

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 14-65A ARTICLE IV. BUILDING SEWERS AND CONNECTIONS

Section 14-66 Permit required.

No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the chief building official.

(Code 1958, § 19-30)

Section 14-67 Permit classes; application.

There shall be two (2) classes of building sewer permits: (a) for residential and commercial service; and (b) for service to establishments producing industrial wastes. In either case, the owner shall make application on a special form furnished by the city. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the

judgment of the chief building official.

(a) *Wastewater analysis.* When requested by the superintendent, a user must submit information on the nature and characteristics of its wastewater within thirty (30) days of the request. The superintendent is authorized to prepare a form for this purpose and may periodically require users to update this information.

(b) *Wastewater discharge permit requirement.*

(1) No significant industrial user shall discharge wastewater into the POTW without first obtaining a wastewater discharge permit from the superintendent, except that a significant industrial user that has filed a timely application pursuant to section 14-67(c) may continue to discharge for the time period specified therein.

(2) The superintendent may require other users to obtain wastewater discharge permits as necessary to carry out the purposes of this chapter.

(3) Any violation of the terms and conditions of a wastewater discharge permit shall be deemed a violation of this chapter and subjects the wastewater discharge permittee to the sanctions set out in section 14-124. Obtaining a wastewater discharge permit does not relieve a permittee of its obligation to comply with all federal and state pretreatment standards or requirements or with any other requirements of federal, state, and local law.

(c) *Wastewater discharge permitting--existing connections.* Any user required to obtain a wastewater discharge permit who was discharging wastewater into the POTW prior to the effective date of this chapter and who wished to continue such discharges in the future, shall, within thirty (30) days after said date, apply to the superintendent for a wastewater discharge permit in accordance with section 14-67(e), and shall not cause or allow discharges to the POTW to continue after sixty (60) days of the effective date of this chapter except in accordance with a wastewater discharge permit issued by the superintendent.

(d) *Wastewater discharge permitting--new connections.* Any user required to obtain a wastewater discharge permit who proposes to begin or recommence discharging into the POTW must obtain such permit prior to the beginning or recommencing of such discharge. An application for this wastewater discharge permit, in accordance with section 14-67(e), must be filed at least thirty (30) days prior to the date upon which any discharge will begin or recommence.

(e) *Wastewater discharge permit application contents.* All users required to obtain a wastewater discharge permit must submit a permit application. The superintendent may require all users to submit as part of an application the following information:

(1) All information required by section 14-118;

(2) Description of activities, facilities, and plant processes on the premises, including a list of all raw materials and chemicals used or stored at the facility which are, or could accidentally or intentionally be, discharged to the POTW;

(3) Number and type of employees, hours of operation, and proposed or actual hours of operation;

(4) Each product produced by type, amount, process or processes, and rate of production;

(5) Type and amount of raw material processed (average and maximum per day);

(6) Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, floor drains, and appurtenances by size, location, and elevation, and all points of discharge;

(7) Time and duration of discharges; and

(8) Any other information as may be deemed necessary by the superintendent to evaluate the wastewater discharge permit application.

Incomplete or inaccurate applications will not be processed and will be returned to the user for revision.

(f) *Application signatories and certification.* All wastewater discharge permit applications and user reports must be signed by an authorized representative of the user and contain the

following certification statement:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

(g) *Wastewater discharge permit decisions.* The superintendent will evaluate the data furnished by the user and may require additional information. Within thirty (30) days of receipt of a complete wastewater discharge permit application, the superintendent will determine whether or not to issue a wastewater discharge permit. The superintendent may deny any application for a wastewater discharge permit.

(h) *Wastewater discharge permit duration.* A wastewater discharge permit shall be issued for a specified time period, not to exceed five (5) years from the effective date of the permit. A wastewater discharge permit may be issued for a period less than five (5) years, at the discretion of the superintendent. Each wastewater discharge permit will indicate a specific date upon which it will expire.

(i) *Wastewater discharge permit contents.* A wastewater discharge permit shall include such conditions as are deemed reasonably necessary by the Superintendent to prevent pass through or interference, protect the quality of the water body receiving the treatment plant's effluent, protect worker health and safety, facilitate sludge management and disposal, and protect against damage to the POTW.

(j) Wastewater discharge permits must contain:

- (1) A statement that indicates wastewater discharge permit duration, which in no event shall exceed five (5) years;
- (2) A statement that the wastewater discharge permit is nontransferable without prior notification to the city in accordance with section 14-67(1), and provisions for furnishing the new owner or operator with a copy of the existing wastewater discharge permit;
- (3) Effluent limits based on applicable pretreatment standards;
- (4) Self-monitoring, sampling, reporting, notification, and record-keeping requirements. These requirements shall include an identification of pollutants to be monitored, sampling location, sampling, frequency, and sample type based on federal, state and local law;
- (5) A statement of applicable civil and criminal penalties for violation of pretreatment standards and requirements, and applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable federal, state, or local law.

(k) Wastewater discharge permits may contain, but need not be limited to, the following conditions:

- (1) Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization;
- (2) Requirements for the installation of pretreatment technology, pollution control, or construction of appropriate containment devices, designed to reduce, eliminate, or prevent the introduction of pollutants into the treatment works;
- (3) Requirements for the development and implementation of spill control plans or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or nonroutine discharges;
- (4) Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the POTW;
- (5) The unit charge or schedule of user charges and fees for the management of the wastewater discharged to the POTW;

- (6) Requirements for installation and maintenance of inspection and sampling facilities and equipment;
 - (7) A statement that compliance with the wastewater discharge permit does not relieve the permittee of responsibility for compliance with all applicable federal and state pretreatment standards, including those which become effective during the term of the wastewater discharge permit; and
 - (8) Other conditions as deemed appropriate by the superintendent to ensure compliance with this chapter, and state and federal laws, rules, and regulations.
- (l) *Wastewater discharge permit modification.* The superintendent may modify a wastewater discharge permit for good cause, including, but not limited to, the following reasons:
- (1) To incorporate any new or revised federal, state, or local pretreatment standards or requirements;
 - (2) To address significant alterations or additions to the user's operation, processes, or wastewater volume or character since the time of wastewater discharge permit issuance;
 - (3) A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;
 - (4) Information indicating that the permitted discharge poses a threat to the city's POTW, city personnel, or the receiving waters;
 - (5) Violation of any terms or conditions of the wastewater discharge permit;
 - (6) Misrepresentations or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required reporting;
 - (7) Revision of or a grant of variance from categorical pretreatment standards pursuant to 40 CFR 403.13;
 - (8) To correct typographical or other errors in the wastewater discharge permit; or
 - (9) To reflect a transfer of the facility ownership or operation to a new owner or operator.
- (m) *Wastewater discharge permit transfer.* Wastewater discharge permits may be transferred to a new owner or operator only if the permittee gives at least thirty (30) days advance notice to the superintendent and the superintendent approved the wastewater discharge permit transfer. The notice to the superintendent must include a written certification by the new owner or operator which:
- (1) States that the new owner and/or operator has no immediate intent to change the facility's operations and processes;
 - (2) Identifies the specific date on which the transfer is to occur; and
 - (3) Acknowledges full responsibility for complying with the existing wastewater discharge permit.
- Failure to provide advance notice of a transfer renders the wastewater discharge permit void as of the date of facility transfer.
- (n) *Wastewater discharge permit revocation.* The superintendent may revoke a wastewater discharge permit for good cause, including, but not limited to, the following reasons:
- (1) Failure to notify the superintendent of significant changes to the wastewater prior to the changed discharge;
 - (2) Failure to provide prior notification to the superintendent of changed conditions pursuant to section 14-121(e);
 - (3) Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
 - (4) Falsifying self-monitoring reports;
 - (5) Tampering with monitoring equipment;
 - (6) Refusing to allow the superintendent timely access to the facility premises and records;
 - (7) Failure to meet effluent limitations;
 - (8) Failure to pay fines;
 - (9) Failure to meet compliance schedules;

- (10) Failure to complete a wastewater survey or the wastewater discharge permit application;
- (11) Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
- (12) Violation of any pretreatment standard or requirement, or any terms of the wastewater discharge permit or this chapter.

(o) Wastewater discharge permits shall be voidable upon cessation of operations or transfer of business ownership. All wastewater discharge permits issued to a particular user are void upon the issuance of a new wastewater discharge permit to that user.

(p) *Wastewater discharge permit reissuance.* A user with an expiring wastewater discharge permit must apply for reissuance by submitting a complete permit application, in accordance with section 14-67(e), a minimum of sixty (60) days prior to the expiration of the user's existing wastewater discharge permit.

(q) *Reconsideration of wastewater discharge permit decision and judicial review of final administrative wastewater discharge permit decision.*

- (1) The superintendent shall provide public notice of the issuance of a wastewater discharge permit. Any person, including the user, may petition the superintendent to reconsider the terms of a wastewater discharge permit within thirty (30) days notice of its issuance.
- (2) Failure to submit a timely petition for review shall be deemed to be a waiver of the administrative appeal.
- (3) In its petition, the appealing party must indicate the wastewater discharge permit provisions objected to, the reasons for this objection, and the alternative condition, if any, it seeks to place in the wastewater discharge permit.
- (4) The effectiveness of the wastewater discharge permit shall not be stayed pending the appeal.
- (5) If the superintendent fails to act within thirty (30) days, a request for reconsideration shall be deemed to be denied. Decisions not to reconsider a wastewater discharge permit, not to issue a wastewater discharge permit, or not to modify a wastewater discharge permit shall be considered final administrative actions for purposes of judicial review.
- (6) Aggrieved parties seeking judicial review of the final administrative wastewater discharge permit decision must do so by filing a complaint with the Superior Court of Thomas County, Georgia within thirty (30) days after entry of said final decision. Except for the requirement that the action be filed in the Superior Court of Thomas County, Georgia, the judicial review shall be without a jury as set forth in section 50-13-19 O.C.G.A.

(Ord. of 6-23-97, § IV)

Section 14-68 Payment of connection cost and fees; indemnification of city.

All cost and expense incident to the connection of the building sewer from the owner's building to the city property line shall be borne by the owner. The owner shall indemnify the city from any loss or damage that may be directly or indirectly occasioned by the connection of the building sewer. Any connection from the city property line into the public sewer shall be made by the city and the owner shall pay the city the current prescribed connection fee.

(Code 1958, § 19-32)

Section 14-69 Separate and joint building sewers.

A separate and independent building sewer shall be provided for every building. Where one (1) building stands at the rear of another and no private sewer is available, the building sewer

from the front building may be extended to the rear building. A joint sewer for planned developments may be approved.

(Code 1958, § 19-33)

Section 14-70 Connection of old building sewers.

Old building sewers may be used in connection with the buildings when they are found, on examination and test by the chief building official, to meet all requirements of this chapter, provided no further work needs to be done by the city.

(Code 1958, § 19-34)

Section 14-71 Pipe specifications.

The building sewer shall be cast-iron pipe; ASTM Specifications A74; vitrified clay sewer pipe, ASTM Specifications C13, or concrete sewer pipe, ASTM Specification C14; bituminized fiber sewer pipe, ASTM Specification D-1861-61T; asbestos-cement sewer pipe, ASTM Specification C-428-65T or plastic sewer pipe approved by the chief building official. Joints shall be gastight and waterproof. Any part of the building sewer that is located within five (5) feet of a water service shall be constructed of cast-iron pipe with leaded or preformed, factory-installed plastic joints. Cast-iron pipe with leaded or preformed factory-installed plastic joints may be required by the chief building official where the building sewer is exposed to damage by tree roots. If installed in filled or unstable ground, the building sewer shall be of cast-iron soil pipe, except that nonmetallic material may be accepted if laid on a suitable concrete bed or cradle and protected as approved by the chief building official.

(Code 1958, § 19-35)

Section 14-72 Size and slope of building sewers.

The size and slope of the building sewer shall be subject to the approval of the chief building official, but in no event shall the diameter be less than four (4) inches. The slope of such four-inch pipe shall not be less than one-eighth inch per foot.

(Code 1958, § 19-36)

Section 14-73 Location of building sewer at building.

Whenever possible the building sewer shall be brought to the building at an elevation below the footing or basement floor. No building sewer shall be laid parallel to or within three (3) feet of any bearing wall, which might thereby be weakened. The building sewer shall be laid at uniform grade and in alignment insofar as possible. Changes in direction shall be made only with properly curved pipes and fittings. No connections to inflow sources including surface water drains, roof drains or any other inflow sources identified by the city utilities engineer are permitted.

(Code 1958, § 19-37; Ord. of 5-22-95(1), § III)

Section 14-74 Artificial lifting of sanitary sewage to building sewer.

In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such drain shall be lifted by approved artificial means and discharged to the building sewer.

(Code 1958, § 19-38)

Section 14-75 Excavation, pipe laying and backfill specifications.

All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the chief building official. Pipe laying and backfill shall be performed in accordance with ASTM Specification C12. No backfill shall be placed until the line work has been inspected. All work shall be in compliance with applicable OSHA requirements. (Code 1958, § 19-39)

Section 14-76 Joints and connections.

(a) All joints and connections shall be made gastight and watertight. Cast-iron pipe joints shall be firmly packed with oakum or jute and filled with molten lead, Federal Specification QQL-156, no less than one (1) inch deep. Lead shall be run in one (1) pouring and caulked tight. No paint, varnish or other coatings shall be permitted on the joint material until after the joint has been tested and approved. Factory installed plastic joint cast-iron pipe may be used as an alternate.

(b) All joints in vitrified clay or concrete pipe or between such couplings shall have resilient properties in accordance with ASTM Specification C443-59T for concrete pipe and ASTM Specification C425-64 for vitrified clay pipe, or the latest revisions thereof.

(c) Material joints shall not soften sufficiently to destroy the effectiveness of the joint when subjected to a temperature of one hundred sixty (160) degrees Fahrenheit, nor be soluble in any of the wastes carried by the drainage system.

(d) Other jointing materials and methods may be used only by approval of the chief building official.

(Code 1958, § 19-40; Ord. of 5-22-95(1), § IV)

Section 14-77 Connection of building sewer into public sewer.

The connection of the building sewer into the public sewer shall be made at the point of the city stubout. The invert of the building sewer at the point of connection shall be at the same or at a higher elevation than invert of the public sewer. A smooth, neat joint shall be made, and the connection made secure and watertight by encasement in concrete. Special fittings may be used for connection only when approved by the chief building official.

(Code 1958, § 19-41; Ord. of 5-22-95(1), § V)

Section 14-78 Notice of readiness for inspection and connection.

The applicant for the building sewer permit shall notify the chief building official when the building sewer is ready for inspection and connection to the public sewer.

(Code 1958, § 19-42)

Section 14-79 Barricades and lights at excavations; restoration of street surface.

All excavations for building sewer installations shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in manner satisfactory to the city.

(Code 1958, § 19-43)

Section 14-80 14-80--14-95. Reserved.