

601.3 Preventive Measures. Any direct or indirect connection on entry point for persistent or deleterious wastes to the User's plumbing or drainage system should be eliminated. Where such action is impractical or unreasonable the user shall appropriately label such entry points to warn against discharge of such wastes in violation of this Ordinance.

602. Issuance of Cease and Desist Orders

When the Agency finds that a discharge of wastewater has taken place, in violation of prohibitions or limitations of this Ordinance, or the provisions of a Wastewater Discharge Permit, the Superintendent may issue an order to cease and desist and direct that those persons not complying with such prohibitions, limits, requirements, or provisions to:

- a. Comply forthwith;
- b. Comply in accordance with a time schedule set forth by the Agency, or
- c. Take appropriate remedial or preventive action in the event of a threatened violation.

603. Submission of Time Schedule

When the Agency finds that a discharge of wastewater has been taking place, in violation of prohibitions or limitations prescribed in this Ordinance, or wastewater source control requirements, effluent limitations or pretreatment standards, or the provisions of a Wastewater Discharge Permit, the Agency may require the user to submit for approval, with such modifications as it deems necessary, a detailed time schedule of specific actions which the user shall take in order to prevent or correct a violation of requirements.

604. Appeals

Any user, permit applicant, or permit holder affected by any decision, action, or determination, including Cease and Desist Orders, made by the Superintendent, interpreting or implementing the provisions of this Ordinance or in any permit issued herein, may file with the Superintendent a written request for reconsideration within 10 days of such decision, action, or determination setting forth in detail the facts supporting the user's request for reconsideration.

If the ruling made by the Superintendent is unsatisfactory to the person requesting reconsideration, he may within 10 days after notification of Agency action, file a written appeal to the Agency's governing body. The written appeal shall be heard by the body within 30 days from the date of filing. The Agency's governing body shall make a final ruling on the appeal within 10 days at the close of the meeting. The Superintendent's decision, action, or determination shall remain in effect during such period of reconsideration.

Section
Abatement

701. Public Nuisance

Discharges of wastewater in any manner in violation of this ordinance or of any order issued by the Superintendent as authorized by this Ordinance, is hereby declared a public nuisance and shall be corrected or abated as directed by the Superintendent. Any person creating a public nuisance is guilty of a misdemeanor.

702. Injunction

Whenever a discharge of wastewater is in violation of the provisions of this Ordinance or otherwise causes or threatens to cause a condition of contamination, pollution, or nuisance, the Agency may petition the Superior Court for the issuance of a preliminary or permanent injunction or both, as may be appropriate in restraining the continuance of such discharge.

703. Damage to Facilities

When a discharge of wastes causes an obstruction, damage, or any other impairment to Agency facilities, the Agency may assess a charge against the user for the work required to clean or repair the facility and add such charge to the user's charges and fees.

704. Civil Penalties

Any person who violates any provisions of this Ordinance or permit condition or who discharges wastewater which causes pollution, or who violates any cease and desist order, prohibition, effluent limitation, normal standard of performance, pretreatment or toxicity standard shall be liable civilly to a penalty not to exceed \$10,000 for each day in which any violation occurs. The attorney of the Agency, upon order of the Agency's governing body, shall petition the Superior Court to impose, assess, and recover such sums.

705. Criminal Penalties

Any person who intentionally or negligently violates any provision of this Ordinance or permit condition or who discharges wastewater which causes pollution or who violates any cease and desist order, prohibition, effluent limitation, national standard of performance, pretreatment or toxicity standard shall be liable to a sum not to exceed \$25,000 for each day in which such violation occurs.

If the conviction is for a violation committed after the first conviction of such person, punishment shall be by a fine of not more than \$50,000 for each day in which such violation occurs or by imprisonment for not more than two (2) years in the County jail or both. The attorney of the Agency, upon order of the Agency's governing body, shall petition the Superior Court to impose, assess, and recover such sums.

706. Falsifying of Information

Any person who knowingly makes any false statements, representation, record, report, plan, or other document filed with the Agency or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this Ordinance, shall be punished by a fine of not more than \$10,000 or by imprisonment in the County jail for not more than six (6) months, or by both. The attorney of the Agency, upon order of the Agency's governing body, shall petition the Superior Court to impose, assess, and recover such sums.

707. Termination of Service

The Agency may revoke any Wastewater Discharge Permit, or terminate or cause to be terminated wastewater service to any premise if a violation of any provision of this Ordinance is found to exist or if a discharge of wastewater causes or threatens to cause a condition of contamination, pollution, or nuisance as defined in this Ordinance. This provision is in addition to other statutes, rules, or regulations, authorizing termination