

SECTION 7. PENALTIES

701. Civil Penalties. Any User who is found to have violated an Order of the USB or who has failed to comply with any provision of this Ordinance, and the regulations, or rules of the USB or orders of any court of competent jurisdiction, may be subjected to the imposition of a civil penalty according to Section 1.5.3 of City Ordinance No. 79-5.
702. Recovery of Costs Incurred by the USB. Any User violating any of the provisions of this Ordinance, or who discharges or causes a discharge producing a deposit or obstruction, or causes damage to or impairs the POTW shall be liable to the USB for any expense, loss, or damage caused by such violation of discharge. The USB shall bill the User for costs incurred by the USB for any cleaning, repair, or replacement work caused by the violation or discharge. Refusal to pay the assessed costs shall constitute a violation of this Ordinance enforceable under the provisions of Article 6 of this Ordinance.

SECTION 8. ACCESS TO PRIVATE PROPERTY

801. The Superintendent or Manager of Utilities and other duly authorized employees of the Utility bearing proper credential and identification shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this ordinance. Entry shall normally be made during daylight or operating hours or at reasonable times. The Superintendent or Manager of Utilities or his representative shall have no authority to inquire into any processes beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways of facilities for waste treatment.
802. While performing the necessary work on private properties referred to in paragraph 801 above, the Superintendent or Manager of Utilities or duly authorized employees of the Utility shall observe all safety rules applicable to the premises established by the company and the Board shall indemnify the company against loss or damage to its property by Utility employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation except as such may be caused by negligence or failure of the company to maintain safe conditions.
803. The Superintendent or Manager of Utilities and other duly authorized employees of the Utility bearing proper credentials and identification shall be permitted to enter all private properties through which the City holds a duly negotiated easement for the purpose of, but not limited to inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewerage works lying within said easement. All entry and subsequent work, if any, on said easement shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

SECTION 9. RECORDS RETENTION

901. All Users subject to this Ordinance shall retain and preserve for no less than three (3) years any records, books, documents, memoranda, reports, correspondence and any and all summaries thereof, relating to monitoring, sampling and chemical analysis made by or in behalf of a User in connection with its discharge. All records which pertain to matters which are the subject of Administrative Adjustment or any other enforcement or litigation activities brought by the USB pursuant hereto shall be retained and preserved by the User until all enforcement activities have concluded and all periods of limitation with respect