

1.1.35 "Wastewater" - The water-carried waste from residences, business buildings, institutions and industrial establishments, singular or in any combination, together with such ground, surface and storm waters as may be present.

1.1.36 "Wastewater Treatment Plant" - Any arrangement of devices and structures used by the City for treatment and disposing of sewage, sludge, and other sewage constituents and products.

1.2 Bylaws and Regulations of the Utility Service Board

The Utility Service Board may adopt and enforce such reasonable regulations not in conflict herewith as it may be deemed necessary for the safe, economical and efficient management of the City's sewerage system and for the construction and use of building (or house) lateral sewers and connections to the sewerage system, which regulations may include limitations of or prohibition of introduction of storm water, surface water, and ground water into the sewerage system.

1.3 Damaging, Defacing, etc. Sewerage Works Property

A person shall not maliciously, willfully or recklessly break, damage, destroy, uncover deface or tamper with any structure, appurtenance or equipment which is a part of the City sewerage system.

1.4 Right of Entry of Superintendent and Inspector to any Premises

The Superintendent, inspector or other duly authorized employees of the City, upon reasonable notice to any person who is an owner, tenant, or occupant of any real estate, is empowered to enter, upon presentation of proper credentials, all premises for the purposes of inspection, observation, measuring, sampling and testing water, sewage, and industrial waste.

1.5 Failure to Comply with the Terms of This Ordinance

1.5.1 Accidental Discharges

A user shall notify the Superintendent immediately upon accidentally discharging chemicals, corrosive substances, or anything deleterious to the sewerage system or treatment process, or wastewaters in violation of this ordinance, to enable countermeasures to be taken by the City to minimize damage to the sewerage system and treatment processes.

This notification shall be followed within seven (7) days of the date of occurrence by a detailed written report describing the causes of the accidental discharge and the measures being taken to prevent future similar occurrences.

Such notification will not relieve users of liability for any expense, loss or damage to the sewerage system, or treatment process, or any fines or penalties imposed by the Board, which expense, loss or damage shall be paid for by the user.

A notice shall be furnished and permanently posted advising designated responsible employees to call the Superintendent in case of accidental discharge in violation of this ordinance.

1.5.2 Continued Failure to Meet Wastewater Admissibility Requirements or the Terms of Major Contributor Permits

The Board shall have the following methods of recourse in the event of repeated or willful failure by a user to meet the wastewater admissibility requirements of this ordinance. In addition, the City shall have and the Board may exercise all other legally available remedies.

1.5.2.1 Submission of Time Schedule

When the City finds that a discharge of wastewater has been taking place, in violation of the admissibility requirements prescribed in Article IV of this ordinance or the provisions of a major contributor permit, the City may require the user to submit for approval a detailed time schedule of specific actions, acceptable to the Board, which the user shall take in order to prevent or correct a violation of requirements.

1.5.2.2 Issuance of Cease and Desist Orders

When the City finds that a discharge of wastewater has taken place or is likely to take place in violation of the admissibility requirements of Article IV of this ordinance, or of a major contributor permit, the Board may issue an order to cease and desist, and may direct that the user not complying with such requirements (a) comply forthwith, (b) comply with a time schedule set forth by the Board, or (c) take appropriate remedial or preventive action.

1.5.2.3 Injunction

When the City finds that a discharge of wastewater is in violation of the admissibility requirements of Article IV of this ordinance or the provisions of a major contributor permit, or otherwise causes or threatens to cause a condition of pollution or nuisance, the Board, on behalf of the City, may petition any court of proper jurisdiction for the issuance of a preliminary or permanent injunction or both, as may be appropriate, in restraining the continuance of such a discharge.

1.5.2.4 Termination of Service

The City may revoke any major contributor permit or terminate or cause to be terminated wastewater service in whole or in part if a violation of any provision of this ordinance or the major contributor permit is found to exist, or if a discharge causes or threatens to cause a condition of pollution or nuisance as defined in this ordinance, or causes the City to violate the terms of its NPDES Permit or any state or federal law or regulation.

1.5.2.5 Administrative Appeals

Any user affected by any decisions, action, or determination, including cease and desist orders, made by the Superintendent, interpreting or implementing the provisions of this ordinance, any permit issued herein, or any regulation of the Board adopted pursuant hereto, may file with the Board a written request for review and reconsideration within ten (10) days of such a decision, action, or determination, setting forth in detail the facts supporting the user's request for reconsideration.

The appeal shall, if reasonably possible, be heard by the board within thirty (30)