

13 SECTION 40: "Interference" means a discharge which,
14 either alone or by interaction with other discharges, inhibits or
15 disrupts the system, its treatment processes or operations or its
16 sludge processes, use or disposal and is therefore a cause of a
17 violation of any requirement of the City's NPDES permit,
18 including without limitation any increase in the magnitude or
19 duration of a violation, or of the prevention of the use or
20 disposal by the City of sludge in accordance with the following
21 statutory provisions and regulations: Section 405 of the Clean
22 Water Act, the Solid Waste Disposal Act (including Title II, more
23 commonly referred to as the Resource Conservation and Recovery
24 Act and including State regulations that are contained in any
25 State sludge management plan that is prepared pursuant to Sub-
26 title D of the Solid Waste Disposal Act), the Clean Air Act, the
27 Toxic Substances Control Act and the Marine Protection, Research
28 and Sanctuaries Act, or in accordance with any permit that is
29 issued under any of such provisions or regulations or under any
30 more stringent State or local regulations.

31 SECTION 41: "Liquid waste" or "liquid wastes" means
32 the same as "industrial waste" and "industrial wastes."

1 SECTION 42: "Lower explosive limit" means the minimum
2 concentration of a combustible gas or vapor in air (usually
3 expressed in percent by volume at sea level) which will ignite if
4 an ignition source (sufficient ignition energy) is present.

5 SECTION 43: "Mass emission rate" means the weight of
6 the material that is discharged into the system during any given
7 period.

8 SECTION 44: "National Categorical Pretreatment Stan-
9 dard" means any regulation which sets forth pollutant discharge
10 limits that are promulgated by the EPA in accordance with Section
11 307(b), et. seq., of the Clean Water Act which applies to a spe-
12 cific category of industrial users.

13 SECTION 45: "NPDES permit" means a permit that is
14 issued pursuant to the National Pollutant Discharge Elimination
15 System program.

16 SECTION 46: (A) "New source" means any building,
17 structure, facility or installation from which there is or may be
18 a discharge, the construction of which commenced after the publi-
19 cation of proposed pretreatment standards pursuant to Section
20 307(c) of the Act which will be applicable to such source if such
21 pretreatment standards are thereafter promulgated in accordance
22 with said Section if:

23 (1) The building, structure, facility or installa-
24 tion is constructed at a site at which no
25 other source is located;

26 (2) The building, structure, facility or installa-
27 tion totally replaces the process or produc-
28 tion equipment that causes a discharge at an
29 existing source; or

30 (3) The production or wastewater generating pro-
31 cesses of the building, structure, facility or
32 installation are substantially independent of

1 an existing source at the same site. In
2 determining whether or not the new building,
3 structure, facility or installation is
4 substantially independent from the existing
5 source, certain factors, including without
6 limitation the extent to which such new facil-
7 ity is engaged in the same general type of
8 activity as the existing source, should be
9 considered.

10 (B) "New source" does not include construction on a
11 site at which an existing source is located if such construction
12 does not create a new building, structure, facility or installa-
13 tion of the type that is described in paragraph (2) or paragraph
14 (3) of subsection (A) of this Section but otherwise alters, re-
15 places or adds to the existing process or production equipment.

16 (C) For the purposes of this Section, the construction
17 of a "new source" is deemed to have commenced if the owner or
18 operator thereof has:

19 (1) Begun or caused to have begun, as a part of a
20 program of continuous on-site construction
21 that includes:

22 (i) Any placement, assembly or installation
23 of facilities or equipment; or

24 (ii) Significant site preparation work,
25 including without limitation the
26 clearing, excavation or removal of
27 existing buildings, structures, facili-
28 ties or installations, which is necessary
29 for the placement, assembly or installa-
30 tion of new source facilities or equip-
31 ment; or

32 (2) Entered into a binding contractual obligation

1 for the purchase of facilities or equipment
2 that are intended to be used in the operation
3 of such owner or operator within a reasonable
4 time; provided, however, that options to
5 purchase, contracts that can be terminated or
6 modified without substantial loss to such
7 owner or operator and contracts for feasibility,
8 engineering and design studies do not
9 constitute contractual obligations for the
10 purposes of this Section.

11 SECTION 47: "Nuisance" means anything which is hazardous,
12 indecent or offensive to the senses or is an obstruction to
13 the free use of property in such a manner as to interfere with
14 the comfortable and safe enjoyment of life and property.

15 SECTION 48: "Pass through" means a discharge that
16 exits the system into the waters of the State in quantities or
17 concentrations which, alone or by interaction with other
18 discharges, is a cause of a violation of any requirement of the
19 City's NPDES permit, including without limitation any increase in
20 the magnitude or duration of a violation.

21 SECTION 49: "Peak flow rate" means the periodically
22 determined highest flow rate of sewage, liquid waste or
23 industrial waste that is discharged to a public sewer over a
24 period of at least 15 minutes at any time during the measurement
25 period.

26 SECTION 50: "Person" means any natural or artificial
27 person, male, female or neuter, singular or plural, including
28 without limitation any individual, firm, company, municipal or
29 private corporation, association, society, institution,
30 enterprise or governmental agency or entity.

31 SECTION 51: "pH" means the logarithm (base 10) of the
32 reciprocal of the hydrogen ion concentration, expressed in moles

1 per liter, as determined in accordance with the appropriate pro-
2 cedures that are set forth in 40 CFR Part 136.

3 SECTION 52: "Polluted water" means any water that is
4 altered in quality by waste matter to such a degree as to
5 unreasonably affect:

6 (A) Such water for beneficial uses; or

7 (B) The facilities which serve such beneficial uses,
8 and, without limitation, may include "contamination".

9 SECTION 53: "Pretreatment" means the reduction of the
10 amount of pollutants, the elimination of pollutants or the
11 alteration of the nature of the pollutant properties in sewage to
12 a less harmful state prior to, or in lieu of, discharging or
13 otherwise introducing such pollutants into the system.

14 SECTION 54: "Pretreatment facility" means any works
15 or device for the treatment or flow limitation of sewage, liquid
16 waste or industrial waste prior to its discharge into the system.

17 SECTION 55: "Pretreatment requirement" means any
18 substantive or procedural requirement that is related to
19 pretreatment, other than a pretreatment standard, that is imposed
20 upon an industrial user.

21 SECTION 56: "Pretreatment standard" means any regula-
22 tion that contains pollutant discharge limits that are pro-
23 mulgated by the EPA in accordance with Section 307(b), et. seq.,
24 of the Clean Water Act which applies to industrial users and,
25 without limitation, includes "categorical standards" which
26 establish specific concentration limits for certain pollutants
27 and total prohibitions of other pollutants, as specified in 40
28 CFR Section 403.5, et. seq.

29 SECTION 57: "Radioactive material" means material
30 containing chemical elements that spontaneously change their ato-
31 mic structure by emitting particles, rays or energy forms in
32 excess of normal background radiation.

1 SECTION 58: "Reclaimed water" means water which, as a
2 result of the treatment of waste matter, is suitable for a direct
3 beneficial use or a controlled use which would not otherwise
4 occur.

5 SECTION 59: "Sampling well" means an approved opening
6 to a building sewer to allow for sampling and flow measurement of
7 the contents of such sewer.

8 SECTION 60: "Septic tank" means a watertight recep-
9 tacle which receives the discharge from a building, sanitary
10 drainage system, or any part thereof, and is designed and
11 constructed in such a manner as to separate the solids from the
12 liquid, digest the organic matter through a period of detention
13 and allow the liquid to be discharged into the soil outside the
14 tank through a system of open joint or perforated piping or a
15 seepage pit.

16 SECTION 61: "Settleable solids" means solids that
17 will settle out of a liquid during a specific period, as deter-
18 mined in accordance with the appropriate procedures that are set
19 forth in 40 CFR Part 136.

20 SECTION 62: "Severe property damage" means substan-
21 tial physical damage to property, damage to the pretreatment
22 facilities which causes them to become inoperable or substantial
23 and permanent loss of natural resources which can reasonably be
24 expected to occur in the absence of a bypass but does not include
25 the economic loss that is caused by delays in production.

26 SECTION 63: "Service lateral" means the same as
27 "industrial connection sewer."

28 SECTION 64: "Sewage" means the wastewater of the com-
29 munity that is derived from human, agricultural, commercial or
30 industrial sources, including without limitation domestic sewage,
31 liquid waste and industrial wastes, together with such surface
32 water, groundwater and storm water as may be present.

1 SECTION 65: "Sewage treatment plant" means an
2 assemblage of devices, structures and equipment for treatment of
3 wastewater.

4 SECTION 66: "Sharps" means hypodermic needles, hypo-
5 dermic syringes, blades and broken glass and, without limitation,
6 includes any device, instrument or other object which has acute
7 rigid corners, edges or protuberances.

8 SECTION 67: "Significant violator" means a user who
9 commits a violation which remains uncorrected for forty-five days
10 after such user is notified of its noncompliance with any of the
11 provisions of this Chapter, which is part of a pattern of non-
12 compliance by such user with any of the provisions of this
13 Chapter, which involves a failure on the part of such user to
14 report accurately its noncompliance with any of the provisions of
15 this Chapter or which results in the exercise by the director of
16 any of the emergency authority that is granted to him by this
17 Chapter.

18 SECTION 68: "Sludge" means any solid, semi-solid or
19 liquid waste that is generated by a commercial or industrial
20 wastewater treatment plant, water supply treatment plant or air
21 pollution control facility, or any other waste that has similar
22 characteristics and effect.

23 SECTION 69: "Slug" means any discharge of water,
24 wastewater or industrial waste which, in concentration of any
25 constituent or in quantity of flow, or both, exceeds, for any
26 period longer than fifteen minutes, more than three times the
27 average twenty-four hour concentration or flow, and any pollu-
28 tant, including without limitation any oxygen demanding pollu-
29 tant, which is released in a discharge at a flow rate or in a
30 pollutant concentration, or both, which may cause an interference
31 with the treatment process.

32 SECTION 70: "Standard industrial classification"

1 means a system of classifying industries, as identified in the
2 Standard Industrial Classification Manual, 1972, prepared by the
3 Office of Management and Budget, as the same may subsequently be
4 amended and supplemented from time to time.

5 SECTION 71: "Storm drain" means a conveyance struc-
6 ture for carrying storm and surface waters and drainage water
7 excluding sewage.

8 SECTION 72: "Suspended solids" or "suspended matter"
9 means the solid matter that is suspended in sewage, as determined
10 in accordance with the appropriate procedures that are set forth
11 in 40 CFR Part 136.

12 SECTION 73: "System" means the wastewater collection
13 and treatment system of the City and, without limitation, in-
14 cludes sewer service connections and all of the facilities that
15 are used by the City for the collection, pumping, transportation,
16 treatment and final disposal of wastewater.

17 SECTION 74: "Trade secret" means any formula, plan,
18 pattern, process, tool, mechanism, compound, procedure, produc-
19 tion data or compilation of information which is not patented but
20 which is known only to certain individuals within a commercial
21 concern who are using it to fabricate, produce or compound an
22 article of trade or service that has a commercial value and which
23 affords the person who possesses the same the opportunity to
24 obtain a business advantage over competitors who do not know of
25 it or use it.

26 SECTION 75: "Uncontaminated water" means any
27 wastewater that is not contaminated or polluted with sewage and
28 which is suitable for discharge into the City's storm drain
29 system.

30 SECTION 76: "Upset" means an exceptional incident in
31 which there is an unintentional and temporary noncompliance with
32 the discharge limitations that are specified in an industrial

1 user's wastewater contribution permit or this Chapter as the
2 result of factors that are beyond the reasonable control of such
3 industrial user.

4 SECTION 77: "User" means any person who contributes,
5 or causes or permits the contribution of, wastewater into the
6 system.

7 SECTION 78: "Wastewater" means the same as "sewage."

8 SECTION 79: "Wastewater contribution permit" means
9 the permit that is described in Section 106 of this Ordinance.

10 SECTION 80: "Waters of the State" means all streams,
11 lakes, ponds, marshes, watercourses, waterways, wells, springs,
12 reservoirs, aquifers, irrigation systems, drainage systems and
13 other bodies or accumulations of water, surface or underground,
14 natural or artificial, public or private, which are contained
15 within, flow through or border upon the State or any portion
16 thereof.

17 SECTION 81: The objectives of this Chapter are to:

18 (A) Provide for the beneficial public use of the system
19 through the regulation of the construction and use of sewers;

20 (B) Prevent the introduction of pollutants into the
21 system which will interfere with the operation of the system or
22 contaminate the resulting wastewater or sludge, or both;

23 (C) Prevent the introduction of pollutants into the
24 system which will pass through the system inadequately treated or
25 will be incompatible with the system;

26 (D) Improve the opportunity to recycle and reclaim
27 wastewater and sludge from the system;

28 (E) Provide for the equitable distribution of the total
29 cost of the system and all of the related programs through the
30 establishment of fair and equitable fees, charges, assessments
31 and penalties;

32 (F) Regulate, through the issuance of permits to cer-

1 tain users and through the enforcement of general requirements
2 for all users, users whose wastewaters are discharged directly or
3 indirectly into the system;

4 (G) Provide for monitoring and enforcement activities;

5 (H) Establish civil, administrative and criminal
6 penalties for violations of the provisions of this Chapter;

7 (I) Provide procedures for complying with the require-
8 ments that are placed upon the City by other governmental agen-
9 cies; and

10 (J) Conform with the policies of the agencies of the
11 State and Federal governments concerning the requirements that:

12 (1) Relate to the proper design and construction
13 of all sewerage facilities, including without
14 limitation connections to the system;

15 (2) Prohibit the introduction of toxic, hazardous
16 and incompatible pollutants into the system;
17 and

18 (3) Prohibit any new connection from an inflow
19 source into the system.

20 SECTION 82: It is hereby declared to be the policy of
21 the City to protect the health, welfare and safety of the resi-
22 dents thereof by constructing, operating and maintaining a system
23 of sewers and liquid waste treatment and disposal facilities that
24 service the homes and commercial and industrial establishments
25 within the City and its environs, as required by State and
26 Federal law. The following basic principles apply to sewage,
27 liquid waste and industrial waste that is discharged into the
28 system:

29 (A) The highest and best use of the system is the
30 collection, treatment and reclamation or disposal of domestic
31 sewage. The use of the system for industrial waste discharges is
32 subject to regulation by the City;

1 (B) Industry is urged to seek procedures for the reco-
2 very and reuse of industrial waste discharges which will satisfy
3 the limitations that are prescribed for industrial waste
4 discharges, rather than the procedures that are designed solely
5 to meet discharge limitations;

6 (C) The City is committed to a policy of wastewater
7 renovation and reuse in order to provide an alternate source of
8 water supply and to reduce the overall costs of wastewater treat-
9 ment and disposal. The renovation of wastewater through
10 wastewater treatment processes may necessitate more stringent
11 quality requirements with respect to industrial waste discharges
12 as the demand for reclaimed water increases. The optimum use of
13 the City's facilities may require the discharge of wastewaters
14 during periods of low flow into the system in accordance with
15 guidelines that are established by the City;

16 (D) Provisions are made in this Chapter to regulate
17 industrial waste discharges, to comply with the State and Federal
18 requirements and policies and to satisfy increasingly higher
19 standards of treatment plant effluent quality and environmental
20 considerations. This Chapter establishes quantity and quality
21 limitations on sewage, liquid waste and industrial waste
22 discharges in situations in which such discharges may adversely
23 affect the system or the quality of the effluent therefrom, or
24 both. These limitations are intended to improve the quality of
25 wastewater being received for treatment and to encourage water
26 conservation by all of the users who are connected to the system.
27 The intent of the City's policy is to discourage an increase in
28 the quantity (mass emission rate) of waste constituents that are
29 discharged; and

30 (E) Methods of cost recovery are established in
31 situations in which industrial waste discharges impose collec-
32 tion, treatment or disposal costs, or any combination of such

1 costs, on the City which may not be fair and equitable to all
2 users of the system.

3 SECTION 83: This Chapter provides for the regulation of
4 the degree of waste pretreatment that is required, the issuance
5 of permits for wastewater discharges into, and connections to,
6 the system and other miscellaneous permits and the establishment
7 of penalties for any violation of this Chapter.

8 SECTION 84: This Chapter applies to persons within the
9 City and to persons outside the City who are, by permit, contract
10 or agreement with the City, users of the system. Except as may
11 be otherwise provided in this Chapter, the director shall
12 administer, implement and enforce the provisions of this Chapter.

13 SECTION 85: If sewerage capacity is not available at
14 the City's sewage treatment plant, the City may restrict
15 discharge into the system until sufficient capacity can be made
16 available. When it is requested to do so by a potential
17 discharger who desires to locate new facilities within the ser-
18 vice area of the system, the City may advise such discharger con-
19 cerning the areas in which wastewater of the quantity and quality
20 that it is expected to generate can be received by the system.
21 The City may refuse immediate service to any new source that is
22 located in an area in which the expected quantity or quality of
23 wastewater is unacceptable in the system.

24 SECTION 86: Each user of the system who is subject to
25 this Chapter shall be required to retain records of waste mani-
26 fests, monitoring results and related wastewater generation and
27 pretreatment activities, whether or not the same are required by
28 this Chapter, for a minimum period of three years. Such records
29 shall be made available for inspection and copying by the direc-
30 tor at any time. The period of retention shall be extended
31 during the course of any unresolved litigation that involves the
32 user or the City, or both, or upon the order of the director.

1 SECTION 87: (A) In the event that an uncontrolled
2 discharge occurs, the user from whose facilities such discharge
3 emanates shall immediately notify the director of such incident
4 by telephone. The notification shall include the location or
5 locations of the discharge, the type or types of material that
6 was discharged, the concentration and volume thereof and the
7 corrective actions, if any, that have been taken.

8 (B) Within five days following such uncontrolled
9 discharge, the user shall submit to the director a detailed writ-
10 ten report that describes the cause of the discharge, the correc-
11 tive action that was taken and the measures that the discharger
12 will take to prevent future occurrences. Such notification shall
13 not relieve the discharger of the liability for fines that may
14 result from such discharge.

15 SECTION 88: (A) In order for the employees of
16 industrial users to be informed of the requirements of the City,
17 each industrial user shall make available to its employees copies
18 of this Chapter, together with such other wastewater information
19 and notices as may from time to time be furnished by the City
20 that are directed toward more effective pollution control. A
21 legible, understandable and conspicuously placed notice shall be
22 permanently posted on each industrial user's bulletin board or
23 other prominent place advising the industrial user's employees to
24 call the director in the event of an uncontrolled discharge as
25 soon as possible, and no later than one hour, after the discharge
26 and to provide the director with at least the following infor-
27 mation:

28 (1) The time, location, type, concentration and
29 volume of the discharge.

30 (2) Any corrective action that has been taken.

31 (B) Each industrial user shall ensure that all of its
32 employees in a position to cause or allow an uncontrolled

1 discharge to occur are advised of this notification procedure. In
2 the event that a substantial number of such industrial user's
3 employees use a language other than English as a primary
4 language, the notice shall be worded in both English and the
5 language or languages that are involved. The notice shall set
6 forth the current phone number of the director and shall iden-
7 tify, as the minimum, the necessary information that must be pro-
8 vided to the director.

9 SECTION 89: (A) The director is hereby authorized,
10 empowered and directed to adopt such rules, regulations and stan-
11 dards as may be deemed by him to be reasonably necessary in order
12 to protect the system and to control and regulate the proper use
13 thereof; provided, however, that the terms and provisions of such
14 rules and regulations shall be promulgated in a manner that is
15 reasonably calculated to result in the uniform control of the
16 system.

17 (B) The director may classify dischargers by industrial
18 categories and impose an industrial wastewater treatment
19 surcharge that is based upon flow quality and the flow quantity,
20 as provided for by this Chapter.

21 (C) Any time limit that is provided in any written
22 notice from the director or in any provision of this Chapter may
23 be extended only by a written directive of the director.

24 (D) The director may perform work of an educational
25 nature and may, for this purpose, cooperate with civic organiza-
26 tions, industries, water agencies, sewerage agencies and other
27 public corporations.

28 SECTION 90: (A) All information and data with respect
29 to any user that is obtained from reports, questionnaires, permit
30 applications, permits, monitoring programs or inspections shall
31 be available to the public or other governmental agency without
32 restriction unless such user specifically otherwise requests and

1 is able to demonstrate to the satisfaction of the City that the
2 release of such information would divulge information, proprie-
3 tary data, processes or methods which would be detrimental to its
4 competitive position and that such information is eligible for
5 confidential treatment pursuant to subsection (B) of this Sec-
6 tion. All other information which is submitted by any user to
7 the City shall be available to the public, at least to the extent
8 that is provided for in 40 CFR 2.302.

9 (B) Any claim of a user for confidentiality must be
10 asserted at the time of the submission to the City of the infor-
11 mation or data for which the claim is asserted. The claim may be
12 asserted by stamping the words "confidential business infor-
13 mation" on each page that contains such information or by other
14 means; provided, however, that if no claim is asserted at the
15 time of such submission, the City may make the information
16 available to the public without further notice. If such a claim
17 is asserted, the information will be treated in accordance with
18 the procedure in 40 CFR Part 2.

19 (C) When the City is requested not to do so by the per-
20 son who furnishes a wastewater discharge report, the portions of
21 such report which might disclose trade secrets or secret pro-
22 cesses shall not be made available for inspection by the public
23 but shall be made available, upon written request therefor, to
24 any Federal agency for a use that is related to this Chapter, the
25 City's NPDES permit, the State disposal system permit or the
26 pretreatment program, or any combination thereof, or to any State
27 agency for use in any judicial review or enforcement proceedings
28 that involve the person who furnished the report. Wastewater
29 constituents and characteristics will not be recognized as con-
30 fidential information.

31 (D) Information that is accepted by the City as con-
32 fidential shall not be transmitted to any governmental agency or

1 to the general public by the City unless and until prior and ade-
2 quate notification is given to the user who furnished such infor-
3 mation.

4 (E) With the exception of governmental agencies, any
5 person who requests such information from the City shall be
6 required, prior to receipt of the requested information, to pay
7 the reasonable costs that are incurred by the City in gathering,
8 reproducing and transmitting such data.

9 SECTION 91: The City will comply with the public par-
10 ticipation requirements that are contained in 40 CFR Part 25 in
11 the enforcement of national pretreatment standards. Procedures
12 with respect thereto shall include the provision for publishing
13 at least annually, in a newspaper of general circulation
14 published within the City, public notification of the names of
15 the industrial users who, during the preceding twelve months,
16 became significant violators of the applicable pretreatment stan-
17 dards or other pretreatment requirements.

18 SECTION 92: Any user who discharges or causes to be
19 discharged into the system any prohibited sewage liquid waste or
20 industrial wastes into the system, and such discharge causes
21 damage to, or detrimental effects on, the system, or any part
22 thereof, shall be liable to the City for all damages that result
23 therefrom.

24 SECTION 93: It is unlawful for any unauthorized person
25 to enter, break, damage, destroy, uncover, deface or tamper with
26 any structure, equipment or appurtenance which is a part of the
27 system.

28 SECTION 94: It is unlawful for any user to discharge or
29 cause to be discharged into the system any waste that creates a
30 stoppage, plugging, breakage, significant reduction in sewer
31 capacity or any other damage to the system, or any part thereof.
32 In addition to any other penalty that may be provided by law, any

1 excessive sewer or sewerage maintenance expense or any other
2 expense that is attributable thereto may be charged to and
3 collected from the offending user by the City.

4 SECTION 95: It is unlawful for any user to discharge or
5 cause to be discharged into the system any rainwater, storm
6 water, groundwater, street drainage, subsurface drainage, roof
7 drainage, swimming pool or spa drainage, yard drainage, water
8 from yard fountains, ponds, lawn sprays or any other uncon-
9 taminated water, other than air conditioning condensate. Every
10 private or public washrack or floor or slab drain that is used
11 for cleaning machinery or machine parts shall be adequately pro-
12 tected against storm or surface inflow. Pursuant to Section 114
13 of this Ordinance, if no alternate method of disposal is reaso-
14 nably available, the City may issue a permit for the discharge of
15 such water on a temporary basis only. A temporary permit may
16 also be given in order to mitigate an environmental or health
17 hazard with the installation of appropriate rainwater diversion
18 devices or facilities. If such a permit is granted for the
19 discharge of such water into a public sewer, the user shall pay
20 the applicable charges that are established in a separate resolu-
21 tion that is adopted by the City Council and shall meet such
22 other conditions as may be imposed by the City.

23 SECTION 96: It is unlawful for any user to discharge or
24 cause to be discharged into the system any radioactive waste
25 except when:

26 (A) The user is authorized to use radioactive materials
27 by an applicable Federal and State agency or other governmental
28 agency that is empowered to regulate the use of radioactive
29 materials;

30 (B) The waste is discharged in strict conformity with
31 current Federal and State regulations for safe disposal;

32 (C) The user is in compliance with all of the rules and

1 regulations of all other applicable regulatory agencies; and

2 (D) A Class I permit has been obtained from the City
3 pursuant to Section 106 of this Ordinance.

4 SECTION 97: It is unlawful for any user to discharge or
5 cause to be discharged into the system any infectious waste
6 unless such waste is ground in a grinder which meets the fineness
7 of grind requirements that are set forth in subsection (B) of
8 Section 98 of this Ordinance. In such event, entry to the
9 grinding mechanism shall be restricted to a 6-inch by 9-inch
10 opening, and the material shall be placed in containers that are
11 segregated from other suitable disposal containers, do not exceed
12 five gallons in capacity and are colored red for identification.
13 Such containers and their contents shall be weighed and recorded
14 prior to disposal, and such records shall be made immediately
15 available to the City for inspection upon its request. Recogni-
16 zable portions of the human or animal anatomy shall not be ground
17 or discharged to the system.

18 SECTION 98: (A) It is unlawful for any user to
19 discharge or cause to be discharged into the system any commer-
20 cial garbage, food market waste or food plant waste except after
21 the same has been suitably ground in accordance with subsection
22 (B) of this Section.

23 (B) The following fineness of grind requirements for
24 all types of grinders shall apply at all times.

25 (1) At least forty percent of the material must
26 pass a No. 8 sieve;

27 (2) At least sixty-five percent of the material
28 must pass a No. 3 sieve; and

29 (3) One hundred percent of the material must pass
30 a 1/2-inch screen.

31 (C) (1) Waste from garbage grinders, other than waste
32 that is generated in preparation of food that

1 is consumed on the premises, shall not be
2 discharged into the system.

3 (2) Garbage grinders shall shred the waste to the
4 degree that all of the particles will be
5 carried freely under the normal flow con-
6 ditions that prevail in the system and will
7 meet the fineness requirements that are set
8 forth in subsection (B) of this Section, and
9 such a garbage grinder shall not be used for
10 grinding plastic, paper products, inert
11 materials or garden refuse.

12 (3) The installation of any garbage grinder with a
13 motor of three-fourths horsepower or greater
14 shall be subject to the review and approval of
15 the director.

16 SECTION 99: It is unlawful for any user to discharge
17 or cause to be discharged into the system sharps unless they are
18 ground in an approved grinder that is capable of meeting the
19 fineness of grind requirements that are set forth in subsection
20 (B) of Section 98 of this Ordinance. Sharps shall be ground by
21 an approved grinder the motor of which does not exceed five hor-
22 sepower.

23 SECTION 100: It is unlawful for any user to discharge
24 or cause to be discharged into the system, the City's storm drain
25 system or the waters of the State any septic tank, holding tank
26 or cesspool waste.

27 SECTION 101: It is unlawful for any user to discharge
28 or cause to be discharged any wastewater directly into a manhole
29 or other opening in a sewer other than through an approved
30 industrial connection sewer unless such discharge is approved by
31 the City upon a written application by the user and the payment
32 of the applicable fees and charges that are established in a

1 separate resolution that is adopted by the City Council.

2 SECTION 102: (A) Except as is expressly allowed in a
3 wastewater contribution permit, it is unlawful for any user to
4 discharge or cause to be discharged into the system, the City's
5 storm drain system, or the waters of the State any of the
6 following materials:

- 7 (1) Gasoline, mercury, total identifiable chlori-
8 nated hydrocarbons, kerosene, naptha, benzene,
9 toluene, xylene, ethers, alcohols, ketones,
10 aldehydes, peroxides, chlorates, perchlorates,
11 bromates, carbides, hydrides, solvents, pesti-
12 cides or jet fuel.
- 13 (2) Acids, caustics, sulfides, concentrated
14 chloride and fluoride compounds and substances
15 which will react with water to form acidic
16 products.
- 17 (3) Liquids, solids or gases which, by reason of
18 their nature or quantity, are flammable, reac-
19 tive, explosive, corrosive or radioactive or
20 by interaction with other materials could
21 result in a fire, explosion or injury.
- 22 (4) Solid or viscous material which could cause an
23 obstruction to the flow or cause an inter-
24 ference to the operation of the system or the
25 City's storm drain system, including without
26 limitation grease, garbage with particles that
27 are greater than one-half of an inch in any
28 dimension, animal guts or tissues, paunch
29 manure, bones, hair, hides or fleshing,
30 entrails, whole blood, feathers, ashes, cin-
31 ders, sand, spent lime, stone marble dust,
32 metal, glass, straw, shavings, grass clip-

1 pings, rags, spent grains, spent hops, waste
2 paper, wood, plastics, gas tar, asphalt resi-
3 dues, residues from the refining or processing
4 of fuel, lubricating oil, mud, glass grinding
5 or polishing wastes, any wastewater that has a
6 pH of less than 5.0 or more than 9.0 or any
7 wastewater that has any other corrosive pro-
8 perty that is capable of causing damage or
9 hazard to the structures, equipment, or per-
10 sonnel of the City.

11 (5) Toxic pollutants in a sufficient quantity to
12 injure or interfere with any wastewater treat-
13 ment process, constitute a hazard or cause
14 injury to human, animal or plant life or cause
15 any limitation that is set forth in this
16 Chapter to be exceeded.

17 (6) Noxious or malodorous liquids, gases or solids
18 in a sufficient quantity, either alone or by
19 interaction with other materials, to create a
20 nuisance or a hazard to life or to prevent
21 entry by any person to the system.

22 (7) Any material in a sufficient quantity to
23 interfere with any sewage treatment process,
24 render any product thereof unsuitable for
25 reclamation and reuse or cause the City to be
26 in noncompliance with the sludge use or dispo-
27 sal criteria, guidelines or regulations in
28 connection with Section 405 of the Act, the
29 Solid Waste Disposal Act, the Clean Air Act,
30 the Toxic Substances Control Act or other
31 Federal or State criteria that are applicable
32 to the sludge management method that is being

used.

- (8) Material which will cause the City to be in violation of its NPDES permit or any applicable Federal and State statute, rule or regulation.
- (9) Wastewater that contains pigment which is not removed in the ordinary sewage treatment process and which creates a visual contrast with the material appearance of the City's discharge when it is observed at the point of the discharge.
- (10) Wastewater from industrial facilities that contain floatable fats, wax, grease or oils.
- (11) Wax, grease or oil concentration of mineral or petroleum origin (non-living sources) of more than 100 milligrams per liter, whether emulsified or not, or which contain substances which may solidify or become viscous at temperatures between 32 degrees Fahrenheit and 150 degrees Fahrenheit (0 degree Celsius and 65 degrees Celsius) at the point of its discharge into the system.
- (12) Total fat, wax, grease or oil concentration of animal or vegetable origin (biodegradable living sources) of more than 100 milligrams per liter, whether emulsified or not, or which contain substances which may solidify or become viscous at temperatures between 40 degrees Fahrenheit and 100 degrees Fahrenheit (4 degrees Celsius and 37 degrees Celsius) at the point of its discharge into the system.
- (13) Non-biodegradable cutting oils, commonly

called soluble oil, which form persistent water emulsions.

- (14) Waste containing substances that may precipitate, solidify or become viscous at temperatures between 40 degrees Fahrenheit and 100 degrees Fahrenheit (4 degrees Celsius and 37 degrees Celsius) at the point of its discharge into the system.
- (15) Wastewater that has a heat content in such a quantity that the temperature of the wastewater at the introduction into the sewage treatment plant exceeds 104 degrees Fahrenheit (40 degrees Celcius).
- (16) Pollutants, including without limitation oxygen demanding pollutants, that are released at a flow rate or a pollutant concentration which will cause or contribute to an interference with the sewage treatment process.
- (17) Single pass cooling water; provided, however, that the blowdown or bleedoff from cooling towers or other evaporative coolers may be accepted into the system as long as it does not exceed one-third of the makeup of the water and is expressly authorized in the user's wastewater contribution permit.
- (18) Wastewater which constitutes a hazard or causes injury to human, animal or plant life or creates a public nuisance.
- (19) Recognizable portions of the human or animal anatomy.
- (20) Floatable material which is readily removable.

- 1 (21) Wastewater which constitutes a hazard or
2 causes injury to human, animal or plant life
3 or creates a nuisance.
- 4 (22) Water that is added for the purpose of
5 diluting wastes which would otherwise exceed
6 the applicable maximum concentration limita-
7 tions.
- 8 (23) Excessive amounts of organic phosphorous type
9 compounds.
- 10 (24) Excessive amounts of deionized water, steam
11 condensate or distilled water.
- 12 (25) Rainwater, storm water, groundwater, street
13 drainage, surface drainage, roof drainage,
14 yard drainage, water from yard fountains,
15 ponds, lawn sprays or any other uncontaminated
16 water.
- 17 (26) Industrial waste which does not comply with
18 the applicable Federal pretreatment standards,
19 as the same are set forth in Section 207(b)
20 and (c) of the Act and any applicable regula-
21 tion thereunder, including without limitation
22 those that are prescribed in 40 CFR 403. The
23 most stringent standards will apply whenever
24 Federal, State and local standards overlap.

25 (B) At no time shall two successive readings on an
26 explosion hazard meter, at the point of discharge into the
27 system, or at any point in the system, exceed five percent, nor
28 shall any single reading exceed ten percent of the lower explo-
29 sive limit of the meter.

30 SECTION 103: It is unlawful for any user to discharge
31 or cause to be discharged into the system any sewage, liquid
32 waste or industrial waste if, in the opinion of the director,

1 such discharge may have an adverse or harmful effect upon the
2 sewer maintenance personnel, sewage treatment plant personnel or
3 equipment, treatment plant effluent quality or any public or pri-
4 vate property, or may otherwise endanger the public or local eco-
5 logical systems or tend to create a nuisance. The director, in
6 determining the acceptability of specific wastes, shall consider
7 the nature of the waste and the adequacy and nature of the system
8 to accept such waste. A user who is affected by any such deter-
9 mination shall have the right to appeal that determination in the
10 manner that is set forth in Section 140 of this Ordinance, if
11 such determination creates an extreme hardship, and to have such
12 appeal finally decided before any criminal proceeding may be
13 instituted against such user.

14 SECTION 104: (A) It is unlawful for any user to intro-
15 duce wastewater into the system that exceeds the following limi-
16 tations at any time:

17	Parameter	Maximum Concentration Limitations (mg/l unless noted otherwise)
18	Ammonia (as N)	19.1
19	Arsenic	0.83
	Biochemical Oxygen Demand	600.0
20	Cadmium	0.03
	Chromium (Hexavalent)	0.1
21	Chromium (Total)	5.8
	Chlorine Demand	50.0
22	Color	Non-persistent
	Copper	0.3
23	Cyanide (Total)	0.65
	Lead	7.4
24	Mercury	0.001
	Methylene Blue Active Substances	3.4
25	Nickel	0.1
	Oil and Grease	100.0
26	Organophosphorous or Carbamate Compounds	1.0
	pH	5.0-9.0 Standard Units
27	Phenolic Compounds	31.0
	Phosphorus	6.2
28	Selenium	0.6
	Silver	0.1
29	Suspended Solids	800.0
	Sulfide	0.1
30	Total Dissolved Solids	1000.0
	Total Identifiable Chlorinated Hydrocarbons	1.0
31	Total Toxic Organics	1.0
32	Zinc	1.1

1 (B) Notwithstanding the limitations that are set forth
2 in subsection (A) of this Section, if more restrictive limita-
3 tions are imposed by such user's wastewater contribution permit,
4 if any, or the applicable Federal or State pretreatment stan-
5 dards, it is unlawful for any user to introduce wastewater into
6 the system that exceeds such more restrictive limitations.

7 SECTION 105: (A) Bypasses are prohibited, and the City
8 may take enforcement action against an industrial user for a
9 bypass unless:

- 10 (1) The bypass was unavoidable to prevent loss of
11 life, personal injury or severe property dam-
12 age;
- 13 (2) There was no feasible alternative to the
14 bypass, including without limitation the use
15 of auxiliary treatment facilities, the reten-
16 tion of untreated wastes or proper maintenance
17 during normal periods of equipment downtime;
18 provided, however, that this exception shall
19 not apply if the director determines that, in
20 the exercise of reasonable engineering
21 judgment, adequate back-up equipment should
22 have been installed to prevent a bypass which
23 occurred during normal periods of equipment
24 downtime or preventative maintenance; and
- 25 (3) The industrial user submitted the notices that
26 are required by subsection (B) of this Sec-
27 tion, and the City, after considering the
28 potential adverse effects of the anticipated
29 bypass, has determined that the bypass will
30 satisfy the three conditions that are set
31 forth in paragraph (1) of this subsection (A)
32 of this Section and has approved the bypass.

1 (B) (1) If an industrial user knows in advance of the
2 need for a bypass, it shall submit a prior
3 notice to the City, if possible, at least ten
4 days before the date of the bypass.

5 (2) An industrial user shall submit an oral notice
6 to the City of an unanticipated bypass that
7 exceeds the limits that are imposed in its
8 wastewater contribution permit or the appli-
9 cable Federal or State pretreatment standards
10 within twenty-four hours after the time that
11 the industrial user becomes aware of the
12 bypass. Such industrial user shall also pro-
13 vide a written notice to the City within five
14 days after the time the industrial user be-
15 comes aware of the bypass, which notice shall
16 contain a description of the bypass, its
17 cause, the duration of the bypass, including
18 the exact dates and times, the steps that have
19 been taken or are planned to prevent the
20 recurrence of such a bypass and, if the bypass
21 has not been corrected, the anticipated time
22 that it is expected to continue and the steps
23 that have been taken or are planned to reduce
24 or eliminate the bypass. The City may waive
25 such written report on a case-by-case basis if
26 the oral report has been received by it within
27 the twenty-four hour period and it contains
28 all of the required information.

29 (C) Bypasses that are determined by the director to be
30 essential for the proper maintenance of an industrial user's
31 facilities are not subject to the provisions of subsections (A)
32 and (B) of this Section and may be permitted as long as they do

1 not cause a violation of such industrial user's wastewater
2 contribution permit or the applicable Federal or State pretreat-
3 ment standards.

4 SECTION 106: (A) No statement that is contained in
5 Sections 94 to 105, inclusive, of this Ordinance shall be
6 construed as preventing the director from issuing a wastewater
7 contribution permit that allows an industrial waste of unusual
8 strength or character if the discharge does not violate the
9 applicable Federal or State pretreatment standards. The
10 discharger shall pay all of the extra costs that are incurred by
11 the City in connection with treating such discharge.

12 (B) For the purposes of this Chapter, the following
13 user classifications are established in order to assign
14 appropriate user charges and fees and permit requirements:

- 15 (1) Class I
- 16 (2) Class II
- 17 (3) Special

18 (C) Permits for the use of the system shall be required
19 as provided in this Chapter. Permit applications, in the form
20 that is prescribed by the City and accompanied by all of the
21 applicable fees, shall be filed with the director. Application
22 and permit fees shall be used to defray the administrative costs
23 and shall be subject to periodic revisions. In compliance with
24 the Federal Water Pollution Act of 1972, all of the costs of
25 industrial waste control are mandated to be charged to the owners
26 or operators of the contributing industrial connections.
27 Wastewater contribution permits may be renewed by the payment of
28 the fees that are established by the City. The cost of the
29 laboratory analyses and staff coordination time that are required
30 in order to establish an industrial user's compliance with its
31 discharge limits shall be paid by the industrial user whose faci-
32 lity is sampled, in accordance with the fees therefor that are

1 established by the City.

2 (D) Each person who proposes to connect to, or
3 discharge industrial wastewater into, any part of the system
4 must, before doing so, apply for and, if required by the City,
5 obtain a wastewater contribution permit. The City may deny or
6 condition a wastewater contribution permit for a new or increased
7 contribution of pollutants or a change in the nature of the
8 pollutants from an industrial user upon the basis that the
9 industry of which such user is a part has been guilty of viola-
10 tions of the applicable Federal or State pretreatment standards
11 or the limitations that are imposed by this Chapter or upon the
12 basis that such contribution could cause the City's wastewater
13 treatment plant to violate the City's NPDES permit. All
14 industrial users who are connected to, or are discharging into,
15 any part of the system on the date that this Chapter becomes
16 effective must obtain a wastewater contribution permit, if the
17 same is required by the City, within one hundred twenty days from
18 and after the effective date of this Chapter. In addition, the
19 holder of each such permit, upon its reissue, shall pay to the
20 City, and each application for a new permit shall be accompanied
21 by, the appropriate fee therefor that is established by the
22 City.

23 (E) The wastewater contribution permits shall be
24 classified as follows:

25 (1) Class I: (a) Class I includes any industrial
26 user who:

- 27 (i) Has an industrial waste flow of
28 25,000 gallons or more per day;
29 (ii) Has in its waste discharge a toxic
30 pollutant in toxic amounts, as that
31 term is defined in the standards
32 that are issued pursuant to Section

1 307(a) of the Federal Water Pollu-
2 tion Control Act and the Toxic
3 Substances Control Act;

4 (iii) Has a waste discharge that is found
5 by the City, the EPA or the Adminis-
6 trator of the Division of Environ-
7 mental Protection of the Nevada
8 Department of Conservation and
9 Natural Resources to have a signifi-
10 cant adverse impact, either alone or
11 in combination with other contri-
12 buting industries, upon the City's
13 treatment plant or upon the quality
14 of the effluent therefrom or which
15 may cause the City to violate its
16 NPDES permit; or

17 (iv) Has a waste discharge that is sub-
18 ject to the categorical pretreatment
19 standards and regulations that are
20 promulgated and defined by the EPA
21 in Section 309(e) et. seq. of the
22 Federal Clean Water Act.

23 (b) The facilities of each Class I
24 industrial user shall be inspected and sampled
25 a minimum of two times per year.

26 (2) Class II: (a) Class II includes any
27 industrial user who:

28 (i) Has a discharge flow of less than
29 25,000 gallons a day;

30 (ii) Is not required to obtain a Class I
31 permit; or

32 (iii) Discharges industrial wastes which

1 may have potential effects on the
2 City's treatment facilities or
3 discharge limitations.

4 (b) The facilities of each Class II
5 industrial user shall be inspected and sampled
6 on a random basis.

7 SECTION 107: (A) Each user who seeks a wastewater
8 contribution permit shall complete and file with the City an
9 application on the form that is prescribed by the director. The
10 application shall be accompanied by the applicable fee. In sup-
11 port of its application, the applicant shall submit the following
12 information:

- 13 (1) The name, address, and Standard Industrial
14 Code number of the applicant;
- 15 (2) The volume of the wastewater that the appli-
16 cant anticipates will be discharged;
- 17 (3) The constituents and characteristics of the
18 wastewater that the applicant anticipates will
19 be discharged, including without limitation
20 those that are set forth in Sections 95 to
21 100, inclusive, and 102 to 104, inclusive, of
22 this Ordinance, as those constituents and
23 characteristics are determined by an analyti-
24 cal laboratory that is approved by the City;
- 25 (4) The time and duration of the proposed
26 discharge;
- 27 (5) The average and three minute peak wastewater
28 flow rates, including without limitation
29 daily, monthly, and seasonal variations, if
30 any;
- 31 (6) The site plans, floor plans, mechanical and
32 plumbing plans and details of the applicant's

1 facilities that show all of the sewers and
2 appurtenances by size, location and elevation;

3 (7) A description of the applicant's activities,
4 facilities and plant processes on the premi-
5 ses, including without limitation all of the
6 materials and types of materials which are, or
7 could be, discharged;

8 (8) Each product that is produced by the facili-
9 ties, by type, amount and rate of production;

10 (9) The number and type of employees and their
11 respective hours of work; and

12 (10) Any other information that may be requested by
13 the director.

14 (B) The City will evaluate the data that are furnished
15 by the applicant and may require additional information.

16 (C) After the acceptance and evaluation by the City of
17 the data that are so furnished, the City may issue a wastewater
18 contribution permit, which will be subject to terms and con-
19 ditions that are provided herein.

20 SECTION 108: Each wastewater contribution permit shall
21 be expressly subject to all of the provisions of this Chapter and
22 all other regulations, user charges and fees that are established
23 by the City. The conditions of all wastewater contribution per-
24 mits shall be uniformly enforced in accordance with this Chapter
25 and applicable Federal and State regulations. The conditions of
26 each wastewater contribution permit may, without limitation, in-
27 clude any or all of the following:

28 (A) The unit charge or schedule of user charges and
29 fees that must be paid by the permittee in order for the
30 wastewater to be discharged into the system from its facilities;

31 (B) The average and maximum wastewater constituents and
32 characteristics of the wastewater discharges from the permittee's

1 facilities;

2 (C) The limits on rate and time of the wastewater
3 discharges from the permittee's facilities or the requirements
4 for flow regulation and equalization with respect thereto;

5 (D) The limits regarding the discharge by the permittee
6 of specific pollutants;

7 (E) The requirements for the installation of inspection
8 and sampling facilities and uncontrolled discharge containment
9 facilities with respect to the permittee's facilities;

10 (F) The requirements, which, without limitation, may
11 include specific sampling locations, frequency of sampling, times
12 of sampling and number and types of test standards and reporting
13 schedules, for the monitoring programs at the permittee's facili-
14 ties;

15 (G) The pretreatment facility requirements with respect
16 to the permittee's facilities;

17 (H) The requirements for maintaining and submitting
18 technical reports and plant records that relate to the wastewater
19 discharges from the permittee's facilities;

20 (I) Daily average and daily maximum discharge rates or
21 other appropriate conditions when pollutants that are subject to
22 limitations and prohibitions are proposed or are present in the
23 wastewater discharges from the permittee's facilities;

24 (J) The compliance schedules that are required for the
25 permittee's facilities;

26 (K) The analyses of the wastewater discharges from the
27 permittee's facilities that are to be established by the City
28 through an annual notification process and are to be performed,
29 as a part of the permittee's compliance effort, by a laboratory
30 that is approved by the City;

31 (L) The requirements for maintaining, and for affording
32 the City access to, the records of the permittee's facilities

1 that relate to its wastewater discharges;

2 (M) The requirements for the notification of the City
3 of any introduction of new constituents or any substantial change
4 in the volume or character of the existing constituents of the
5 wastewater discharges from the permittee's facilities;

6 (N) The requirements for the notification of the City
7 of slug, upset or bypass discharges from the permittee's facili-
8 ties;

9 (O) The requirement that an amended application must be
10 filed within ten working days after any condition that is con-
11 tained in the original application is changed; and

12 (P) Such other conditions as may be appropriate in
13 order to ensure compliance by the permittee with this Chapter.

14 SECTION 109: (A) Each wastewater contribution permit
15 shall be issued for a specified period, not to exceed five years
16 and each user shall apply for renewal of its permit not later
17 than sixty days prior to the expiration of its existing permit.

18 (B) If such user is not notified by the City of the
19 renewal of its permit at least thirty days prior to the expira-
20 tion of its existing permit, its existing permit shall automati-
21 cally be extended for an additional thirty days.

22 SECTION 110: The City may change the terms and con-
23 ditions of any wastewater contribution permit during the period
24 for which it was granted whenever the limitations or requirements
25 therefor that are identified in Section 108 of this Ordinance are
26 modified and changed. The user shall be informed of any proposed
27 change in its wastewater contribution permit at least thirty days
28 prior to the effective date such of change. Any change or new
29 condition in such permit shall include a reasonable time schedule
30 for compliance therewith.

31 SECTION 111: Each wastewater contribution permit will
32 be issued to a specific user for a specific operation at a speci-

1 fic location and shall not be assigned, transferred or sold.

2 SECTION 112: All discharges that are permitted under a
3 wastewater contribution permit must commence within one hundred
4 eighty days after the effective date of such permit or such per-
5 mit shall be deemed void.

6 SECTION 113: No wastewater discharge in which there
7 has been a contribution of new pollutants, an increase in the
8 existing pollutants or a change in the characteristics of the
9 existing pollutants which causes such discharge to be different
10 from that which is expressly allowed under a user's existing
11 wastewater contribution permit shall be commenced without the
12 prior written notification to, and the approval by, the director.
13 Upon such notification, the director, in his sole discretion, may
14 require that a new application be filed and a new wastewater
15 contribution permit be obtained before any waste discharge that
16 involves such change takes place.

17 SECTION 114: (A) A temporary wastewater discharge
18 permit shall be required of all users who are granted temporary
19 permission by the City to discharge unpolluted water, storm
20 drainage and ground water that is discharged directly or
21 indirectly into the system. Such a temporary permit may be
22 granted if no alternate method of disposal is reasonably
23 available. The provisions of Sections 94 to 100, inclusive, and
24 102 to 104, inclusive, of this Ordinance which pertain to
25 wastewater strength and characteristics shall apply to such tem-
26 porary permit.

27 (B) Each user who seeks a temporary wastewater
28 discharge permit shall complete and file with the City, prior to
29 commencing discharge, an application in the form that is
30 prescribed by the director. Such application shall be accom-
31 panied by the applicable fee and such data as may be requested by
32 the City for its review and approval.

1 (C) The City may specify and make a part of each tem-
2 porary wastewater discharge permit specific conditions and
3 pretreatment requirements.

4 (D) An application fee for a temporary wastewater
5 discharge permit shall be paid by the applicant in the amount
6 adopted by a separate resolution that is adopted by the City
7 Council. The fee shall be payable prior to issuance of the per-
8 mit.

9 (E) A charge for use, to defray all of the costs of the
10 City for providing sewerage service and monitoring, shall be
11 established by a separate resolution that is adopted by the City
12 Council. A deposit in an amount to be determined by the director
13 as being sufficient to pay the estimated charges for use shall
14 accompany the application for a temporary wastewater discharge
15 permit, and such deposit shall be applied to the charges for the
16 use of the system thereunder.

17 (F) Each temporary wastewater discharge permit shall be
18 issued for a specific period, not to exceed one year. The terms
19 and conditions of such permit may be subject to modification and
20 change by the City during the period for which it was issued.
21 Any change or new condition in such permit shall include a reaso-
22 nable time schedule for compliance therewith.

23 SECTION 115: Wastewater contribution permits for
24 industrial users who are located outside of the corporate boun-
25 daries of the City but are tributary to the system will be issued
26 by the City by way of a specific agreement. The director will be
27 authorized to inspect the facilities of each such industrial user
28 who is issued a permit hereunder in order to determine its
29 compliance with this Chapter, and the requirements of this
30 Chapter apply to each such industrial user.

31 SECTION 116: (A) An industrial wastewater pretreat-
32 ment facility or device may be required by the City to treat

1 industrial flows prior to their discharge into the system when-
2 ever it is necessary to restrict or prevent the discharge to the
3 system of certain waste constituents, to distribute more equally
4 over a longer period any peak discharge of industrial wastewaters
5 or to accomplish any pretreatment result that is required by the
6 City. All such pretreatment facilities or devices shall be
7 approved by the City before their use, but such approval shall
8 not absolve the industrial user that owns or operates the same of
9 the responsibility of meeting any industrial effluent limitation
10 that is imposed by the City on such flows. In a special case,
11 the City may require the construction of sewer lines by the
12 industrial user in order to convey certain industrial wastes to a
13 specific trunk sewer. All pretreatment facilities that are
14 judged by the City to require engineering design shall have the
15 plans therefor prepared and signed by an engineer of suitable
16 discipline who is licensed in the State. Detailed plans that
17 show the pretreatment facilities and operating procedures,
18 including without limitation accidental discharge procedures,
19 shall be submitted to the City for its review and approval before
20 such plans and procedures are implemented. Such review and
21 approval, however, shall not absolve the industrial user that
22 owns or operates such facilities from the responsibility of
23 modifying such facilities in the future as may be necessary in
24 order to produce an effluent that is acceptable to the City under
25 the provisions of this Chapter. No industrial user shall ever
26 increase the use of water, or in any other manner attempt to
27 dilute a discharge, as a partial or complete substitute for ade-
28 quate methods for the reduction of pollutants to achieve
29 compliance with this Chapter and such industrial user's
30 wastewater contribution permit.

31 (B) Normally a gravity separation interceptor,
32 equalizing tank, neutralization chamber and control manhole shall

1 be required, respectively, in order to remove prohibited
2 settleable and floatable solids, to equalize wastewater streams
3 which vary greatly in quantity or quality, or both, to neutralize
4 low or high pH flows and to facilitate inspection, flow measure-
5 ment and sampling. Floor drains from commercial or manufacturing
6 buildings, warehouses or multi-use structures shall not discharge
7 directly to the system but shall first discharge to a gravity
8 separation interceptor.

9 (C) All domestic or sanitary wastewaters from
10 restrooms, showers, drinking fountains and similar facilities
11 shall be kept separate from all industrial wastewaters until the
12 industrial wastewaters have passed through any required pretreat-
13 ment facility or monitoring device.

14 SECTION 117: (A) Any Class I industrial user, or any
15 other industrial user, at the discretion of the director, shall
16 be required to install and maintain monitoring facilities in
17 order to allow inspection, sampling or measurement, or any com-
18 bination thereof, of the building sewer or plumbing systems and
19 may also be required to provide, install and operate sampling or
20 measuring, or both, equipment at such industrial user's expense.
21 Such facilities shall be normally situated on the industrial
22 user's premises but the director may, in his discretion, allow
23 monitoring facilities to be constructed elsewhere at the
24 industrial user's expense.

25 (B) Each industrial user who makes periodic measure-
26 ments shall furnish and install, at its own cost and expense, at
27 the sampling well or other appropriate location a calibrated
28 flume, weir, flow meter or similar device that is approved by the
29 City and is suitable to measure the industrial wastewater flow
30 rate and total volume. A flow indicating, recording and tota-
31 lizing register may also be required by the City. In lieu of
32 such wastewater flow measurement, the City may accept records of

1 water usage and adjust the flow volumes by suitable factors in
2 order to determine the peak and average flow rates for a specific
3 discharge.

4 (C) If two or more industrial users can discharge into
5 a common side sewer, the director may require the installation of
6 a separate monitoring facility for each such user. Also, if, in
7 the judgment of the director, there is a significant difference
8 in the constituents and characteristics of the wastewaters pro-
9 duced by the different operations of a single industrial user,
10 the director may require that separate monitoring facilities be
11 installed for each separate discharge.

12 (D) If a monitoring facility is inside an industrial
13 user's fences, measures shall be taken in order to afford access
14 to the facility by the personnel of the City, including without
15 limitation such measures as a gate secured with a lock that is
16 furnished by the City. There shall be ample operating area in or
17 near such monitoring facility in order to allow accurate sampling
18 and compositing of the samples for analysis. The industrial user
19 shall assure that the access and the sampling and measuring
20 equipment are maintained in a safe and proper operating condition
21 at all times at no expense to the City.

22 (E) The monitoring facility, and the sampling and
23 measuring equipment therein, shall be provided in accordance with
24 the City's design requirements and all of the applicable
25 construction standards, safety devices and specifications.
26 Construction shall be completed within ninety days following the
27 industrial user's receipt of written notification from the City
28 to provide the same.

29 (F) The monitoring facility shall be provided with a
30 security closure that can be locked during the sampling or moni-
31 toring with a lock that will be provided by the City.

32 (G) Unrestricted access to the monitoring facility

1 shall be available to authorized personnel of the City at all
2 times.

3 SECTION 118: Traps for sand, grease and oil shall be
4 provided in accordance with the following requirements:

5 (A) Each restaurant or other establishment that
6 discharges grease wastes which, under the conditions that exist
7 in the downstream sewers, could cause or threaten to cause a
8 stoppage or a grease accumulation shall be required to install an
9 approved grease trap and oil interceptor and regularly to main-
10 tain it in such a manner as to prevent excessive discharges of
11 grease and oil into the system. Each grease trap and oil inter-
12 ceptor shall be easily accessible for inspection by the City. An
13 exception to the requirement of installing a grease trap and oil
14 interceptor may be granted on a case-by-case basis by the direc-
15 tor, taking into account the following items:

- 16 (1) The size of restaurant;
17 (2) The number of meals served per day;
18 (3) The available seating capacity; and
19 (4) The dish washing and garbage disposal facili-
20 ties that are available.

21 (B) Each new car wash, vehicle service station and
22 garage which has facilities for the washing of vehicles shall
23 install an appropriate sand and oil interceptor of a size and
24 design that is approved by the City. Each such establishment
25 that was in existence prior to the effective date of this Chapter
26 shall install an appropriate sand and oil interceptor if, in the
27 opinion of the director, such establishment has the potential of
28 contributing non-compatible material to the system.

29 (C) A trap or interceptor that was legally and properly
30 installed at a restaurant or similar establishment, car wash,
31 vehicle service station or garage prior to the effective date of
32 this Chapter shall be acceptable as an alternative to the trap or

1 interceptor that is specified in subsection (A) or (B) of this
2 Section if such trap or interceptor is effective in removing
3 grease and oil or sand and oil, as the case may be, and is
4 designed and installed in such a manner that it can be inspected
5 and properly maintained. If the City determines that a trap or
6 interceptor is incapable of retaining adequately the grease and
7 oil or the sand and oil, as the case may be, in the wastewater
8 flow from a restaurant or similar establishment, car wash,
9 vehicle service station or garage, the City shall issue a written
10 notice that requires the operator of such establishment to
11 install an adequate trap or interceptor within sixty days.

12 (D) The City may maintain an information file, avail-
13 able for public inspection, of acceptable designs of grease, sand
14 and oil traps and interceptors. The installation of trap or
15 interceptor of a design that is shown in such file, or of any
16 design that meets the requirements that are set forth in this
17 Section or any recommendation or requirement that is made by the
18 City shall not impute any liability to the City as a result of
19 such trap's or interceptor's failure adequately to perform under
20 the actual conditions of its use. Such installation shall not
21 relieve the owner or proprietor of such establishment of the
22 responsibility to keep grease and oil or sand and oil, as the
23 case may be, from entering the system. If a trap, interceptor or
24 other pretreatment facility is not adequate under the actual con-
25 ditions of its use, a new trap, interceptor or pretreatment faci-
26 lity shall be constructed which is effective in accomplishing the
27 intended purpose.

28 (E) Any grease trap and oil interceptor or sand and oil
29 interceptor that is required by this Section shall be readily
30 accessible for inspection by the authorized personnel of the City
31 and shall be properly maintained to ensure that accumulations of
32 grease and oil or sand and oil, as the case may be, do not impair

1 the efficiency of the trap or interceptor or are not discharged
2 with the effluent, or both. Each establishment that is required
3 to use and maintain a grease trap and oil interceptor or a sand
4 and oil interceptor shall keep a record of every time the trap or
5 interceptor is cleaned. This record shall include the date, the
6 name of the pumper or person who cleaned the trap or interceptor
7 and the site at which the waste was disposed of and may be
8 reviewed by the City in its discretion. A trap or interceptor
9 shall not be considered properly maintained if accumulations of
10 grease and oil or sand and oil, as the case may be, total more
11 than twenty-five percent of the operative fluid capacity. The
12 City will endeavor to inspect all grease traps and oil intercep-
13 tors and sand and oil interceptors periodically. If it is found
14 that a trap or interceptor in any establishment is improperly
15 maintained or adequate records with respect thereto are not being
16 kept, a warning will be issued to the operator of such establish-
17 ment. If, on any subsequent inspection, it is found that any one
18 of the aforesaid conditions continues to exist, a penalty fee in
19 an amount that is established by the City will be levied against
20 the operator of the establishment.

21 SECTION 119: Upon its receipt of a written notifica-
22 tion from the director, each user shall provide facilities for
23 the containment of uncontrolled discharges of prohibited material
24 or other substances that are regulated by this Chapter. Facili-
25 ties to contain such discharges shall be provided and maintained
26 at the user's sole cost and expense. Each user who is so
27 notified shall provide detailed spill containment plans,
28 including without limitation plans for the facility and operating
29 procedures, to the director for his review and approval, and such
30 plans and procedures must be approved before the installation or
31 the commencement of the construction of the facility. The
32 construction of the facility shall be completed within the period

1 that is designated by the director in the notification to the
2 user of his approval thereof. The review and approval of spill
3 containment plans and operating procedures shall not absolve the
4 user of the responsibility of modifying its facility as may be
5 necessary in order to satisfy the requirements of this Chapter.

6 SECTION 120: Upon its receipt of a written notifica-
7 tion from the director, each user of flammable substances and
8 each user who is subject to uncontrolled discharges of flammable
9 substances may be required to install, operate and maintain a
10 combustible gas monitoring system and facility to divert the
11 entire wastewater flow to a holding tank whenever the combustible
12 gas level at its establishment is greater than twenty percent of
13 the lower explosive limit. Such system and facility shall be
14 provided and maintained at the user's sole cost and expense.
15 Each user who is so notified shall provide detailed gas moni-
16 toring and wastewater diversion plans, including without limita-
17 tion plans for the facility and operating procedures, to the
18 director for his review and approval, and such plans and proce-
19 dures must be approved before the installation or the commence-
20 ment of the construction of such system and facility. At the
21 minimum, the monitoring system and facility must be installed in
22 a field location and have an indicator, automatic continuous
23 recorder, adjustable two-stage alarm system, calibration for
24 methane detection and a means for diverting the flow to a holding
25 tank; provided, however, that the director, in his sole discre-
26 tion, may waive any of these requirements by way of a written
27 notice to the user. The installation or construction of such
28 system and facility shall be completed within a period that is
29 designated by the director in the notification to the user of his
30 approval thereof. The review and approval of gas monitoring and
31 wastewater diversion plans shall not absolve the user of the
32 responsibility of satisfying the requirements of this Chapter.

1 SECTION 121: Periodic measurements of flow rates, flow
2 volumes and wastewater characteristics for use in determining a
3 user's compliance with any limitation or requirement that is spe-
4 cified in its wastewater contribution permit, if any, or in this
5 Chapter shall be made at the times and in the manner that is
6 prescribed by the City. The City shall establish, on an annual
7 basis, the wastewater analyses to be performed by the user and
8 shall notify the user at least sixty days prior to the deadline
9 for the submission of any required compliance monitoring report.
10 All sampling, analyses and flow measurements of industrial or
11 liquid wastes shall be performed by an independent laboratory
12 that is approved by the City, by a laboratory of the user that is
13 approved by the City or by the personnel of the City. If such
14 sampling, analyses and flow measurements are performed by an
15 independent laboratory, the costs thereof shall be paid by the
16 user, and, if the same are performed by the personnel of the
17 City, a charge that is sufficient to defray the actual expenses
18 of the City for the personnel, space, equipment and supplies, as
19 the same are determined by the City, shall be paid by the user.

20 SECTION 122: (A) Periodic measurements of flow rates,
21 flow volumes and wastewater characteristics for use in deter-
22 mining the appropriate industrial wastewater treatment surcharge,
23 and such measurements of other constituents that are believed by
24 the director to be necessary for such purpose, shall be made by
25 each user unless any such user is specifically relieved of such
26 obligation in writing by the director. All sampling, analyses
27 and flow measurements of industrial wastewaters shall be per-
28 formed by an independent laboratory that is approved by the City,
29 by a laboratory of the user that is approved by the City or by
30 the personnel of the City. If such sampling, analyses and flow
31 measurements are performed by an independent laboratory, the
32 costs thereof shall be paid by the user, and, if the same are

1 performed by the personnel of the City, a charge that is suf-
2 ficient to defray the actual expenses of the City for the person-
3 nel, space, equipment and supplies, as the same are determined by
4 the City, shall be paid by the user.

5 (B) Any user may be required by the director, by its
6 wastewater contribution permit, if any, or otherwise, to engage
7 in periodic monitoring or sampling, or both, of its discharge.
8 If a user is required to monitor or sample its discharge, the
9 user shall notify the City by telephone at least forty-eight
10 hours in advance of any monitoring or sampling that is to be per-
11 formed. Such notification shall include the date, time and loca-
12 tion of the proposed monitoring or sampling, and the monitoring
13 or sampling shall be carried out during a period of normal busi-
14 ness operations. Prior to the commencement of any monitoring or
15 sampling, the director may request that the user furnish the City
16 with a split sample and all supporting data (i.e., methodology,
17 flow measuring data, strip chart recordings and other pertinent
18 information). The City reserves the right to refuse any data
19 that are developed from its monitoring or sampling activity if
20 the user has failed to comply with the prenotification
21 procedure.

22 (C) Each user shall submit to the City, sworn to by the
23 user under the penalties for perjury, its monitoring and sampling
24 report or other requested data.

25 SECTION 123: (A) The sampling, analysis and flow
26 measurement procedures, equipment and results shall be subject at
27 all reasonable times to inspection by the City. Sampling and
28 flow measurement facilities shall be constructed and located in
29 such a manner as will provide safe access to the authorized per-
30 sonnel of the City.

31 (B) Each user who is required by the City to make
32 periodic measurements of its wastewater flows and constituents

1 shall make at least the minimum number of such measurements
2 required. The minimum requirement for such periodic measurements
3 shall be at least one 24-hour measurement per year, and represen-
4 tative samples of the wastewater shall be obtained at least once
5 per hour during the 24-hour period and shall be properly refri-
6 gerated, composited according to measured flow rates during the
7 24 hours and analyzed for the specified wastewater constituents.
8 Each user who is required to obtain only a few samples per year
9 shall take such samples during the periods of the highest
10 wastewater flow and wastewater constituent discharges. An
11 industrial plant that has a large fluctuation in quantity or
12 quality of wastewater may be required to provide continuous
13 sampling and analyses for every working day. If it is required
14 to do so by the City. A user shall install and maintain in
15 proper order automatic flow-proportional sampling equipment or
16 automatic analysis and recording equipment, or both.

17 (C) Measurements to verify the quantities of waste
18 flows and waste constituents that are reported by each user will
19 be conducted on a random basis by the personnel of the City.

20 SECTION 124: (A) Samples and flow measurements shall
21 represent the normal wastewater flow to the system over a 24-hour
22 period. Composite samples shall be collected according to the
23 flow, with at least one sample's being collected hourly. Samples
24 may be collected either manually or by automatic integrated
25 sampling equipment that is approved by the director. Chain-of-
26 custody logs with respect to each sample that is required by this
27 Chapter shall be maintained by each user.

28 (B) The sampling, handling, storage and analysis of
29 each sample that is taken for the determination of the charac-
30 teristics of a wastewater discharge shall be performed by a
31 laboratory that is approved by the City, by a laboratory of the
32 user that is approved by the City or by the personnel of the City

1 and shall be in accordance with procedures that are established
2 by the EPA pursuant to Section 304(a) of the Act and contained in
3 40 CFR Part 136, as amended. If such sampling, handling, storage
4 and analysis are performed by an independent laboratory, the
5 costs thereof shall be paid by the user, and, if the same are
6 performed by the personnel of the City, a charge that is suf-
7 ficient to defray the actual expenses of the City for the person-
8 nel, space, equipment and supplies, as the same are determined by
9 the City, shall be paid by the user. A copy of each required
10 wastewater analysis shall be sent directly from the independent
11 laboratory to the director within seven days after the completion
12 of the analysis. Prior to the submission to the City of any data
13 that are developed in the laboratory of a user, the results of
14 such analysis shall be sworn to by an authorized representative
15 of the user under the penalties for perjury. Any independent
16 laboratory or user that performs the tests shall furnish to the
17 City any required test data or information with respect to the
18 test methods or the equipment that were used in such tests imme-
19 diately upon the City's request therefor.

20 SECTION 125: (A) The determination or estimation of
21 suspended solids or other components that are contained in
22 sewage, liquid waste or industrial waste discharges shall be made
23 in accordance with one of the following methods:

- 24 (1) Sampling and analysis by the personnel of the
25 City;
- 26 (2) Sampling and analysis by the personnel or a
27 laboratory of the user who are or is approved
28 by the City; or
- 29 (3) Estimates that are determined by a study of
30 the user's waste producing operations that
31 lead to the discharge and are approved by the
32 director.

1 (B) Each user shall have the option of selecting which
2 of the methods that are described in subsection (A) of this Sec-
3 tion will be used; provided, however, that such method must be
4 proposed by the user and approved by the City before the
5 beginning of the period during which such sampling or estimate is
6 to be made, and the same method must be continued throughout such
7 period. In the event that no method is selected and approved,
8 the method that is described in paragraph (1) of said subsection
9 (A) will be used, and the appropriate fees, as established by the
10 City, shall be paid by the user. Additionally, in the event that
11 either of the methods that are described in paragraphs (2) and
12 (3) of said subsection (A) is selected and approved, the City
13 may, by appropriate sampling and analysis, determine the accuracy
14 of the results that are so obtained, and if the method that is
15 described in said paragraph (2) is selected and approved, the
16 user shall, upon the request of the City, prepare and submit a
17 certified statement with respect to the results that are so
18 obtained during the period in question.

19 SECTION 126: The measurement of total flow of sewage,
20 liquid waste or industrial waste shall be made by the City by
21 means of a metering device that is approved by the City and is
22 purchased, installed and maintained at the expense of the user,
23 by an estimate that is based upon total water which is used in
24 the area that is occupied, or by other means that is acceptable
25 to the City and to the user. The user shall have the option of
26 selecting whether the measurement shall be made by meter, by
27 estimate or by other means; provided, however, that the method of
28 estimating or other means must first be approved by the City.

29 SECTION 127: (A) The determination of the peak flow
30 rate shall be made by means of an effluent meter that is approved
31 by the City and is purchased, installed and maintained at the
32 expense of the user or by field measurements that are made by the

1 City in accordance with the method that is provided in subsection
2 (B) of this Section. The user shall have the option of selecting
3 the method of determination to be used; provided, however, that,
4 in the event the field measurements method is selected, the user
5 must bear all of the expenses that are incurred by the City in
6 carrying out the field measurements.

7 (B) In the absence of actual peak flow rate data with
8 respect to any user, peak flow rate may be computed for such user
9 in a manner that is established by the City, and the user whose
10 peak flow rate is so computed shall certify to the City that the
11 flow use that is metered in order to compute the peak flow rate
12 was from normal operations and not the result of any extraor-
13 dinary condition.

14 SECTION 128: (A) Should flow measurements or other
15 investigations demonstrate that an industrial user is discharging
16 at a flow rate, or in a quantity of flow, chemical oxygen demand
17 or suspended solids, that is significantly in excess of that
18 which is stated in its wastewater contribution permit or in
19 excess of the quantities that are reported to the City by such
20 industrial user, and upon which its industrial wastewater treat-
21 ment surcharge is based, such industrial user shall apply for an
22 amended wastewater contribution permit and shall be assessed for
23 all delinquent charges, together with any penalty and interest,
24 as the same are provided for in Sections 145 to 147, inclusive,
25 and 150 of this Ordinance. However, before such charges shall be
26 assessed, at least two additional 24-hour samples and flow
27 measurements shall be obtained by the City, and all of the costs
28 of such sampling and analyses shall be paid by such industrial
29 user.

30 (B) For the purpose of establishing the correct treat-
31 ment surcharge, the data that are obtained in the samplings that
32 are provided for in subsection (A) of this Section, together with

1 any other relevant information that is obtained by the City or
2 submitted by the industrial user, shall be used by the City in
3 determining the quantity parameters that are to be used in the
4 surcharge formula. An industrial user who is found to be
5 discharging at a flow rate, or in a quantity of flow, chemical
6 oxygen demand or suspended solids, that is significantly in
7 excess of that which is stated in its wastewater contribution
8 permit or in excess of the quantities that are reported to the
9 City by such industrial user shall, in the absence of other evi-
10 dence, be presumed to have been discharging at the determined
11 parameter values at all times during the preceding three years or
12 at all times subsequent to the previous verification of quantity
13 parameters by the City, whichever period is shorter.

14 SECTION 129: (A) Within thirty days after the date
15 for the final compliance by such industrial user with the appli-
16 cable pretreatment standards, or, in the case of a new source,
17 after the commencement of the introduction of wastewater into the
18 system, any industrial user who is subject to the pretreatment
19 standards and requirements shall submit to the City a report
20 which contains the information that is specified in 40 CFR
21 403.12(b)(1-5) and indicates the nature and concentration of all
22 of the pollutants in the discharge from the regulated process
23 that are limited by the pretreatment standards and requirements
24 and the average daily flow and the maximum daily flow from each
25 of the process units in such industrial user's facility that are
26 limited by such pretreatment standards and requirements. The
27 report shall state whether the applicable pretreatment standards
28 and requirements are being met on a consistent basis and, if they
29 are not, what additional operation and maintenance or pretreat-
30 ment, or both, is necessary in order to bring such industrial
31 user's discharge into compliance with the applicable pretreatment
32 standards and requirements. Such statement shall be sworn to by

1 an authorized representative of the industrial user under the
2 penalties for perjury.

3 (B) Within one hundred eighty days after the effective
4 date of a categorical standard or the final decision with respect
5 to a category determination submission, whichever is later, an
6 industrial user who is subject to the standard must submit to the
7 City a report that indicates whether or not the industrial
8 wastewater discharge from such industrial user's facilities meets
9 the standard. At the minimum, the report must, without limita-
10 tion, include the identifying information, the environmental
11 control, the permits that are held by such industrial user, a
12 description of such industrial user's operations, the flow
13 measurements, the measurements of pollutants, a statement which
14 certifies to the foregoing that is sworn to by an authorized
15 representative of such industrial user under the penalties for
16 perjury and the compliance schedule as is required by 40 CFR
17 403.12(b)(1-7).

18 (C) Each Class I industrial user who is required to
19 submit a compliance schedule must report its progress to the City
20 within fourteen days after each date in its schedule.

21 (D) Within ninety days after the date for the final
22 compliance by such industrial user with any applicable categori-
23 cal standard, an industrial user who is affected by such standard
24 must submit to the City a report that indicates the nature and
25 concentration of all of the limited pollutants in the regulated
26 discharges from such industrial user's facilities and the average
27 daily flow and the maximum daily flow of such discharges. Such
28 report also must indicate whether or not the pretreatment stan-
29 dards are being met on a consistent basis.

30 (E) Each Class I industrial user who is subject to a
31 pretreatment standard shall, after the date for compliance with
32 such pretreatment standard, or, in the case of a new source,

1 after the commencement of the introduction of wastewater into the
2 system, submit to the City, during the months of June and
3 December of each year or as may otherwise be required in such
4 pretreatment standard or by the director, a report that indicates
5 the nature and concentration of the pollutants in the effluent
6 from such industrial user's facility which are limited by such
7 pretreatment standard. Additionally, such report shall, without
8 limitation, include a record of all daily flows which, during the
9 reporting period, exceeded the average daily flows that are
10 reported in accordance with this Chapter. At the discretion of
11 the director and in consideration of the local high and low flow
12 rates, holidays, budget cycles and similar factors, the director
13 may agree to alter the months during which the reports that are
14 required by this Section are to be submitted.

15 (F) Each industrial user shall notify the City imme-
16 diately of any slug loading at its facility.

17 (G) Each industrial user shall notify the City imme-
18 diately of any upset at its facility.

19 (H) Each industrial user shall notify the City with
20 respect to any bypass at its facilities in accordance with Sec-
21 tion 105 of this Ordinance.

22 SECTION 130: (A) Each industrial user who is subject
23 to the Federal pretreatment regulations (40 CFR 403) shall main-
24 tain the records of all information that results from any moni-
25 toring (including self-monitoring) activities that are required
26 by said regulations, as the same are set forth herein:

- 27 (1) The date, exact place, method and time of
28 sampling, and the names of the person or per-
29 sons who took the samples;
- 30 (2) The dates on which the analyses were per-
31 formed;
- 32 (3) The identity and addresses of the person or

1 persons who performed the analyses; and

2 (4) The results of each such analysis.

3 (B) Each industrial user who is subject to the Federal
4 pretreatment regulations shall be required to retain the records
5 of all of its monitoring activities and results, whether or not
6 such activities are required by this Section, for the minimum
7 period of three years. Such records shall be made available for
8 inspection and copying by the director at all reasonable times.
9 The period of records retention shall be extended during the
10 course of any unresolved litigation that involves such industrial
11 user or the system or upon the request of the director.

12 SECTION 131: (A) Whenever it is necessary to make an
13 inspection to monitor or enforce any of the provisions of, or to
14 perform any duty imposed by, this Chapter or other applicable
15 law, or whenever the director has reasonable cause to believe
16 that there exists upon any premises any violation of the provi-
17 sions of this Chapter or other applicable law or any condition
18 which makes such premises hazardous, unsafe or dangerous, the
19 director is authorized to enter such premises at all reasonable
20 times and inspect the same and perform any duty that is imposed
21 upon the director by this Chapter or other applicable law; pro-
22 vided, however, that:

23 (1) If the premises are occupied, the director
24 shall first present proper credentials to the
25 occupant and request entry after explaining
26 the reasons therefor and the purpose of the
27 inspection; or

28 (2) If the premises are unoccupied, the director
29 shall first make a reasonable effort to locate
30 the owner or other person who has the care or
31 control of such premises and request entry
32 after explaining the reasons therefor and the

1 purpose of the inspection. If such entry is
2 refused or cannot be obtained because the
3 owner or other person who has the care or
4 control of such premises cannot be found after
5 due diligence, the director may have recourse
6 to every remedy that is provided by law to
7 effect lawful entry and to inspect such
8 premises.

9 (B) Notwithstanding the foregoing, if the director has
10 reasonable cause to believe that the wastewater discharge con-
11 ditions on or emanating from the premises are so hazardous,
12 unsafe or dangerous as to require immediate inspection and action
13 in order to safeguard the public health or safety, the director
14 shall have the right immediately to enter and inspect such
15 premises and may use any reasonable means that may be required in
16 order to effect such entry and make such inspection, whether the
17 premises are occupied or unoccupied and whether or not formal
18 permission to enter and inspect has been obtained. If the premi-
19 ses are occupied, the director shall first present proper creden-
20 tials to the occupant thereof and demand entry after explaining
21 the reasons therefor and the purpose of the inspection.

22 (C) It shall be unlawful for any person to fail or
23 refuse, after a proper demand has been made upon that person in
24 accordance with subsection (B) of this Section, promptly to per-
25 mit the director to enter such premises and to make any inspec-
26 tion that is provided for by said subsection (B). In addition to
27 any criminal penalty that may be imposed upon any person who
28 violates this subsection (C), such person's wastewater contribu-
29 tion permit may be revoked.

30 (D) Any user, by accepting any permit that is issued
31 pursuant to this Chapter, is conclusively presumed to have con-
32 sented and agreed to the entry at all reasonable times by the

1 director or his designated personnel upon the premises that are
2 described in such permit for any of the following purposes:

- 3 (1) To inspect, sample and take flow measurements
4 of the discharge from such user's facilities
5 and to examine records in the performance of
6 the director's authorized duties;
- 7 (2) To set up on such user's property such devices
8 as may be necessary or appropriate in order to
9 conduct sampling inspections, compliance moni-
10 toring, flow measuring or metering operations,
11 or any combination thereof;
- 12 (3) To inspect and copy any record, report, test
13 result or other information that is required
14 to carry out the provisions of this Chapter;
15 and
- 16 (4) To photograph any waste, waste container,
17 vehicle, waste treatment process, discharge
18 location or violation that is discovered
19 during any such inspection.

20 (E) If a user has instituted security measures that
21 require proper identification and clearance before entry upon its
22 premises, such user shall make all arrangements with its security
23 guards that may be necessary in order that, upon presentation of
24 their credentials, the duly designated personnel of the City
25 shall be permitted to enter upon the premises without delay for
26 the purpose of performing their authorized duties.

27 SECTION 132: The director shall have the responsibil-
28 ity of administering, implementing and enforcing all of the pro-
29 visions of this Chapter. However, any power that is granted to,
30 or duty that is imposed upon, the director may be delegated by
31 him to any other person who is in the employ of the City's
32 Department of Public Works and may be confirmed in writing by the

1 City Council upon any other person or persons, whether or not he
2 or they are in the employ of the City.

3 SECTION 133: (A) The noncompliance with the discharge
4 requirements of the wastewater contribution permit of any
5 industrial user may be determined by an analysis of a grab (for
6 pH only) or composite sample of the effluent from such industrial
7 user's facilities for any constituent or condition that is spe-
8 cified in such permit or in Sections 95 to 100, inclusive, and
9 102 to 104, inclusive, of this Ordinance.

10 (B) If the effluent of an industrial user is found by
11 an analysis of the sample to be in excess of the concentrations,
12 mass emission rates or conditions that are specified in such
13 industrial user's wastewater contribution permit or in Sections
14 95 to 100, inclusive, and 102 to 104, inclusive, of this Ordi-
15 nance, such industrial user shall pay to the City the non-
16 compliance fees that are specified in the City's schedule of fees
17 and charges that are set forth in a separate resolution that is
18 adopted by the City Council.

19 (C) The noncompliance fees shall continue to accumulate
20 for each day, not to exceed ten working days, until such
21 industrial user has demonstrated, to the satisfaction of the
22 director, compliance with the conditions of its wastewater
23 contribution permit.

24 (D) A subsequent composite sample will be taken within
25 thirty days after the taking of the first composite sample, which
26 subsequent sample will also subject such industrial user to the
27 payment of noncompliance fees if it is also found to be in non-
28 compliance. If such subsequent sample reveals noncompliance, a
29 sampling and evaluation program for such industrial user's facil-
30 ities may be initiated by the City, and, in such event, the pro-
31 visions of Section 134 of this Ordinance shall apply.

32 SECTION 134: (A) If the sampling and evaluation

1 program that is established for the facilities of any industrial
2 user reveals noncompliance by such industrial user with the con-
3 centrations, mass emission rates or conditions that are specified
4 in the wastewater contribution permit of such industrial user or
5 in Sections 95 to 100, inclusive, and 102 to 104, inclusive, of
6 this Ordinance, such industrial user shall pay the fees that are
7 specified in the City's schedule of fees and charges that are set
8 forth in a separate resolution that is adopted by the City Coun-
9 cil and may be assessed all of the other costs that are incurred
10 by the City during such sampling and evaluation program,
11 including without limitation the costs of labor, equipment,
12 materials and overhead. The fees that are specified shall be
13 retroactive to the date that the sampling and evaluation program
14 was initiated.

15 (B) The noncompliance fees shall continue to accumulate
16 for each day, not to exceed ten working days, until such
17 industrial user has demonstrated to the satisfaction of the
18 director compliance with the conditions of such industrial user's
19 wastewater contribution permit.

20 (C) If noncompliance by such industrial user with the
21 concentrations, mass emission rates or conditions that are spe-
22 cified in such industrial user's wastewater contribution permit
23 or Sections 95 to 100, inclusive, and 102 to 104, inclusive, of
24 this Ordinance is determined, the director may proceed with any
25 one or more of the following actions:

- 26 (1) Amend the existing permit to comply with a
27 compliance schedule, which may be accomplished
28 after consultation with such industrial user,
29 but only if such industrial user has shown
30 good faith in attempting to comply with the
31 conditions of its permit but requires addi-
32 tional time for the construction or acquisi-

1 tion, or both, of equipment that is related to
2 pretreatment. If such permit is so amended,
3 the period during which such amended permit is
4 valid shall not exceed one hundred eighty
5 days; provided, however, that that period may
6 be extended for an additional period of not to
7 exceed one hundred eighty days upon the deter-
8 mination by the director that good cause
9 exists for such extension. No further exten-
10 sion shall be granted except upon approval of
11 the City Council. Any condition of the
12 compliance schedule that is not acceptable to
13 such industrial user are subject to the provi-
14 sions of this Chapter that relate to requests
15 for reconsideration and appeals.

16 (2) Issue a cease and desist order, prohibiting
17 such industrial user to discharge industrial
18 wastewater from its facilities into the
19 system, the City's storm drain system or the
20 waters of the State, if corrective action is
21 not taken within a reasonable period after the
22 completion of the sampling and evaluation
23 program and the notification of such indus-
24 trial user of the expiration of the compliance
25 schedule and such industrial user is still not
26 in compliance with the conditions of its per-
27 mit.

28 (3) Commence any enforcement action that is
29 authorized by this Chapter.

30 (D) The payment of noncompliance fees will not bar the
31 City from undertaking any other enforcement procedure that is
32 specified in this Chapter.

1 SECTION 135: (A) The director may suspend a waste-
2 water contribution permit when such suspension is necessary in
3 order to stop a discharge which presents an imminent hazard to
4 the public health and safety or the welfare of the local environ-
5 ment or which, either alone or by interaction with other
6 discharges, presents an imminent hazard to the system, the City's
7 storm drain system or the waters of the State or places the City
8 in violation of its NPDES permit.

9 (B) Any industrial user who is notified of a suspension
10 of its wastewater contribution permit shall immediately cease and
11 desist the discharge of all industrial wastewater from its facil-
12 ities into the system, the City's storm drain system or the
13 waters of the State.

14 (C) If such industrial user fails to comply voluntarily
15 with the suspension order, the director may take such action as
16 may be reasonably necessary in order to ensure immediate
17 compliance with such order, including without limitation the
18 immediate blockage or the disconnection of such industrial user's
19 connection to the system.

20 (D) In addition, the director, in the event of any
21 violation of this Chapter by any industrial user, may serve such
22 industrial user with a notice of an intended order of suspension
23 which states the reasons therefor, notifies the industrial user
24 of its opportunity for a hearing with respect thereto and
25 establishes the proposed effective date of the intended order.

26 (E) Any industrial user whose wastewater contribution
27 permit is suspended or who is served with a notice of an intended
28 order for the suspension of its wastewater contribution permit
29 may file with the director a request for a hearing with respect
30 thereto; provided, however, that the filing of such a request
31 shall not stay the existing or proposed suspension. In the event
32 of the suspension of a permit because of an imminent hazard that

1 is related to the continued discharge, the industrial user may
2 request a hearing before the City Manager, and the City Manager
3 shall conduct such hearing within three working days after his
4 receipt of such request.

5 (F) If a hearing is requested with respect to an
6 existing or proposed suspension, other than the suspension of a
7 permit because of an imminent hazard, the director shall hold a
8 hearing with respect to such suspension within fourteen days
9 after his receipt of such request. At the close of the hearing
10 the director shall make his determination concerning whether to
11 affirm, to terminate or conditionally to terminate the suspen-
12 sion, or the director may order that the permit be revoked in
13 accordance with Section 136 of this Ordinance. Except in the
14 case of a hearing with respect to the suspension of a permit
15 because of an imminent hazard, reasonable notice of the hearing
16 shall be given to such industrial user no less than five working
17 days prior to the date of the hearing.

18 (G) The director may terminate the suspension of any
19 suspended wastewater contribution permit upon proof of the
20 compliance by the industrial user to whom the same was issued
21 with the conditions of such permit which ends the emergency
22 nature of the hazard that had caused the director to initiate the
23 suspension; provided, however, that the director must be
24 satisfied that such industrial user will henceforth comply with
25 all of the discharge requirements that are set forth in this Sec-
26 tion, the City's rules and regulations that relate to the
27 discharge of wastewater and any lawful order that is issued pur-
28 suant to this Chapter.

29 SECTION 136: (A) The director may revoke a wastewater
30 contribution permit upon a finding that the industrial user to
31 whom the same has been issued has violated any provision of this
32 Chapter or any of the City's rules and regulations that relate to

1 the discharge of wastewater; provided, however, that no such
2 revocation shall be ordered until a notice and the opportunity
3 for a hearing with respect to the proposed revocation before the
4 director has been provided in the manner that is set forth in
5 Section 137 of this Ordinance.

6 (B) Any industrial user whose wastewater contribution
7 permit has been revoked shall immediately cease and desist the
8 discharge of all industrial wastewater from its facilities into
9 the system, the City's storm drain system or the waters of the
10 State. In order to enforce such revocation, the director may
11 disconnect or permanently block such industrial user's connection
12 to the system, if such action is deemed by him to be reasonably
13 necessary in order to ensure such industrial user's compliance
14 with the order of revocation.

15 (C) After the revocation of any industrial user's
16 wastewater contribution permit, there shall be no further
17 discharge of industrial wastewater from such industrial user's
18 facilities into the system, the City's storm drain system or the
19 waters of the State unless an application for a new wastewater
20 contribution permit has been filed, all of the fees and charges
21 that are required in connection with an initial application and
22 all delinquent fees, charges, penalties and other sums that are
23 owed by such industrial user or the applicant for the new permit,
24 or both, have been paid to the City and a new wastewater contri-
25 bution permit has been issued. Such industrial user or the
26 applicant for the new permit, or both, shall also reimburse the
27 City for any cost that was incurred by the City, including
28 without limitation administrative costs and investigative fees,
29 in revoking such permit and disconnecting or blocking such
30 industrial user's connection to the system before the issuance of
31 a new wastewater contribution permit.

32 SECTION 137: (A) The notice of the hearing with

1 respect to a proposed suspension or revocation of a wastewater
2 contribution permit shall be given to the industrial user to whom
3 such permit has been issued at least fifteen days prior to the
4 date of the hearing. Except as it may be otherwise provided
5 elsewhere in this Chapter, any notice that is required to be
6 given by the director pursuant to this Section shall be in
7 writing and shall be delivered in person to such industrial user
8 or served by registered or certified mail that is addressed to
9 such industrial user at its last known address, return receipt
10 requested. If no address for such industrial user is known, ser-
11 vice of such notice may be made upon the owner of record of the
12 property upon which the violation is alleged to have occurred or
13 by posting such notice in a conspicuous place on such property.
14 Any such notice shall be deemed to have been duly given at the
15 time that it is delivered in person to such industrial user,
16 deposited, postage prepaid, with the United States Postal Service
17 and addressed to such industrial user or to the owner of the pro-
18 perty upon which the violation is alleged to have occurred or
19 posted on such property, as the case may be.

20 (B) The director shall conduct the hearing with respect
21 to the proposed suspension or revocation of such wastewater
22 contribution permit, and the industrial user to whom such permit
23 has been issued may appear at such hearing, either personally or
24 through counsel, and present evidence in its behalf.

25 (C) After considering the evidence that is presented at
26 such hearing, the director shall issue his order with respect to
27 the suspension or revocation of the wastewater contribution per-
28 mit in question. If the order is to revoke such permit, the
29 order may be effective forthwith or at any later date that is
30 specified therein, and the industrial user shall be notified in
31 writing of the director's order.

32 SECTION 138: The director shall have the full power

1 and authority to take any necessary precaution, including without
2 limitation ordering the decontamination, sewer closure,
3 packaging, diking or transportation, or any combination thereof,
4 of materials, that is deemed by him to be reasonably necessary in
5 order to protect life or property or to prevent further damage
6 that may result from a condition which is likely to result in a
7 discharge which presents an imminent hazard to the public health
8 and safety or the welfare of the environment, which discharges
9 either alone or by interaction with other discharges, prevents
10 an imminent hazard to the system or which places the City in
11 violation of its NPDES permit. In implementing such pre-
12 cautionary measure or measures, the personnel of the City, any
13 party with which the City has contracted for such purpose or a
14 duly authorized representative of any other government agency
15 shall have immediate access to the premises on which such con-
16 dition exists. The director may prohibit the approach to the
17 premises on which such condition exists by any person, vehicle,
18 vessel or thing, and all persons who are not actually employed in
19 the abatement of such condition or in the preservation of life or
20 property on, or in the vicinity of, such premises may be excluded
21 from such premises.

22 SECTION 139: (A) A industrial user who wishes to
23 assert the affirmative defense that an alleged violation is the
24 result of an upset shall demonstrate, through properly signed
25 contemporaneous operating logs or other relevant evidence, that:

- 26 (1) The upset occurred and that the industrial
27 user can identify the specific cause or causes
28 thereof;
- 29 (2) The facilities at which the violation is
30 alleged to have occurred were, at the time
31 that the violation allegedly occurred, being
32 properly operated;

1 (3) The industrial user submitted notice of the
2 upset to the director within the time and
3 accompanied by the information that is spe-
4 cified in Section 129 of this Ordinance; and

5 (4) The industrial user complied with any remedial
6 measure that is required in order to minimize
7 or correct any adverse impact on the environ-
8 ment that could have resulted from the upset.

9 (B) In any enforcement proceeding, an industrial user
10 who seeks to establish the occurrence of an upset shall have the
11 burden of proof. Such industrial user shall control the produc-
12 tion of all discharges from its facilities to the extent that may
13 be necessary in order to maintain compliance with the Federal and
14 State pretreatment standards upon the reduction or loss of capa-
15 city in, or failure of, its pretreatment facilities until such
16 pretreatment facilities are restored or an alternative method of
17 pretreatment is provided. This requirement for the control of
18 production of discharges applies in the situation in which, among
19 other things, the primary source of the pretreatment facilities
20 is reduced, lost or fails.

21 SECTION 140: (A) Any user, applicant for a permit or
22 holder of a permit who is affected by any decision, action or
23 determination made by the director in the interpretation or the
24 implementation of the provisions of this Chapter or in any permit
25 that is issued hereunder may file with the director a written
26 request for the reconsideration of such decision, action or
27 determination within fifteen days after its receipt of notice
28 thereof in which such user sets forth in detail the facts that
29 support the user's request for reconsideration. Such facts must
30 include a statement that sets forth any newly discovered relevant
31 fact that was not known or was unavailable to the user at the
32 time of the hearing. The director shall render a written deci-

1 sion with respect to such request within fifteen days after his
2 receipt thereof.

3 (B) A fee which will be established in the schedule of
4 fees and charges that is set forth in a separate resolution that
5 is adopted by the City Council shall accompany each request for
6 reconsideration. Such fee may, in the sole discretion of the
7 director, be refunded if the director's ruling with respect to
8 such request is in favor of the user.

9 (C) If the ruling of the director with respect to a
10 request for reconsideration is unacceptable to the user who made
11 such request, such user may, within ten working days after the
12 date of its receipt of the notification of the director's ruling,
13 file a written appeal to the City Council.

14 (D) A fee which will be established in the schedule of
15 fees and charges that is set forth in a separate resolution that
16 is adopted by the City Council shall accompany any such appeal.
17 Any fee may, in the sole discretion of the City Council, be
18 refunded if the City Council's ruling with respect to such appeal
19 is in favor of the user.

20 (E) The appeal shall be heard by the City Council
21 within forty-five days after the date on which the same was
22 filed, and the City Council shall make a final ruling with
23 respect to such appeal within forty-five days after such hearing
24 is concluded.

25 SECTION 141: (A) In the event of any violation by a
26 user of its wastewater contribution permit, if any, or of any
27 provision of this Chapter, for which violation the director is
28 authorized by this Chapter to issue a compliance order pursuant
29 to this Section, the director is authorized to commence a civil
30 action against such user for appropriate relief, including
31 without limitation civil penalties or a temporary and permanent
32 injunction against the perpetuation of such violation, or both,

1 or to impose administrative penalties upon such user for such
2 violation in accordance with Section 142 of this Ordinance.

3 (B) A user shall be liable for such civil penalties
4 under any of the following circumstances:

- 5 (1) The failure of such user accurately to report
6 the wastewater constituents and charac-
7 teristics of its discharge;
- 8 (2) The failure of such user to report significant
9 changes in its operations that could affect
10 the wastewater constituents and charac-
11 teristics of its discharge;
- 12 (3) The refusal of such user to permit access by
13 the authorized personnel of the City to such
14 user's premises for the purposes of inspection
15 or monitoring, or both;
- 16 (4) The failure of such user to submit any self-
17 monitoring report on or before the date on
18 which such report was due;
- 19 (5) The failure of such user to report, in a
20 timely manner, its proposed interim or per-
21 manent remedial or corrective action in the
22 event of a violation of the discharge limits
23 for the parameters that are noted in such
24 user's self-monitoring report;
- 25 (6) The failure of such user to submit, in a
26 timely manner, a report with respect to its
27 proposed interim or permanent remedial or
28 corrective action and a time schedule in the
29 event that a notice of violation is issued by
30 the director and such report is required by
31 such notice;
- 32 (7) The failure of such user to maintain all of

1 the required monitoring equipment in good
2 working order at all times;

3 (8) The failure of such user to comply with any of
4 the conditions of its wastewater contribution
5 permit, if any; and

6 (9) The failure of such user to comply with any of
7 the provisions of this Chapter.

8 (C) Whenever, on the basis of the information that is
9 available, the director finds that any user is in violation of
10 any of the provisions of this Chapter, any condition of such
11 user's wastewater contribution permit, if any, or any limitation
12 that implements any of the conditions of any such permit, the
13 director shall issue an order that requires such user to comply
14 with such provision, condition or limitation, or any combination
15 thereof, and advises such user that, upon its failure to comply
16 with such order, the director will bring a civil action in accor-
17 dance with this Section.

18 (D) Any order which the director issues pursuant to
19 this Section shall be in writing and shall be delivered in person
20 to such user or served by registered or certified mail that is
21 addressed to such user at its last known address, return receipt
22 requested, shall state with reasonable specificity the nature of
23 the violation in respect of which such order is issued and shall
24 specify a period in which compliance therewith is required, which
25 period shall not exceed thirty days, in the case of a violation
26 of an interim compliance schedule or operation and maintenance
27 requirement, and not to exceed the period that the director
28 determines is reasonable, in the case of a violation of a final
29 deadline. In determining such period, the director shall con-
30 sider the seriousness of the violation and any good faith effort
31 on the part of such user to comply with the applicable require-
32 ments..

1 (E) In any civil action that is brought by the director
2 for enforcement of the provisions of this Chapter, the director
3 shall seek the imposition of a civil penalty upon the user
4 against whom the action is brought in an amount that is not less
5 than one thousand dollars nor more than twenty-five thousand
6 dollars for each day that each such violation continues. In
7 determining the amount of a civil penalty that is to be imposed,
8 following a finding by the court of liability, the court shall
9 consider the circumstances, extent and gravity of the violation
10 in respect of which such action is brought, the economic benefit,
11 if any, that has inured to such user as the result of such viola-
12 tion, any history of similar violations, the degree of culpabil-
13 ity of such user, any good faith effort on the part of such user
14 to comply with the applicable requirements, the potential econo-
15 mic impact of the penalty upon such user and such other matters
16 as justice may require.

17 (F) The civil and administrative penalties that are
18 provided for in this Section and in Section 142 of this Ordinance,
19 respectively, and the seeking or imposition thereof, shall
20 be in addition to, and not in substitution for, any criminal
21 penalty that may be imposed for the violation that forms the sub-
22 ject matter of any such civil or administrative relief and in
23 addition to, and not in substitution for the invocation of the
24 provisions of this Chapter that authorize the suspension or revo-
25 cation of such user's wastewater contribution permit as the
26 result of such violation.

27 SECTION 142: (A) Whenever, on the basis of the infor-
28 mation that is available, the director finds that any user is in
29 violation of any of the provisions of this Chapter, any condition
30 of such user's wastewater contribution permit, if any, or any
31 limitation that implements any of the conditions of any such per-
32 mit, the director may assess an administrative penalty in an

1 amount that is not less than one thousand dollars nor more than
2 ten thousand dollars for each day that each such violation con-
3 tinues, unless a different administrative penalty for any of such
4 violations is established in the schedule of fees and charges
5 that is set forth in a separate resolution that is adopted by the
6 City Council.

7 (B) Before assessing any administrative penalty pur-
8 suant to this Section, the director shall give the user upon whom
9 such penalty is to be imposed written notice of the proposed
10 assessment and the opportunity to request, within thirty days
11 after the date on which such notice is received by it, a hearing
12 with respect to the proposed order of assessment.

13 (C) In determining the amount of any penalty assessed
14 pursuant to this Section, the director shall consider the nature,
15 circumstances, extent and gravity of the violation in respect of
16 which such penalty is proposed to be assessed, the economic bene-
17 fit, if any, that has inured to such user as the result of such
18 violation, any good faith effort on the part of such user to
19 comply with the applicable requirements, the potential economic
20 impact of the penalty upon such user, any history of similar
21 violations, the degree of culpability of such user and such other
22 matters as justice may require.

23 (D) An order which imposes an administrative penalty
24 pursuant to this Section shall become final thirty days after its
25 issuance.

26 (E) The failure of such user to pay any administrative
27 penalty that is imposed by the director pursuant to this Section
28 within thirty days after the imposition thereof shall be ground-
29 for the suspension or revocation of such user's wastewater
30 contribution permit, if any, as well as any other remedy that is
31 available under this Chapter for terminating such user's ability
32 to discharge or cause to be discharged wastewater from its facil-

ities into the system. In addition, the user's failure timely to pay the assessment shall result in the imposition of an additional penalty for such nonpayment in an amount that is equal to twenty percent of the original amount of such assessment, plus the amount of the attorneys' fees and court costs that the City may incur in collecting such assessment and penalty.

SECTION 143: (A) Any person who negligently or wilfully violates any of the provisions of this Chapter is guilty of a misdemeanor, and each day during which such violation continues constitutes a separate offense.

(B) Any person who negligently or wilfully introduces or causes to be introduced into the system any pollutant or hazardous substance which such person knew, or with the exercise of reasonable diligence would have known, could cause personal injury or property damage or, unless such action is necessary in order for such person to comply with all applicable Federal, State and local requirement or permit, which causes the City's sewage treatment plant to violate any effluent limitation or condition of any permit that has been issued to the City pursuant to the Clean Water Act is guilty of a misdemeanor, and each day during which such person continues to introduce or cause to be introduced such pollutant or substance into the system shall constitute a separate offense.

(C) Any person who knowingly makes a false statement, representation or certification of any material fact in any application, record, report, plan or other document that is filed or required to be maintained pursuant to this Chapter or who knowingly falsifies, tampers with or renders inaccurate any monitoring device or method that is required by this Chapter to be maintained is guilty of a misdemeanor.

SECTION 144: The City shall cause a list of the names of the industrial users who become significant violators to be

1 published once each year in a newspaper of general circulation
2 that is published within the City.

3 SECTION 145: Any fee, assessment or penalty that is
4 imposed pursuant to this Chapter which remains unpaid for a
5 period that exceeds thirty days after the same became due shall,
6 upon the expiration of such thirty-day period, constitute a per-
7 petual lien on and against the premises which are subject to such
8 fee, assessment or penalty as well as constituting a debt that is
9 owing to the City by the user upon whom such fee, assessment or
10 penalty is imposed and the owner of record of such premises, if
11 such owner is someone other than the user. The City may bring a
12 civil action in any court of competent jurisdiction to recover
13 such fee, assessment or penalty, or any combination thereof,
14 together with interest thereon, and may enforce such lien by
15 recording a notice thereof with the County Recorder upon the
16 expiration of such thirty-day period and foreclosing the same
17 against the premises that are subject to such lien in the same
18 manner as is provided by the laws of the State for the foreclo-
19 sure of mechanics' liens.

20 SECTION 146: In order to provide for the recovery by
21 the City of its costs that are related to the discharge of
22 industrial wastewater into the system and for the enforcement of
23 the provisions of this Chapter, or both, the City shall establish
24 a schedule of fees and charges by the adoption by the City Coun-
25 cil of a separate resolution. Such schedule may establish a spe-
26 cific amount for any fee, charge, assessment, penalty or other
27 cost that is related to the discharge of industrial wastewater to
28 the system or the enforcement of the provisions of this Chapter,
29 or both, including without limitation:

- 30 (A) Permit application fees;
31 (B) Compliance monitoring fees;
32 (C) Surcharges that are based upon the quantity of the

1 flow or the BOD and suspended solids content thereof, or both;

2 (D) Administrative penalties;

3 (E) Fees for filing requests for reconsideration and
4 appeals; and

5 (F) Fees for the disposal of special wastes.

6 SECTION 147: All fees, charges, assessments and
7 penalties that are imposed pursuant to the provisions of this
8 Chapter or the approved schedule of fees and charges that is
9 established in accordance with Section 146 of this Ordinance
10 shall be due and payable upon receipt of notice thereof. All
11 such fees, charges, assessments and penalties shall be and become
12 delinquent forty-five days after the mailing or delivering of a
13 notice with respect thereto to the last known mailing address of
14 the person who is subject to the same.

15 SECTION 148: The City shall keep a permanent and
16 accurate account of all fees, charges, assessments and penalties
17 that are received by it under this Chapter, which account shall
18 include the name and address of each person who paid any such
19 fee, charge, assessment or penalty or on whose behalf the same
20 was paid, the date of such payment and amount thereof and the
21 purpose for which the same was paid.

22 SECTION 149: Except as may be otherwise provided in
23 this Chapter, whenever any fee, charge, assessment or penalty
24 that is required by this Chapter to be paid is based upon an
25 estimated value or an estimated quantity, the City shall make
26 such determination in accordance with generally recognized prac-
27 tices.

28 SECTION 150: Whenever a different delinquency charge
29 with respect to a specific fee, charge or assessment is not pro-
30 vided elsewhere in this Chapter, any fee, charge or assessment
31 that becomes delinquent shall have added to it a basic
32 delinquency charge that is equal to ten percent of the fee,

1 charge or assessment that became delinquent, and thereafter an
2 additional delinquency charge shall accrue on the total amount
3 that is due, including the aforesaid ten percent basic
4 delinquency charge, at the rate of one-half of one percent per
5 month until the amount of such fee, charge or assessment,
6 together with all applicable delinquency charges, is paid in
7 full.

8 SECTION 151: Any action that is brought by the City
9 for the purpose of collecting any fee, charge, assessment or
10 penalty that is provided for in this Chapter may, in the discre-
11 tion of the City Council, include a prayer for an injunction to
12 prevent repeated and recurring violations of this Chapter.

13 SECTION 152: Title 14, Chapter 16, of the Municipal
14 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby
15 repealed in its entirety.

16 SECTION 153: If any section, subsection, subdivision,
17 paragraph, sentence, clause or phrase in this Ordinance or any
18 part thereof, is for any reason held to be unconstitutional or
19 invalid or ineffective by any court of competent jurisdiction,
20 such decision shall not affect the validity or effectiveness of
21 the remaining portions of this ordinance or any part thereof.
22 The City Council of the City of Las Vegas, Nevada, hereby
23 declares that it would have passed each section, subsection, sub-
24 division, paragraph, sentence, clause or phrase thereof irrespec-
25 tive of the fact that any one or more sections, subsections, sub-
26 divisions, paragraphs, sentences, clauses or phrases be declared
27 unconstitutional, invalid or ineffective.

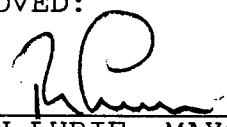
28 SECTION 154: Whenever in this Ordinance any act is
29 prohibited or is made or declared to be unlawful or an offense or
30 a misdemeanor, or whenever in this ordinance the doing of any act
31 is required or the failure to do any act is made or declared to
32 be unlawful or an offense or a misdemeanor, the doing of any such

1 prohibited act or the failure to do any such required act shall
2 constitute a misdemeanor and upon conviction thereof, shall be
3 punished by a fine of not more than \$1,000.00 or by imprisonment
4 for a term of not more than six (6) months, or by any combination
5 of such fine and imprisonment. Any day of any violation of this
6 Ordinance shall constitute a separate offense.

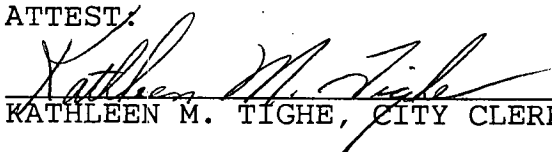
7 SECTION 155: All ordinances or parts of ordinances,
8 sections, subsections, phrases, sentences, clauses or paragraphs
9 contained in the Municipal Code of the City of Las Vegas, Nevada,
10 1983 Edition, in conflict herewith are hereby repealed.

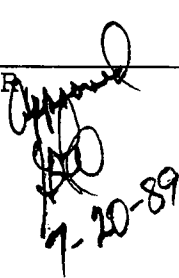
11 PASSED, ADOPTED AND APPROVED this 19th day of July,
12 1989.

13 APPROVED:

14 By 
15 RON LURIE, MAYOR

16 ATTEST:

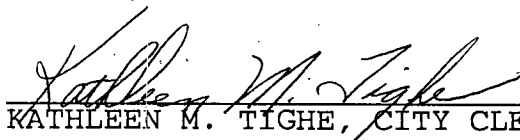
17 
18 KATHLEEN M. TIGHE, CITY CLERK


7-20-89

1 The above and foregoing Ordinance was first proposed and
2 read by title to the City Council on the 21st day of June,
3 1989, and referred to the following committee composed of
4 Mayor Lurie and Councilman Higginson
5 for recommendation; thereafter the said committee reported
6 favorably on said Ordinance on the 19th day of July, 1989,
7 which was a regular meeting of said Council; that at said
8 regular meeting, the proposed Ordinance was read by
9 title to the City Council as amended and adopted by the following
10 vote:

11 VOTING "AYE": Councilmen Adamsen, Higginson, Miller, Nolen & Mayor Lurie
12 VOTING "NAY": NONE
13 ABSENT: NONE

14
15 APPROVED:
16 By 
17 RON LURIE, MAYOR

17 ATTEST:
18
19 
20 KATHLEEN M. TIGHE, CITY CLERK

3447

BILL NO. 89-42

Ordinance No. _____

AN ORDINANCE RELATING TO WASTEWATER COLLECTION AND TREATMENT; AMENDING TITLE 14 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY ADDING THERETO A NEW CHAPTER PROVIDING REGULATIONS CONCERNING THE DISCHARGE OF INDUSTRIAL WASTES INTO THE WASTEWATER COLLECTION AND TREATMENT SYSTEM OF SAID CITY; REPEALING CHAPTER 16 OF SAID TITLE; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored by:
Mayor Ron Lurie

Summary: Provides Regulations for Discharge of Industrial Wastes into Wastewater Collection and Treatment System

THE CITY COUNCIL OF THE CITY OF LAS VEGAS, NEVADA, DOES
HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Title 14 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new chapter to consist of the provisions that are set forth as Sections 2 to 151, inclusive, of this Ordinance.

SECTION 2: The purpose of this Chapter is to set forth uniform requirements for the direct and indirect use of the wastewater collection and treatment system of the City in order to comply with all applicable State and Federal standards that are established in accordance with the Clean Water Act of 1977, the General Pretreatment Regulations (40 CFR Part 403) and all related and applicable Federal regulations and grant conditions, as they are now constituted or as they may hereafter be amended or recodified.

SECTION 3: Except where the context otherwise requires, the definitions that are provided in Sections 4 to 80, inclusive, of this Ordinance govern the construction of this Chapter; provided, however, if any of such definitions conflict with the definition of the corresponding word or term in any Federal or State law or regulation, the definition that is con-

1 tained in such law or regulation shall prevail.

2 SECTION 4: "Act" means the Federal Water Pollution
3 Control Act Amendments of 1972 and any amendment thereto,
4 including without limitation the Clean Water Act of 1977,
5 together with all guidelines, limitations and standards that are
6 promulgated by the EPA pursuant to that act.

7 SECTION 5: "Authorized representative of the user"
8 means an authorized representative of a user, who may be:

9 (A) A principal executive officer of at least the level
10 of vice-president, if the user is a corporation;

11 (B) A general partner or proprietor if the user is a
12 partnership or a sole proprietorship, respectively; or

13 (C) A duly authorized representative of an individual
14 designated in subsection (A) or (B) of this Section, if such
15 representative is responsible for the overall operation of the
16 facilities from which an indirect discharge of the user origi-
17 nates.

18 SECTION 6: "Biochemical oxygen demand" or "BOD"
19 means the quantity of oxygen, expressed in milligrams per liter,
20 utilized in the biochemical oxidation of organic matter, as
21 determined in accordance with the appropriate procedures that are
22 set forth in 40 CFR Part 136.

23 SECTION 7: "Bypass" means the intentional diversion
24 of wastestreams from any portion of an industrial user's
25 pretreatment facility.

26 SECTION 8: "Cesspool" means an excavation in the
27 ground that is made for receiving sewage and is so constructed
28 that the solid matter is retained and the liquid portion is per-
29 mitted to seep away.

30 SECTION 9: "CFR" means the Code of Federal Regula-
31 tions.

32 SECTION 10: "Chlorine demand" means the difference

1 between the amount of chlorine that is added to a sewage sample
2 and the amount that remains at the end of a 30-minute period, as
3 determined in accordance with the appropriate procedures that are
4 set forth in 40 CFR Part 136.

5 SECTION 11: "Chemical oxygen demand" means the
6 measurement of sewage strength in terms of the total quantity of
7 oxygen that is required for the oxidation of organic matter, as
8 determined in accordance with the appropriate procedures that are
9 set forth in 40 CFR Part 136.

10 SECTION 12: "Compliance determination" means the
11 sampling and analysis conducted on specific industrial wastes to
12 ascertain compliance with Section _____ of this Ordinance or with
13 any more stringent applicable Federal or State pretreatment stan-
14 dards.

15 SECTION 13: "Compliance schedule" means the period
16 that is allowed by the City in which an industrial user must
17 comply with its permit conditions or discharge requirements.

18 SECTION 14: "Composite samples" means a combination
19 of individual samples of sewage that are taken at hourly or
20 selected intervals in order to minimize the variability of each
21 individual sample. Individual samples may be combined in quan-
22 tities that are proportional to the flow at the time of the
23 sampling.

24 SECTION 15: "Contaminated water" means any water that
25 is impaired in quality by waste to such a degree as to create a
26 hazard to the public health through poisoning or through the
27 spread of disease.

28 SECTION 16: "Contamination" means the impairment of
29 quality by the disposal of industrial waste to such a degree as
30 to create a hazard to the public health through poisoning or
31 through the spread of disease.

32 SECTION 17: "Cooling water" means the water that is

1 discharged from any use, such as air-conditioning, cooling or
2 refrigeration or to which the only pollutant that is added is
3 heat.

4 SECTION 18: "Demand monitoring" means any flow
5 measurement, sampling and analysis that is required as a result
6 of accidental, toxic or shock loads on the system.

7 SECTION 19: "Direct discharge" means the discharge of
8 treated or untreated wastewater directly to the waters of the
9 State.

10 SECTION 20: "Director" means the Director of Public
11 Works of the City or his authorized agent or representative.

12 SECTION 21: "Discharge" means the introduction of
13 sewage, liquid waste, industrial waste or other polluted water
14 into the system.

15 SECTION 22: "Dissolved solids," "dissolved matter" or
16 "total dissolved solids" means the solid matter in solution in
17 the sewage and shall be determined by the evaporation of a sewage
18 sample from which all suspended matter has been removed by
19 filtration, as determined in accordance with the appropriate pro-
20 cedures that are set forth in 40 CFR Part 136.

21 SECTION 23: "Domestic sewage" means the liquid and
22 water borne waste matter that is derived from the process of
23 ordinary residential living, free from industrial waste and of
24 such a character as to permit satisfactory disposal without spe-
25 cial treatment into the system or by means of a private sewage
26 disposal system.

27 SECTION 24: "Effluent" means the liquid outflow from
28 any treatment plant or facility that is designated to treat, con-
29 vey or store sewage, liquid waste or industrial waste.

30 SECTION 25: "EPA" means the United States Environmen-
31 tal Protection Agency, and, when it is appropriate, the Admi-
32 nistrator thereof or any other duly authorized official of that

1 agency.

2 SECTION 26: "Fee" means any charge that is made to a
3 user of the system and shall include without limitation occupancy
4 fees for sewer connections by new customers, monthly sewer user
5 charges, industrial or liquid waste permit fees, use charges,
6 unusual industrial waste charges, testing laboratory charges and
7 oversize sewer charges.

8 SECTION 27: "Garbage" means the putrescible animal
9 and vegetable wastes that result from the handling, preparation
10 and dispensing of food.

11 SECTION 28: "Grab sample" means a liquid sample that
12 is taken as a representative flow at any given instant.

13 SECTION 29: "Grease" means without limitation waxes,
14 fats, oils and other non-volatile materials as determined in
15 accordance with the appropriate procedures that are set forth in
16 40 CFR Part 136.

17 SECTION 30: "Grease trap" means a device that is
18 designed and installed in such a manner as to separate and retain
19 grease, and, at the same time, permitting normal sewage to be
20 discharged into the system.

21 SECTION 31: "Ground garbage" means the residue from
22 the handling, preparation and dispensing of food that has been
23 shredded to such a degree that all particles will be carried
24 freely in suspension under the flow conditions that normally pre-
25 vail in the system and contains no particle greater than one-half
26 inch in any dimension.

27 SECTION 32: "Gravity separation interceptor" means
28 any facility that is designed, constructed and operated for the
29 purpose of removing and retaining dangerous, deleterious or pro-
30 hibited constituents from wastewater by differential gravity
31 separation before its discharge into the system.

32 SECTION 33: "Holding tank waste" means any waste from

1 a holding tank, such as vessels, chemical toilets, campers,
2 trailers, septic tanks and vacuum pump tank trucks.

3 SECTION 34: "Indirect discharge" means the discharge
4 or the introduction of nondomestic pollutants from any source
5 that is regulated in accordance with this Chapter into the
6 system, including without limitation holding tank waste.

7 SECTION 35: "Industrial connection sewer" means the
8 sewer that connects a building sewer or building waste drainage
9 system to the system for the purpose of discharging industrial
10 wastes into the system.

11 SECTION 36: "Industrial user" means:

12 (A) Any user who discharges wastewater into the system
13 of which the solid, liquid or gaseous waste discharge has pollu-
14 tants different from, stronger than or with constituents other
15 than those defined for, domestic sewage;

16 (B) Any user who discharges industrial wastes,
17 including without limitation those that are subject to regula-
18 tions that are promulgated pursuant to Section 307(b), et. seq.,
19 of the Clean Water Act of 1977, regardless of the volume thereof;
20 or

21 (C) Any user who is identified in the Standard
22 Industrial Classification Manual, 1972, prepared by the Office of
23 Management and Budget, as the same may subsequently be amended
24 and supplemented from time to time under the Divisions A, B, C,
25 D, E and I thereof.

26 SECTION 37: "Industrial waste" or "industrial wastes"
27 means any solid, liquid, radioactive or gaseous waste substance
28 that is discharged, flows or is permitted to escape from any pro-
29 ducing, manufacturing, processing, institutional, commercial,
30 agricultural or other operation or from the development, recovery
31 or processing of any material resource which will enter into the
32 system.

1 SECTION 38: "Inflow source" means any building,
2 structure, facility or installation from which water, other than
3 wastewater, enters the system from sources, including without
4 limitation roof leaders, cellar drains, yard drains, area drains,
5 foundation drains, drains from springs and swampy areas, manhole
6 covers, cross connections between storm sewers and the system,
7 catch basins, cooling towers, storm waters, surface runoff,
8 street wash waters and drainage.

9 SECTION 39: "Inspector" means the person who is
10 authorized by the director to inspect wastewater generation, con-
11 veyance, processing and disposal facilities within the City.

12 SECTION 40: "Interference" means a discharge which,
13 either alone or by interaction with other discharges, inhibits or
14 disrupts the system, its treatment processes or operations or its
15 sludge processes, use or disposal and is therefore a cause of a
16 violation of any requirement of the City's NPDES permit,
17 including without limitation any increase in the magnitude or
18 duration of a violation, or of the prevention of the use or
19 disposal by the City of sludge in accordance with the following
20 statutory provisions and regulations: Section 405 of the Clean
21 Water Act, the Solid Waste Disposal Act (including Title II, more
22 commonly referred to as the Resource Conservation and Recovery
23 Act and including State regulations that are contained in any
24 State sludge management plan that is prepared pursuant to Sub-
25 title D of the Solid Waste Disposal Act), the Clean Air Act, the
26 Toxic Substances Control Act and the Marine Protection, Research
27 and Sanctuaries Act, or in accordance with any permit that is
28 issued under any of such provisions or regulations or under any
29 more stringent State or local regulations.

30 SECTION 41: "Liquid waste" or "liquid wastes" means
31 the same as "industrial waste" and "industrial wastes."

32 SECTION 42: "Lower explosive limit" means the minimum

1 concentration of a combustible gas or vapor in air (usually
2 expressed in percent by volume at sea level) which will ignite if
3 an ignition source (sufficient ignition energy) is present.

4 SECTION 43: "Mass emission rate" means the weight of
5 the material that is discharged into the system during any given
6 period.

7 SECTION 44: "National Categorical Pretreatment Stan-
8 dard" means any regulation which sets forth pollutant discharge
9 limits that are promulgated by the EPA in accordance with Section
10 307(b), et. seq., of the Clean Water Act which applies to a spe-
11 cific category of industrial users.

12 SECTION 45: "NPDES permit" means a permit that is
13 issued pursuant to the National Pollutant Discharge Elimination
14 System program.

15 SECTION 46: (A) "New source" means any building,
16 structure, facility or installation from which there is or may be
17 a discharge, the construction of which commenced after the publi-
18 cation of proposed pretreatment standards pursuant to Section
19 307(c) of the Act which will be applicable to such source if such
20 pretreatment standards are thereafter promulgated in accordance
21 with said Section if:

22 (1) The building, structure, facility or installa-
23 tion is constructed at a site at which no
24 other source is located;

25 (2) The building, structure, facility or installa-
26 tion totally replaces the process or produc-
27 tion equipment that causes a discharge at an
28 existing source; or

29 (3) The production or wastewater generating pro-
30 cesses of the building, structure, facility or
31 installation are substantially independent of
32 an existing source at the same site. In

1 determining whether or not the new building,
2 structure, facility or installation is
3 substantially independent from the existing
4 source, certain factors, including without
5 limitation the extent to which such new facil-
6 ity is engaged in the same general type of
7 activity as the existing source, should be
8 considered.

9 (B) "New source" does not include construction on a
10 site at which an existing source is located if such construction
11 does not create a new building, structure, facility or installa-
12 tion of the type that is described in paragraph (2) or paragraph
13 (3) of subsection (A) of this Section but otherwise alters, re-
14 places or adds to the existing process or production equipment.

15 (C) For the purposes of this Section, the construction
16 of a "new source" is deemed to have commenced if the owner or
17 operator thereof has:

18 (1) Begun or caused to have begun, as a part of a
19 program of continuous on-site construction
20 that includes:

- 21 (i) Any placement, assembly or installation
22 of facilities or equipment; or
23 (ii) Significant site preparation work,
24 including without limitation the
25 clearing, excavation or removal of
26 existing buildings, structures, facili-
27 ties or installations, which is necessary
28 for the placement, assembly or installa-
29 tion of new source facilities or equip-
30 ment; or

31 (2) Entered into a binding contractual obligation
32 for the purchase of facilities or equipment

1 that are intended to be used in the operation
2 of such owner or operator within a reasonable
3 time; provided, however, that options to
4 purchase, contracts that can be terminated or
5 modified without substantial loss to such
6 owner or operator and contracts for feasibility,
7 engineering and design studies do not
8 constitute contractual obligations for the
9 purposes of this Section.

10 SECTION 47: "Nuisance" means anything which is hazar-
11 dous, indecent or offensive to the senses or is an obstruction to
12 the free use of property in such a manner as to interfere with
13 the comfortable and safe enjoyment of life and property.

14 SECTION 48: "Pass through" means a discharge that
15 exits the system into the waters of the State in quantities or
16 concentrations which, alone or by interaction with other
17 discharges, is a cause of a violation of any requirement of the
18 City's NPDES permit, including without limitation any increase in
19 the magnitude or duration of a violation.

20 SECTION 49: "Peak flow rate" means the periodically
21 determined highest flow rate of sewage, liquid waste or
22 industrial waste that is discharged to a public sewer over a
23 period of at least 15 minutes at any time during the measurement
24 period.

25 SECTION 50: "Person" means any natural or artificial
26 person, male, female or neuter, singular or plural, including
27 without limitation any individual, firm, company, municipal or
28 private corporation, association, society, institution,
29 enterprise or governmental agency or entity.

30 SECTION 51: "pH" means the logarithm (base 10) of the
31 reciprocal of the hydrogen ion concentration, expressed in moles
32 per liter, as determined in accordance with the appropriate pro-

1 cedures that are set forth in 40 CFR Part 136.

2 SECTION 52: "Polluted water" means any water that is
3 altered in quality by waste matter to such a degree as to
4 unreasonably affect:

5 (A) Such water for beneficial uses; or

6 (B) The facilities which serve such beneficial uses,
7 and, without limitation, may include "contamination".

8 SECTION 53: "Pretreatment" means the reduction of the
9 amount of pollutants, the elimination of pollutants or the
10 alteration of the nature of the pollutant properties in sewage to
11 a less harmful state prior to, or in lieu of, discharging or
12 otherwise introducing such pollutants into the system.

13 SECTION 54: "Pretreatment facility" means any works
14 or device for the treatment or flow limitation of sewage, liquid
15 waste or industrial waste prior to its discharge into the system.

16 SECTION 55: "Pretreatment requirement" means any
17 substantive or procedural requirement that is related to
18 pretreatment, other than a pretreatment standard, that is imposed
19 upon an industrial user.

20 SECTION 56: "Pretreatment standard" means any regula-
21 tion that contains pollutant discharge limits that are pro-
22 mulgated by the EPA in accordance with Section 307(b), et. seq.,
23 of the Clean Water Act which applies to industrial users and,
24 without limitation, includes "categorical standards" which
25 establish specific concentration limits for certain pollutants
26 and total prohibitions of other pollutants, as specified in 40
27 CFR Section 403.5, et. seq.

28 SECTION 57: "Radioactive material" means material
29 containing chemical elements that spontaneously change their ato-
30 mic structure by emitting particles, rays or energy forms in
31 excess of normal background radiation.

32 SECTION 58: "Reclaimed water" means water which, as a

1 result of the treatment of waste matter, is suitable for a direct
2 beneficial use or a controlled use which would not otherwise
3 occur.

4 SECTION 59: "Sampling well" means an approved opening
5 to a building sewer to allow for sampling and flow measurement of
6 the contents of such sewer.

7 SECTION 60: "Septic tank" means a watertight recep-
8 tacle which receives the discharge from a building, sanitary
9 drainage system, or any part thereof, and is designed and
10 constructed in such a manner as to separate the solids from the
11 liquid, digest the organic matter through a period of detention
12 and allow the liquid to be discharged into the soil outside the
13 tank through a system of open joint or perforated piping or a
14 seepage pit.

15 SECTION 61: "Settleable solids" means solids that
16 will settle out of a liquid during a specific period, as deter-
17 mined in accordance with the appropriate procedures that are set
18 forth in 40 CFR Part 136.

19 SECTION 62: "Severe property damage" means substan-
20 tial physical damage to property, damage to the pretreatment
21 facilities which causes them to become inoperable or substantial
22 and permanent loss of natural resources which can reasonably be
23 expected to occur in the absence of a bypass but does not include
24 the economic loss that is caused by delays in production.

25 SECTION 63: "Service lateral" means the same as
26 "industrial connection sewer."

27 SECTION 64: "Sewage" means the wastewater of the com-
28 munity that is derived from human, agricultural, commercial or
29 industrial sources, including without limitation domestic sewage,
30 liquid waste and industrial wastes, together with such surface
31 water, groundwater and storm water as may be present.

32 SECTION 65: "Sewage treatment plant" means an

1 assemblage of devices, structures and equipment for treatment of
2 wastewater.

3 SECTION 66: "Sharps" means hypodermic needles, hypo-
4 dermic syringes, blades and broken glass and, without limitation,
5 includes any device, instrument or other object which has acute
6 rigid corners, edges or protuberances.

7 SECTION 67: "Significant violator" means a user who
8 commits a violation which remains uncorrected for forty-five days
9 after such user is notified of its noncompliance with any of the
10 provisions of this Chapter, which is part of a pattern of non-
11 compliance by such user with any of the provisions of this
12 Chapter, which involves a failure on the part of such user to
13 report accurately its noncompliance with any of the provisions of
14 this Chapter or which results in the exercise by the director of
15 any of the emergency authority that is granted to him by this
16 Chapter.

17 SECTION 68: "Sludge" means any solid, semi-solid or
18 liquid waste that is generated by a commercial or industrial
19 wastewater treatment plant, water supply treatment plant or air
20 pollution control facility, or any other waste that has similar
21 characteristics and effect.

22 SECTION 69: "Slug" means any discharge of water,
23 wastewater or industrial waste which, in concentration of any
24 constituent or in quantity of flow, or both, exceeds, for any
25 period longer than fifteen minutes, more than three times the
26 average twenty-four hour concentration or flow, and any pollu-
27 tant, including without limitation any oxygen demanding pollu-
28 tant, which is released in a discharge at a flow rate or in a
29 pollutant concentration, or both, which may cause an interference
30 with the treatment process.

31 SECTION 70: "Standard industrial classification"
32 means a system of classifying industries, as identified in the

1 Standard Industrial Classification Manual, 1972, prepared by the
2 Office of Management and Budget, as the same may subsequently be
3 amended and supplemented from time to time.

4 SECTION 71: "Storm drain" means a conveyance struc-
5 ture for carrying storm and surface waters and drainage water
6 excluding sewage.

7 SECTION 72: "Suspended solids" or "suspended matter"
8 means the solid matter that is suspended in sewage, as determined
9 in accordance with the appropriate procedures that are set forth
10 in 40 CFR Part 136.

11 SECTION 73: "System" means the wastewater collection
12 and treatment system of the City and, without limitation, in-
13 cludes sewer service connections and all of the facilities that
14 are used by the City for the collection, pumping, transportation,
15 treatment and final disposal of wastewater.

16 SECTION 74: "Trade secret" means any formula, plan,
17 pattern, process, tool, mechanism, compound, procedure, produc-
18 tion data or compilation of information which is not patented but
19 which is known only to certain individuals within a commercial
20 concern who are using it to fabricate, produce or compound an
21 article of trade or service that has a commercial value and which
22 affords the person who possesses the same the opportunity to
23 obtain a business advantage over competitors who do not know of
24 it or use it.

25 SECTION 75: "Uncontaminated water" means any
26 wastewater that is not contaminated or polluted with sewage and
27 which is suitable for discharge into the City's storm drain
28 system.

29 SECTION 76: "Upset" means an exceptional incident in
30 which there is an unintentional and temporary noncompliance with
31 the discharge limitations that are specified in an industrial
32 user's wastewater contribution permit or this Chapter as the

1 result of factors that are beyond the reasonable control of such
2 industrial user.

3 SECTION 77: "User" means any person who contributes,
4 or causes or permits the contribution of, wastewater into the
5 system.

6 SECTION 78: "Wastewater" means the same as "sewage."

7 SECTION 79: "Waters of the State" means all streams,
8 lakes, ponds, marshes, watercourses, waterways, wells, springs,
9 reservoirs, aquifers, irrigation systems, drainage systems and
10 other bodies or accumulations of water, surface or underground,
11 natural or artificial, public or private, which are contained
12 within, flow through or border upon the State or any portion
13 thereof.

14 SECTION 80: "Wastewater contribution permit" means
15 the permit described in Section ____ of this Ordinance.

16 SECTION 81: The objectives of this Chapter are to:

17 (A) Provide for the beneficial public use of the system
18 through the regulation of the construction and use of sewers;

19 (B) Prevent the introduction of pollutants into the
20 system which will interfere with the operation of the system or
21 contaminate the resulting wastewater or sludge, or both;

22 (C) Prevent the introduction of pollutants into the
23 system which will pass through the system inadequately treated or
24 will be incompatible with the system;

25 (D) Improve the opportunity to recycle and reclaim
26 wastewater and sludge from the system;

27 (E) Provide for the equitable distribution of the total
28 cost of the system and all of the related programs through the
29 establishment of fair and equitable fees, charges, assessments
30 and penalties;

31 (F) Regulate, through the issuance of permits to cer-
32 tain users and through the enforcement of general requirements

1 for all users, users whose wastewaters are discharged directly or
2 indirectly into the system;

3 (G) Provide for monitoring and enforcement activities;

4 (H) Establish civil, administrative and criminal
5 penalties for violations of the provisions of this Chapter;

6 (I) Provide procedures for complying with the require-
7 ments that are placed upon the City by other governmental agen-
8 cies; and

9 (J) Conform with the policies of the agencies of the
10 State and Federal governments concerning the requirements that:

11 (1) Relate to the proper design and construction
12 of all sewerage facilities, including without
13 limitation connections to the system;

14 (2) Prohibit the introduction of toxic, hazardous
15 and incompatible pollutants into the system;
16 and

17 (3) Prohibit any new connection from an inflow
18 source into the system.

19 SECTION 82: It is hereby declared to be the policy of
20 the City to protect the health, welfare and safety of the resi-
21 dents thereof by constructing, operating and maintaining a system
22 of sewers and liquid waste treatment and disposal facilities that
23 service the homes and commercial and industrial establishments
24 within the City and its environs, as required by State and
25 Federal law. The following basic principles apply to sewage,
26 liquid waste and industrial waste that is discharged into the
27 system:

28 (A) The highest and best use of the system is the
29 collection, treatment and reclamation or disposal of domestic
30 sewage. The use of the system for industrial waste discharges is
31 subject to regulation by the City;

32 (B) Industry is urged to seek procedures for the reco-

1 very and reuse of industrial waste discharges which will satisfy
2 the limitations that are prescribed for industrial waste
3 discharges, rather than the procedures that are designed solely
4 to meet discharge limitations;

5 (C) The City is committed to a policy of wastewater
6 renovation and reuse in order to provide an alternate source of
7 water supply and to reduce the overall costs of wastewater treat-
8 ment and disposal. The renovation of wastewater through
9 wastewater treatment processes may necessitate more stringent
10 quality requirements with respect to industrial waste discharges
11 as the demand for reclaimed water increases. The optimum use of
12 the City's facilities may require the discharge of wastewaters
13 during periods of low flow into the system in accordance with
14 guidelines that are established by the City;

15 (D) Provisions are made in this Chapter to regulate
16 industrial waste discharges, to comply with the State and Federal
17 requirements and policies and to satisfy increasingly higher
18 standards of treatment plant effluent quality and environmental
19 considerations. This Chapter establishes quantity and quality
20 limitations on sewage, liquid waste and industrial waste
21 discharges in situations in which such discharges may adversely
22 affect the system or the quality of the effluent therefrom, or
23 both. These limitations are intended to improve the quality of
24 wastewater being received for treatment and to encourage water
25 conservation by all of the users who are connected to the system.
26 The intent of the City's policy is to discourage an increase in
27 the quantity (mass emission rate) of waste constituents that are
28 discharged; and

29 (E) Methods of cost recovery are established in
30 situations in which industrial waste discharges impose collec-
31 tion, treatment or disposal costs, or any combination of such
32 costs, on the City which may not be fair and equitable to all

1 users of the system.

2 SECTION 83: This Chapter provides for the regulation of
3 the degree of waste pretreatment that is required, the issuance
4 of permits for wastewater discharges into, and connections to,
5 the system and other miscellaneous permits and the establishment
6 of penalties for any violation of this Chapter.

7 SECTION 84: This Chapter applies to persons within the
8 City and to persons outside the City who are, by permit, contract
9 or agreement with the City, users of the system. Except as may
10 be otherwise provided in this Chapter, the director shall
11 administer, implement and enforce the provisions of this Chapter.

12 SECTION 85: If sewerage capacity is not available at
13 the City's sewage treatment plant, the City may restrict
14 discharge into the system until sufficient capacity can be made
15 available. When it is requested to do so by a potential
16 discharger who desires to locate new facilities within the ser-
17 vice area of the system, the City may advise such discharger con-
18 cerning the areas in which wastewater of the quantity and quality
19 that it is expected to generate can be received by the system.
20 The City may refuse immediate service to any new source that is
21 located in an area in which the expected quantity or quality of
22 wastewater is unacceptable in the system.

23 SECTION 86: Each user of the system who is subject to
24 this Chapter shall be required to retain records of waste mani-
25 fests, monitoring results and related wastewater generation and
26 pretreatment activities, whether or not the same are required by
27 this Chapter, for a minimum period of three years. Such records
28 shall be made available for inspection and copying by the direc-
29 tor at any time. The period of retention shall be extended
30 during the course of any unresolved litigation that involves the
31 user or the City, or both, or upon the order of the director.

32 SECTION 87: (A) In the event that an uncontrolled

1 discharge occurs, the user from whose facilities such discharge
2 emanates shall immediately notify the director of such incident
3 by telephone. The notification shall include the location or
4 locations of the discharge, the type or types of material that
5 was discharged, the concentration and volume thereof and the
6 corrective actions, if any, that have been taken.

7 (B) Within five days following such uncontrolled
8 discharge, the user shall submit to the director a detailed writ-
9 ten report that describes the cause of the discharge, the correc-
10 tive action that was taken and the measures that the discharger
11 will take to prevent future occurrences. Such notification shall
12 not relieve the discharger of the liability for fines that may
13 result from such discharge.

14 SECTION 88: (A) In order for the employees of users
15 to be informed of the requirements of the City, each user shall
16 make available to its employees copies of this Chapter, together
17 with such other wastewater information and notices as may from
18 time to time be furnished by the City that are directed toward
19 more effective pollution control. A legible, understandable and
20 conspicuously placed notice shall be permanently posted on each
21 user's bulletin board or other prominent place advising the
22 user's employees to call the director in the event of an
23 uncontrolled discharge as soon as possible, and no later than one
24 hour, after the discharge and to provide the director with at
25 least the following information:

26 (1) The time, location, type, concentration and
27 volume of the discharge.

28 (2) Any corrective action that has been taken.

29 (B) Each user shall ensure that all of its employees in
30 a position to cause or allow an uncontrolled discharge to occur
31 are advised of this notification procedure. In the event that a
32 substantial number of such user's employees use a language other

1 than English as a primary language, the notice shall be worded in
2 both English and the language or languages that are involved.
3 The notice shall set forth the current phone number of the direc-
4 tor and shall identify, as the minimum, the necessary information
5 that must be provided to the director.

6 SECTION 89: (A) The director is hereby authorized,
7 empowered and directed to adopt such rules, regulations and stan-
8 dards as may be deemed by him to be reasonably necessary in order
9 to protect the system and to control and regulate the proper use
10 thereof; provided, however, that the terms and provisions of such
11 rules and regulations shall be promulgated in a manner that is
12 reasonably calculated to result in the uniform control of the
13 system.

14 (B) The director may classify dischargers by industrial
15 categories and impose an industrial wastewater treatment
16 surcharge that is based upon flow quality and the flow quantity,
17 as provided for by this Chapter.

18 (C) Any time limit that is provided in any written
19 notice from the director or in any provision of this Chapter may
20 be extended only by a written directive of the director.

21 (D) The director may perform work of an educational
22 nature and may, for this purpose, cooperate with civic organiza-
23 tions, industries, water agencies, sewerage agencies and other
24 public corporations.

25 SECTION 90: (A) All information and data with respect
26 to any user that is obtained from reports, questionnaires, permit
27 applications, permits, monitoring programs or inspections shall
28 be available to the public or other governmental agency without
29 restriction unless such user specifically otherwise requests and
30 is able to demonstrate to the satisfaction of the City that the
31 release of such information would divulge information, proprie-
32 tary data, processes or methods which would be detrimental to its

1 competitive position and that such information is eligible for
2 confidential treatment pursuant to subsection (B) of this Sec-
3 tion. All other information which is submitted by any user to
4 the City shall be available to the public, at least to the extent
5 that is provided for in 40 CFR 2.302.

6 (B) Any claim of a user for confidentiality must be
7 asserted at the time of the submission to the City of the infor-
8 mation or data for which the claim is asserted. The claim may be
9 asserted by stamping the words "confidential business infor-
10 mation" on each page that contains such information or by other
11 means; provided, however, that if no claim is asserted at the
12 time of such submission, the City may make the information
13 available to the public without further notice. If such a claim
14 is asserted, the information will be treated in accordance with
15 the procedure in 40 CFR Part 2.

16 (C) When the City is requested not to do so by the per-
17 son who furnishes a wastewater discharge report, the portions of
18 such report which might disclose trade secrets or secret pro-
19 cesses shall not be made available for inspection by the public
20 but shall be made available, upon written request therefor, to
21 any Federal agency for a use that is related to this Chapter, the
22 City's NPDES permit, the State disposal system permit or the
23 pretreatment program, or any combination thereof, or to any State
24 agency for use in any judicial review or enforcement proceedings
25 that involve the person who furnished the report. Wastewater
26 constituents and characteristics will not be recognized as con-
27 fidential information.

28 (D) Information that is accepted by the City as con-
29 fidential shall not be transmitted to any governmental agency or
30 to the general public by the City unless and until prior and ade-
31 quate notification is given to the user who furnished such infor-
32 mation.

1 (E) With the exception of governmental agencies, any
2 person who requests such information from the City shall be
3 required, prior to receipt of the requested information, to pay
4 the reasonable costs that are incurred by the City in gathering,
5 reproducing and transmitting such data.

6 SECTION 91: The City will comply with the public par-
7 ticipation requirements that are contained in 40 CFR Part 25 in
8 the enforcement of national pretreatment standards. Procedures
9 with respect thereto shall include the provision for publishing
10 at least annually, in a newspaper of general circulation
11 published within the City, public notification of the names of
12 the industrial users who, during the preceding twelve months,
13 became significant violators of the applicable pretreatment stan-
14 dards or other pretreatment requirements.

15 SECTION 92: Any user who discharges or causes to be
16 discharged into the system any prohibited sewage liquid waste or
17 industrial wastes into the system, and such discharge causes
18 damage to, or detrimental effects on, the system, or any part
19 thereof, shall be liable to the City for all damages that result
20 therefrom.

21 SECTION 93: It shall be unlawful for any unauthorized
22 person to enter, break, damage, destroy, uncover, deface or
23 tamper with any structure, equipment or appurtenance which is a
24 part of the system.

25 SECTION 94: It shall be unlawful for any user to
26 discharge or cause to be discharged into the system any waste
27 that creates a stoppage, plugging, breakage, significant reduc-
28 tion in sewer capacity or any other damage to the system, or any
29 part thereof. In addition to any other penalty that may be pro-
30 vided by law, any excessive sewer or sewerage maintenance expense
31 or any other expense that is attributable thereto may be charged
32 to and collected from the offending user by the City.

1 SECTION 95: It shall be unlawful for any person to
2 discharge or cause to be discharged into the system any rain-
3 water, storm water, groundwater, street drainage, subsurface
4 drainage, roof drainage, swimming pool or spa drainage, yard
5 drainage, water from yard fountains, ponds, lawn sprays or any
6 other uncontaminated water, other than air conditioning conden-
7 sate. Every private or public washrack or floor or slab drain
8 that is used for cleaning machinery or machine parts shall be
9 adequately protected against storm or surface inflow. Pursuant
10 to Section ____ of this Ordinance, if no alternate method of
11 disposal is reasonably available, the City may issue a permit for
12 the discharge of such water on a temporary basis only. A tem-
13 porary permit may also be given in order to mitigate an environ-
14 mental or health hazard with the installation of appropriate
15 rainwater diversion devices or facilities. If such a permit is
16 granted for the discharge of such water into a public sewer, the
17 user shall pay the applicable charges that are established in a
18 separate resolution that is adopted by the City Council and shall
19 meet such other conditions as may be imposed by the City.

20 SECTION 96: It shall be unlawful for any person to
21 discharge or cause to be discharged into the system any radioac-
22 tive waste except when:

23 (A) The person is authorized to use radioactive
24 materials by an applicable Federal and State agency or other
25 governmental agency that is empowered to regulate the use of
26 radioactive materials;

27 (B) The waste is discharged in strict conformity with
28 current Federal and State regulations for safe disposal;

29 (C) The person is in compliance with all of the rules
30 and regulations of all other applicable regulatory agencies; and

31 (D) A Class I permit has been obtained from the City
32 pursuant to Section ____ of this Ordinance.

1 SECTION 97: It shall be unlawful for any person to
2 discharge or cause to be discharged into the system any infec-
3 tious waste unless such waste is ground in a grinder which meets
4 the fineness of grind requirements that are set forth in subsec-
5 tion (B) of Section ____ of this Ordinance. In such event, entry
6 to the grinding mechanism shall be restricted to a 6-inch by
7 9-inch opening, and the material shall be placed in containers
8 that are segregated from other suitable disposal containers, do
9 not exceed five gallons in capacity and are colored red for iden-
10 tification. Such containers and their contents shall be weighed
11 and recorded prior to disposal, and such records shall be made
12 immediately available to the City for inspection upon its
13 request. Recognizable portions of the human or animal anatomy
14 shall not be ground or discharged to the system.

15 SECTION 98: (A) It shall be unlawful for any person
16 to discharge or cause to be discharged to the system any commer-
17 cial garbage, food market waste or food plant waste except after
18 the same has been suitably ground in accordance with subsection
19 (B) of this Section.

20 (B) The following fineness of grind requirements for
21 all types of grinders shall apply at all times.

22 (1) At least forty percent of the material must
23 pass a No. 8 sieve;

24 (2) At least sixty-five percent of the material
25 must pass a No. 3 sieve; and

26 (3) One hundred percent of the material must pass
27 a 1/2-inch screen.

28 (C) (1) Waste from garbage grinders, other than waste
29 that is generated in preparation of food that
30 is consumed on the premises, shall not be
31 discharged into the system.

32 (2) Garbage grinders shall shred the waste to the

1 degree that all of the particles will be
2 carried freely under the normal flow con-
3 ditions that prevail in the system and will
4 meet the fineness requirements that are set
5 forth in subsection (B) of this Section, and
6 such a garbage grinder shall not be used for
7 grinding plastic, paper products, inert
8 materials or garden refuse.

9 (3) The installation of any garbage grinder with a
10 motor of three-fourths horsepower or greater
11 shall be subject to the review and approval of
12 the director.

13 SECTION 99: It shall be unlawful for any person to
14 discharge or cause to be discharged into the system sharps unless
15 they are ground in an approved grinder that is capable of meeting
16 the fineness of grind requirements that are set forth in subsec-
17 tion (B) of Section ____ of this Ordinance. Sharps shall be
18 ground by an approved grinder the motor of which does not exceed
19 five horsepower.

20 SECTION 100: It shall be unlawful for any person to
21 discharge or cause to be discharged into the system, the City's
22 storm drain system or the waters of the State any septic tank,
23 holding tank or cesspool waste.

24 SECTION 101: It shall be unlawful for any person to
25 discharge or cause to be discharged any wastewater directly into
26 a manhole or other opening in a sewer other than through an
27 approved industrial connection sewer unless such discharge is
28 approved by the City upon a written application by the user and
29 the payment of the applicable fees and charges that are
30 established in a separate resolution that is adopted by the City
31 Council.

32 SECTION 102: (A) Except as is expressly allowed in a

1 wastewater contribution permit, it shall be unlawful for any per-
2 son to discharge or cause to be discharged into the system, the
3 City's storm drain system, or the waters of the State any of the
4 following materials:

- 5 (1) Gasoline, mercury, total identifiable chlori-
6 nated hydrocarbons, kerosene, naptha, benzene,
7 toluene, xylene, ethers, alcohols, ketones,
8 aldehydes, peroxides, chlorates, perchlorates,
9 bromates, carbides, hydrides, solvents, pesti-
10 cides or jet fuel.
- 11 (2) Acids, caustics, sulfides, concentrated
12 chloride and fluoride compounds and substances
13 which will react with water to form acidic
14 products.
- 15 (3) Liquids, solids or gases which, by reason of
16 their nature or quantity, are flammable, reac-
17 tive, explosive, corrosive or radioactive or
18 by interaction with other materials could
19 result in a fire, explosion or injury.
- 20 (4) Solid or viscous material which could cause an
21 obstruction to the flow or cause an inter-
22 ference to the operation of the system or the
23 City's storm drain system, including without
24 limitation grease, garbage with particles that
25 are greater than one-half of an inch in any
26 dimension, animal guts or tissues, paunch
27 manure, bones, hair, hides or fleshing,
28 entrails, whole blood, feathers, ashes, cin-
29 ders, sand, spent lime, stone marble dust,
30 metal, glass, straw, shavings, grass clip-
31 pings, rags, spent grains, spent hops, waste
32 paper, wood, plastics, gas tar, asphalt resi-

1 dues, residues from the refining or processing
2 of fuel, lubricating oil, mud, glass grinding
3 or polishing wastes, any wastewater that has a
4 pH of less than 5.0 or more than 9.0 or any
5 wastewater that has any other corrosive pro-
6 perty that is capable of causing damage or
7 hazard to the structures, equipment, or per-
8 sonnel of the City.

9 (5) Toxic pollutants in a sufficient quantity to
10 injure or interfere with any wastewater treat-
11 ment process, constitute a hazard or cause
12 injury to human, animal or plant life or cause
13 any limitation that is set forth in this
14 Chapter to be exceeded.

15 (6) Noxious or malodorous liquids, gases or solids
16 in a sufficient quantity, either alone or by
17 interaction with other materials, to create a
18 nuisance or a hazard to life or to prevent
19 entry by any person to the system.

20 (7) Any material in a sufficient quantity to
21 interfere with any sewage treatment process,
22 render any product thereof unsuitable for
23 reclamation and reuse or cause the City to be
24 in noncompliance with the sludge use or dispo-
25 sal criteria, guidelines or regulations in
26 connection with Section 405 of the Act, the
27 Solid Waste Disposal Act, the Clean Air Act,
28 the Toxic Substances Control Act or other
29 Federal or State criteria that are applicable
30 to the sludge management method that is being
31 used.

32 (8) Material which will cause the City to be in

)

violation of its NPDES permit or any applicable Federal and State statute, rule or regulation.

(9) Wastewater that contains pigment which is not removed in the ordinary sewage treatment process and which creates a visual contrast with the material appearance of the City's discharge when it is observed at the point of the discharge.

(10) Wastewater from industrial facilities that contain floatable fats, wax, grease or oils.

(11) Wax, grease or oil concentration of mineral or petroleum origin (non-living sources) of more than 100 milligrams per liter, whether emulsified or not, or which contain substances which may solidify or become viscous at temperatures between 32 degrees Fahrenheit and 150 degrees Fahrenheit (0 degree Celsius and 65 degrees Celsius) at the point of its discharge into the system.

(12) Total fat, wax, grease or oil concentration of animal or vegetable origin (biodegradable living sources) of more than 100 milligrams per liter, whether emulsified or not, or which contain substances which may solidify or become viscous at temperatures between 40 degrees Fahrenheit and 100 degrees Fahrenheit (4 degrees Celsius and 37 degrees Celsius) at the point of its discharge into the system.

(13) Non-biodegradable cutting oils, commonly called soluble oil, which form persistent water emulsions.

- (14) Waste containing substances that may precipitate, solidify or become viscous at temperatures between 40 degrees Fahrenheit and 100 degrees Fahrenheit (4 degrees Celsius and 37 degrees Celsius) at the point of its discharge into the system.
- (15) Wastewater that has a heat content in such a quantity that the temperature of the wastewater at the introduction into the sewage treatment plant exceeds 104 degrees Fahrenheit (40 degrees Celcius).
- (16) Pollutants, including without limitation oxygen demanding pollutants, that are released at a flow rate or a pollutant concentration which will cause or contribute to an interference with the sewage treatment process.
- (17) Single pass cooling water; provided, however, that the blowdown or bleedoff from cooling towers or other evaporative coolers may be accepted into the system as long as it does not exceed one-third of the makeup of the water and is expressly authorized in the user's wastewater contribution permit.
- (18) Wastewater which constitutes a hazard or causes injury to human, animal or plant life or creates a public nuisance.
- (19) Recognizable portions of the human or animal anatomy.
- (20) Floatable material which is readily removable.
- (21) Wastewater which constitutes a hazard or causes injury to human, animal or plant life

or creates a nuisance.

- (22) Water that is added for the purpose of diluting wastes which would otherwise exceed the applicable maximum concentration limitations.
- (23) Excessive amounts of organic phosphorous type compounds.
- (24) Excessive amounts of deionized water, steam condensate or distilled water.
- (25) Rainwater, storm water, groundwater, street drainage, surface drainage, roof drainage, yard drainage, water from yard fountains, ponds, lawn sprays or any other uncontaminated water.
- (26) Regeneration wastes from water softeners and deionizers.
- (27) Industrial waste which does not comply with the applicable Federal pretreatment standards, as the same are set forth in Section 207(b) and (c) of the Act and any applicable regulation thereunder, including without limitation those that are prescribed in 40 CFR 403. The most stringent standards will apply whenever Federal, State and local standards overlap.
- (B) 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, exceed five percent, nor shall any single reading exceed ten percent of the lower explosive limit of the meter.

SECTION 103: It shall be unlawful for any person to discharge or cause to be discharged into the system any sewage,

1 liquid waste or industrial waste if, in the opinion of the direc-
2 tor, such discharge may have an adverse or harmful effect upon
3 the sewer maintenance personnel, sewage treatment plant personnel
4 or equipment, treatment plant effluent quality or any public or
5 private property, or may otherwise endanger the public or local
6 ecological systems or tend to create a nuisance. The director,
7 in determining the acceptability of specific wastes, shall con-
8 sider the nature of the waste and the adequacy and nature of the
9 system to accept such waste. A person who is affected by any
10 such determination shall have the right to appeal that deter-
11 mination in the manner that is set forth in Section ____ of this
12 Ordinance, if such determination creates an extreme hardship, and
13 to have such appeal finally decided before any criminal pro-
14 ceeding may be instituted against such person.

15 SECTION 104: (A) It shall be unlawful for any person
16 to introduce wastewater into the system that exceeds the
17 following limitations at any time:

18	<u>Parameter</u>	<u>Maximum Concentration Limitations</u> (mg/l unless noted otherwise)
19	Biochemical Oxygen Demand	To Be
20	Suspended Solids	
21	Ammonia (as N)	Established
22	Arsenic	
23	Beryllium	During Program
24	Boron	
25	Cadmium	Development
26	Chromium (Total)	
27	Chromium (Hexavalent)	
28	Chlorine Demand	
29	Chlorine Residual	
30	Color	
31	Copper	
32	Cyanide (Total)	
	Flouride	
	Iron	
	Lead	
	Mercury	
	Methylene Blue Active Substances	
	Nickel	
	Nitrogen (Nitrate and Nitrite as N)	
	Organophosphorous or	
	Carbamate Compounds	
	pH	
	Phenolic Compounds	
	Selenium	

1 Silver
2 Sulfate
3 Sulfide
4 Total Identifiable Chlorinated Hydrocarbons
5 Total Toxic Organics
6 Total Dissolved Solids
7 Zinc

8 (B) Notwithstanding the limitations that are set forth
9 in subsection (A) of this Section, if more restrictive limita-
10 tions are imposed by such person's wastewater contribution permit
11 or the applicable Federal or State pretreatment standards, it
12 shall be unlawful for any person to introduce wastewater into the
13 system that exceeds such more restrictive limitations.

14 SECTION 105: (A) Bypasses are prohibited, and the City
15 may take enforcement action against an industrial user for a
16 bypass unless:

- 17 (1) The bypass was unavoidable to prevent loss of
18 life, personal injury or severe property dam-
19 age;
- 20 (2) There was no feasible alternative to the
21 bypass, including without limitation the use
22 of auxiliary treatment facilities, the reten-
23 tion of untreated wastes or proper maintenance
24 during normal periods of equipment downtime;
25 provided, however, that this exception shall
26 not apply if the director determines that, in
27 the exercise of reasonable engineering
28 judgment, adequate back-up equipment should
29 have been installed to prevent a bypass which
30 occurred during normal periods of equipment
31 downtime or preventative maintenance; and
- 32 (3) The industrial user submitted the notices that
are required by subsection (B) of this Sec-
tion, and the City, after considering the
potential adverse effects of the anticipated

bypass, has determined that the bypass will satisfy the three conditions that are set forth in paragraph (1) of this subsection (A) of this Section and has approved the bypass.

(B) (1) If an industrial user knows in advance of the need for a bypass, it shall submit a prior notice to the City, if possible, at least ten days before the date of the bypass.

(2) An industrial user shall submit an oral notice to the City of an unanticipated bypass that exceeds the limits that are imposed in its wastewater contribution permit or the applicable Federal or State pretreatment standards within twenty-four hours after the time that the industrial user becomes aware of the bypass. Such industrial user shall also provide a written notice to the City within five days after the time the industrial user becomes aware of the bypass, which notice shall contain a description of the bypass, its cause, the duration of the bypass, including the exact dates and times, the steps that have been taken or are planned to prevent the recurrence of such a bypass and, if the bypass has not been corrected, the anticipated time that it is expected to continue and the steps that have been taken or are planned to reduce or eliminate the bypass. The City may waive such written report on a case-by-case basis if the oral report has been received by it within the twenty-four hour period and it contains all of the required information.

1 (C) Bypasses that are determined by the director to be
2 essential for the proper maintenance of an industrial user's
3 facilities are not subject to the provisions of subsections (A)
4 and (B) of this Section and may be permitted as long as they do
5 not cause a violation of such industrial user's wastewater
6 contribution permit or the applicable Federal or State pretreat-
7 ment standards.

8 SECTION 106: (A) No statement that is contained in
9 Section ___ of this Ordinance shall be construed as preventing
10 the director from issuing a wastewater contribution permit that
11 allows an industrial waste of unusual strength or character if
12 the discharge does not violate the applicable Federal or State
13 pretreatment standards. The discharger shall pay all of the
14 extra costs that are incurred by the City in connection with
15 treating such discharge.

16 (B) For the purposes of this Chapter, the following
17 user classifications are established in order to assign
18 appropriate user charges and fees and permit requirements:

- 19 (1) Class I
- 20 (2) Class II
- 21 (3) Special

22 (C) Permits for the use of the system shall be required
23 as provided in this Chapter. Permit applications, in the form
24 that is prescribed by the City and accompanied by all of the
25 applicable fees, shall be filed with the director. Application
26 and permit fees shall be used to defray the administrative costs
27 and shall be subject to periodic revisions. In compliance with
28 the Federal Water Pollution Act of 1972, all of the costs of
29 industrial waste control are mandated to be charged to the owners
30 or operators of the contributing industrial connections.
31 Wastewater contribution permits may be renewed by the payment of
32 the fees that are established by the City. The cost of the

1 laboratory analyses and staff coordination time that are required
2 in order to establish an industrial user's compliance with its
3 discharge limits shall be paid by the industrial user whose faci-
4 lity is sampled, in accordance with the fees therefor that are
5 established by the City.

6 (D) Each person who proposes to connect to, or
7 discharge industrial wastewater into, any part of the system
8 must, before doing so, apply for and, if required by the City,
9 obtain a wastewater contribution permit. The City may deny or
10 condition a wastewater contribution permit for a new or increased
11 contribution of pollutants or a change in the nature of the
12 pollutants from an industrial user upon the basis that the
13 industry of which such user is a part has been guilty of viola-
14 tions of the applicable Federal or State pretreatment standards
15 or the limitations that are imposed by this Chapter or upon the
16 basis that such contribution could cause the City's wastewater
17 treatment plant to violate the City's NPDES permit. All
18 industrial users who are connected to, or are discharging into,
19 any part of the system on the date that this Chapter becomes
20 effective must obtain a wastewater contribution permit, if the
21 same is required by the City, within one hundred twenty days from
22 and after the effective date of this Chapter. In addition, the
23 holder of each such permit, upon its reissue, shall pay to the
24 City, and each application for a new permit shall be accompanied
25 by, the appropriate fee therefor that is established by the
26 City.

27 (E) The wastewater contribution permits shall be
28 classified as follows:

29 (1) Class I: (a) Class I includes any industrial
30 user who:

31 (i) Has a discharge flow of 25,000
32 gallons or more per day;

1 (ii) Has in its waste discharge a toxic
2 pollutant in toxic amounts, as that
3 term is defined in the standards
4 that are issued pursuant to Section
5 307(a) of the Federal Water Pollu-
6 tion Control Act and the Toxic
7 Substances Control Act;

8 (iii) Has a waste discharge that is found
9 by the City, the EPA or the Adminis-
10 trator of the Division of Environ-
11 mental Protection of the Nevada
12 Department of Conservation and
13 Natural Resources to have a signifi-
14 cant adverse impact, either alone or
15 in combination with other contri-
16 buting industries, upon the City's
17 treatment plant or upon the quality
18 of the effluent therefrom or which
19 may cause the City to violate its
20 NPDES permit; or

21 (iv) Has a waste discharge that is sub-
22 ject to the categorical pretreatment
23 standards and regulations that are
24 promulgated and defined by the EPA
25 in Section 309(e) et. seq. of the
26 Federal Clean Water Act.

27 (b) The facilities of each Class I
28 industrial user shall be inspected and sampled
29 a minimum of two times per year.

30 (2) Class II: (a) Class II includes any
31 industrial user who:

32 (i) Has a discharge flow of less than

1 25,000 gallons a day;

2 (ii) Is not required to obtain a Class I
3 permit; or

4 (iii) Discharges industrial wastes which
5 may have potential effects on the
6 City's treatment facilities or
7 discharge limitations.

8 (b) The facilities of each Class II
9 industrial user shall be inspected and sampled
10 on a random basis.

11 SECTION 107: (A) Each user who seeks a wastewater
12 contribution permit shall complete and file with the City an
13 application on the form that is prescribed by the director. The
14 application shall be accompanied by the applicable fee. In sup-
15 port of its application, the applicant shall submit the following
16 information:

- 17 (1) The name, address, and Standard Industrial
18 Code number of the applicant;
- 19 (2) The volume of the wastewater that the appli-
20 cant anticipates will be discharged;
- 21 (3) The constituents and characteristics of the
22 wastewater that the applicant anticipates will
23 be discharged, including without limitation
24 those that are set forth in Section ____ of
25 this Ordinance, as those constituents and
26 characteristics are determined by an analyti-
27 cal laboratory that is approved by the City;
- 28 (4) The time and duration of the proposed
29 discharge;
- 30 (5) The average and three minute peak wastewater
31 flow rates, including without limitation
32 daily, monthly, and seasonal variations, if

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any;

- (6) The site plans, floor plans, mechanical and plumbing plans and details of the applicant's facilities that show all of the sewers and appurtenances by size, location and elevation;
- (7) A description of the applicant's activities, facilities and plant processes on the premises, including without limitation all of the materials and types of materials which are, or could be, discharged;
- (8) Each product that is produced by the facilities, by type, amount and rate of production;
- (9) The number and type of employees and their respective hours of work; and
- (10) Any other information that may be requested by the director.

(B) The City will evaluate the data that are furnished by the applicant and may require additional information.

(C) After the acceptance and evaluation by the City of the data that are so furnished, the City may issue a wastewater contribution permit, which will be subject to terms and conditions that are provided herein.

SECTION 108: Each wastewater contribution permit shall be expressly subject to all of the provisions of this Chapter and all other regulations, user charges and fees that are established by the City. The conditions of all wastewater contribution permits shall be uniformly enforced in accordance with this Chapter and applicable Federal and State regulations. The conditions of each wastewater contribution permit may, without limitation, include any or all of the following:

- (A) The unit charge or schedule of user charges and fees that must be paid by the permittee in order for the

1 wastewater to be discharged into the system from its facilities;

2 (B) The average and maximum wastewater constituents and
3 characteristics of the wastewater discharges from the permittee's
4 facilities;

5 (C) The limits on rate and time of the wastewater
6 discharges from the permittee's facilities or the requirements
7 for flow regulation and equalization with respect thereto;

8 (D) The limits regarding the discharge by the permittee
9 of specific pollutants;

10 (E) The requirements for the installation of inspection
11 and sampling facilities and uncontrolled discharge containment
12 facilities with respect to the permittee's facilities;

13 (F) The requirements, which, without limitation, may
14 include specific sampling locations, frequency of sampling, times
15 of sampling and number and types of test standards and reporting
16 schedules, for the monitoring programs at the permittee's facili-
17 ties;

18 (G) The pretreatment facility requirements with respect
19 to the permittee's facilities;

20 (H) The requirements for maintaining and submitting
21 technical reports and plant records that relate to the wastewater
22 discharges from the permittee's facilities;

23 (I) Daily average and daily maximum discharge rates or
24 other appropriate conditions when pollutants that are subject to
25 limitations and prohibitions are proposed or are present in the
26 wastewater discharges from the permittee's facilities;

27 (J) The compliance schedules that are required for the
28 permittee's facilities;

29 (K) The analyses of the wastewater discharges from the
30 permittee's facilities that are to be established by the City
31 through an annual notification process and are to be performed,
32 as a part of the permittee's compliance effort, by a laboratory

1 that is approved by the City;

2 (L) The requirements for maintaining, and for affording
3 the City access to, the records of the permittee's facilities
4 that relate to its wastewater discharges;

5 (M) The requirements for the notification of the City
6 of any introduction of new constituents or any substantial change
7 in the volume or character of the existing constituents of the
8 wastewater discharges from the permittee's facilities;

9 (N) The requirements for the notification of the City
10 of slug, upset or bypass discharges from the permittee's facilities;
11 ties;

12 (O) The requirement that an amended application must be
13 filed within ten working days after any condition that is con-
14 tained in the original application is changed; and

15 (P) Such other conditions as may be appropriate in
16 order to ensure compliance by the permittee with this Chapter.

17 SECTION 109: (A) Each wastewater contribution permit
18 shall be issued for a specified period, not to exceed five years
19 and each user shall apply for renewal of its permit not later
20 than sixty days prior to the expiration of its existing permit.

21 (B) If such user is not notified by the City of the
22 renewal of its permit at least thirty days prior to the expira-
23 tion of its existing permit, its existing permit shall automati-
24 cally be extended for an additional thirty days.

25 SECTION 110: The City may change the terms and con-
26 ditions of any wastewater contribution permit during the period
27 for which it was granted whenever the limitations or requirements
28 therefor that are identified in Section ___ of this Ordinance are
29 modified and changed. The user shall be informed of any proposed
30 change in his wastewater contribution permit at least thirty days
31 prior to the effective date such of change. Any change or new
32 condition in such permit shall include a reasonable time schedule

1 for compliance therewith.

2 SECTION 111: Each wastewater contribution permit will
3 be issued to a specific user for a specific operation at a speci-
4 fic location and shall not be assigned, transferred or sold.

5 SECTION 112: All discharges that are permitted under a
6 wastewater contribution permit must commence within one hundred
7 eighty days after the effective date of such permit or such per-
8 mit shall be deemed void.

9 SECTION 113: No wastewater discharge in which there
10 has been a contribution of new pollutants, an increase in the
11 existing pollutants or a change in the characteristics of the
12 existing pollutants which causes such discharge to be different
13 from that which is expressly allowed under a user's existing
14 wastewater contribution permit shall be commenced without the
15 prior written notification to, and the approval by, the director.
16 Upon such notification, the director, in his sole discretion, may
17 require that a new application be filed and a new wastewater
18 contribution permit be obtained before any waste discharge that
19 involves such change takes place.

20 SECTION 114: (A) A temporary wastewater discharge
21 permit shall be required of all users who are granted temporary
22 permission by the City to discharge unpolluted water, storm
23 drainage and ground water that is discharged directly or
24 indirectly to the system. Such a temporary permit may be granted
25 if no alternate method of disposal is reasonably available. The
26 provisions of Section ____ of this Ordinance which pertain to
27 wastewater strength and characteristics shall apply to such tem-
28 porary permit.

29 (B) Each user who seeks a temporary wastewater
30 discharge permit shall complete and file with the City, prior to
31 commencing discharge, an application in the form that is
32 prescribed by the director. Such application shall be accom-

1 panied by the applicable fee and such data as may be requested by
2 the City for its review and approval.

3 (C) The City may specify and make a part of each tem-
4 porary wastewater discharge permit specific conditions and
5 pretreatment requirements.

6 (D) An application fee for a temporary wastewater
7 discharge permit shall be paid by the applicant in the amount
8 adopted by a separate resolution that is adopted by the City
9 Council. The fee shall be payable prior to issuance of the per-
10 mit.

11 (E) A charge for use, to defray all of the costs of the
12 City for providing sewerage service and monitoring, shall be
13 established by a separate resolution that is adopted by the City
14 Council. A deposit in an amount to be determined by the director
15 as being sufficient to pay the estimated charges for use shall
16 accompany the application for a temporary wastewater discharge
17 permit, and such deposit shall be applied to the charges for the
18 use of the system thereunder.

19 (F) Each temporary wastewater discharge permit shall be
20 issued for a specific period, not to exceed one year. The terms
21 and conditions of such permit may be subject to modification and
22 change by the City during the period for which it was issued.
23 Any change or new condition in such permit shall include a reaso-
24 nable time schedule for compliance therewith.

25 SECTION 115: Wastewater contribution permits for
26 industrial users who are located outside of the corporate boun-
27 daries of the City but are tributary to the system will be issued
28 by the City by way of a specific agreement. The director will be
29 authorized to inspect the facilities of each such industrial user
30 who is issued a permit hereunder in order to determine its
31 compliance with this Chapter, and the requirements of this
32 Chapter apply to each such industrial user.

1 SECTION 116: (A) An industrial wastewater pretreat-
2 ment facility or device may be required by the City to treat
3 industrial flows prior to their discharge into the system when-
4 ever it is necessary to restrict or prevent the discharge to the
5 system of certain waste constituents, to distribute more equally
6 over a longer period any peak discharge of industrial wastewaters
7 or to accomplish any pretreatment result that is required by the
8 City. All such pretreatment facilities or devices shall be
9 approved by the City before their use, but such approval shall
10 not absolve the industrial user that owns or operates the same of
11 the responsibility of meeting any industrial effluent limitation
12 that is imposed by the City on such flows. In a special case,
13 the City may require the construction of sewer lines by the
14 industrial user in order to convey certain industrial wastes to a
15 specific trunk sewer. All pretreatment facilities that are
16 judged by the City to require engineering design shall have the
17 plans therefor prepared and signed by an engineer of suitable
18 discipline who is licensed in the State. Detailed plans that
19 show the pretreatment facilities and operating procedures,
20 including without limitation accidental discharge procedures,
21 shall be submitted to the City for its review and approval before
22 such plans and procedures are implemented. Such review and
23 approval, however, shall not absolve the industrial user that
24 owns or operates such facilities from the responsibility of
25 modifying such facilities in the future as may be necessary in
26 order to produce an effluent that is acceptable to the City under
27 the provisions of this Chapter. No industrial user shall ever
28 increase the use of water, or in any other manner attempt to
29 dilute a discharge, as a partial or complete substitute for ade-
30 quate methods for the reduction of pollutants to achieve
31 compliance with this Chapter and such industrial user's
32 wastewater contribution permit.

1 (B) Normally a gravity separation interceptor,
2 equalizing tank, neutralization chamber and control manhole shall
3 be required, respectively, in order to remove prohibited
4 settleable and floatable solids, to equalize wastewater streams
5 which vary greatly in quantity or quality, or both, to neutralize
6 low or high pH flows and to facilitate inspection, flow measure-
7 ment and sampling. Floor drains from commercial or manufacturing
8 buildings, warehouses or multi-use structures shall not discharge
9 directly to the system but shall first discharge to a gravity
10 separation interceptor.

11 (C) All domestic or sanitary wastewaters from
12 restrooms, showers, drinking fountains and similar facilities
13 shall be kept separate from all industrial wastewaters until the
14 industrial wastewaters have passed through any required pretreat-
15 ment facility or monitoring device.

16 SECTION 117: (A) Any Class I industrial user, or any
17 other industrial user, at the discretion of the director, shall
18 be required to install and maintain monitoring facilities in
19 order to allow inspection, sampling or measurement, or any com-
20 bination thereof, of the building sewer or plumbing systems and
21 may also be required to provide, install and operate sampling or
22 measuring, or both, equipment at such industrial user's expense.
23 Such facilities shall be normally situated on the industrial
24 user's premises but the director may, in his discretion, allow
25 monitoring facilities to be constructed elsewhere at the
26 industrial user's expense.

27 (B) Each industrial user who makes periodic measure-
28 ments shall furnish and install, at its own cost and expense, at
29 the sampling well or other appropriate location a calibrated
30 flume, weir, flow meter or similar device that is approved by the
31 City and is suitable to measure the industrial wastewater flow
32 rate and total volume. A flow indicating, recording and tota-

lizing register may also be required by the City. In lieu of such wastewater flow measurement, the City may accept records of water usage and adjust the flow volumes by suitable factors in order to determine the peak and average flow rates for a specific discharge.

(C) If two or more industrial users can discharge into a common side sewer, the director may require the installation of a separate monitoring facility for each such user. Also, if, in the judgment of the director, there is a significant difference in the constituents and characteristics of the wastewaters produced by the different operations of a single industrial user, the director may require that separate monitoring facilities be installed for each separate discharge.

(D) If a monitoring facility is inside an industrial user's fences, measures shall be taken in order to afford access to the facility by the personnel of the City, including without limitation such measures as a gate secured with a lock that is furnished by the City. There shall be ample operating area in or near such monitoring facility in order to allow accurate sampling and compositing of the samples for analysis. The industrial user shall assure that the access and the sampling and measuring equipment are maintained in a safe and proper operating condition at all times at no expense to the City.

(E) The monitoring facility, and the sampling and measuring equipment therein, shall be provided in accordance with the City's design requirements and all of the applicable construction standards, safety devices and specifications. Construction shall be completed within ninety days following the industrial user's receipt of written notification from the City to provide the same.

(F) The monitoring facility shall be provided with a security closure that can be locked during the sampling or moni-

1 toring with a lock that will be provided by the City.

2 (G) Unrestricted access to the monitoring facility
3 shall be available to authorized personnel of the City at all
4 times.

5 SECTION 118: Traps for sand, grease and oil shall be
6 provided in accordance with the following requirements:

7 (A) Each restaurant or other establishment that
8 discharges grease wastes which, under the conditions that exist
9 in the downstream sewers, could cause or threaten to cause a
10 stoppage or a grease accumulation shall be required to install an
11 approved grease trap and oil interceptor and regularly to main-
12 tain it in such a manner as to prevent excessive discharges of
13 grease and oil into the system. Each grease trap and oil inter-
14 ceptor shall be easily accessible for inspection by the City. An
15 exception to the requirement of installing a grease trap and oil
16 interceptor may be granted on a case-by-case basis by the direc-
17 tor, taking into account the following items:

- 18 (1) The size of restaurant;
- 19 (2) The number of meals served per day;
- 20 (3) The available seating capacity; and
- 21 (4) The dish washing and garbage disposal facili-
22 ties that are available.

23 (B) Each new car wash, vehicle service station and
24 garage which has facilities for the washing of vehicles shall
25 install an appropriate sand and oil interceptor of a size and
26 design that is approved by the City. Each such establishment
27 that was in existence prior to the effective date of this Chapter
28 shall install an appropriate sand and oil interceptor if, in the
29 opinion of the director, such establishment has the potential of
30 contributing non-compatible material to the system.

31 (C) A trap or interceptor that was legally and properly
32 installed at a restaurant or similar establishment, car wash,

1 vehicle service station or garage prior to the effective date of
2 this Chapter shall be acceptable as an alternative to the trap or
3 interceptor that is specified in subsection (A) or (B) of this
4 Section if such trap or interceptor is effective in removing
5 grease and oil or sand and oil, as the case may be, and is
6 designed and installed in such a manner that it can be inspected
7 and properly maintained. If the City determines that a trap or
8 interceptor is incapable of retaining adequately the grease and
9 oil or the sand and oil, as the case may be, in the wastewater
10 flow from a restaurant or similar establishment, car wash,
11 vehicle service station or garage, the City shall issue a written
12 notice that requires the operator of such establishment to
13 install an adequate trap or interceptor within sixty days.

14 (D) The City may maintain an information file, avail-
15 able for public inspection, of acceptable designs of grease, sand
16 and oil traps and interceptors. The installation of trap or
17 interceptor of a design that is shown in such file, or of any
18 design that meets the requirements that are set forth in this
19 Section or any recommendation or requirement that is made by the
20 City shall not impute any liability to the City as a result of
21 such trap's or interceptor's failure adequately to perform under
22 the actual conditions of its use. Such installation shall not
23 relieve the owner or proprietor of such establishment of the
24 responsibility to keep grease and oil or sand and oil, as the
25 case may be, from entering the system. If a trap, interceptor or
26 other pretreatment facility is not adequate under the actual con-
27 ditions of its use, a new trap, interceptor or pretreatment faci-
28 lity shall be constructed which is effective in accomplishing the
29 intended purpose.

30 (E) Any grease trap and oil interceptor or sand and oil
31 interceptor that is required by this Section shall be readily
32 accessible for inspection by the authorized personnel of the City

1 and shall be properly maintained to ensure that accumulations of
2 grease and oil or sand and oil, as the case may be, do not impair
3 the efficiency of the trap or interceptor or are not discharged
4 with the effluent, or both. Each establishment that is required
5 to use and maintain a grease trap and oil interceptor or a sand
6 and oil interceptor shall keep a record of every time the trap or
7 interceptor is cleaned. This record shall include the date, the
8 name of the pumper or person who cleaned the trap or interceptor
9 and the site at which the waste was disposed of and may be
10 reviewed by the City in its discretion. A trap or interceptor
11 shall not be considered properly maintained if accumulations of
12 grease and oil or sand and oil, as the case may be, total more
13 than twenty-five percent of the operative fluid capacity. The
14 City will endeavor to inspect all grease traps and oil intercep-
15 tors and sand and oil interceptors periodically. If it is found
16 that a trap or interceptor in any establishment is improperly
17 maintained or adequate records with respect thereto are not being
18 kept, a warning will be issued to the operator of such establish-
19 ment. If, on any subsequent inspection, it is found that any one
20 of the aforesaid conditions continues to exist, a penalty fee in
21 an amount that is established by the City will be levied against
22 the operator of the establishment.

23 SECTION 119: Upon its receipt of a written notifica-
24 tion from the director, each user shall provide facilities for
25 the containment of uncontrolled discharges of prohibited material
26 or other substances that are regulated by this Chapter. Facili-
27 ties to contain such discharges shall be provided and maintained
28 at the user's sole cost and expense. Each user who is so
29 notified shall provide detailed spill containment plans,
30 including without limitation plans for the facility and operating
31 procedures, to the director for his review and approval, and such
32 plans and procedures must be approved before the installation or

1 the commencement of the construction of the facility. The
2 construction of the facility shall be completed within the period
3 that is designated by the director in the notification to the
4 user of his approval thereof. The review and approval of spill
5 containment plans and operating procedures shall not absolve the
6 user of the responsibility of modifying its facility as may be
7 necessary in order to satisfy the requirements of this Chapter.

8 SECTION 120: Upon its receipt of a written notifica-
9 tion from the director, each user of flammable substances and
10 each user who is subject to uncontrolled discharges of flammable
11 substances may be required to install, operate and maintain a
12 combustible gas monitoring system and facility to divert the
13 entire wastewater flow to a holding tank whenever the combustible
14 gas level at its establishment is greater than twenty percent of
15 the lower explosive limit. Such system and facility shall be
16 provided and maintained at the user's sole cost and expense.
17 Each user who is so notified shall provide detailed gas moni-
18 toring and wastewater diversion plans, including without limita-
19 tion plans for the facility and operating procedures, to the
20 director for his review and approval, and such plans and proce-
21 dures must be approved before the installation or the commence-
22 ment of the construction of such system and facility. At the
23 minimum, the monitoring system and facility must be installed in
24 a field location and have an indicator, automatic continuous
25 recorder, adjustable two-stage alarm system, calibration for
26 methane detection and a means for diverting the flow to a holding
27 tank; provided, however, that the director, in his sole discre-
28 tion, may waive any of these requirements by way of a written
29 notice to the user. The installation or construction of such
30 system and facility shall be completed within a period that is
31 designated by the director in the notification to the user of his
32 approval thereof. The review and approval of gas monitoring and

1 wastewater diversion plans shall not absolve the user of the
2 responsibility of satisfying the requirements of this Chapter.

3 SECTION 121: Periodic measurements of flow rates, flow
4 volumes and wastewater characteristics for use in determining a
5 user's compliance with any limitation or requirement that is spe-
6 cified in its wastewater contribution permit, if any, or in this
7 Chapter shall be made at the times and in the manner that is
8 prescribed by the City. The City shall establish, on an annual
9 basis, the wastewater analyses to be performed by the user and
10 shall notify the user at least sixty days prior to the deadline
11 for the submission of any required compliance monitoring report.
12 All sampling, analyses and flow measurements of industrial or
13 liquid wastes shall be performed by an independent laboratory
14 that is approved by the City, by a laboratory of the user that is
15 approved by the City or by the personnel of the City. If such
16 sampling, analyses and flow measurements are performed by an
17 independent laboratory, the costs thereof shall be paid by the
18 user, and, if the same are performed by the personnel of the
19 City, a charge that is sufficient to defray the actual expenses
20 of the City for the personnel, space, equipment and supplies, as
21 the same are determined by the City, shall be paid by the user.

22 SECTION 122: (A) Periodic measurements of flow rates,
23 flow volumes and wastewater characteristics for use in deter-
24 mining the appropriate industrial wastewater treatment surcharge,
25 and such measurements of other constituents that are believed by
26 the director to be necessary for such purpose, shall be made by
27 each user unless any such user is specifically relieved of such
28 obligation in writing by the director. All sampling, analyses
29 and flow measurements of industrial wastewaters shall be per-
30 formed by an independent laboratory that is approved by the City,
31 by a laboratory of the user that is approved by the City or by
32 the personnel of the City. If such sampling, analyses and flow

1 measurements are performed by an independent laboratory, the
2 costs thereof shall be paid by the user, and, if the same are
3 performed by the personnel of the City, a charge that is suf-
4 ficient to defray the actual expenses of the City for the person-
5 nel, space, equipment and supplies, as the same are determined by
6 the City, shall be paid by the user.

7 (B) Any user may be required by the director, by its
8 wastewater contribution permit, if any, or otherwise, to engage
9 in periodic monitoring or sampling, or both, of its discharge.
10 If a user is required to monitor or sample its discharge, the
11 user shall notify the City by telephone at least forty-eight
12 hours in advance of any monitoring or sampling that is to be per-
13 formed. Such notification shall include the date, time and loca-
14 tion of the proposed monitoring or sampling, and the monitoring
15 or sampling shall be carried out during a period of normal busi-
16 ness operations. Prior to the commencement of any monitoring or
17 sampling, the director may request that the user furnish the City
18 with a split sample and all supporting data (i.e., methodology,
19 flow measuring data, strip chart recordings and other pertinent
20 information). The City reserves the right to refuse any data
21 that are developed from its monitoring or sampling activity if
22 the user has failed to comply with the prenotification
23 procedure.

24 (C) Each user shall submit to the City, sworn to by the
25 user under the penalties for perjury, its monitoring and sampling
26 report or other requested data.

27 SECTION 123: (A) The sampling, analysis and flow
28 measurement procedures, equipment and results shall be subject at
29 all reasonable times to inspection by the City. Sampling and
30 flow measurement facilities shall be constructed and located in
31 such a manner as will provide safe access to the authorized per-
32 sonnel of the City.

1 (B) Each industrial user who is required by the City to
2 make periodic measurements of its industrial wastewater flows and
3 constituents shall make at least the minimum number of such
4 measurements required. The minimum requirement for such periodic
5 measurements shall be at least one 24-hour measurement per year,
6 and representative samples of the industrial wastewater shall be
7 obtained at least once per hour during the 24-hour period and
8 shall be properly refrigerated, composited according to measured
9 flow rates during the 24 hours and analyzed for the specified
10 wastewater constituents. Each industrial user who is required to
11 obtain only a few samples per year shall take such samples during
12 the periods of the highest wastewater flow and wastewater consti-
13 tuent discharges. An industrial plant that has a large fluc-
14 tuation in quantity or quality of wastewater may be required to
15 provide continuous sampling and analyses for every working day.
16 If it is required to do so by the City. An industrial user shall
17 install and maintain in proper order automatic flow-proportional
18 sampling equipment or automatic analysis and recording equipment,
19 or both.

20 (C) Measurements to verify the quantities of waste
21 flows and waste constituents that are reported by each industrial
22 user will be conducted on a random basis by the personnel of the
23 City.

24 SECTION 124: (A) Samples and flow measurements shall
25 represent the normal wastewater flow to the system over a 24-hour
26 period. Composite samples shall be collected according to the
27 flow, with at least one sample's being collected hourly. Samples
28 may be collected either manually or by automatic integrated
29 sampling equipment that is approved by the director. Chain-of-
30 custody logs with respect to each sample that is required by this
31 Chapter shall be maintained by each industrial user.

32 (B) The sampling, handling, storage and analysis of

1 each sample that is taken for the determination of the charac-
2 teristics of a wastewater discharge shall be performed by a
3 laboratory that is approved by the City, by a laboratory of the
4 industrial user that is approved by the City or by the personnel
5 of the City and shall be in accordance with procedures that are
6 established by the EPA pursuant to Section 304(a) of the Act and
7 contained in 40 CFR Part 136, as amended. If such sampling,
8 handling, storage and analysis are performed by an independent
9 laboratory, the costs thereof shall be paid by the industrial
10 user, and, if the same are performed by the personnel of the
11 City, a charge that is sufficient to defray the actual expenses
12 of the City for the personnel, space, equipment and supplies, as
13 the same are determined by the City, shall be paid by the
14 industrial user. A copy of each required wastewater analysis
15 shall be sent directly from the independent laboratory to the
16 director within seven days after the completion of the analysis.
17 Prior to the submission to the City of any data that are deve-
18 loped in the laboratory of an industrial user, the results of
19 such analysis shall be sworn to by a responsible administrative
20 official of the industrial user under the penalties for perjury.
21 Any independent laboratory or industrial user that performs the
22 tests shall furnish to the City any required test data or infor-
23 mation with respect to the test methods or the equipment that
24 were used in such tests immediately upon the City's request
25 therefor.

26 SECTION 125: (A) The determination or estimation of
27 suspended solids or other components that are contained in
28 sewage, liquid waste or industrial waste discharges shall be made
29 in accordance with one of the following methods:

- 30 (1) Sampling and analysis by the personnel of the
31 City;
- 32 (2) Sampling and analysis by the personnel or a

1 laboratory of the user who are or is approved
2 by the City; or

3 (3) Estimates that are determined by a study of
4 the user's waste producing operations that
5 lead to the discharge and are approved by the
6 director.

7 (B) Each user shall have the option of selecting which
8 of the methods that are described in subsection (A) of this Sec-
9 tion will be used; provided, however, that such method must be
10 proposed by the user and approved by the City before the
11 beginning of the period during which such sampling or estimate is
12 to be made, and the same method must be continued throughout such
13 period. In the event that no method is selected and approved,
14 the method that is described in paragraph (1) of said subsection
15 (A) will be used, and the appropriate fees, as established by the
16 City, shall be paid by the user. Additionally, in the event that
17 either of the methods that are described in paragraphs (2) and
18 (3) of said subsection (A) is selected and approved, the City
19 may, by appropriate sampling and analysis, determine the accuracy
20 of the results that are so obtained, and if the method that is
21 described in said paragraph (2) is selected and approved, the
22 user shall, upon the request of the City, prepare and submit a
23 certified statement with respect to the results that are so
24 obtained during the period in question.

25 SECTION 126: The measurement of total flow of sewage,
26 liquid waste or industrial waste shall be made by the City by
27 means of a metering device that is approved by the City and is
28 purchased, installed and maintained at the expense of the user,
29 by an estimate that is based upon total water which is used in
30 the area that is occupied, or by other means that is acceptable
31 to the City and to the user. The user shall have the option of
32 selecting whether the measurement shall be made by meter, by

1 estimate or by other means; provided, however, that the method of
2 estimating or other means must first be approved by the City.

3 SECTION 127: (A) The determination of the peak flow
4 rate shall be made by means of an effluent meter that is approved
5 by the City and is purchased, installed and maintained at the
6 expense of the user or by field measurements that are made by the
7 City in accordance with the method that is provided in subsection
8 (B) of this Section. The user shall have the option of selecting
9 the method of determination to be used; provided, however, that,
10 in the event the field measurements method is selected, the
11 discharger must bear all of the expenses that are incurred by the
12 City in carrying out the field measurements.

13 (B) In the absence of actual peak flow rate data with
14 respect to any industrial user peak flow rate may be computed for
15 such industrial user in a manner that is established by the City,
16 and the industrial user whose peak flow rate is so computed shall
17 certify to the City that the flow use that is metered in order to
18 compute the peak flow rate was from normal operations and not the
19 result of any extraordinary condition.

20 SECTION 128: (A) Should flow measurements or other
21 investigations demonstrate that an industrial user is discharging
22 at a flow rate, or in a quantity of flow, chemical oxygen demand
23 or suspended solids, that is significantly in excess of that
24 which is stated in its wastewater contribution permit or in
25 excess of the quantities that are reported to the City by such
26 industrial user, and upon which its industrial wastewater treat-
27 ment surcharge is based, such industrial user shall apply for an
28 amended wastewater contribution permit and shall be assessed for
29 all delinquent charges, together with any penalty and interest,
30 as the same are provided for in Section ____ of this Ordinance.
31 However, before such charges shall be assessed, at least two
32 additional 24-hour samples and flow measurements shall be

1 obtained by the City, and all of the costs of such sampling and
2 analyses shall be paid by such industrial user.

3 (B) For the purpose of establishing the correct treat-
4 ment surcharge, the data that are obtained in the samplings that
5 are provided for in subsection (A) of this Section, together with
6 any other relevant information that is obtained by the City or
7 submitted by the industrial user, shall be used by the City in
8 determining the quantity parameters that are to be used in the
9 surcharge formula. An industrial user who is found to be
10 discharging at a flow rate, or in a quantity of flow, chemical
11 oxygen demand or suspended solids, that is significantly in
12 excess of that which is stated in its wastewater contribution
13 permit or in excess of the quantities that are reported to the
14 City by such industrial user shall, in the absence of other evi-
15 dence, be presumed to have been discharging at the determined
16 parameter values at all times during the preceding three years or
17 at all times subsequent to the previous verification of quantity
18 parameters by the City, whichever period is shorter.

19 SECTION 129: (A) Within thirty days after the date
20 for the final compliance by such industrial user with the appli-
21 cable pretreatment standards, or, in the case of a new source,
22 after the commencement of the introduction of wastewater into the
23 system, any industrial user who is subject to the pretreatment
24 standards and requirements shall submit to the City a report
25 which contains the information that is specified in 40 CFR
26 403.12(b)(1-5) and indicates the nature and concentration of all
27 of the pollutants in the discharge from the regulated process
28 that are limited by the pretreatment standards and requirements
29 and the average daily flow and the maximum daily flow from each
30 of the process units in such industrial user's facility that are
31 limited by such pretreatment standards and requirements. The
32 report shall state whether the applicable pretreatment standards

1 and requirements are being met on a consistent basis and, if they
2 are not, what additional operation and maintenance or pretreat-
3 ment, or both, is necessary in order to bring such industrial
4 user's discharge into compliance with the applicable pretreatment
5 standards and requirements. Such statement shall be sworn to by
6 an authorized representative of the industrial user under the
7 penalties for perjury.

8 (B) Within one hundred eighty days after the effective
9 date of a categorical standard or the final decision with respect
10 to a category determination submission, whichever is later, an
11 industrial user who is subject to the standard must submit to the
12 City a report that indicates whether or not the industrial
13 wastewater discharge from such industrial user's facilities meets
14 the standard. At the minimum, the report must, without limita-
15 tion, include the identifying information, the environmental
16 control, the permits that are held by such industrial user, a
17 description of such industrial user's operations, the flow
18 measurements, the measurements of pollutants, a statement which
19 certifies to the foregoing that is sworn to by an authorized
20 representative of such industrial user under the penalties for
21 perjury and the compliance schedule as is required by 40 CFR
22 403.12(b)(1-7).

23 (C) Each Class I industrial user who is required to
24 submit a compliance schedule must report its progress to the City
25 within fourteen days after each date in its schedule.

26 (D) Within ninety days after the date for the final
27 compliance by such industrial user with any applicable categori-
28 cal standard, an industrial user who is affected by such standard
29 must submit to the City a report that indicates the nature and
30 concentration of all of the limited pollutants in the regulated
31 discharges from such industrial user's facilities and the average
32 daily flow and the maximum daily flow of such discharges. Such

1 report also must indicate whether or not the pretreatment stan-
2 dards are being met on a consistent basis.

3 (E) Each Class I industrial user who is subject to a
4 pretreatment standard shall, after the date for compliance with
5 such pretreatment standard, or, in the case of a new source,
6 after the commencement of the introduction of wastewater into the
7 system, submit to the City, during the months of June and
8 December of each year or as may otherwise be required in such
9 pretreatment standard or by the director, a report that indicates
10 the nature and concentration of the pollutants in the effluent
11 from such industrial user's facility which are limited by such
12 pretreatment standard. Additionally, such report shall, without
13 limitation, include a record of all daily flows which, during the
14 reporting period, exceeded the average daily flows that are
15 reported in accordance with this Chapter. At the discretion of
16 the director and in consideration of the local high and low flow
17 rates, holidays, budget cycles and similar factors, the director
18 may agree to alter the months during which the reports that are
19 required by this Section are to be submitted.

20 (F) Each industrial user shall notify the City imme-
21 diately of any slug loading at its facility.

22 (G) Each industrial user shall notify the City imme-
23 diately of any upset at its facility.

24 (H) Each industrial user shall notify the City with
25 respect to any bypass at its facilities in accordance with Sec-
26 tion ____ of this Ordinance.

27 SECTION 130: (A) Each industrial user who is subject
28 to the Federal pretreatment regulations (40 CFR 403) shall main-
29 tain the records of all information that results from any moni-
30 toring (including self-monitoring) activities that are required
31 by said regulations, as the same are set forth herein:

32 (1) The date, exact place, method and time of

1 sampling, and the names of the person or per-
2 sons who took the samples;

3 (2) The dates on which the analyses were per-
4 formed;

5 (3) The identity and addresses of the person or
6 persons who performed the analyses; and

7 (4) The results of each such analysis.

8 (B) Each industrial user who is subject to the Federal
9 pretreatment regulations shall be required to retain the records
10 of all of its monitoring activities and results, whether or not
11 such activities are required by this Section, for the minimum
12 period of three years. Such records shall be made available for
13 inspection and copying by the director at all reasonable times.
14 The period of records retention shall be extended during the
15 course of any unresolved litigation that involves such industrial
16 user or the system or upon the request of the director.

17 SECTION 131: (A) Whenever it is necessary to make an
18 inspection to monitor or enforce any of the provisions of, or to
19 perform any duty imposed by, this Chapter or other applicable
20 law, or whenever the director has reasonable cause to believe
21 that there exists upon any premises any violation of the provi-
22 sions of this Chapter or other applicable law or any condition
23 which makes such premises hazardous, unsafe or dangerous, the
24 director is authorized to enter such premises at all reasonable
25 times and inspect the same and perform any duty that is imposed
26 upon the director by this Chapter or other applicable law; pro-
27 vided, however, that:

28 (1) If the premises are occupied, the director
29 shall first present proper credentials to the
30 occupant and request entry after explaining
31 the reasons therefor and the purpose of the
32 inspection; or

1 (2) If the premises are unoccupied, the director
2 shall first make a reasonable effort to locate
3 the owner or other person who has the care or
4 control of such premises and request entry
5 after explaining the reasons therefor and the
6 purpose of the inspection. If such entry is
7 refused or cannot be obtained because the
8 owner or other person who has the care or
9 control of such premises cannot be found after
10 due diligence, the director may have recourse
11 to every remedy that is provided by law to
12 effect lawful entry and to inspect such
13 premises.

14 (B) Notwithstanding the foregoing, if the director has
15 reasonable cause to believe that the wastewater discharge con-
16 ditions on or emanating from the premises are so hazardous,
17 unsafe or dangerous as to require immediate inspection and action
18 in order to safeguard the public health or safety, the director
19 shall have the right immediately to enter and inspect such
20 premises and may use any reasonable means that may be required in
21 order to effect such entry and make such inspection, whether the
22 premises are occupied or unoccupied and whether or not formal
23 permission to enter and inspect has been obtained. If the premi-
24 ses are occupied, the director shall first present proper creden-
25 tials to the occupant thereof and demand entry after explaining
26 the reasons therefor and the purpose of the inspection.

27 (C) It shall be unlawful for any person to fail or
28 refuse, after a proper demand has been made upon that person in
29 accordance with subsection (B) of this Section, promptly to per-
30 mit the director to enter such premises and to make any inspec-
31 tion that is provided for by said subsection (B). In addition to
32 any criminal penalty that may be imposed upon any person who

1 violates this subsection (C), such person's wastewater contribu-
2 tion permit may be revoked.

3 (D) Any user, by accepting any permit that is issued
4 pursuant to this Chapter, is conclusively presumed to have con-
5 sented and agreed to the entry at all reasonable times by the
6 director or his designated personnel upon the premises that are
7 described in such permit for any of the following purposes:

- 8 (1) To inspect, sample and take flow measurements
9 of the discharge from such user's facilities
10 and to examine records in the performance of
11 the director's authorized duties;
- 12 (2) To set up on such user's property such devices
13 as may be necessary or appropriate in order to
14 conduct sampling inspections, compliance moni-
15 toring, flow measuring or metering operations,
16 or any combination thereof;
- 17 (3) To inspect and copy any record, report, test
18 result or other information that is required
19 to carry out the provisions of this Chapter;
20 and
- 21 (4) To photograph any waste, waste container,
22 vehicle, waste treatment process, discharge
23 location or violation that is discovered
24 during any such inspection.

25 (E) If a user has instituted security measures that
26 require proper identification and clearance before entry upon its
27 premises, such user shall make all arrangements with its security
28 guards that may be necessary in order that, upon presentation of
29 their credentials, the duly designated personnel of the City
30 shall be permitted to enter upon the premises without delay for
31 the purpose of performing their authorized duties.

32 SECTION 132: The director shall have the responsibil-

1 ity of administering, implementing and enforcing all of the pro-
2 visions of this Chapter. However, any power that is granted to,
3 or duty that is imposed upon, the director may be delegated by
4 him to any other person who is in the employ of the City's
5 Department of Public Works.

6 SECTION 133: (A) The noncompliance with the discharge
7 requirements of the wastewater contribution permit of any
8 industrial user may be determined by an analysis of a grab (for
9 pH only) or composite sample of the effluent from such industrial
10 user's facilities for any constituent or condition that is spe-
11 cified in such permit or in Section ____ of this Ordinance.

12 (B) If the effluent of an industrial user is found by
13 an analysis of the sample to be in excess of the concentrations,
14 mass emission rates or conditions that are specified in such
15 industrial user's wastewater contribution permit or in Section
16 ____ of this Ordinance, such industrial user shall pay to the City
17 the noncompliance fees that are specified in the City's schedule
18 of fees and charges that are set forth in a separate resolution
19 that is adopted by the City Council.

20 (C) The noncompliance fees shall continue to accumulate
21 for each day, not to exceed ten working days, until such
22 industrial user has demonstrated, to the satisfaction of the
23 director, compliance with the conditions of its wastewater
24 contribution permit.

25 (D) A subsequent composite sample will be taken within
26 thirty days after the taking of the first composite sample, which
27 subsequent sample will also subject such industrial user to the
28 payment of noncompliance fees if it is also found to be in non-
29 compliance. If such subsequent sample reveals noncompliance, a
30 sampling and evaluation program for such industrial user's faci-
31 lities may be initiated by the City in accordance with Section
32 ____ of this Ordinance.

1 SECTION 134: (A) If a sampling and evaluation program
2 that is established for the facilities of any industrial user
3 reveals noncompliance by such industrial user with the con-
4 centrations, mass emission rates or conditions that are specified
5 in the wastewater contribution permit of such industrial user or
6 in Section ____ of this Ordinance, such industrial user shall pay
7 the fees that are specified in the City's schedule of fees and
8 charges that are set forth in a separate resolution that is
9 adopted by the City Council and may be assessed all of the other
10 costs that are incurred by the City during such sampling and eva-
11 luation program, including without limitation the costs of labor,
12 equipment, materials and overhead. The fees that are specified
13 shall be retroactive to the date that the sampling and evaluation
14 program was initiated.

15 (B) The noncompliance fees shall continue to accumulate
16 for each day, not to exceed ten working days, until such
17 industrial user has demonstrated to the satisfaction of the
18 director compliance with the conditions of such industrial user's
19 wastewater contribution permit.

20 (C) If noncompliance by such industrial user with the
21 concentrations, mass emission rates or conditions that are spe-
22 cified in such industrial user's wastewater contribution permit
23 or Section ____ of this Ordinance is determined, the director may
24 proceed with any one or more of the following actions:

- 25 (1) Amend the existing permit to comply with a
26 compliance schedule, which may be accomplished
27 after consultation with such industrial user,
28 but only if such industrial user has shown
29 good faith in attempting to comply with the
30 conditions of its permit but requires addi-
31 tional time for the construction or acquisi-
32 tion, or both, of equipment that is related to

1 pretreatment. If such permit is so amended,
2 the period during which such amended permit is
3 valid shall not exceed one hundred eighty
4 days; provided, however, that that period may
5 be extended for an additional period of not to
6 exceed one hundred eighty days upon the deter-
7 mination by the director that good cause
8 exists for such extension. No further exten-
9 sion shall be granted except upon approval of
10 the City Council. Any condition of the
11 compliance schedule that is not acceptable to
12 such industrial user are subject to the provi-
13 sions of this Chapter that relate to requests
14 for reconsideration and appeals.

15 (2) Issue a cease and desist order, prohibiting
16 such industrial user to discharge industrial
17 wastewater from its facilities into the
18 system, the City's storm drain system or the
19 waters of the State, if corrective action is
20 not taken within a reasonable period after the
21 completion of the sampling and evaluation
22 program and the notification of such indus-
23 trial user of the expiration of the compliance
24 schedule and such industrial user is still not
25 in compliance with the conditions of its per-
26 mit.

27 (3) Commence any enforcement action that is
28 authorized by this Chapter.

29 (D) The payment of noncompliance fees will not bar the
30 City from undertaking any other enforcement procedure that is
31 specified in this Chapter.

32 SECTION 135: (A) The director may suspend a waste-

1 water contribution permit when such suspension is necessary in
2 order to stop a discharge which presents an imminent hazard to
3 the public health and safety or the welfare of the local environ-
4 ment or which, either alone or by interaction with other
5 discharges, presents an imminent hazard to the system, the City's
6 storm drain system or the waters of the State or places the City
7 in violation of its NPDES permit.

8 (B) Any industrial user who is notified of a suspension
9 of its wastewater contribution permit shall immediately cease and
10 desist the discharge of all industrial wastewater from its facil-
11 ities into the system, the City's storm drain system or the
12 waters of the State.

13 (C) If such industrial user fails to comply voluntarily
14 with the suspension order, the director may take such action as
15 may be reasonably necessary in order to ensure immediate
16 compliance with such order, including without limitation the
17 immediate blockage or the disconnection of such industrial user's
18 connection to the system.

19 (D) In addition, the director, in the event of any
20 violation of this Chapter by any industrial user, may serve such
21 industrial user with a notice of an intended order of suspension
22 which states the reasons therefor, notifies the industrial user
23 of its opportunity for a hearing with respect thereto and
24 establishes the proposed effective date of the intended order.

25 (E) Any industrial user whose wastewater contribution
26 permit is suspended or who is served with a notice of an intended
27 order for the suspension of its wastewater contribution permit
28 may file with the director a request for a hearing with respect
29 thereto; provided, however, that the filing of such a request
30 shall not stay the existing or proposed suspension. In the event
31 of the suspension of a permit because of an imminent hazard that
32 is related to the continued discharge, the industrial user may

1 request a hearing before the City Manager, and the City Manager
2 shall conduct such hearing within three working days after his
3 receipt of such request.

4 (F) If a hearing is requested with respect to an
5 existing or proposed suspension, other than the suspension of a
6 permit because of an imminent hazard, the director shall hold a
7 hearing with respect to such suspension within fourteen days
8 after his receipt of such request. At the close of the hearing
9 the director shall make his determination concerning whether to
10 affirm, to terminate or conditionally to terminate the suspen-
11 sion, or the director may order that the permit be revoked in
12 accordance with Section ____ of this Ordinance. Except in the
13 case of a hearing with respect to the suspension of a permit
14 because of an imminent hazard, reasonable notice of the hearing
15 shall be given to such industrial user no less than five working
16 days prior to the date of the hearing.

17 (G) The director may terminate the suspension of any
18 suspended wastewater contribution permit upon proof of the
19 compliance by the industrial user to whom the same was issued
20 with the conditions of such permit which ends the emergency
21 nature of the hazard that had caused the director to initiate the
22 suspension; provided, however, that the director must be
23 satisfied that such industrial user will henceforth comply with
24 all of the discharge requirements that are set forth in this Sec-
25 tion, the City's rules and regulations that relate to the
26 discharge of wastewater and any lawful order that is issued pur-
27 suant to this Chapter.

28 SECTION 136: (A) The director may revoke a wastewater
29 contribution permit upon a finding that the industrial user to
30 whom the same has been issued has violated any provision of this
31 Chapter or any of the City's rules and regulations that relate to
32 the discharge of wastewater; provided, however, that no such

1 revocation shall be ordered until a notice and the opportunity
2 for a hearing with respect to the proposed revocation before the
3 director has been provided in the manner that is set forth in
4 Section ____ of this Ordinance.

5 (B) Any industrial user whose wastewater contribution
6 permit has been revoked shall immediately cease and desist the
7 discharge of all industrial wastewater from its facilities into
8 the system, the City's storm drain system or the waters of the
9 State. In order to enforce such revocation, the director may
10 disconnect or permanently block such industrial user's connection
11 to the system, if such action is deemed by him to be reasonably
12 necessary in order to ensure such industrial user's compliance
13 with the order of revocation.

14 (C) After the revocation of any industrial user's
15 wastewater contribution permit, there shall be no further
16 discharge of industrial wastewater from such industrial user's
17 facilities into the system, the City's storm drain system or the
18 waters of the State unless an application for a new wastewater
19 contribution permit has been filed, all of the fees and charges
20 that are required in connection with an initial application and
21 all delinquent fees, charges, penalties and other sums that are
22 owed by such industrial user or the applicant for the new permit,
23 or both, have been paid to the City and a new wastewater contri-
24 bution permit has been issued. Such industrial user or the
25 applicant for the new permit, or both, shall also reimburse the
26 City for any cost that was incurred by the City, including
27 without limitation administrative costs and investigative fees,
28 in revoking such permit and disconnecting or blocking such
29 industrial user's connection to the system before the issuance of
30 a new wastewater contribution permit.

31 SECTION 137: (A) The notice of the hearing with
32 respect to a proposed suspension or revocation of a wastewater

1 contribution permit shall be given to the industrial user to whom
2 such permit has been issued at least fifteen days prior to the
3 date of the hearing. Except as it may be otherwise provided
4 elsewhere in this Chapter, any notice that is required to be
5 given by the director pursuant to this Section shall be in
6 writing and shall be delivered in person to such industrial user
7 or served by registered or certified mail that is addressed to
8 such industrial user at its last known address, return receipt
9 requested. If no address for such industrial user is known, ser-
10 vice of such notice may be made upon the owner of record of the
11 property upon which the violation is alleged to have occurred or
12 by posting such notice in a conspicuous place on such property.
13 Any such notice shall be deemed to have been duly given at the
14 time that it is delivered in person to such industrial user,
15 deposited, postage prepaid, with the United States Postal Service
16 and addressed to such industrial user or to the owner of the pro-
17 perty upon which the violation is alleged to have occurred or
18 posted on such property, as the case may be.

19 (B) The director shall conduct the hearing with respect
20 to the proposed suspension or revocation of such wastewater
21 contribution permit, and the industrial user to whom such permit
22 has been issued may appear at such hearing, either personally or
23 through counsel, and present evidence in its behalf.

24 (C) After considering the evidence that is presented at
25 such hearing, the director shall issue his order with respect to
26 the suspension or revocation of the wastewater contribution per-
27 mit in question. If the order is to revoke such permit, the
28 order may be effective forthwith or at any later date that is
29 specified therein, and the industrial user shall be notified in
30 writing of the director's order.

31 SECTION 138: The director shall have the full power
32 and authority to take any necessary precaution, including without

1 limitation ordering the decontamination, sewer closure,
2 packaging, diking or transportation, or any combination thereof,
3 of materials, that is deemed by him to be reasonably necessary in
4 order to protect life or property or to prevent further damage
5 that may result from a condition which is likely to result in a
6 discharge which presents an imminent hazard to the public health
7 and safety or the welfare of the environment, which discharges
8 either alone or by interaction with other discharges, prevents
9 an imminent hazard to the system or which places the City in
10 violation of its NPDES permit. In implementing such pre-
11 cautionary measure or measures, the personnel of the City, any
12 party with which the City has contracted for such purpose or a
13 duly authorized representative of any other government agency
14 shall have immediate access to the premises on which such con-
15 dition exists. The director may prohibit the approach to the
16 premises on which such condition exists by any person, vehicle,
17 vessel or thing, and all persons who are not actually employed in
18 the abatement of such condition or in the preservation of life or
19 property on, or in the vicinity of, such premises may be excluded
20 from such premises.

21 SECTION 139: (A) A industrial user who wishes to
22 assert the affirmative defense that an alleged violation is the
23 result of an upset shall demonstrate, through properly signed
24 contemporaneous operating logs or other relevant evidence, that:

- 25 (1) The upset occurred and that the industrial
26 user can identify the specific cause or causes
27 thereof;
- 28 (2) The facilities at which the violation is
29 alleged to have occurred were, at the time
30 that the violation allegedly occurred, being
31 properly operated;
- 32 (3) The industrial user submitted notice of the

1 upset to the director within the time and
2 accompanied by the information that is spe-
3 cified in Section ____ of this Ordinance; and

4 (4) The industrial user complied with any remedial
5 measure that is required in order to minimize
6 or correct any adverse impact on the environ-
7 ment that could have resulted from the upset.

8 (B) In any enforcement proceeding, an industrial user
9 who seeks to establish the occurrence of an upset shall have the
10 burden of proof. Such industrial user shall control the produc-
11 tion of all discharges from its facilities to the extent that may
12 be necessary in order to maintain compliance with the Federal and
13 State pretreatment standards upon the reduction or loss of capa-
14 city in, or failure of, its pretreatment facilities until such
15 pretreatment facilities are restored or an alternative method of
16 pretreatment is provided. This requirement for the control of
17 production of discharges applies in the situation in which, among
18 other things, the primary source of the pretreatment facilities
19 is reduced, lost or fails.

20 SECTION 140: (A) Any user, applicant for a permit or
21 holder of a permit who is affected by any decision, action or
22 determination made by the director in the interpretation or the
23 implementation of the provisions of this Chapter or in any permit
24 that is issued hereunder may file with the director a written
25 request for the reconsideration of such decision, action or
26 determination within fifteen days after its receipt of notice
27 thereof in which such user sets forth in detail the facts that
28 support the user's request for reconsideration. Such facts must
29 include a statement that sets forth any newly discovered relevant
30 fact that was not known or was unavailable to the user at the
31 time of the hearing. The director shall render a written deci-
32 sion with respect to such request within fifteen days after his

1 receipt thereof.

2 (B) A fee which will be established in the schedule of
3 fees and charges that is set forth in a separate resolution that
4 is adopted by the City Council shall accompany each request for
5 reconsideration. Such fee may, in the sole discretion of the
6 director, be refunded if the director's ruling with respect to
7 such request is in favor of the user.

8 (C) If the ruling of the director with respect to a
9 request for reconsideration is unacceptable to the user who made
10 such request, such user may, within ten working days after the
11 date of its receipt of the notification of the director's ruling,
12 file a written appeal to the City Council.

13 (D) A fee which will be established in the schedule of
14 fees and charges that is set forth in a separate resolution that
15 is adopted by the City Council shall accompany any such appeal.
16 Any fee may, in the sole discretion of the City Council, be
17 refunded if the City Council's ruling with respect to such appeal
18 is in favor of the user.

19 (E) The appeal shall be heard by the City Council
20 within forty-five days after the date on which the same was
21 filed, and the City Council shall make a final ruling with
22 respect to such appeal within forty-five days after such hearing
23 is concluded.

24 SECTION 141: (A) In the event of any violation by a
25 user of its wastewater contribution permit, if any, or of any
26 provision of this Chapter, for which violation the director is
27 authorized by this Chapter to issue a compliance order pursuant
28 to this Section, the director is authorized to commence a civil
29 action against such user for appropriate relief, including
30 without limitation civil penalties or a temporary and permanent
31 injunction against the perpetuation of such violation, or both,
32 or to impose administrative penalties upon such user for such

1 violation in accordance with Section ____ of this Ordinance.

2 (B) A user shall be liable for such civil penalties
3 under any of the following circumstances:

- 4 (1) The failure of such user accurately to report
5 the wastewater constituents and charac-
6 teristics of its discharge;
- 7 (2) The failure of such user to report significant
8 changes in its operations that could affect
9 the wastewater constituents and charac-
10 teristics of its discharge;
- 11 (3) The refusal of such user to permit access by
12 the authorized personnel of the City to such
13 user's premises for the purposes of inspection
14 or monitoring, or both;
- 15 (4) The failure of such user to submit any self-
16 monitoring report on or before the date on
17 which such report was due;
- 18 (5) The failure of such user to report, in a
19 timely manner, its proposed interim or per-
20 manent remedial or corrective action in the
21 event of a violation of the discharge limits
22 for the parameters that are noted in such
23 user's self-monitoring report;
- 24 (6) The failure of such user to submit, in a
25 timely manner, a report with respect to its
26 proposed interim or permanent remedial or
27 corrective action and a time schedule in the
28 event that a notice of violation is issued by
29 the director and such report is required by
30 such notice;
- 31 (7) The failure of such user to maintain all of
32 the required monitoring equipment in good

1 working order at all times;

2 (8) The failure of such user to comply with any of
3 the conditions of its wastewater contribution
4 permit, if any; and

5 (9) The failure of such user to comply with any of
6 the provisions of this Chapter.

7 (C) Whenever, on the basis of the information that is
8 available, the director finds that any user is in violation of
9 any of the provisions of this Chapter, any condition of such
10 user's wastewater contribution permit, if any, or any limitation
11 that implements any of the conditions of any such permit, the
12 director shall issue an order that requires such user to comply
13 with such provision, condition or limitation, or any combination
14 thereof, and advises such user that, upon its failure to comply
15 with such order, the director will bring a civil action in accor-
16 dance with this Section.

17 (D) Any order which the director issues pursuant to
18 this Section shall be in writing and shall be delivered in person
19 to such user or served by registered or certified mail that is
20 addressed to such user at its last known address, return receipt
21 requested, shall state with reasonable specificity the nature of
22 the violation in respect of which such order is issued and shall
23 specify a period in which compliance therewith is required, which
24 period shall not exceed thirty days, in the case of a violation
25 of an interim compliance schedule or operation and maintenance
26 requirement, and not to exceed the period that the director
27 determines is reasonable, in the case of a violation of a final
28 deadline. In determining such period, the director shall con-
29 sider the seriousness of the violation and any good faith effort
30 on the part of such user to comply with the applicable require-
31 ments.

32 (E) In any civil action that is brought by the director

1 for enforcement of the provisions of this Chapter, the director
2 shall seek the imposition of a civil penalty upon the user
3 against whom the action is brought in an amount that is not less
4 than one thousand dollars nor more than twenty-five thousand
5 dollars for each day that each such violation continues. In
6 determining the amount of a civil penalty that is to be imposed,
7 following a finding by the court of liability, the court shall
8 consider the circumstances, extent and gravity of the violation
9 in respect of which such action is brought, the economic benefit,
10 if any, that has inured to such user as the result of such viola-
11 tion, any history of similar violations, the degree of culpabil-
12 ity of such user, any good faith effort on the part of such user
13 to comply with the applicable requirements, the potential econo-
14 mic impact of the penalty upon such user and such other matters
15 as justice may require.

16 (F) The civil and administrative penalties that are
17 provided for in this Section and in Section ____ of this Ordi-
18 nance, respectively, and the seeking or imposition thereof, shall
19 be in addition to, and not in substitution for, any criminal
20 penalty that may be imposed for the violation that forms the sub-
21 ject matter of any such civil or administrative relief and in
22 addition to, and not in substitution for the invocation of the
23 provisions of this Chapter that authorize the suspension or revo-
24 cation of such user's wastewater contribution permit as the
25 result of such violation.

26 SECTION 142: (A) Whenever, on the basis of the infor-
27 mation that is available, the director finds that any user is in
28 violation of any of the provisions of this Chapter, any condition
29 of such user's wastewater contribution permit, if any, or any
30 limitation that implements any of the conditions of any such per-
31 mit, the director may assess an administrative penalty in an
32 amount that is not less than one thousand dollars nor more than

1 ten thousand dollars for each day that each such violation con-
2 tinues, unless a different administrative penalty for any of such
3 violations is established in the schedule of fees and charges
4 that is set forth in a separate resolution that is adopted by the
5 City Council.

6 (B) Before assessing any administrative penalty pur-
7 suant to this Section, the director shall give the user upon whom
8 such penalty is to be imposed written notice of the proposed
9 assessment and the opportunity to request, within thirty days
10 after the date on which such notice is received by it a hearing
11 with respect to the proposed order of assessment.

12 (C) In determining the amount of any penalty assessed
13 pursuant to this Section, the director shall consider the nature,
14 circumstances, extent and gravity of the violation in respect of
15 which such penalty is proposed to be assessed, the economic bene-
16 fit, if any, that has inured to such user as the result of such
17 violation, any good faith effort on the part of such user to
18 comply with the applicable requirements, the potential economic
19 impact of the penalty upon such user, any history of similar
20 violations, the degree of culpability of such user and such other
21 matters as justice may require.

22 (D) An order which imposes an administrative penalty
23 pursuant to this Section shall become final thirty days after its
24 issuance.

25 (E) The failure of such user to pay any administrative
26 penalty that is imposed by the director pursuant to this Section
27 within thirty days after the imposition thereof shall be ground-
28 for the suspension or revocation of such user's wastewater
29 contribution permit, if any, as well as any other remedy that is
30 available under this Chapter for terminating such user's ability
31 to discharge or cause to be discharged wastewater from its facil-
32 ities into the system. In addition, the user's failure timely to

1 pay the assessment shall result in the imposition of an addi-
2 tional penalty for such nonpayment in an amount that is equal to
3 twenty percent of the original amount of such assessment, plus
4 the amount of the attorneys' fees and court costs that the City
5 may incur in collecting such assessment and penalty.

6 SECTION 143: (A) Any person who negligently or
7 wilfully violates any of the provisions of this Chapter is guilty
8 of a misdemeanor, and each day during which such violation con-
9 tinues constitutes a separate offense.

10 (B) Any person who negligently or wilfully introduces
11 or causes to be introduced into the system any pollutant or
12 hazardous substance which such person knew, or with the exercise
13 of reasonable diligence would have known, could cause personal
14 injury or property damage or, unless such action is necessary in
15 order for such person to comply with all applicable Federal,
16 State and local requirement or permit, which causes the City's
17 sewage treatment plant to violate any effluent limitation or con-
18 dition of any permit that has been issued to the City pursuant to
19 the Clean Water Act is guilty of a misdemeanor, and each day
20 during which such person continues to introduce or cause to be
21 introduced such pollutant or substance into the system shall
22 constitute a separate offense.

23 (C) Any person who knowingly makes a false statement,
24 representation or certification of any material fact in any
25 application, record, report, plan or other document that is filed
26 or required to be maintained pursuant to this Chapter or who
27 knowingly falsifies, tampers with or renders inaccurate any moni-
28 toring device or method that is required by this Chapter to be
29 maintained is guilty of a misdemeanor.

30 SECTION 144: The City shall cause a list of the names
31 of the industrial users who become significant violators to be
32 published once each year in a newspaper of general circulation

1 that is published within the City.

2 SECTION 145: Any fee, assessment or penalty that is
3 imposed pursuant to this Chapter which remains unpaid for a
4 period that exceeds thirty days after the same became due shall,
5 upon the expiration of such thirty-day period, constitute a per-
6 petual lien on and against the premises which are subject to such
7 fee, assessment or penalty as well as constituting a debt that is
8 owing to the City by the user upon whom such fee, assessment or
9 penalty is imposed and the owner of record of such premises, if
10 such owner is someone other than the user. The City may bring a
11 civil action in any court of competent jurisdiction to recover
12 such fee, assessment or penalty, or any combination thereof,
13 together with interest thereon, and may enforce such lien by
14 recording a notice thereof with the County Recorder upon the
15 expiration of such thirty-day period and foreclosing the same
16 against the premises that are subject to such lien in the same
17 manner as is provided by the laws of the State for the foreclo-
18 sure of mechanics' liens.

19 SECTION 146: In order to provide for the recovery by
20 the City of its costs that are related to the discharge of
21 industrial wastewater to the system and for the enforcement of
22 the provisions of this Chapter, or both, the City shall establish
23 a schedule of fees and charges by the adoption by the City Coun-
24 cil of a separate resolution. Such schedule may establish a spe-
25 cific amount for any fee, charge, assessment, penalty or other
26 cost that is related to the discharge of industrial wastewater to
27 the system or the enforcement of the provisions of this Chapter,
28 or both, including without limitation:

29 (A) Permit application fees;

30 (B) Compliance monitoring fees;

31 (C) Surcharges that are based upon the quantity of the
32 flow or the BOD and suspended solids content thereof, or both;

1 (D) Administrative penalties;

2 (E) Fees for filing requests for reconsideration and
3 appeals; and

4 (F) Fees for the disposal of special wastes.

5 SECTION 147: All fees, charges, assessments and
6 penalties that are imposed pursuant to the provisions of this
7 Chapter or the approved schedule of fees and charges that is
8 established in accordance with Section ____ of this Ordinance
9 shall be due and payable upon receipt of notice thereof. All
10 such fees, charges, assessments and penalties shall be and become
11 delinquent forty-five days after the mailing or delivering of a
12 notice with respect thereto to the last known mailing address of
13 the person who is subject to the same.

14 SECTION 148: The City shall keep a permanent and
15 accurate account of all fees, charges, assessments and penalties
16 that are received by it under this Chapter, which account shall
17 include the name and address of each person who paid any such
18 fee, charge, assessment or penalty or on whose behalf the same
19 was paid, the date of such payment and amount thereof and the
20 purpose for which the same was paid.

21 SECTION 149: Except as may be otherwise provided in
22 this Chapter, whenever any fee, charge, assessment or penalty
23 that is required by this Chapter to be paid is based upon an
24 estimated value or an estimated quantity, the City shall make
25 such determination in accordance with generally recognized prac-
26 tices.

27 SECTION 150: Whenever a different delinquency charge
28 with respect to a specific fee, charge or assessment is not pro-
29 vided elsewhere in this Chapter, any fee, charge or assessment
30 that becomes delinquent shall have added to it a basic
31 delinquency charge that is equal to ten percent of the fee,
32 charge or assessment that became delinquent, and thereafter an

1 additional delinquency charge shall accrue on the total amount
2 that is due, including the aforesaid ten percent basic
3 delinquency charge, at the rate of one-half of one percent per
4 month until the amount of such fee, charge or assessment,
5 together with all applicable delinquency charges, is paid in
6 full.

7 SECTION 151: Any action that is brought by the City
8 for the purpose of collecting any fee, charge, assessment or
9 penalty that is provided for in this Chapter may, in the discre-
10 tion of the City Council, include a prayer for an injunction to
11 prevent repeated and recurring violations of this Chapter.

12 SECTION 152: Title 14, Chapter 16, of the Municipal
13 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby
14 repealed in its entirety.

15 SECTION 153: If any section, subsection, subdivision,
16 paragraph, sentence, clause or phrase in this Ordinance or any
17 part thereof, is for any reason held to be unconstitutional or
18 invalid or ineffective by any court of competent jurisdiction,
19 such decision shall not affect the validity or effectiveness of
20 the remaining portions of this ordinance or any part thereof.
21 The City Council of the City of Las Vegas, Nevada, hereby
22 declares that it would have passed each section, subsection, sub-
23 division, paragraph, sentence, clause or phrase thereof irrespec-
24 tive of the fact that any one or more sections, subsections, sub-
25 divisions, paragraphs, sentences, clauses or phrases be declared
26 unconstitutional, invalid or ineffective.

27 SECTION 154: Whenever in this Ordinance any act is
28 prohibited or is made or declared to be unlawful or an offense or
29 a misdemeanor, or whenever in this ordinance the doing of any act
30 is required or the failure to do any act is made or declared to
31 be unlawful or an offense or a misdemeanor, the doing of any such
32 prohibited act or the failure to do any such required act shall

1 constitute a misdemeanor and upon conviction thereof, shall be
2 punished by a fine of not more than \$1,000.00 or by imprisonment
3 for a term of not more than six (6) months, or by any combination
4 of such fine and imprisonment. Any day of any violation of this
5 Ordinance shall constitute a separate offense.

6 SECTION 155: All ordinances or parts of ordinances,
7 sections, subsections, phrases, sentences, clauses or paragraphs
8 contained in the Municipal Code of the City of Las Vegas, Nevada,
9 1983 Edition, in conflict herewith are hereby repealed.

10 PASSED, ADOPTED AND APPROVED this ____ day of _____,
11 1989.

12 APPROVED:

13 By _____
14 RON LURIE, MAYOR

15 ATTEST:

16 KATHLEEN M. TIGHE, CITY CLERK
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The above and foregoing Ordinance was first proposed and read by title to the City Council on the ____ day of _____, 1989, and referred to the following committee composed of

_____ and _____

for recommendation; thereafter the said committee reported favorably on said Ordinance on the ____ day of _____, 1989,

which was a _____ meeting of said Council; that at said

_____ meeting, the proposed Ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

By RON LURIE, MAYOR

ATTEST:

KATHLEEN M. TIGHE, CITY CLERK

RECEIVED
AFFIDAVIT OF PUBLICATION

STATE OF NEVADA,
COUNTY OF CLARK

{ ss. AUG 4 4 47 PM '89

Joan Pollack

CITY CLERK

, being first duly sworn,

deposes and says: That he is Legal Clerk of the
LAS VEGAS SUN, a daily newspaper of general circulation, printed and published
at Las Vegas, in the County of Clark, State of Nevada, and that the attached was
continuously published in said newspaper for a period of (1) Time

from July 7, 1989 to July 7, 1989

inclusive, being the issues of said newspaper for the following dates, to-wit:

July 7

That said newspaper was regularly issued and circulated on each of the dates
above named.

Signed

Joan Pollack

Subscribed and sworn to before me this 7th
day of July, 1989

Sharon R. Copley

Notary Public in and for Clark County, Nevada

My Commission Expires



Notary Public-State Of Nevada
COUNTY OF CLARK
SHARON R. COPLEY
My Commission Expires
Feb. 7, 1993

Legal Notices

No. 47002

FIRST AMENDMENT
BILL NO. 89-42
Ordinance No. —

AN ORDINANCE RELATING TO
WASTEWATER COLLECTION AND
TREATMENT; AMENDING TITLE 14
OF THE MUNICIPAL CODE OF THE
CITY OF LAS VEGAS, NEVADA,
1983 EDITION, BY ADDING
THERETO A NEW CHAPTER PRO-
VIDING REGULATIONS CONCERN-
ING THE DISCHARGE OF
INDUSTRIAL WASTES INTO THE
WASTEWATER COLLECTION AND
TREATMENT SYSTEM OF SAID
CITY; REPEALING CHAPTER 16 OF
SAID TITLE; PROVIDING FOR
OTHER MATTERS PROPERLY RE-
LATING THERETO; PROVIDING
PENALTIES FOR THE VIOLATION
HEREOF; AND REPEALING ALL
ORDINANCES OR PARTS OF OR-
DINANCES IN CONFLICT HERE-
WITH.

Summary: Provides Regulations for
Discharge of Industrial Wastes into
Wastewater Collection and
Treatment System

Sponsored by: Mayor Ron Lurie

At a City Council meeting July 3,
1989 BILL NO. 89-42 WAS READ
BY TITLE AND REFERRED TO REC-
OMENDING COMMITTEE: Mayor
Lurie and Councilman Higginson

COPIES OF THE COMPLETE OR-
DINANCE ARE AVAILABLE FOR
PUBLIC INFORMATION IN THE OF-
FICE OF THE CITY CLERK, 10TH
FLOOR, CITY HALL, 400 EAST
STEWART AVENUE, LAS VEGAS,
NEVADA.

RUB: July 7, 1989
Las Vegas SUN

No. 51971

FIRST AMENDMENT
BILL NO. 89-42
Ordinance No. 3447

AN ORDINANCE RELATING TO WASTEWATER COLLECTION AND TREATMENT; AMENDING TITLE 14 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY ADDING THERETO A NEW CHAPTER PROVIDING REGULATIONS CONCERNING THE DISCHARGE OF INDUSTRIAL WASTES INTO THE WASTEWATER COLLECTION AND TREATMENT SYSTEM OF SAID CITY; REPEALING CHAPTER 18 OF SAID TITLE; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION; HEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Summary: Provides Regulations for Discharge of Industrial Wastes Into Wastewater Collection and Treatment System

Sponsored by: Mayor Ron Lurie

The above and foregoing amended ordinance was first proposed and read by title to the City Council on the 21st day of June, 1989, and referred to the following committee composed of Mayor Lurie and Councilman Higginson, for recommendation; thereafter the said committee reported favorably on said amended ordinance on the 19th day of July, 1989, which was a regular meeting of said City Council; that at said regular meeting the proposed ordinance was read by title to the City Council as amended and adopted by the following vote: VOTING "AYE" Councilmen: Adamsen, Higginson, Miller, Nolen; and Mayor Lurie. VOTING "NAY" Councilmen: NONE. ABSENT: NONE

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 10TH FLOOR, CITY HALL, 400, EAST STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: July 22, 1989
Las Vegas SUN

RECEIVED AFFIDAVIT OF PUBLICATION

AUG 4 4 46 PM '89

STATE OF NEVADA, { ss.
COUNTY OF CLARK

Joan Pollack

CITY CLERK

, being first duly sworn,

deposes and says: That he is Legal Clerk of the LAS VEGAS SUN, a daily newspaper of general circulation, printed and published at Las Vegas, in the County of Clark, State of Nevada, and that the attached was continuously published in said newspaper for a period of (1) Time

from July 22, 1989 to July 22, 1989

inclusive, being the issues of said newspaper for the following dates, to-wit:

July 22

That said newspaper was regularly issued and circulated on each of the dates above named.

Signed

Joan Pollack

Subscribed and sworn to before me this 22nd
day of July, 1989

Sharon R. Copley

Notary Public in and for Clark County, Nevada

My Commission Expires



Notary Public-State Of Nevada
COUNTY OF CLARK
SHARON R. COPLEY
My Commission Expires
Feb. 7, 1993

No. 51971

FIRST AMENDMENT,
BILL NO. 89-42
Ordinance No. 3447

AN ORDINANCE RELATING TO WASTEWATER COLLECTION AND TREATMENT; AMENDING TITLE 14 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY ADDING THERETO A NEW CHAPTER PROVIDING REGULATIONS CONCERNING THE DISCHARGE OF INDUSTRIAL WASTES INTO THE WASTEWATER COLLECTION AND TREATMENT SYSTEM OF SAID CITY; REPEALING CHAPTER 18 OF SAID TITLE; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Summary: Provides Regulations for Discharge of Industrial Wastes into Wastewater Collection and Treatment System

Sponsored by: Mayor Ron Lurie

The above and foregoing amended ordinance was first proposed and read by title to the City Council on the 21st day of June, 1989, and referred to the following committee composed of Mayor Lurie and Councilman Higginson, for recommendation; thereafter the said committee reported favorably on said amended ordinance on the 19th day of July, 1989, which was a regular meeting of said City Council; that at said regular meeting the proposed ordinance was read by title to the City Council as amended and adopted by the following vote:
VOTING "AYE" Councilmen: Adamsen, Higginson, Miller, Nolen, and Mayor Lurie
VOTING "NAY" Councilmen: NONE
ABSENT: NONE

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 10TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: July 22, 1989
Las Vegas SUN

RECEIVED AFFIDAVIT OF PUBLICATION

STATE OF NEVADA,
COUNTY OF CLARK

AUG 4 4 46 PM '89

ss.

Joan Pollack
CITY CLERK

, being first duly sworn,

deposes and says: That he is Legal Clerk of the LAS VEGAS SUN, a daily newspaper of general circulation, printed and published at Las Vegas, in the County of Clark, State of Nevada, and that the attached was continuously published in said newspaper for a period of (1) Time

from July 22, 1989 to July 22, 1989

inclusive, being the issues of said newspaper for the following dates, to-wit:

July 22

That said newspaper was regularly issued and circulated on each of the dates above named.

Signed

Subscribed and sworn to before me this 22nd day of July, 1989

My Commission Expires

Notary Public in and for Clark County, Nevada
Notary Public-State Of Nevada
COUNTY OF CLARK
SHARON R. COPLEY
My Commission Expires
Feb. 7, 1993



084961

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AFFIDAVIT OF PUBLICATION

AUG 4 4 47 PM '89

STATE OF NEVADA,
COUNTY OF CLARK

ss.

CITY CLERK

Joan Pollack

, being first duly sworn,

Legal Clerk

deposes and says: That he is _____ of the
LAS VEGAS SUN, a daily newspaper of general circulation, printed and published
at Las Vegas, in the County of Clark, State of Nevada, and that the attached was
continuously published in said newspaper for a period of (1) Time

from July 7, 1989

to July 7, 1989

inclusive, being the issues of said newspaper for the following dates, to-wit:

July 7

That said newspaper was regularly issued and circulated on each of the dates
above named.

Signed

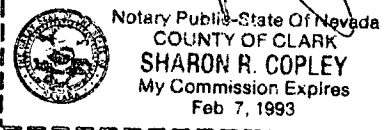
Joan Pollack

Subscribed and sworn to before me this July 7th
day of 1989

Sharon R. Copley

Notary Public in and for Clark County, Nevada

My Commission Expires



Legal Notices

No. 47002

FIRST AMENDMENT

BILL NO. 89-42
Ordinance No. ---

AN ORDINANCE RELATING TO WASTEWATER COLLECTION AND TREATMENT; AMENDING TITLE 14 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY ADDING THERETO A NEW CHAPTER PROVIDING REGULATIONS CONCERNING THE DISCHARGE OF INDUSTRIAL WASTES INTO THE WASTEWATER COLLECTION AND TREATMENT SYSTEM OF SAID CITY; REPEALING CHAPTER 16 OF SAID TITLE; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Summary: Provides Regulations for Discharge of Industrial Wastes Into Wastewater Collection and Treatment System

Sponsored by: Mayor Ron Lurie

At a City Council meeting July 3, 1989 BILL NO. 89-42 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE: Mayor Lurie and Councilman Higginson

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 10TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: July 7, 1989
Las Vegas SUN



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