

Chapter 14
SEWERAGE*

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***Cross references**--Buildings, construction and related activities, Ch. 5; floodplain regulations, Ch. 8; public utilities systems, Ch. 13; subdivisions, Ch. 17; zoning, Ch. 22.

State law references--Power of city or county to provide stormwater, sewerage collection and disposal systems, Ga. Const., art. 9, sec. 2, par. 3; dumping certain wastes in storm or sanitary sewers prohibited, O.C.G.A. § 12-8-2; Solid Waste Management Act, O.C.G.A. § 12-8-20 et seq.; adoption of ordinances, rules and regulations relating to payment for street improvements and construction of water, gas and sewer connections; payment of costs of connections, O.C.G.A. § 36-39-7; city's authority to acquire, construct, extend, operate, maintain and collect fees for water and sewage systems, O.C.G.A. § 36-34-5; Resource Recovery Development Authorities Law, O.C.G.A. § 36-63-1 et seq.; grants of state funds to municipal corporations for public purposes, O.C.G.A. § 36-40-20 et seq.; executions for collection of assessments for laying sewers, O.C.G.A. § 48-5-358.

Section 14-0A ARTICLE I. IN GENERAL

Section 14-1 Purpose and policy.

(a) This chapter sets forth uniform requirements for use of sewers in the city and for both direct and indirect contributors into the wastewater collection and treatment system.

(b) This chapter provides for the regulation of direct and indirect contributors to the municipal wastewater system, authorizes monitoring and enforcement activities, and provides for the setting of rates for the equitable distribution of costs resulting from the program established by this chapter. This chapter shall apply to the city and to persons outside the city who, by contract or agreement with the city, are users of the waste collection and treatment system.

(Code 1958, § 19-1)

Section 14-2 Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Act or the act means the Federal Water Pollution Control Act, Public Law 92-500, as now or hereafter amended, also known as the Clean Water Act, 33 U.S.C., section 1251 et seq.

Approval authority means the State of Georgia, Department of Natural Resources, Environmental Protection Division (EPD).

Authorized representative of the user means:

- (1) If the user is a corporation:
 - a. The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or
 - b. The manager of one (1) or more manufacturing, production, or operation facilities employing more than two hundred fifty (250) persons or having gross annual sales or expenditures exceeding twenty-five million dollars (\$25,000,000.00) (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
- (2) If the user is a partnership or sole proprietorship: a general partner or proprietor, respectively;
- (3) If the user is a federal, state, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee;
- (4) The individuals described in items (1) through (3), above, may designate another authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having responsibility for environmental matters for the company, and the authorization is submitted to the city.

Biochemical oxygen demand (BOD) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty (20) degrees centigrade, expressed as milligrams per liter.

Building drain means that part of the lowest horizontal piping of a drainage system which receives the discharge from waste pipes inside the walls of the building and conveys it to the building sewer, beginning ten (10) feet outside the inner face of the building wall.

Building sewer means the extension from a building drain to the public sewer or other place of disposal.

Chemical oxygen demand (COD) means the oxygen consuming capacity of organic and inorganic matter using a strong oxidizing agent, expressed as milligrams per liter.

Chief building official means the chief building official of the city.

City manager means the city manager of the city.

Civil utilities engineer means the civil utilities engineer of the city.

Commercial user means any premises or person, other than a domestic user, who discharges compatible wastewaters to the public sewers which are domestic strength waste and similar in nature to domestic sewage (see definition of domestic user), but which do not exceed six hundred thousand (600,000) gallons per month.

Compatible pollutant means the constituents of biochemical oxygen demand, suspended solids, pH and fecal coliform bacteria, plus any additional pollutants identified in the applicable NPDES permit where the POTW is designed to treat such pollutants to the degree required by the NPDES permit.

Cooling water means the water discharged from any use such as air conditioning, cooling or refrigeration, to which the only pollutant added is heat.

Customer means a water service customer, but may also include a user of the wastewater treatment system where appropriate.

Daily maximum means the maximum value of any sample collected.

Domestic strength waste means any compatible wastes which have a maximum daily concentration not exceeding one hundred fifty-seven (157) milligrams/liter five (5) day BOD or two hundred fourteen (214) milligrams/liter of suspended solids.

Domestic user means premises or a person who discharges wastewaters to the public sewers consisting of fecal matter, urine, wash and rinse water which closely match "normal sewerage" as

to strength, and with a volume that does not exceed twenty-five thousand (25,000) gallons per month.

Effluent means the discharged flow of a treatment facility.

Environmental protection agency (EPA) means the Environmental Protection Agency of the United States.

EPA user charge means that portion of the total sewer bill which is attributable to the implementation of the EPA user charge system as set forth in this chapter. Such rates include collection, operation, maintenance, and replacement expenses as set forth in this chapter.

Existing source is any source of discharge, the construction or operation of which commenced prior to the publication by EPA of proposed categorical pretreatment standards, which will be applicable to such source if the standard is thereafter promulgated in accordance with section 307 of the Act.

Garbage means solid wastes from the domestic and commercial preparation, cooking or serving of food or the handling, storage and sale of produce.

Grab sample means a sample, which is taken from a wastestream without regard to the flow in the wastestream and over a period of time not to exceed fifteen (15) minutes.

Incompatible pollutants means all pollutants other than compatible pollutants as defined in this section.

Industrial user means an industry which discharges wastewaters having the characteristics of industrial wastes, as distinguished from commercial wastes or domestic wastes, or having a total discharge volume in excess of twenty-five thousand (25,000) gallons per day.

Influent means the wastewaters arriving at the POTW for treatment and those structures associated with its initial treatment.

Interference means a discharge, which alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the POTW, its treatment processes or operations or its sludge processes, use or disposal, and therefore, is a cause of a violation of the city's NPDES permit or of the prevention of sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued thereunder, or any more stringent state or local regulations: section 405 of the Act; the Solid Waste Disposal Act, including title II commonly referred to as the Resource Conservation and Recovery Act (RCRA); any state regulations contained in any state sludge management plan prepared pursuant to subtitle D of the Solid Waste Disposal Act, and the Marine Protection, Research, and Sanctuaries Act.

May means permissive, not mandatory.

Monthly average means the mathematic mean of values for samples collected in a period of thirty (30) consecutive days.

National categorical pretreatment standards or pretreatment standard means any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307(b) and (c) of the Act (33 U.S.C. section 1347) which applies to a specific category of industrial users.

National pollutant discharge elimination system NPDES permit means a permit issued pursuant to Section 402 of the Clean Water Act (33 U.S.C. section 1342) as amended.

Natural outlet means any outlet, including storm sewers, which flows into a watercourse, pond, ditch, lake, or other body of surface or ground water.

New source means:

- (1) Any building, structure, facility, or installation from which there is (or may be) a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under section 307(c) of the Act which will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that:
 - a. The building, structure, facility, or installation is constructed at a site at which no other source is located; or

- b. The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
 - c. The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source, should be considered.
- (2) Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility, or installation meeting the criteria of item (1)(b) or (c) above but otherwise alters, replaces, or adds to the existing process or production equipment.
- (3) Construction of a new source as defined under this definition has commenced if the owner or operator has:
- a. Begun, or caused to begin as part of a continuous onsite construction program: any placement, assembly, or installation of facilities or equipment; or
 - b. Significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment.

Operation, maintenance and replacement costs means the costs of operations and maintenance, to keep the treatment works in good repair and at design specifications. This includes labor, supplies, utilities, chemicals, contractual services and general expenses including installation and repair of equipment, accessories or appurtenances necessary during the service life of the treatment works.

Overstrength wastes means any wastewaters discharged into the POTW which exceed a BOD of three hundred (300) milligrams/liter or a suspended solid of three hundred (300) milligrams/liter.

Pass through means a discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the city's NPDES permit, including an increase in the magnitude or duration of a violation.

Person means any individual, partnership, copartnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity, or their legal representatives, agents, or assigns. This definition includes all federal, state, and local governmental entities.

pH means the logarithm of the reciprocal of the hydrogen-ion concentration. The concentration is the weight of hydrogen ions, in grams, per liter of solution.

Pretreatment or treatment means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into the sewerage system. The reduction or alteration will be obtained by physical, chemical or biological treatment processes, plant process changes, or by other means, except as prohibited by 40 CFR, part 403.

Properly shredded garbage means the wastes from the preparation, cooking and dispensing of food that have been shredded to such degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch in any dimension.

Public sewer means a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

Publicly owned treatment works (POTW) means a treatment works as defined by section 212 of the act, 33 U.S.C. section 1292. This definition includes any sewers that convey wastewater to the POTW treatment plant, but does not include pipes, sewers or other conveyances not

connected to a facility providing treatment. For the purposes of this chapter, "POTW" shall also include any sewers that convey wastewaters to the POTW from persons outside the city, who are, by contract or agreement with the city, users of the city's POTW.

Sanitary sewer means a sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted.

Septic tank means a sewerage holding tank for the individual treatment of sewage utilizing perforated drain lines and porous drain fields.

Service line means a water line extending from a water main to the building or premises served thereby.

Sewage means a combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such groundwaters as may be present.

Sewerage system means the arrangement of devices and structures used for collecting, pumping, treatment and disposing of sewerage, or wastewater.

Shall means mandatory.

Significant industrial user means:

- (1) A user subject to categorical pretreatment standards; or
- (2) A user that:
 - a. Discharges an average of twenty-five thousand (25,000) gallons per day or more of process wastewater to the POTW (excluding sanitary, noncontact cooling, and boiler blowdown wastewater),
 - b. Contributes a process wastestream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant, or
 - c. Is designated as such by the city on the basis that it has reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement;
- (3) Upon finding that a user meeting criteria in item (2) has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the city may at any time, on its own initiative or in response to a petition from a user, and in accordance with procedures in 40 CFR 403.8(f)(6), determine that such user should not be considered a significant industrial user.

Significant noncompliance means an industrial user is in significant noncompliance if its violation(s) meets one or more of the following criteria:

- (1) Chronic violations of wastewater discharge limits, defined as those in which sixty-six (66) percent or more of all the measurements taken during a six (6) month period exceed (by any magnitude) the daily maximum limit or the average limit for the same pollutant parameter;
- (2) Technical review criteria (TRC) violations, defined as those in which thirty-three (33) percent of all the measurements for each pollutant parameter taken during a six (6) month period equal or exceed the product of the daily maximum limit or the average limit multiplied by the applicable TRC (TRC = 1.4 for biochemical oxygen demand, total suspended solids, fats, oil and grease, and 1.2 for all other pollutants except pH);
- (3) Any other violation of a pretreatment effluent limit (daily maximum or long term average) that the control authority determines has caused, alone or in combination with other discharges, POTW interference or pass through (including endangering the health of POTW personnel or the general public);
- (4) Any discharge of a pollutant that has caused imminent danger to human health, welfare or to the environment or has resulted in a POTW's exercise of its emergency authority to halt or prevent such a discharge;
- (5) Failure to meet, within ninety (90) days after the schedule date, compliance schedule milestone contained in a local mechanism or enforcement order (i.e., starting construction, completing construction, or attaining final compliance);

- (6) Failure to provide, within thirty (30) days after the due date, required reports such as baseline monitoring reports, ninety (90) day compliance reports, periodic self monitoring reports, and reports on compliance with compliance schedules;
- (7) Failure to accurately report noncompliance; or
- (8) Any other violation or group of violations, which the control authority determines will adversely affect the operation or implementation of the local pretreatment program.

Slug means any discharge of water or wastewater which in concentration of any given constituent or in quantity of flow exceeds for a period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration of flows during normal operation and shall adversely affect the collection system and performance of the wastewater treatment plant.

Standard Industrial Classification (SIC) code means a classification pursuant to the Standard Industrial Classification Manual issued by the United States Office of Management and Budget.

Standard methods means the examination and analytical procedures set forth in the most recent edition of the Standard Methods for the Examination of Water and Sewerage, published jointly by the American Public Health Association, the American Waterworks Association, and the Water Pollution Control Federation, or any analytical procedure approved by U.S. EPA or contained in Title 4 of CFR part 136.

Storm sewer or storm drain means a sewer which carries storm and surface waters and drainage, but excludes sewage and polluted industrial wastes.

Suspended solids (SS) means total suspended matter that either floats on the surface of, or is in suspension in, water, wastewater, or other liquids, and that is removable by laboratory filtering as prescribed in Standard Methods for the Examination of Water and Wastewater and referred to as nonfilterable residue.

Total solids means the sum of suspended matter, settleable matter and dissolved matter, both volatile and nonvolatile.

Toxic pollutant means any pollutant or concentration of pollutants listed as toxic in regulations promulgated by the EPA under the provisions of section 307(a) of the Clean Water Act, as now or hereafter amended, or other law, or any discharge into the treatment system which interferes with the normal biological process of the treatment system or in some way reduces the efficiency of the system or causes special procedures to be necessary to properly treat such discharge prior to being received by the system so that the cost of such disposal is increased.

Unpolluted water means water of quality equal to, or better than the effluent criteria in effect, or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.

User means any person, business, corporation, or other entity which discharges wastes into the wastewater treatment system whether continuously or occasionally.

Utilities superintendent means the utilities superintendent of the city.

Wastewater means the spent water, or sewage of a community. From the standpoint of source, it may be a combination of the liquid and water-carried waste from residences, commercial buildings, industrial plants and institutions, together with any groundwater, surface water, and stormwater that may be present.

Wastewater treatment system means the structures, devices, equipment and processes required to collect, carry away and treat domestic, commercial and industrial wastewaters and dispose of the effluent and sludge, and as used in this chapter shall include the public sewers, pumping station, and all other facilities, equipment and appurtenances now or hereafter owned, operated or used by the city in connection therewith.

(Code 1958, § 19-2; Ord. of 5-22-95(1), § I; Ord. of 6-23-97, § I)

Cross reference--Definitions and rules of construction generally, § 1-2.

Section 14-3 Limitation of agent's authority.

No officer, agent, or employee of the city shall have authority to bind the city by any promise, agreement or representation in violation of this chapter and the rules and regulations promulgated in accordance with this chapter.

(Code 1958, § 19-3)

Section 14-4 Amendment.

The city reserves the right at any time to alter, amend, or add to this chapter and to substitute other ordinances, rules and regulations therefor. Rates, fees and charges provided for in this chapter shall be subject to revision or increase at any time, in the middle of any billing period, retrospectively, to the beginning of such billing period.

(Code 1958, § 19-4)

Section 14-5 14-5--14-20. Reserved.