

ORDINANCE 86-42

AN ORDINANCE GOVERNING REQUESTS FOR CONNECTIONS TO AND TERMINATIONS FROM THE SPRING HILL WATER AND SEWER SYSTEMS AND ESTABLISHING REGULATIONS GOVERNING THESE SYSTEMS AND THEIR CUSTOMERS AND AMENDING TITLE 13 OF THE MUNICIPAL CODE ACCORDINGLY

BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF SPRING HILL, TENNESSEE, that Title 13 of the Municipal Code is amended by the adding of a Chapter 2, which shall include all of the provisions set forth in the attachment to this ordinance, which is hereby adopted in its entirety into this Ordinance.

PASSED AND ADOPTED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF SPRING HILL, TENNESSEE, on this the 15 day of September, 1986.

George Jones
GEORGE JONES, MAYOR

ATTEST:

June Quirk
JUNE QUIRK, CITY RECORDER

LEGAL FORM APPROVED:

Robin Courtney
ROBIN COURTNEY - TOWN ATTORNEY

Passed on 1st reading: 8-11-86

Passed on 2nd reading: 8-18-86

Passed on 3rd reading: 9-15-86

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Article I

GENERAL PROVISIONS

Section 13-1 Definitions

Unless otherwise specifically provided, or unless otherwise clearly required by the context, the words and phrases defined in this section shall have the meaning indicated when used in this chapter.

- (1) Act or "the Act". The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251, et. seq.
- (2) Administrator. The water and sewer superintendent or any other person designated by the Board to perform the functions and exercise the responsibilities assigned by this chapter to the administrator.

- (3) Authorized Representative of Industrial User. An authorized representative of an industrial user may be: (i) A principal executive officer of at least the level of vice-president, if the industrial user is a corporation; (ii) A general partner or proprietor if the industrial user is a partnership or proprietorship, respectively; (iii) A duly authorized representative of the individual designated above if such representative is responsible for the overall operation of the facilities from which the indirect discharge originates.
- (4) B.O.D. (Biochemical Oxygen Demand). The quantity of oxygen (expressed in milligrams per liter) required to satisfy the five (5) day oxygen demand of a million pounds of domestic sewage or industrial wastes (or a combination of both) when tested in accordance with the procedures given in the latest edition of "Standard Methods of the Examination of Water and Sewage," published by The American Public Health Association. B.O.D. is a measure of the pollutorial strength of wastes of any nature.
- (5) Categorical Standards. National Categorical Pretreatment Standards.
- (6) Combined Sewer. A sewer receiving both surface runoff and sewage.
- (7) Cooling Water. The water discharged from any use such as air conditioning, cooling or refrigeration, or to which the only pollutant added is heat.
- (8) Connection. Refers to the act of tapping on to the town's water or sewer system where service is available (as defined in subsection 13-36(e) but where previously there has been no service lateral running from a main line within a public right-of-way or easement to the customer's property. A connection also refers to the lines and apparatus constituting the link between a main line in the public right-of-way or easement and the customer's property. A connection is to be distinguished from an extension.
- (9) Customer. The person in whose name any account for water or sewer service is established.
- (10) DHE. Department of Health and Environment.
- (11) Direct Discharge. The discharge of treated or untreated wastewater directly to the waters of the State of Tennessee.
- (12) Domestic Sewage. Liquid wastes from bathrooms, toilet rooms, kitchens and home laundries.
- (13) Environmental Protection Agency, or EPA. The U.S. Environmental Protection Agency.

- (14) Extension. Refers to the act of adding additional lines or additional footage onto existing lines within a public right-of-way or easement to reach or make service available (as defined in subsection 13-36(e)) to properties where service was not previously available. The term also refers to the lines and apparatus constituting the extension.
- (15) Garbage. Solid wastes from the preparation, cooking, handling, and dispensing of food.
- (16) Grab Sample. A sample which is taken from a waste stream on a one-time basis with no regard to the flow in the waste stream and without consideration of time.
- (17) Holding tank waste. Any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump tank trucks.
- (18) Indirect Discharge. The discharge or the introduction of nondomestic pollutants from any source regulated under section 307(b) or (c) of the Act, (33 U.S.C. 1317), into the POTW (including holding tank waste discharged into the system).
- (19) Industrial User. A source of indirect discharge that does not constitute a "discharge of pollutants" under regulations issued pursuant to section 402, of the Act. (33 U.S.C. 1342).
- (20) Industrial Wastes. Liquid wastes from institutional, commercial, and industrial processes and operations as distinct from domestic sewage.
- (21) Interference. The inhibition or disruption of the POTW treatment processes or operations which contributes to a violation of any requirement of the Town's NPDES Permit. The term includes prevention of sewage sludge use or disposal by the POTW in accordance with 405 of the Act, (33 U.S.C. 1345) or any criteria, guidelines, or regulations developed pursuant to the Solid Waste Disposal Act (SWDA), the Clean Air Act, the Toxic Substances Control Act, or more stringent state criteria (including those contained in any State sludge management plan prepared pursuant to Title IV of SWDA) applicable to the method of disposal or use employed by the POTW.
- (22) Liquid Wastes. Waste products that are either dissolved in or suspended in a liquid.
- (23) National Categorical Pretreatment Standard or Pretreatment Standard. 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. 1317) which applies to a specific category of industrial users.

- (24) National Prohibitive Discharge Standard or Prohibitive Discharge Standard. Any regulation developed under the authority of 307(b) of the Act and 40 CFR, Section 403.5.
- (25) Natural Outlet. That body of water, stream, or watercourse receiving the discharge waters from the sewage treatment plant or formed by the discharge of the sewage treatment plant.
- (26) New Source. Any source, the construction of which is commenced after the publication of proposed regulations prescribing a section 307(c) (33 U.S.C. 1317) Categorical Pretreatment Standard which will be applicable to such source, if such standard is thereafter promulgated within 120 days of proposal in the Federal Register. Where the standard is promulgated later than 120 days after proposal, a new source means any source, the construction of which is commenced after the date of promulgation of the standard.
- (27) National Pollution Discharge Elimination System or NPDES Permit. A permit issued pursuant to section 402 of the Act (33 U.S.C. 1342).
- (28) Oversize Line or Facility. A line or other component of the water or sewage system that exceeds the greater of: (i) the minimum size line or facility normally required by the town to serve more than a single customer; or (ii) the minimum size line or facility necessary to serve the development for which the line or facility was installed.
- (29) pH. The logarithm (base 10) of the reciprocal of the weight of the hydrogen ions in grams per liter of solution. It indicates the acidity and alkalinity of a substance. A pH value of 7.0 is considered neutral. A stabilized pH is one that does not change beyond the specified limits when the waste is subjected to aeration. A pH value below 7.0 is acid and above 7.0 is alkaline.
- (30) Pollution. The man-made or man-induced alteration of the chemical, physical, biological, and radiological integrity of water.
- (31) Pollutant. Any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharged into water.
- (32) Pretreatment or Treatment. 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 a POTW. The reduction or

alteration can be obtained by physical, chemical or biological processes, or other means, except as prohibited by 40 CFR Section 403.6(d).

- (33) Pretreatment Requirements. Any substantive or procedural requirement related to pretreatment, other than a National Pretreatment Standard imposed on an industrial user.
- (34) Properly Shredded Garbage. The wastes from the preparation, cooking and dispensing of food, shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particles greater than one-half inch in any dimension.
- (35) Publicly Owned Treatment Works (POTW). A treatment works as defined by section 212 of the Act, (33 U.S.C. 1292), which in this case is the town's sanitary sewer system. 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 ordinance, "POTW" shall also include any sewers that convey wastewaters to the POTW from persons outside the town who are, by contract or agreement with the town, users of the town's POTW. The term POTW, rather than "sanitary sewer system" is used primarily in Article IX of this ordinance.
- (36) POTW Treatment Plant. The sewage treatment plant owned and operated by the town.
- (37) Sanitary Sewer. A pipe or conduit that carries sewage or polluted industrial wastes and to which storm, surface and ground waters or unpolluted industrial wastes are not intentionally admitted.
- (38) Sanitary Sewer System. The sanitary sewer system owned and operated by the town, including all sanitary sewer lines and pipes, the sewage treatment plant, and all other facilities used in connection with the collection, treatment, and disposal of sewage. The term "sewer system" is sometimes used interchangeably.
- (39) Sewage. Liquid wastes.
- (40) Sewage Treatment Plant. The facility owned by the town where sewage is collected and treated.
- (41) Sewage Treatment System. Sanitary sewer system.
- (42) Significant Industrial User. Any industrial user of the town's sewage treatment system who (i) has a discharge flow of 25,000 gallons or more per average work day, or (ii) has a flow greater than 5% of the flow in the town's sewage treatment system, or (iii) has in its wastes toxic pollutants as

defined pursuant to Section 307 of the Act, or (iv) is found by the town, DHE or EPA to have significant impact, either singly or in combination with other contributing industries, on the wastewater treatment system, the quality of sludge, the system's effluent quality, or air emissions generated by the system.

- (43) Standard Industrial Classification (SIC). A classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1972.
- (44) Storm Water. Any flow occurring during or following any form of natural precipitation and resulting therefrom.
- (45) Suspended Solids. Solids that either float on the surface of or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.
- (46) Toxic Pollutant. Any pollutant or combination of pollutants listed as toxic in regulations promulgated by the administrator of the Environmental Protection Agency under the provision of Section 307(a) of the Clean Water Act or other Acts.
- (47) User. Any person who contributes, causes or permits the contribution of wastewater into the town's POTW.
- (48) Wastewater. The liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities, and institutions, whether treated or untreated, which is contributed into or permitted to enter the POTW.
- (49) Waters of the State. All streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the State or any portion thereof.
- (50) Water System. The water utility system owned and operated by the town, including all devices and facilities for the treatment, storage and distribution of water.

Section 13-2 Abbreviations

The following abbreviations shall have the designated meanings:

- BOD - Biochemical Oxygen Demand.
- CFR - Code of Federal Regulations.
- COD - Chemical Oxygen Demand
- DHE - Department of Health and Environment

EPA - Environmental Protection Agency
l - Liter.
mg - Milligrams.
mg/l- Milligrams per liter.
NPDES - National Pollutant Discharge Elimination System.
POTW - Publicly Owned Treatment Works.
SIC - Standard Industrial Classification.
SWDA - Solid Waste Disposal Act, 42 U.S.C. 6901, et seq.
USC - United States Code
TSS - Total Suspended Solids.

Section 13-3 Service Provided Without Discrimination.

The town shall provide service under this chapter without discrimination based on race, religion, creed, age, sex, or national origin.

Section 13-4 Penalties and Remedies.

(a) As provided in Article IV, termination of service is a remedy available to the town to enforce any of the provisions of this chapter.

(b) A violation of any of the provisions of this chapter shall constitute a misdemeanor, punishable by a fine of up to \$50.00.

(c) To the extent authorized by law, a violation of any of the provisions of this chapter other than those in Article IX shall subject the offender to a civil penalty of \$25.00. A violation of any of the provisions of Article IX shall subject the offender to a civil penalty of \$200.00. If a person fails to pay this penalty within ten days after being cited for a violation, the town may seek to recover the penalty by filing a civil action in the nature of debt.

(d) To the extent authorized by law, the town may seek to enforce any of the provisions of this chapter through any appropriate equitable action.

(e) Each day that a violation continues after the offender has been notified of the violation shall constitute a separate offense.

(f) If a violation of any of the provisions of this chapter results in a danger to the public health or safety, the town may, to the extent authorized by law, seek to have such violation treated as a nuisance and abated.

(g) The town may seek to enforce this chapter by using any one or any combination of the foregoing remedies.

Section 13-5 Reserved.

Subchapter II - Service to Properties Previously Connected
to the Water or Sewer System

ARTICLE II
SERVICE REGULATIONS

Section 13-6 Application for Service.

(a) Application for water or sewer service shall be made at the office of the town clerk during normal business hours. Application shall be made on the forms prescribed, shall be made in the name of the customer who will be responsible for payment of bills, and shall be signed by the customer or by his authorized agent.

(b) An applicant must, in writing or in person, notify the town clerk at least three days in advance of the date requested for commencements of service.

(c) Except as provided in Subsection 13-38(c), an application for service shall be accompanied by payment of the service initiation fee specified in Section 13-9. Service shall be refused until this fee has been paid.

(d) Under the circumstance set forth in Sections 13-58 and 13-59, an applicant for water or sewer service on lots previously connected in the water or sewer systems may be requested to pay availability fees.

Section 13-7 Denial of Service for Nonpayment of Prior Accounts.

(a) The town may reject an application for service when the applicant is delinquent in the payment of any bill incurred for water or sewer service supplied by the town at any location.

(b) A lessee making an initial application for service to his leased dwelling shall not be refused service by the town solely because of an outstanding amount owed the town by another customer for service previously furnished to that same address.

Section 13-8 Deposit.

(a) Every applicant for service shall make a cash deposit with the town and service shall be refused until this deposit has been paid. The deposit for a residential customer subject to the standard minimum monthly charge shall be an amount equivalent to twice the monthly minimum. For other customers the deposit shall be a sum equivalent to four times the applicable monthly minimum. The purpose of this deposit is to provide security for the payment of all charges by the customer. The town retains the right, upon thirty days written notice, to require the customer to increase the deposit to a maximum of twice the amount of the highest monthly bill theretofore rendered.

(b) Initial deposits shall be made with the service applications. Additional deposits, if required pursuant to subsection (a), shall be made within thirty days after receipt by the customer of the written notice specified in subsection (a).

(c) A separate deposit shall be paid on each installed water meter.

(d) No interest shall be paid on the deposit.

(e) Upon termination of service, the deposit shall either be applied to any outstanding bill or refunded to the customer, as provided in Sections 13-31 and 13-32.

Section 13-9 Rates.

The Board has by resolution adopted a schedule of rates and charges relating to the water and sewer services provided by the town. This schedule may be amended from time to time by resolution of the Board. A current copy of this schedule shall be maintained and shall be available for public inspection during regular office hours in the office of the town clerk.

Section 13-10 Minimum Service Charge.

(a) The minimum service charge, as provided in the rate schedule, shall be made for each meter installed regardless of location.

(b) Subject to section 13-33 the minimum service charge per meter shall apply whether all residential units are occupied or unoccupied.

(c) Charges for service commence when the meter is installed and connection made, regardless of whether service is actually used at that time.

Section 13-11 Access to Premises.

Duly authorized agents of the town shall have access at all reasonable hours to the premises of the customer for the purpose of installing or removing town property, inspecting piping or apparatus, reading or testing meters or for any other purpose in connection with the town's service or facilities. Application for service shall constitute consent by the customer to access to his premises for these purposes.

Section 13-12 Meter Reading and Determination of Charges.

(a) Ordinarily, meters will be read once per month and bills rendered once per month. However, the town reserves the right to vary this schedule if necessary or desirable.

(b) Where there are multiple dwelling units on one lot, unless separate meters are installed for individual dwelling units, the property

owner or landlord shall be responsible for the bill for meters jointly used by one or more tenants.

(c) Readings from different meters will not be combined into one account for billing, irrespective of the fact that such meters may be for the same premises, or for the same consumer, or for the same type of service.

(d) Subject to Section 13-15, a charge shall be made for all water passing through the customer's meter.

(e) Bills for water and sewer service shall be calculated in accordance with the rate schedule in effect at the time of billing.

Section 13-13 Bills.

(a) Bills shall be mailed on the 1st of each month and become delinquent if not paid by the close of business hours on the 15th of each month. A late penalty charge may be added to all delinquent accounts.

(b) Bills shall notify customers of the provisions of subsection (a) and shall contain a phone number where a town employee can be contacted concerning questions about the bill.

(c) The customer shall be unconditionally responsible for payment of all bills incurred in connection with the service rendered. Failure to receive bills shall not prevent such bills from becoming due and payable or delinquent when the bill has been mailed to the last address given to the town clerk by the customer.

Section 13-14 Meter Testing and Special Readings.

(a) The town will make special meter readings at the request of the customer for a fee as provided in the schedule referenced in Section 13-9, except that no fee shall be charged if such special reading discloses that an error prejudicial to the customer has been made by the town.

(b) If the customer believes that a water meter on his premises is not registering his water consumption accurately, he may request a test of the meter by the town. The standard for meter accuracy is $\pm 10\%$. Charges will be made for this service pursuant to Section 13-9, except that no charge will be made if the test discloses that the meter is operating inaccurately in a manner prejudicial to the customer.

Section 13-15 Calculation of Bill Where Equipment Fails.

(a) If the seal of the meter is broken by other than the town's representatives or in the event that the meter fails to register the use of water, the customer shall be charged the amount computed using the appropriate following formula for the period in which the meter failed to register:

- (1) If the customer has been an occupant at the same location for three (3) years or more he shall be charged the current rate based upon the average consumption for the same month during the previous years of occupancy.
- (2) If the customer has been an occupant at the same location for less than three (3) years he shall be charged the current rate based upon the average amount of water consumed monthly by that customer.

(b) If the customer demonstrates to the reasonable satisfaction of the town that a break in the water line on the customer's side of the meter has resulted in extraordinary charges for a billing period, the town may recompute the customer's bill using the procedures set forth in subsection (a).

Section 13-16 Prohibited Activities.

No unauthorized person may:

- (1) Supply or sell water from the town system to other persons or carry away water from any hydrant, public water fountain, or other such public outlet without specific authorization from the town;
- (2) Manipulate, tamper with, or harm in any manner whatsoever any waterline, sewerline, main, or appurtenance or any other part of the water or sewer system, including, but not limited to, any testing or inspection device used to measure the character or concentration of wastes discharged into the sanitary sewer system;
- (3) Tamper with the water meter so as to alter the true reading for the amount of water consumed;
- (4) Attach or cause to be attached any connection to the waterline before the water meter.
- (5) Knowingly make any false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under this chapter.

Section 13-17 Town Property and Maintenance Thereof.

All meters and cut-off boxes located before the meters shall remain the property of the town and shall be kept in good repair and working order by the town.

Sections 13-18 through 13-20 Reserved.

Article III

TOWN AND CUSTOMER RESPONSIBILITIES

Section 13-21 Town's Responsibility and Liability.

The town shall:

- (1) Maintain the water and sewer lines within the town's rights-of-way and easements;
- (2) Reserve the right to refuse or terminate service if there is a cross connection to a private water supply, no backflow protection, or no sewer cleanout;
- (3) Assume liability for damage only if such damage results directly from the town's negligence;
- (4) Assume no liability for damage done by or resulting from any defects in the piping, fixtures, or appliances on the customer's premises;
- (5) Assume no liability for the negligence of third persons.

Section 13-22 Customer's Responsibilities.

The customer shall:

- (1) Maintain the piping system on his property at his expense in a safe and efficient manner in accordance with the applicable regulations of the State Department of Public Health and Environment. The town shall not undertake to repair the customer's connections to the water or sewer line until it has been determined that the disrepair, stoppage, or other cause or impediment to the proper functioning of such line exists within the portion of the lateral between the main line and the property line. If the property owner or his representative claims that the cause of such disturbance or stoppage exists on that portion of the lateral lying between the main line and the property line and an investigation discloses that the cause of said disturbance actually exists in that portion of the line lying between the property line and the structure which is served by such line, the property owner shall pay to the town the actual cost to the town of making such investigation. If, however, upon investigation it is found that the cause of such disturbance or disrepair is in that portion of the line lying between the property line and the main line, the town shall make such repair without additional cost to the property owner;
- (2) Guarantee protection for town facilities or equipment located on the customer's property;

- (3) Pay the cost of relocating town owned facilities and equipment if done at the customer's request;
- (4) Not make or cause to be made any cross-connection with a private water supply;
- (5) Install proper and adequate backflow prevention devices;
- (6) Install a pressure reducing valve if deemed necessary by the administrator;
- (7) Install a sewer cleanout to town specifications if deemed necessary by the administrator;
- (8) Be responsible to the town for damage to town property that is the fault of the customer. The cost of repairing or replacing such property will be added to the customer's bill.
- (9) Secure and record any easements or encroachment agreements required to extend service lines outside the town.
- (10) Convey to the town at no cost to the town a perpetual easement and right-of-way across any property owned by the customer that is necessary to allow maintenance of lines providing service requested by such customer.

Sections 13-23 through 13-25 Reserved.

Article IV

SERVICE TERMINATION AND REINSTATEMENT

Section 13-26 Termination or Interruption of Service By Town.

- (a) The town may terminate service for any of the following reasons:
 - (1) Refusal by the customer to pay in full an account that remains delinquent in excess of ten days;
 - (2) Prevention of fraud or abuse by a customer;
 - (3) Failure of the customer to comply with any of the provisions of this chapter.
- (b) Before service is terminated, the customer shall be notified of the proposed termination and given an opportunity to be heard on the matter as provided in this article.
- (c) The town reserves the right to discontinue or interrupt service temporarily for any of the following reasons:

- (1) Emergency repairs;
- (2) Insufficient supply or treatment capacity;
- (3) Strike, riot, flood, accident, act of God, or any other unavoidable cause.

(d) The town shall make a good faith effort to notify affected customers before service is discontinued or interrupted as provided in subsection (c). However, the customer, by making application for service, agrees to hold the town harmless from liability for any damages that may occur due to discontinuance or interruption of service for the above mentioned causes.

Section 13-27 Notice of Proposed Termination of Service and Right of Hearing.

(a) On the day after an account becomes delinquent (the 16th of the month, see Section 13-13), or as soon thereafter as possible, the town shall mail to the customer a notice informing the customer of the amount owed and stating that:

- (1) The customer's account is delinquent and, if applicable, is subject to a penalty charge identified in the notice;
- (2) The customer is entitled to be heard before service termination by a designated employee at a specified address or telephone number during stated business hours if there is any dispute over the amount of the bill;
- (3) Unless the bill is paid in full or otherwise resolved by the 25th of the month, the town may terminate service without further notice.

(b) If the town proposes to terminate service for any reason other than nonpayment, the town shall first mail to the customer a notice informing the customer:

- (1) That the town proposes to terminate service without further notice on a specified date, which date shall be not earlier than the tenth day after the notice is mailed;
- (2) What the reasons for the proposed termination are and what, if anything, the customer may or must do to avoid termination of service;
- (3) That the customer is entitled to be heard by a designated employee (at any time prior to termination of service) at a specified address or telephone number during stated business hours if there is any question about the accuracy or legitimacy of the reasons stated for the proposed termination.

Section 13-28 Hearing.

(a) The hearing provided for in Section 13-26 may be held by phone or, at the request of the customer, the customer may meet in person with the employee at the office of the employee (as specified in the notice described in Section 13-27).

(b) The hearing shall be conducted informally. The customer shall be given every reasonable opportunity to bring to the attention of the designated employee information that bears upon the reasons for the proposed termination.

(c) If the customer is dissatisfied with the result of the hearing, the customer may inform the town clerk of the customer's desire to appeal the matter to the Board, and the clerk shall thereupon place the matter on the agenda of the next regular Board meeting.

Section 13-29 Deposit Required to Stay Termination.

Termination of service for nonpayment of bills shall not be stayed pending the outcome of the hearing procedures set forth in Section 13-28 unless the customer pays to the town a deposit equal to the amount of the disputed bill. Depending on the outcome of the hearing process, this deposit shall be applied toward payment of the bill, or refunded, as appropriate.

Section 13-30 Lessee May Take Responsibility for Payments.

(a) Whenever (i) a water meter serves a single dwelling unit or, in the case of non-residential structures, a single tenant, and (ii) the town is aware that the occupant of the dwelling unit or the tenant is not the person responsible for water or sewer payments (i.e. is not the "customer"), and (iii) the customer becomes delinquent in his payments, then a copy of the notice of proposed termination required by Section 13-26 shall be sent to the occupant of the dwelling unit or the tenant of the non-residential structure if the identity of such occupant or tenant is known to the town. The town shall endeavor to perform the same courtesy where there are multiple occupants or tenants. Such notice shall include or be accompanied by a statement setting forth the rights of such occupant or tenant (the lessee) as provided in subsection (b).

(b) When a lessor becomes delinquent in his water or sewer payments, a lessee may take responsibility for such payments and may thereby become the "customer" in accordance with the provisions of Article I. The lessee shall not be responsible for the debts of the lessor.

Section 13-31 Procedure for Service Termination and Reinstatement.

(a) Water and sewer service termination shall be effected only by authorized agents of the town.

(b) When service is terminated, discontinued or interrupted for any reason set forth in Section 13-26, no person other than a duly authorized

agent or employee of the town may cause, suffer or permit the resumption of service.

(c) When service is terminated for non-payment of bills, the service application deposit shall be applied to the outstanding bill.

(d) If there are deposit funds remaining after the deposit is applied to the outstanding bill, the excess shall be refunded to the customer. If a portion of the bill remains outstanding, the town may proceed to collect the balance in the usual way provided by law for the collection of debts.

(e) Before service will be reinstated, the customer shall be required to make full payment of any charges still outstanding on his account. In addition, the customer shall also redeposit with the town an amount equal to his application deposit or the amount of the bill outstanding at the time of termination, whichever is greater.

(f) A charge for service reinstatement shall be made pursuant to Section 13-9.

Section 13-32 Termination at Customer's Request.

(a) A request that service be terminated (for a change in occupancy or other reason) shall be submitted to the town clerk (in writing or in person) at least three days before the customer desires the termination to become effective.

(b) The customer shall be responsible for all water consumed and for pro-rated service up to the time service is terminated, or until three days following receipt of the request for termination, whichever occurs sooner.

(c) When all charges for service are paid in full the customer's deposit shall be refunded. The deposit will be refunded pursuant to Section 13-8.

(d) The customer shall be entitled to be heard by a designated employee concerning any dispute about the amount of the deposit refund. The employee shall inform the customer in writing of his decision and the reasons therefor as soon as reasonably possible.

Section 13-33 Temporary Discontinuance at Customer's Request

(a) Upon request of a customer, the town will temporarily disconnect that customer's service for a minimum period of three months. Such a request shall be submitted to the town clerk (in writing or in person) at least three days before the customer desires the discontinuance to begin. The customer shall be responsible for all water consumed and for pro-rated service up to the time service is discontinued, or until three days following receipt of a request for discontinuance, whichever occurs sooner.

(b) During the period of discontinuance, the customer shall not be liable for the minimum service charge prescribed in section 13-10.

However, when service is resumed, the customer shall be charged the service initiation fee established in Section 13-9.

Sections 13-34 and 13-35 Reserved.

Subchapter III - Connections to the Water and Sewer System

Article V

CONNECTION TO THE WATER AND SEWER SYSTEM WHERE SERVICE IS AVAILABLE

Section 13-36 Connection Required.

(a) Every person who owns unimproved property within the corporate limits of the town shall be required, at the time such property is improved, to connect such improved property to the public water and sewer systems unless service is not available (as defined in subsection (e)).

(b) Every person who owns property within the town that is improved on the effective date of this chapter but that is not connected to the town's sewer system shall connect to this system within 30 days after being notified by the town to connect such improved property. The administrator shall send such notice only if he determines, after consulting with the Maury County Health Department, that the property in question is not being served by an adequately functioning ground absorption sewage disposal system.

(c) If both water and sewer service are available to a lot within the town, then a customer on that lot who receives water service must also pay for sewer service, even if the customer chooses not to connect to the sewer system.

(d) If both water and sewer service are available to a lot, then no new connection may be made onto the sewer system unless a connection is also made onto the water system.

(e) For purposes of this chapter, water or sewer service (respectively) is "not available" if the building or structure to be served on the property is located more than 100 feet from an existing public water or sewer line that reasonably could serve such property. In addition, no property owner shall be required to connect to the public water or sewer system if he must first purchase an easement in which to install water or sewer lines.

(f) As used in this section, the term "improved property" means property that has been developed for any use that requires a supply of water or the availability of sewage treatment or disposal facilities.

Section 13-37 Permit for Connection Required.

(a) No person may connect or be connected to the water or sewer system of the town until a permit for such a connection has been issued pursuant to Section 13-38. After connection in accordance with this article, service may be initiated in accordance with procedures set forth in Article II of this chapter.

(b) Connection will be authorized only if and to the extent that (i) there is sufficient unused and unreserved capacity within the water or sewer system to accommodate the request, or (ii) the applicant has reserved sufficient present capacity to accommodate the request.

Section 13-38 Application for Connection Permit.

(a) Every application for a water or sewer connection shall state the name of the owner of the lot, the name of the street on which the lot is situated, the number of the building if there is one on the lot, or if not, a description of the location of the lot, the number and kind of the connections desired, the character of the surface of the abutting street and any other additional information required by the administrator. Every application shall be signed by the person making the application.

(b) Every application for connection shall be accompanied by the following fees pursuant to Section 13-9 unless such fees have previously been paid or are otherwise inapplicable:

- (1) Current front footage charges. (Such charges need not be paid for lots within a subdivision where the lines have been installed at the developer's expense or in other circumstances where the applicant has already borne the cost of such lines.)
- (2) Availability charges.
- (3) Lateral and Meter Installation Charges. When these charges are assessed on an actual cost basis, the applicant shall deposit with the town an amount equal to the estimated cost of lateral and meter installation charges. If the cost of connections is less than the installation deposit, the difference between the deposit and the connection cost shall be refunded to the applicant. If the cost of the connection is greater than the installation deposit, the applicant shall pay to the town an amount equal to the difference between the cost of connection and the installation deposit.
- (4) Service application deposit (see Section 13-6).

(c) When lateral and meter installation charges are collected the service initiation fee provided for in Section 13-9 is waived.

(d) No permit shall be issued for water and sewer connections until after the administrator has made an on-the-premises inspection of the real

property identified on the application and has determined the type of connection required. If this examination reveals that a different type of connection is required than that applied for, any additional fees must be paid by the applicant before a permit may be issued.

Section 13-39 Rejection of Permit Application.

Upon application for a connection permit the town may reject the application and decline to provide service for the following reasons:

- (1) Service is not available under the standard rate.
- (2) The cost of service is excessive.
- (3) The provision of service to the applicant will adversely affect the supply of water to other customers or will adversely affect the town's sewage treatment capabilities.
- (4) The applicant does not satisfy the requirement set forth in subsection 13-37(b).
- (5) Other good and sufficient reasons.

Section 13-40 Construction of Connections.

(a) Water and sewer connections shall be constructed simultaneously whenever connections are to be made to both systems.

(b) Subject to Section 13-42, when a permit has been issued by the town for a connection to existing water or sewer lines, the town, either with the use of town forces or by contract, shall do the excavating, lay the pipe, install a meter, make the connections (tap-on) to the main, fill the excavation, and replace the surface of the street. Every effort shall be made to make the connection within three days after a permit to connect has been issued under Section 13-38.

(c) The customer may request that the water meter or sewer tap be placed on his premises; however, the final decision for water meter and sewer tap placement lies with the town.

(d) When the meter is placed on the customer's premises:

- (1) The town shall provide a cut-off valve directly before the meter.
- (2) The customer shall furnish and maintain a private cut-off valve on his side of the meter.
- (3) The customer shall provide a suitable location for placing the meter, unobstructed and accessible at all times to the meter reader.

(e) The customer's piping and apparatus shall be installed by a licensed plumber at the customer's expense in accordance with all applicable building and plumbing codes and the town's regulations and in full compliance with the sanitary regulations of the Tennessee Department of Public Health.

(f) Piping on the customer's premises shall be so arranged that the connections are conveniently located with respect to the town's mains.

(g) Whenever it is necessary to cut a town street to make a connection to a water or sewer line, the customer will be charged for the necessary repair of the street damage involved.

(h) Residential customers shall have at least a 3/4' water line between the meter and the dwelling unit. Commercial and industrial line systems will vary with the type of business and meter size.

Section 13-41 Separate Connections Required for Each Lot.

(a) For the purposes of this chapter, "lot" shall mean a parcel of land whose boundaries have been established by some legal instrument such as a recorded deed, deed of trust or a recorded map, and which is recognized as a separate legal entity for purposes of transfer of title.

(b) There shall be for every lot to which water or sewer service is available:

- (1) A separate connection with the water main of the town and a separate service pipe, tap and meter;
- (2) A separate connection with the sewer main of the town.

Section 13-42 Requirements for Connection of Service Where Multiple Buildings are Located on One Lot.

Where there are multiple buildings or structures situated on one lot and where the lot owner desires to have a common water connection (including a private water distribution system), and a common sewer connection (including a private sewage collection system), he must meet the following requirements:

- (1) The building or buildings to be served shall be in compliance with all applicable zoning regulations.
- (2) The building permit and plot shall show a single owner and shall indicate the complex of buildings to be constructed on a single lot.
- (3) The applicant shall be required to submit to the town a site plan showing the proposed water and sewer systems. Such plans shall be prepared by a registered professional engineer who shall also provide satisfactory inspection of the work. Such plans shall include:

- (i) Size of water lines, materials to be used for construction, valve locations and hydrant locations. All construction from the property line to the water meter shall be in accordance with town standards and specifications. Construction beyond the water meter may be with materials permitted in the plumbing code. All construction shall be performed by either a licensed master plumber or a licensed utility contractor.
 - (ii) Size of sewers and materials to be used for construction. All sewer lines eight (8) inches or larger in size shall be constructed in accordance with town specifications and standards. All sewer lines smaller than eight (8) inches shall be constructed in accordance with the plumbing code. All construction shall be performed by either a licensed master plumber or a licensed utility contractor.
- (4) No connection to the town's system shall be allowed unless the lines to be connected have been installed in accordance with all applicable state and town regulations and requirements. Lines connected in violation of this provision without town permission may be summarily disconnected by the town.
- (5) Should a building served by a common connection be conveyed to a new owner, the town shall require a separate water and sewer connection from that building to the mains in the street, except in the case of condominium or townhouse developments.

Section 13-43 Two or More Meters on Single Premises.

When two or more meters are to be installed on the same premises for different customers, the town may direct that such meters be closely grouped and clearly labeled as to which customer is served by each.

Section 13-44 Town Inspection.

By making application for service the customer agrees that the town possesses the right to inspect the private water distribution systems, water connections, sewage collection system and sewer connections before they are connected to the town water and sewer systems. The town shall be given notice to inspect before the pipes are covered and the systems are connected.

Section 13-45 Laterals to Remain Town Property.

All meters, meter boxes, pipes and other equipment furnished and used by the town or its contractors in installing any water or sewer connections shall be and remain the property of the town.

Section 13-46 Maintenance of Private Distribution and Collection Systems.

In addition to the requirements of Section 13-42, all owners of lots on which private water distribution and sewer collection systems are situated shall maintain such systems properly. Failure to maintain the systems shall constitute a nuisance which may be abated by the town.

Sections 13-47 through 13-50 Reserved.

Article VI

WATER AND SEWER EXTENSIONS

Section 13-51 General Policy.

(a) The town may extend or allow the extension of its water and sewer mains, either within or outside the town, whenever it determines that it is in the town's best interest to do so.

(b) When a water or sewer line is extended at the town's initiative, the cost of such extension shall initially be borne by the town. However, the town may recoup its costs, in whole or in part, by charging front footage fees (section 13.9) at the time of connection to the water or sewer system or by levying special assessments on benefitted property.

(c) Extensions made at the town's initiative may be done by town forces or under a contract let by the town.

(d) The responsibility for and the entire cost of extending a water or sewer line in response to a request for service by a property owner shall be borne by that property owner, subject to the town's reimbursement policy set forth in Section 13-55. This applies both to extensions made to reach property previously unserved and extensions within new subdivisions or developments.

(e) The town shall normally require that, when a water or sewer line is extended to serve previously unserved property, it must be extended completely through that property or (if the line is extended along the street frontage) to the far side of the property. The purpose of this requirement is to facilitate future extensions of such utility lines to serve other properties.

Section 13-52 Manner In Which Extensions Are To Be Made.

(a) All additions to the town's water or sewer system, whether inside or outside the town, shall be installed in accordance with the provisions of this chapter as well as other town specifications and requirements.

Among other matters, such specifications shall govern the size of all lines, their location, grade, materials used, manner of installation, and provision for future extensions.

(b) No construction on any addition to the town's water or sewer system shall commence until detailed plans have been reviewed and approved by the administrator. Such plans shall include whatever information the administrator deems reasonably necessary to determine whether the proposed extension complies with all applicable town specifications and requirements.

(c) Water lines intended for addition to the publicly owned water system will be allowed to connect to the system only if installed within the right-of-way of a publicly dedicated and opened street, except that the town may accept an offer of dedication of lines installed within undivided commercial or industrial developments if necessary easements are provided. Sewer lines shall also be installed within public street rights-of-way wherever practicable, but the town may accept sewer lines constructed on private property (where the topography makes this necessary) if adequate permanent easements are provided.

(d) To protect street surfaces, the town may require that whenever extensions of water or sewer lines are made to properties or within new subdivisions, laterals be extended to all properties expected to tap on to such water or sewer lines.

(e) By making application for extension to the town's water or sewer system, the person responsible for the extension agrees to indemnify and holds the town harmless from all loss, cost, damage, liability, or expense resulting from injury to any person or property arising out of the extension of such service lines.

Section 13-53 Inspection by Town of Work Done by Others.

(a) All work on the extension of water or sewer lines not performed by town forces (whether inside or outside the town) shall be subject to inspection by the town and no new service line may be covered up until such inspection has occurred. If, in the judgment of the administrator, there is a demonstrated lack of competent supervision by a contractor, the administrator may (at his option) provide constant inspection by town personnel at the expense of the applicant.

(b) Inspection of a project by the town does not consist of or imply supervision. The person requesting the extension is solely responsible for ensuring that the project is completed according to town specifications (if the work is not done by town forces) and may be required to rearrange or do over any work to bring it into conformity with such specifications and requirements.

Section 13-54 Dedication of Water and Sewer Line Extensions.

(a) All water and sewer mains constructed and connected with the facilities of the town pursuant to this article shall be conveyed to and become the property of the town upon completion and acceptance by the town. Connection to the system and acceptance by the town shall constitute dedication of a water or sewer main extension by the person responsible for the extension. However, connection to the system shall not be permitted unless and until the lines have been constructed and connected in compliance with all applicable state and town regulations and requirements.

(b) Following dedication as provided in subsection (a), the town shall have exclusive control of all water or sewer lines and shall be responsible for their maintenance, repair, and operation. However, the conveyor of additions to the system shall guarantee the entire project against defective material and workmanship for a period of twelve (12) months from the date of completion and acceptance of the project, including such incidental damages as may arise from such claims.

Section 13-55 Credits for Installing Oversized Lines.

(a) A developer who extends a water or sewer line and is required by the town to install an oversized line shall be entitled to receive a credit against the payment of availability fees in accordance with the provisions of this section.

- (1) For purposes of this section, an "oversized line" means any line or other element or facility of the town's water or sewer system that (i) is larger than the minimum size line or facility that the town normally allows to be constructed and (ii) is larger than that necessary to serve the needs of the developer constructing the line or facility.
- (2) The availability fees against which a credit may be taken are those fees that are required to be paid for the development of the property to which or in which the lines are extended. An extension of an oversized water line entitles the developer to credits only against water availability fees, and an extension of an oversized sewer line entitles the developer to credits only against sewer availability fees.

(b) The maximum amount of credit to which a developer shall be entitled for the extension of oversized lines shall be an amount determined by the town that reasonably approximates the difference between the actual cost of extending the oversized line and the cost that the developer would have incurred had he been allowed to extend a line that was not oversized. In making this determination, the town may, among other alternatives, establish a schedule of customary and reasonable costs for extending lines of different sizes and calculate the maximum creditable amount by multiplying the length of the line extended times the per foot cost differential for the oversized line.

(c) Credits may be taken under this section at the time availability fees are paid. In applying credits, a determination shall first be made of

the amount of availability fees that would be required in the absence of any credits, and then the developer may use credits for up to fifty percent of payment otherwise required (subject to the maximum creditable amount determined under subsection(b)).

Sections 13-56 and 13-57 Reserved.

Article VII

CAPACITY RESERVATION AND SYSTEM EXPANSION

Section 13-58 Relationship of Water System Capacity to Approvals Under Zoning, Subdivision, and Building Regulations.

(a) With respect to water supply from the town's system, neither connection permits nor reservations of present or future capacity are required before the commencement of site construction work, the issuance of building permits, or the sale of subdivision lots. However, as provided in Section 13-38, water availability fees (as well as other applicable fees) must be paid before a permit to connect to the water system is granted, and no occupancy permit may be issued until a connection permit has been obtained.

(b) Whenever a change in use takes place on property that has previously been connected to the town's water system and under the new use a greater demand will be placed on the water system than was placed on this system by the previous user (as determined by Appendix A), then no occupancy permit may be issued for such lot until the applicant has paid the required availability charges for the additional capacity needed.

Section 13-59 Relationship of Sanitary Sewer System Capacity to Approvals Under Zoning, Subdivision, and Building Regulations

(a) As provided in the town's zoning ordinance and subdivision regulations, zoning map amendments (including planned unit development map amendments) may be granted, preliminary plat and site plan approvals may be obtained, and zoning and special exception permits may be issued without any showing that the town's sanitary sewer system will have sufficient capacity when needed to serve the properties for which such approvals or permits are granted. However, with respect to any development (or phase thereof), building, or lot that is proposed, intended or required to be served by the town's sanitary sewer system, the remaining requirements of this section shall be applicable.

(b) No clearing, excavation, construction, or other site disturbing work may be undertaken on any lot or tract where one or more new sewer connections will be required or where the proposed use of the lot or tract will result in an increased demand on the sewer system (as determined in accordance with Appendix A) unless the developer has secured a reservation of existing sewer capacity (see Section 13-60) or future capacity (see Section 13-61) that is sufficient to accommodate the proposed development.

(c) Subdivision final plat approval may not be granted unless the applicant has secured a reservation of existing sewer capacity for every

lot that is sufficient to accommodate the development proposed or anticipated for that lot.

(d) No building permit may be issued for any lot where the construction work authorized under the permit will result in the need for a new connection to the town's sanitary sewer system or an increased demand on the sewer system (as determined in accordance with Appendix A) unless the developer has secured a reservation of existing sewer capacity (see Section 13-60) that is sufficient to accommodate the proposed development.

(e) If a building permit is sought for a lot not previously connected to the town's sewer system but with respect to which sewer capacity has been reserved and availability fees paid, and the use proposed at the time the building permit is sought will place more or less demand on the sewer system (according to Appendix A) than the capacity paid for at the time capacity was reserved, then:

- (1) If the demand of the proposed use exceeds the capacity reserved, the building permit will not be issued unless and until additional capacity has been reserved and the availability fees paid;
- (2) If the demand of the proposed use is less than the capacity reserved, a refund for excess capacity may be sought under Section 13-63.

(f) Whenever (i) a change in use is made with respect to property that has previously been connected to the town's sanitary sewer system, and (ii) no building permit is required to accomplish the change in use, and (iii) under the new use a greater demand will be placed on the sanitary system than was placed on this system by the previous user (as determined by Appendix A), then no occupancy permit may be issued for such use until the applicant has purchased additional existing capacity in accordance with Sections 13-6 and 13-9.

Section 13-60 Reservation of Present Capacity.

(a) Any person may reserve unutilized existing capacity within the sanitary sewer system by paying to the town the appropriate availability fee prescribed in section 13-9. Capacity reservations shall be accepted on a first come, first served basis upon receipt by the administrator of a properly completed application together with a cashier's or certified check for the full amount of the availability fee.

(b) For purposes of this section and section 13-61, "unutilized capacity" refers to that amount of the capacity of the sewage treatment system to adequately treat sewage that remains after subtracting (i) the portions of the capacity of the sewage treatment plant that the town determines should be reserved to serve customers already connected, and (ii) that portion of the total capacity already accounted for by persons holding reservations of existing capacity.

Section 13-61 Reservation of Future Sewer Capacity.

(a) As the town begins to approach exhaustion of the unutilized capacity within its sanitary sewer system, the town shall undertake to expand the capacity of the system. Any person may reserve future capacity in the system by paying the applicable availability fee for the amount of capacity reserved. Future capacity reservations shall be accepted on a first come, first served basis upon submission of a properly completed application together with a cashier's or certified check for the full amount of the availability fee.

(b) When the expanded system becomes operational, future capacity reservations automatically become present capacity reservations with the same order of priority.

Section 13-62 Determination of Capacity Reserved.

(a) To determine the amount of sanitary sewer capacity that should be reserved, the administrator shall review the proposed development for which the reservation is sought and make a determination based upon the table attached to this chapter as Appendix A. If anticipated demand cannot be determined from Appendix A, then the administrator shall make the determination based upon the best information available. The availability fee may then be calculated from the Schedule of Rates and Charges.

Section 13-63 Transfer of Capacity Reservations.

(a) Reservations of present or future capacity are not transferable from the property with respect to which the reservations were obtained to other property. However, the town may provide a refund of the amount paid for this capacity reservation to a person relinquishing a capacity reservation if another party is available who desires to purchase the relinquished reservation.

(b) Persons holding reservations of future capacity shall have first option on purchasing relinquished reservations of present capacity.

Section 13-64 Reserved.

ARTICLE VIII

FIRE PROTECTION SERVICE

Section 13-65 Fire Hydrants.

(a) The developers of subdivisions and unsubdivided developments, whether inside or outside the town, may be required as a condition of connecting to the town's water system to install fire hydrants in accordance

with town requirements and specifications. Among other matters, such requirements and specifications may govern the number, locations, and type of hydrants required.

(b) The town may contract with a developer to install fire hydrants required pursuant to subsection (a), but in all cases the full cost of providing for such hydrants shall be borne by the developer.

(c) Connection to the town's water system of any hydrant constructed pursuant to subsection (a) shall constitute dedication to the town of such hydrant.

(d) All hydrants located within the right-of-way of a dedicated street or on other town property shall be maintained by the town without charge, except that the town may include a hydrant maintenance charge in the fire protection service fees charged to the county for any area served by the town outside its corporate limits.

(e) Hydrants located on private property shall be maintained by the town and a charge therefore shall be added to the customer's bill, as specified in Section 13-9.

(f) No person, other than an authorized representative of the town, may draw water from or otherwise tamper with any hydrant.

Section 13-66 Fire Protection Service Lines.

(a) Subject to the provisions of this article, the town may allow fire protection service connections to be made to the town's water lines.

(b) All fire protection service connections shall be made in accordance with town requirements and specifications and only after the town has reviewed and approved detailed plans for such fire protection service lines and facilities. Final connection to the town system shall not be made until the administrator has inspected and approved the installed fire protection system.

(c) Private fire protection systems, including standpipes, sprinkler systems, and private reservoir systems, shall be constructed and installed only by persons properly licensed to do the work. Lateral extensions and taps shall be made by the town, and fees shall be charged therefore as provided in Section 13-9.

(d) Backflow prevention conforming to town specifications shall be installed at such points in the fire protection system as necessary to assure protection of the water supply.

Section 13-67 Metering of Fire Protection Service Lines.

(a) The town may require the owner of any fire protection line to install at his expense either a detection check valve with bypass meter or a full flow fire line meter. Such a valve or meter may be required upon

the initial connection of the fire line to the town's system and shall be required if the town subsequently has reason to believe that unmetered water is being lost or used for other than fire protection purposes from any such line.

(b) When a detector check meter indicates usage of water for other than fire protection, the owner shall be required at his expense to furnish and install a full flow meter of approved design. Such meter shall be arranged to meter all water supplied to the premises for all purposes, including fire protection.

Sections 13-68 through 13-75 Reserved.

Subchapter IV Sanitary Sewer Use

Article IX

SANITARY SEWER USE

Section 13-76 Purpose, Objectives and Applicability.

(a) This article is designed to enable the Town of Spring Hill to comply with all applicable requirements and mandates of the federal and state water pollution control programs.

(b) The objectives of this article are:

- (1) To prevent the introduction into the town's wastewater system of pollutants that will interfere with the operation of the system or contaminate the resulting sludge;
- (2) To prevent the introduction into the town's wastewater system of pollutants that will pass through the system inadequately treated into receiving waters or the atmosphere or otherwise be incompatible with the system;
- (3) To improve the opportunity to recycle and reclaim wastewaters and sludges from the system; and
- (4) To provide for equitable distribution of the cost of the town's wastewater system.

(c) Many of the provisions of this article explicitly apply only to industrial wastes. The remaining provisions apply to wastes of all types, but, as a practical matter, only industrial wastes are likely to be affected by them in most instances.

Section 13-77 Storm Water Prohibited.

No person may discharge or cause to be discharged into any sanitary sewer any storm water, surface water, ground water, roof run-off, subsurface drainage, cooling water or unpolluted industrial or commercial process water.

Section 13-78 Prohibited Uses.

(a) Subject to the provisions of Section 13-80, no person may discharge or cause to be discharged any of the following described waters or wastes to any part of the town's sanitary sewer system.

- (1) Any clothing, rags, textile remnants, etc., except scraps or fibers that will pass through a one-quarter (0.25) inch mesh screen or its equivalent in screening ability.
- (2) Any liquid or vapor having a temperature higher than 104 degrees Fahrenheit.
- (3) Any water or waste containing more than 100 milligrams per liter (mg/l) of fats, oils, or grease.
- (4) Any liquids, solids or gases that may cause fire or explosion or be in any way injurious to persons, any portion of the town's sewage treatment system or the operation of this system.
- (5) Any liquid wastes in which total suspended solids (T.S.S.) exceed 600 milligrams per liter.
- (6) Any liquid wastes having a B.O.D. of more than 350 milligrams per liter.
- (7) Any waters or wastes having a stabilized pH lower than 5.0 or higher than 9.0 or having other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the sewage treatment system.
- (8) Any waters or wastes containing any toxic or poisonous substances or any other materials (including, but not limited to, heavy metals or chemicals) in sufficient quantities to interfere with the biological processes used in the sewage treatment works or that will pass through the sewage treatment works and harm persons, livestock, or aquatic life utilizing the natural outlet.
- (9) Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant.
- (10) Any noxious or malodorous gas or substance capable of creating a public nuisance.

- (11) Any garbage that has not been properly shredded.
- (12) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, bones, feathers, tar, plastic, wood, paunch manure, butcher's offal, or any other solid or viscous substances capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage collection system or the sewage treatment works.
- (13) Any materials that form excessive amounts of scum that may interfere with the operation of the sewage treatment works or cause undue additional labor in connection with its operation.
- (14) Any liquid wastes containing dyes or other colors that cannot be removed by biological processes or that require special chemical treatment.
- (15) Any waters or wastes that require excessive quantities of chlorine for stabilization in addition to biological treatment. The amount of excess demand will be determined by comparing the chlorine demand of the waste in question with the average chlorine demand of all other wastes entering the plant.
- (16) Any waters or wastes containing radioactive waters or wastes in quantities that may prove injurious to the treatment process or any portion of the sewage treatment system or to persons, animals, or plant life.
- (17) Any substance which will cause the POTW to violate its NPDES and/or State Disposal System Permit or the receiving water quality standards.
- (18) Any waters or wastes containing in excess of 30 milligrams per liter NH-3.
- (19) Any wastewater containing in excess of the following limitations:

<u>Constituent</u>	<u>Maximum Concentration For Average Day (mg/l)</u>	<u>Avg. of Daily Value of 30 Consecutive Days Shall not Exceed (mg/l)</u>
antimony	1.0	0.50
arsenic	0.10	0.10
boron	10.00	10.00
barium	0.50	0.50
cadmium	1.20	0.50
chloroform	1.00	1.00
chromium	7.00	2.50
copper	2.00	0.80

cyanide	0.80	0.23
lead	0.50	0.25
mercury	0.0005	0.0005
nickel	4.0	1.80
phenol	10.0	10.0
selenium	0.01	0.005
silver	1.20	0.50
vanadium	0.50	0.50
zinc	0.50	0.20

(b) When the administrator determines that a user is violating any of the foregoing standards, he shall, in addition to other remedies available under Section 13-3:

- (1) Advise the user of the violation; and
- (2) Develop effluent limitations for such user to correct the violation.

Section 13-79 Federal Categorical Pretreatment Standards.

(a) Upon the promulgation of the Federal Categorical Pretreatment Standards for a particular industrial subcategory, the federal standard, if more stringent than limitations imposed under this article for sources in that subcategory, shall immediately supersede the limitations imposed under this article. The administrator shall notify all affected users of the applicable reporting requirements under 40 CFR, Section 403.12.

(b) If the town's wastewater treatment system achieves consistent removal of pollutants limited by Federal Pretreatment Standards, the town may apply to DHE for modification of specific limits in the Federal Pretreatment Standards. "Consistent removal" shall mean reduction in the amount of a pollutant or alteration of the nature of the pollutant by the wastewater treatment system to a less toxic or harmless state in the effluent which is achieved by the system in 95 percent of the samples taken when measured according to the procedures set forth in Section 403.7(c)(2) of (Title 40 of the Code of Federal Regulations, Part 403) - "General Pretreatment Regulations for Existing and New Sources of Pollution" promulgated pursuant to the Act.

Section 13-80 Waiver of Discharge Limitations.

With the approval of DHE, a recipient of a significant industrial user's discharge permit may be allowed to discharge into the POTW wastes that exceed some of the limitations set forth above if the administrator determines that it is in the town's best interest to allow the deviation and the POTW will not be adversely affected. Any waiver granted in accordance with this section shall be considered a temporary measure, shall not ripen into a vested right, and may be revoked by the town at any time.

Section 13-81 Dilution of Discharge to Meet Standards Prohibited.

No user may increase the use of process water or in any way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in the Federal Categorical Pretreatment Standards or in any other pollutant-specific limitation developed by the town or State. However, dilution may be an acceptable means of complying with some of the limitations set forth in Section 13-78, e.g., the pH limitation.

Section 13-82 Accidental Discharges.

(a) Each significant industrial user shall provide protection from accidental discharge of prohibited materials or other substances regulated by this article. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner or user's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the town for review, and shall be approved by the town before construction of the facility. All existing users shall complete such a plan by January 1, 1987. No user who commences contribution to the POTW after the effective date of this article shall be permitted to introduce pollutants into the system until accidental discharge procedures have been approved by the town. Review and approval of such plans and operating procedures shall not relieve the industrial user from the responsibility to modify the user's facility as necessary to meet the requirements of this article. In the case of an accidental discharge, it is the responsibility of the user to immediately telephone and notify the POTW of the incident. The notification shall include location of discharge, type of waste, concentration and volume, and corrective actions.

(b) Within five (5) days following an accidental discharge, the user shall submit to the administrator a detailed written report describing the cause of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, fish kills, or any other damage to person or property; nor shall such notification relieve the user of any fines, civil penalties, or other liability which may be imposed by this article or other applicable law.

(c) A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees whom to call in the event of a dangerous discharge. Employers shall insure that all employees who may cause or suffer such a dangerous discharge to occur are advised of the emergency notification procedure.

Section 13-83 Preliminary Treatment Facilities.

(a) To equalize flows and to avoid temporary overloads, any person who discharges into the town's sanitary sewer system waste having a volume in

excess of 50,000 gallons in any twenty-four hour period may be required by the town to construct suitable storage tanks or equivalent devices according to town specifications relating to type of construction, storage capacity, and similar matters. The control of the volume of discharges of waste shall be by a waterworks type rate controller or equivalent device, the setting and operations of which shall be subject to the reasonable direction of the administrator.

(b) Whenever the total volume of wastes to be discharged by any person in any one day has considerable variation in pollutional value, such person may be required to construct holding or storage tanks in order to control the discharge of wastes over a twenty-four (24) hour period. Such tanks shall be in duplicate and be so equipped as to mix the waste so thoroughly that its quality will be uniform when discharged into the sanitary sewer system.

(c) Grease, oil, and sand or mud interceptors shall be provided when in the opinion of the administrator they are necessary for the proper handling and control of liquid wastes containing grease, oil, sand or mud in excessive amounts. Such interceptors shall not be required for private living quarters or dwelling units, but may be required for industrial or commercial establishments, public eating places, hotels, hospitals, automobile service stations, car washes, or other institutions. Such interceptors shall be located as to be readily accessible for cleaning and inspection and shall be maintained by the owner at his expense in continuously efficient operation at all times.

(d) Plans, specifications, and other pertinent information relating to proposed preliminary treatment or handling facilities, including the construction of storage tanks, inspection or control manholes, and controlling devices as required under this section, shall be submitted to the administrator for approval, and no construction of such facilities shall be commenced until such approval is obtained in writing.

(e) Where preliminary treatment or handling facilities are provided for any purpose, they shall be maintained continuously in satisfactory and effective operation by the owner at his own expense.

Section 13-84 Inspection Manhole.

(a) Any person discharging industrial wastes into the town's sanitary sewer system may be required to construct and maintain a suitable inspection or control manhole either downstream from any treatment or storage facility or, if such facilities are not required, at or before the point where the wastes enter the sanitary sewer.

(b) Such manhole shall be located and constructed in a manner approved by the administrator and shall contain the equipment determined by the administrator to be necessary for proper sampling and control of waste discharges.

Section 13-85 Determination of Character and Concentration of Wastes.

(a) Industrial waste discharged into the town's sanitary sewer system shall be subject to periodic inspection to determine the character and concentration of such waste, and the administrator shall conduct such inspections as often as deemed reasonably necessary to ensure compliance with the provisions of this chapter.

(b) By making application for sanitary sewer service the industrial waste customer agrees that duly authorized and identified town employees shall be permitted to enter the premises under the customer's control to carry out the inspections required in subsection (a). Whenever feasible, the town shall notify the customer before carrying out such inspections.

(c) Inspections made pursuant to subsection (a) do not relieve the person discharging wastes into the sanitary sewer system of responsibility for any loss, damage, or penalty resulting from the discharge of such wastes into the sanitary sewer system.

(d) Samples taken as part of the inspections authorized by this section shall be collected in such manner as to be representative of the actual quality of the waste. Laboratory methods used in the examination of such waste shall be those set forth in "Standard Methods," as hereinbefore described, a copy of which is on file at the office of the administrator for inspection by interested parties.

Section 13-86 Authority for Temporary Exclusion.

Authority is hereby given to the administrator to exclude temporarily any industrial waste, whether pretreated or not, from the sanitary sewers whenever in his opinion such action is necessary for the purpose of determining the effects of such wastes upon any part of the sewage treatment system.

Section 13-87 Permit Required for Discharge of Industrial Wastes by Significant Users.

(a) Subject to subsection (b), no significant industrial user may discharge industrial wastes into the town's sewage treatment system without a significant industrial user's discharge permit issued by the administrator or after such permit has been revoked pursuant to Section 13-100.

(b) Significant users discharging industrial wastes into the town's sewage treatment system on the effective date of this section shall have a grace period of three months to comply with the provisions of subsection (a), and shall thereafter be bound by its requirements.

(c) The permit requirement set forth in this section for industrial waste discharge is in addition to any other provisions of this chapter relating to applications for service, connections, or extensions to the town's sewer system.

Section 13-88 Permit Application.

(a) Users required to obtain a significant industrial users discharge permit shall complete and file with the town an application in the form prescribed by the town, and accompanied by the fee specified in Section 13-9. Existing users shall apply for a permit within 30 days after the effective date of this article, and proposed new users shall apply at least 90 days prior to connecting to or contributing to the POTW. In support of the application, the user shall submit, in units and terms appropriate for evaluation, the following information:

- (1) Name, address, and location, (if different from the address);
- (2) SIC number according to the Standard Industrial Classification Manual, Bureau of the Budget, 1972, as amended;
- (3) Wastewater constituents and characteristics including but not limited to those mentioned by section 13-78 of this chapter as determined by a reliable analytical laboratory; sampling and analysis shall be performed in accordance with procedures established by the EPA pursuant to Section 304(g) of the Act and contained in 40 CFR, Part 136, as amended;
- (4) Time and duration of contribution;
- (5) Average daily and 30 minute peak wastewater flow rates, including daily, monthly and seasonal variations if any;
- (6) Site plans, floor plans, mechanical and plumbing plans and details to show all sewers, sewer connections, and appurtenances by the size, location and elevation;
- (7) Description of activities, facilities and plant processes on the premises including all materials which are or could be discharged;
- (8) Where known, the nature and concentration of any pollutants in the discharge which are limited by any town, State, or Federal pretreatment standards, and a statement regarding whether or not the pretreatment standards are being met on a consistent basis and if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required for the user to meet applicable pretreatment standards;
- (9) If additional pretreatment and/or O&M will be required to meet the pretreatment standards; the shortest schedule by which the user will provide such additional pretreatment. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard. The following conditions shall apply to this schedule:
 - a. The schedule shall contain increments of progress in the form of dates for the commencement and completion of major

events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (e.g., hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, etc.).

b. No increment referred to in paragraph 9 shall exceed 9 months.

c. Not later than 14 days following each date in the schedule and the final date for compliance, the user shall submit a progress report to the administrator including, as a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment of progress, the reason for delay, and the steps being taken by the user to return the construction to the schedule established. In no event shall more than nine months elapse between such progress reports to the administrator.

- (10) Each product produced by type, amount, process or processes and rate of production;
- (11) Type and amount of raw materials processed (average and maximum per day);
- (12) Number and type of employees, and hours of operation of plant and proposed or actual hours of operation of pretreatment system;
- (13) Number and type of employees, and hours of operation of plant and proposed or actual hours of operation of pretreatment system;
- (14) Any other information as may be deemed necessary by the town to evaluate the permit application.

(b) The town will evaluate the data furnished by the user and may require additional information. After evaluation and acceptance of the data furnished, the town shall consider and act on the application as provided below.

Section 13-89 Public Notice of Applications.

(a) At least 45 days prior to any proposed final action on an application for a permit under Section 13-58, the administrator shall notify interested persons and agencies and the general public that such an application has been received:

- (1) By publishing the notice one time in a newspaper having general circulation in the Hillsborough area; and

- (2) By mailing a copy of the notice to those persons specified in subsection (c).

(b) The notice required by this section shall contain at least the following information:

- (1) Name, address, phone number of agency issuing the public notice;
 - (2) Name and address of each applicant;
 - (3) Brief description of each applicant's activities or operations which result in the discharge described in the application indicating whether the discharger is new or existing.
 - (4) Name of the WWTP into which each discharge is made and a short description of the waterway into which the WWTP discharges;
 - (5) A statement of the tentative determination to issue or deny the permit for the discharge described in the application;
 - (6) A brief description of the procedures for the formulation of final determinations, including a 30-day comment period and any other means by which interested persons may influence or comment upon the determinations; and
 - (7) Address and phone number of premises at which interested persons may obtain further information, request a copy of the draft permit, request a copy of the fact sheet and inspect and copy application forms and related documents. Copies of the fact sheet shall be made available free upon request. Copies of the information on file, other than fact sheets, will be made available upon request and payment of the cost of reproduction.
- (c) Any person may request to receive copies of all notices required under this section or section 13-91, and the administrator shall mail such notice to any such person. The administrator shall also give notice to the following:
- (1) The Tennessee Department of Health and Environment; and
 - (2) Any other federal, state or local agency upon request.

Section 13-90 Response to Notice of Application.

(a) All comments received within 30 days following the publication date of the notice of application shall be made part of the application file and shall be considered by the administrator prior to taking final action on the application.

(b) Any person who desires a public meeting on any permit application shall so request in writing to the administrator within 30 days following

the publication date of the notice of application. The administrator shall hold a meeting if there is a significant public interest (including the filing of requests of petitions for such meeting) in holding such a meeting. Instances of doubt shall be resolved in favor of holding the meeting. Any meeting brought pursuant to this subsection shall be held in the geographical area of the proposed discharge or other appropriate area, in the discretion of the administrator, and may, as appropriate, consider related groups of permit applications.

Section 13-91 Notice of Public Meeting on Permit Applications.

(a) If the administrator determines, pursuant to subsection 13-90(b), that a public meeting should be held on a permit application, he shall, at least 30 days prior to the date of the meeting, notify interested persons and agencies and the general public:

- (1) By publishing the notice one time in a newspaper having general circulation in the Spring Hill area.
- (2) By mailing to all persons and government agencies which received a copy of the notice or the fact sheet for the application; and
- (3) By mailing to any person or group upon request.

(b) The contents of the notice required under subsection (a) include at least the following:

- (1) Name, address, and phone number of agency holding the public meeting;
- (2) Name and address of each applicant whose application will be considered at the meeting; name of the WWTP to which each discharge is made and a short description of the waterway into which the WWTP discharges;
- (3) A brief reference to the public notice issued for each application including identification number and date of issuance;
- (4) Information regarding the time and location for the meeting;
- (5) The purpose of the meeting;
- (6) A concise statement of the issues raised by the persons requesting the meeting;
- (7) Address and phone number of premises at which interested persons may obtain further information, request a copy of each draft permit, request a copy of each fact sheet, and inspect and copy forms and related documents; and
- (8) A brief description of the nature of the meeting including the rules and procedures to be followed; the notice shall

also state that additional information is on file at the town hall complex and may be inspected at any time during normal working hours. Copies of the information on file will be made available upon request and payment of cost of reproduction.

Section 13-92 Action on Applications.

(a) The administrator shall take final action on all applications not later than 60 days following notice of application or, if a public hearing is held, within 90 days following the closing of the record of the hearing.

(b) The administrator is authorized to:

- (1) Issue a permit containing such conditions as are necessary to effectuate the purposes of this chapter;
- (2) Issue a permit containing time schedules for achieving compliance with applicable effluent standards and limitations and other legally applicable requirements;
- (3) Modify or revoke any permit upon giving 30 days notice to the person affected pursuant to section 13-100 of this chapter;
- (4) Suspend a permit pursuant to Section 13-100 of this chapter;
- (5) Deny a permit application:
 - a. Where necessary to effectuate the purposes of section 13-78 of this chapter;
 - b. For a discharge to which the Department of Health and Environment has objected.

(c) Permits shall be issued or renewed for a period of time deemed reasonable by the administrator except in no case shall permits be issued for a period to exceed five years.

(d) The administrator shall notify an applicant by certified or registered mail of the final decision of the applicant's permit application. Notifications of denial shall specify the reasons therefor and the proposed changes which in the opinion of the administrator will be required to obtain the permit.

Section 13-93 Appeals.

(a) An applicant whose permit is denied, or is granted subject to conditions he deems unacceptable, shall have the right to a hearing before a hearing officer designated by the administrator upon making written demand, (identifying the basis for the appeal and the issues involved) to the administrator within 30 days following notice of final decision to deny or grant the permit. Unless such demand is made, the decision on the application shall be final and binding.

(b) Any decision of a hearing officer made as a result of a hearing held under such section (a) of this section may be appealed by any party to the board of commissioners upon filing a written demand within 10 days of receipt of notice of the decision. The board of commissioners shall hear the matter de novo.

Section 13-94 Permit Conditions.

A significant industrial user's discharge permit shall be expressly subject to all provisions of this chapter and all other applicable regulations, user charges and fees established by the town. Permits may contain the following:

- (1) The unit charge or schedule of user charges and fees for the wastewater to be discharged;
- (2) Limits on the average and maximum wastewater constituents and characteristics;
- (3) Limits on average and maximum rate and time of discharge or requirements for flow regulations and equalization.
- (4) Requirements for installation and maintenance of inspection and sampling facilities;
- (5) Specifications for monitoring programs which may include sampling locations, frequency of sampling, number, types and standards for tests and reporting schedule;
- (6) Compliance schedules;
- (7) Requirements for submission of technical reports or discharge reports;
- (8) Requirements for maintaining and retaining plant records relating to wastewater discharge as specified by the town, and affording town access thereto;
- (9) Requirements for notification to the town of any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater constituents being introduced into the wastewater treatment system;
- (10) Requirements for notification of slug discharges as per section 13-82;
- (11) Other conditions as deemed appropriate by the town to ensure compliance with this chapter.

Section 13-95 Permit Modifications.

Within 9 months of the promulgation of a National Categorical Pretreatment Standard, the discharge permit of users subject to such standards shall be revised to require compliance with such standard within the time frame prescribed by such standard. Where a user subject to a National Categorical Pretreatment Standard has not previously submitted an application for a discharge permit as required by section 13-88, the user shall apply for such permit within 180 days after the promulgation of the applicable National Categorical Pretreatment Standard. In addition, the user with an existing discharge permit shall submit to the administrator within 180 days after the promulgation of an applicable Federal Categorical Pretreatment Standard the information required by subsection (a)(8) and (a)(9) of section 13-88.

Section 13-96 Permit Duration.

Permits shall be issued for a specified time period, not to exceed five (5) years. A permit may be issued for a period less than a year or may be stated to expire on a specific date. The user shall apply for permit reissuance a minimum of 180 days prior to the expiration of the user's existing permit. The terms and conditions of the permit may be subject to modification by the town during the term of the permit if necessary to respond to changes in regulations, the user's operations or the capacity of the town's treatment plant, or if other just cause exists. The user shall be informed of any proposed changes in his permit at least 30 days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

Section 13-97 Permit Transfer.

Significant industrial users' discharge permits are issued to a specific user for a specific operation. A discharge permit shall not be reassigned or transferred or sold to a new owner, new user, different premises or a new or changed operation without the approval of the town. Any succeeding owner or user shall also comply with the terms and conditions of the existing permit.

Section 13-98 Reporting Requirements for Permittee.

(a) Within 90 days following the date for final compliance with applicable pretreatment standards or, in the case of a new source, following commencement of the introduction of wastewater in the POTW, any user subject to pretreatment standards and requirements shall submit to the administrator a report indicating the nature and concentration of all pollutants in the discharge from the regulated process which are limited by pretreatment standards and requirements and the average and maximum daily flow for these process units in the user facility which are limited by such pretreatment standards or requirements. The report shall state whether the applicable pretreatment standards or requirements are being met on a consistent basis and, if not, what additional O&M and/or pretreatment is

necessary to bring the user into compliance with the applicable pretreatment standards or requirements. This statement shall be signed by an authorized representative of the industrial user, and certified to by a qualified professional.

(b) Any user subject to a pretreatment standard, after the compliance date of such pretreatment standard, or, in the case of a new source, after commencement of the discharge into the POTW, shall submit to the administrator during the months of June and December, unless required more frequently in the pretreatment standard or by the administrator, a report indicating the nature and concentration of pollutants in the effluent which are limited by such pretreatment standards. In addition, this report shall include a record of all daily flows which, during the reporting period, exceeded the average daily flow reported in subsection (a) of this section. At the discretion of the administrator and in consideration of such factors as local high or low flow rates, holidays, budget cycles, etc., the administrator may agree to alter the months during which the above reports are to be submitted.

(c) The administrator may impose mass limitations on users which are using dilution to meet applicable pretreatment standards or requirements, or in other cases where the imposition of mass limitations are appropriate. In such cases, the report required by subsection (b) of this section shall indicate the mass of pollutants regulated by pretreatment standards in the effluent of the user. These reports shall contain the results of sampling and analysis of the discharge, including the flow and the nature and concentration, or production and mass where requested by the administrator, of pollutants contained therein which are limited by the applicable pretreatment standards. The frequency of monitoring shall be prescribed in the applicable pretreatment standard. All analysis shall be performed in accordance with procedures established pursuant to section 304(g) of the Act and contained in 40 CFR, Part 136 and amendments thereto or with any other test procedures approved by the administrator. Sampling shall be performed in accordance with the techniques approved by the administrator.

Section 13-99 Pretreatment.

Users shall provide necessary wastewater treatment as required to comply with this Ordinance and shall achieve compliance with all federal categorical pretreatment standards within the time limitations as specified by the federal pretreatment regulations. Any facilities required to pretreat wastewater to a level acceptable to the town shall be provided, operated, and maintained at the user's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the town for review, and shall be acceptable to the town before construction of the facility. The review of such plans and operating procedures will in no way relieve the user from the responsibility for modifying the facility as necessary to produce an effluent acceptable to the town under the provisions of this chapter. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the town prior to the user's initiation of the changes.

Section 13-100 Enforcement.

(a) The enforcement remedies specified in this section are in addition to those set forth in section 13-3 of this chapter.

(b) The town may suspend the wastewater treatment service and/or a significant industrial user's discharge permit when such suspension is necessary, in the opinion of the administrator, to stop an actual or threatened discharge that (i) presents or may present an imminent or substantial danger to the health or welfare of persons or the environment, or (ii) causes interference to the POTW, or (iii) causes the town to violate any condition of its NPDES permit.

(c) Any person notified of a suspension of the wastewater treatment service and/or the discharge permit shall immediately stop or eliminate the contribution. In the event of a failure of the person to comply voluntarily with the suspension order, the town shall take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW system or endangerment to any individuals. The town shall reinstate the permit and/or the wastewater treatment service upon proof of the elimination of the non-complying discharge. A detailed written statement submitted by the user describing the causes of the harmful contribution and the measures taken to prevent any future occurrence shall be submitted to the town within 15 days of the date of the occurrence.

(d) A significant industrial user's discharge permit may be revoked by the administrator if he finds that the user has violated any of the provisions of this chapter or any condition included in a permit issued under this article. Before revocation, the user shall be given thirty days written notice of the intent to revoke the permit and an opportunity to appear before the administrator to show cause why the permit should not be revoked. A decision to revoke the permit may be appealed in the manner set forth in section 13-93.

(e) The town shall annually publish in a newspaper having general circulation in the town a list of the users that were not in compliance with any pretreatment requirements or standards at least once during the twelve previous months. The notification shall also summarize any enforcement actions taken against the user(s) during the same twelve months.

Section 13-101 Surcharges for Industrial Wastes.

(a) Customers discharging industrial wastes into the town's sanitary sewer system may be subject to surcharges that reflect the additional treatment demands of industrial wastes. Therefore, the amount of an industrial waste customer's bill may depend upon the character and concentration of the wastes discharged as well as the quantity. Charges will be in accordance with the schedule of rates set forth in Section 13-9.

(b) The volume of flow used in determining the total discharge of industrial wastes shall be based upon metered water consumption as shown in the records of meter readings maintained by the administrator.

(c) In the event that a person discharging wastes into the sanitary sewers produces evidence satisfactory to the administrator that more than ten percent (10%) of the total volume of water used for all purposes does not reach the sanitary sewers, then the administrator and the customer may agree to use an estimated percentage of total water consumption as a basis for calculation of sewer use charges. Alternatively, the town may agree to authorize on such premises an additional water meter through which water passes that is not returned to the town's sewer system and to charge only a water service fee for this water (and not a sewer service fee).

(d) Where a person discharging industrial wastes into the public sewers procures all or any part of his water supply from sources other than the town, the person so discharging such waste shall install and maintain at his own expense water meters of a type approved by the administrator for the purpose of determining the proper volume of industrial waste discharged to such sewers.

APPENDIX A

TABLE OF WATER/WASTEWATER LOADS

Projected water use and wastewater loads of developments shall be determined using the following standards as a guide:

<u>Planned Use</u>	<u>Design Unit</u>	<u>Average Flow Per Day (In Gallons)</u>
<u>Residential</u>		
Single-family residences	Per house (or subdivision lot)	350
Mobile home (outside park)	Per home (or lot)	250
Mobile home park	Per home (or space)	200
Multi-family residences		
One bedroom	Per dwelling unit	200
Two bedroom	Per dwelling unit	300
Three bedroom	Per dwelling unit	350
<u>Motel and Institutional</u>		
Hotels and Motels		
Without cooking facility	Per lodging unit	100
With cooking facilities	Per lodging unit	150
Nursing homes and rest homes	Per bed	100
Hospitals	Per bed	200
Schools	Per student (maximum capacity)	30
<u>Office</u>	Per 400 s.f. of gross floor space	25
<u>General Retail</u>	Per 1000 s.f. gross floor space	100
<u>Restaurants and Taverns</u>	Per seat	50
<u>Other Commercial</u>		
Laundromat	Per washing machine	500
Car wash	Per bay	2000
Service station	Per bay or pump island	1000
Theaters	Per seat	3
Warehouse, storage, showroom	Per 1000 s.f. of gym floor space	25
<u>Industrial</u>		
Domestic waste only	Per 1000 s.f. of gym floor space	100
Process waste	Determined by Town of Spring Hill	
<u>Miscellaneous</u>		
Churches and assemblies	Per seat	2



In the event that proposed uses are not covered in the above list, it shall be the responsibility of the administration to establish a standard after consultation with the city engineer, the Tennessee Department of Health and Environment, or other such firm, individual, or agency as may be appropriate, or to make such interpretation of the standards as may be required.