

**ORDINANCE NO. 98-37**  
**SEWER USE ORDINANCE**  
**UNICOI, TENNESSEE**

General Provisions

Section 1. Purpose and Policy

This Ordinance sets forth uniform requirement for the disposal of wastewater in the service area of the Town of Unicoi, Tennessee. The Town of Unicoi wastewater is received and treated by the City of Erwin's wastewater treatment system. The objectives of this Ordinance are:

- (1) To protect the public health;
- (2) To provide problem free wastewater collection and treatment service;
- (3) To prevent the introduction of pollutants into the municipal wastewater treatment system, which will interfere with the system operation, will cause the receiving City, Erwin, to violate its National Pollutant Discharge Elimination System (SPDES) permit or other applicable State requirement, or will cause physical damage to the wastewater treatment system facilities;
- (4) To provide for full and equitable distribution of the cost of the wastewater treatment system;
- (5) To enable the Town of Unicoi to comply with the provisions of the Federal Clean Water Act, the General Pretreatment Regulations (40 CFR Part 403.1 et seq), and other applicable Federal and State laws and regulations;

In meeting these objectives, this Ordinance provides that all persons in the service area of the Town of Unicoi must have adequate wastewater treatment either in the form of a connection to the municipal wastewater treatment system or, where the system is not available, an appropriate private disposal system. The Ordinance also provides for the issuance of permits to system users; for the regulations of wastewater discharge volume and characteristics; for monitoring and enforcement activities; and for the setting of fees for the full and equitable distribution of costs resulting from the operation, maintenance, and capital recovery of the wastewater collection system and from other activities required by the enforcement and administrative program established herein.

This Ordinance shall apply to the Town of Unicoi, Tennessee and to persons outside the Town who are, by contract or agreement with the Town, users of the Municipal wastewater treatment system. Except as otherwise provided herein, the Superintendent, Erwin Sewer System, shall administer, implement, and enforce the provisions of this ordinance.

## Section 2. Definitions

Unless the context specifically indicates otherwise, the following terms and phrases, as used in this Ordinance, shall have the meanings hereafter designated:

- (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) Approval Authority - The Commissioner of the Tennessee Department of Environment and Conservation and the Administrator of the EPA.
- (3) Biochemical Oxygen Demand (BOD) - The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure, five (5) days at 20 degrees centigrade expressed in terms of weight and concentration (milligrams per liter (mg/l)).
- (4) Building Drain - Shall be defined as that lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.
- (5) Building Sewer - The extension from the building drain to the public sewer or other place of disposal.
- (6) Chemical Oxygen Demand (COD) - The quantity of oxygen utilized in the oxidation of organic matter to carbon dioxide and water expressed in milligrams per liter by weight.
- (7) City or Town - The Town of or the Board of Mayor and Aldermen, Town of Unicoi, Tennessee.
- (8) Combined Sewer - A sewer receiving both surface runoff and sewage.
- (9) Compatible Pollutant - Shall mean BOD, suspended solids, pH, and fecal coliform bacteria, and such additional pollutants as are now or may be in the future specified and controlled in the receiving City's NPDES permit for its wastewater treatment works where sewer works have been designed and used to reduce or remove such pollutants.
- (10) Cooling Water - The water discharged from any use such as air conditioning, cooling, or refrigeration, or to which the only pollutant added is heat.
- (11) Control Authority - The term "control authority" shall refer to the "Approval Authority", defined hereinabove; or the Superintendent if the Town has an approved Pretreatment Program under the provisions of 40 CFR, 403.11.

- (12) Customer - Any individual, partnership, corporation, association, or group who receives sewer service from the Town under either an express or implied contract requiring payment to the Town for such service.
- (13) Direct Discharge - The discharge of treated or untreated wastewater directly to the waters of the State of Tennessee.
- (14) Dissolved Solids - All solids found in water, sewage or other liquids and which are not removable by laboratory filtering.
- (15) Domestic Wastewater - Wastewater that is generated by a single family, apartment or other dwelling unit or dwelling unit equivalent containing sanitary facilities for the disposal of wastewater and used for residential purposes only.
- (16) Environmental Protection Agency, or EPA - The U.S. Environmental Protection Agency, or, where appropriate the term may also be used as designation for the Administrator or other duly authorized official of the said agency.
- (17) Garbage - Shall mean solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.
- (18) 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.
- (19) Holding Tank Waste - Any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum pump tank trucks.
- (20) Incompatible Pollutant - Shall mean any pollutant which is not a "compatible Pollutant" as defined in this section.
- (21) Indirect Discharge - The discharge or the introduction of non-domestic pollutants from any source into the POTW.
- (22) Infiltration - Groundwater entering the sewer system through such means as, but not limited to, defective pipes, pipe joints, connections, or manhole wall. Infiltration does not include, is distinguished from, inflow.
- (23) Infiltration/Inflow - The total quantity of water from both infiltration and inflow without distinguishing the source.
- (24) Inflow - The surface water discharged into a sewer system through such means as, but not limited to, roof leaders, cellar, yard and area drains, foundation drains, cooling water discharges, drains from springs and swampy areas, manhole covers, cross-connections from storm drains and combined sewers, catch basins, storm waters, surface runoff, street wash waters or drainage. Inflow does not include, and is distinguished from, infiltration.

- (25) Interference - the inhibition or disruption of the municipal wastewater treatment processes or operations which contributes to a violation of any requirement of the receiving city's NPDES Permit. The term includes prevention of sewage sludge use or disposal by, the POTW in accordance with Section 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 municipal wastewater treatment system.
- (26) Monitoring - The measurement, continuous or intermittent, of water quality.
- (27) NPDES (National Pollutant Discharge Elimination System) - Shall mean the program for issuing, conditioning, and denying permits for the discharge of pollutants from point sources into navigable waters, the contiguous zone, and the oceans pursuant to Section 402 of the Federal Water Pollution Control Act as amended.
- (28) pH - The logarithm (Base 10) of the reciprocal of the concentration of hydrogen ions expressed in grams per liter of solution.
- (29) Pollution - The man-made or man-induced alteration of the chemical, physical, biological, and radiological integrity of water.
- (30) Pollutant - Any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical substances, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharged into water.
- (31) Publicly Owned Treatment Works (POTW) - A treatment works as defined by Section 212 of the Act (33 U.S.C. 1292), which is owned in this instance by the receiving City, Erwin. 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" 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.
- (32) Primary Treatment - Preliminary treatment of wastewater resulting in removal of coarse solids, suspended and floating solids.
- (33) Process Water - Water that comes in contact with a product or with material incorporated in an end product.
- (34) Properly Shredded Garbage - The wastes from the preparation, cooking and dispensing of food that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing

in public sewers, with no particle greater than one-half inch (1.27 centimeters) in any dimension.

- (35) Receiving City - The City of Erwin, Tennessee.
- (36) Sanitary Sewer - A sewer which carries sewage and to which storm, surface and groundwater are not intentionally admitted.
- (37) Sanitary Wastewater - Defined the same as Wastewater.
- (38) Secondary Wastewater Treatment - The treatment of wastewater to meet secondary effluent limitations as defined in 40 CFR 133, Secondary Treatment Information.
- (39) Sewage Treatment Plant - Defined same as POTW Treatment Plant.
- (40) Sewer - A pipe or conduit for carrying sewage.
- (41) Shall or will is mandatory; May is permissive.
- (42) State - State of Tennessee.
- (43) Storm Water - Any flow occurring during or following any form of natural precipitation and resulting therefrom.
- (44) Storm Sewer or Storm Drain - Shall mean a pipe or conduit which carries storm and surface waters and drainage but excludes sewage and industrial wastes; it may, however, carry cooling waters and unpolluted waters upon approval of the Superintendent.
- (45) Superintendent - The Superintendent of the Sewage Works of the Town of Erwin, his authorized deputy agent, or representative.
- (46) Suspended Solids - The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquids, and which is removable by laboratory filtering.
- (47) Total Solids - All the matter which remains as a residue after water, sewage and/or other liquids are subjected to evaporation at 105 degrees C.
- (48) 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 CWA \*307 (a)) or other Acts.
- (49) Twenty Four (24) Hour Flow Proportional Composite Sample - A sample consisting of several sample portions collected during a 24-hour period in which the portions of a sample are proportioned to the flow and combined to form a representative sample.

- (50) User - any person who contributes, causes or permits the contribution of wastewater into the Town's POTW.
- (51) Wastewater - The liquid and water-carried industrial or domestic wastes from dwellings, commercial building, industrial facilities, and institutions, whether treated or untreated, which is contributed into or permitted to enter the POTW.
- (52) Wastewater Treatment Systems - Defined the same as POTW.
- (53) Waters of the State - All streams, lakes, ponds, marshes, watercourses, waterway, 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.
- (54) Watercourse - A channel in which a flow of water occurs, either continuously or intermittently.

### **Connection to Public Sewers**

#### Section 3. Requirements for proper Wastewater Disposal

- (1) Disposal of human and animal excrements. It shall be unlawful for any person to place, deposit, or permit to be deposit in any unsanitary manner on public or private property within the Town of Unicoi, or any area under the jurisdiction of the Town, any human or animal excrement, garbage, or other objectionable waste.
- (2) Discharge of sewage or polluted waters. It shall be unlawful to discharge to any waters of the State within the Town of Unicoi, or any area under the jurisdiction of the Town, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provision of this Ordinance.
- (3) Septic tank, cesspool, privy vault, and privy construction. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage..
- (4) Requirements of sewer connection. Except as provided in Paragraph (5) below, the Owner of all houses, building, or properties used for human occupancy, employment, recreation, or other purposes situated within the Town and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary sewer in the Town, is hereby required at his expenses to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this Ordinance, within ninety (90) days after date of official notice to do so, provided that said public sewer is

adjacent to the owner's abutting property line except where some other unusual circumstance exists.

- (5) **Manufacturing facility discharge.** The Owner of a manufacturing facility may discharge wastewater to the waters of the State provided that he obtains an NPDES permit and meet all requirements of the Federal Clean Water Act, the NPDES permit, and any other applicable local, state, or federal statutes and regulations.

#### Section 4. Private Sewage Disposal

The disposal of sewage by means other than the use of the available sanitary sewage system shall be in accordance with local, county, state, and federal law. The disposal of sewage by private disposal system shall be permissible only in those instances where service from the Town's sewerage facilities is not available.

#### Section 5. Physical Connection to Public Sewers

- (1) **Sewer Connections.** No unauthorized person shall uncover, make any connections with or openings into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Superintendent.
- (2) **Building sewer permits.** To obtain a building sewer permit, the owner or his agent shall make application on a special form furnished by the Town. Their permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the superintendent. A permit and inspection fee of \_\_\_ dollars (\$\_\_\_\_\_) shall be paid to the Town at the time the application is filed.
- (3) **Cost of sewer connection.** All costs and expenses incident to the installation, connection, and inspection of the building sewer shall be borne by the owner. The owner shall indemnify the Town from any loss or damage that may, directly or indirectly be occasioned by the installation of the building sewer.
- (4) **Users per connection.** A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and not private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.
- (5) **Use of existing sewer connection.** Old building sewers may be used in connection with new buildings only when they are found, on examination and tested by the Superintendent, to meet all requirements of this Ordinance. All others must be sealed to the specifications of the Superintendent.

- (6) Design considerations. Building sewers shall conform to the following requirements:
- (a) The minimum size of a building sewer shall be four (4) inches.
  - (b) The minimum depth of a building sewer shall be eighteen (18) inches.
  - (c) Four (4) inch building sewers shall be laid on a grade greater than 1/8 inch per foot. Larger building sewers shall be laid on a grade that will produce a velocity when flowing full of at least 2.0 feet per second.
  - (d) Slope and alignment of all building sewers shall be neat and regular.
  - (e) Building sewers shall be constructed only of (1) clay sewer pipe using rubber or neoprene compression joints of approved type; (2) cast iron soil pipe with compression joints; (3) Schedule 40 polyvinyl chloride pipe with solvent welded or with rubber compression joints; (4) ABS composite sewer pipe with solvent welded or rubber compression joints of approved type; or (5) such other materials of equal or superior quality as may be approved by the Superintendent. Under no circumstances will cement mortar joint be acceptable.
  - (f) A cleanout shall be located five (5) feet outside of the building and one at each change of direction of the building sewer which is greater than 45 degrees. Additional cleanouts shall be placed not more than seventy-five (75) feet apart in horizontal building sewers of four (4) inch nominal diameter and not more than one hundred (100) feet apart for larger pipes. Cleanouts shall be extended to or above the finished grade level directly above the place where the cleanout is installed. A 'T' (tee or "Y" (wye) and 1/8 bend shall be used for the cleanout base. Cleanouts shall not be smaller than four (4) inches on a four (4) inch pipe.
  - (g) Connections of building sewers to the public sewer system shall be made with the appropriate existing wye or tee branch using compression type couplings or collar type rubber joint with corrosion resisting or stainless steel bands. Where existing wye or tree branches are not available, connections of building services shall be made by either removing a length of pipe and replacing it with a wye or tee fitting or cutting a clean opening in the existing public sewer and installing a tee-saddle or tee-insert of a type approved by the Superintendent. Where connections are made with pipe of different inside or outside diameter, proper watertight gasketed or sleeved transition connections shall be used. All such connections shall be made gastight and watertight.
  - (h) The building sewer may be brought into the building below the basement floor when gravity flow from the building to the



sanitary sewer is at a grade of 1/8 inch per foot or more if possible. In cases where basement or floor levels are lower than the ground elevation at the point of connection to the sewer, adequate precautions by installation of check valves or the back flow prevention devices to protect against flooding shall be provided by the Owner. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer at the expense of the Owner.

- (i) The methods to be used in excavating, placing of pipe, jointing, testing, backfilling the trench, or other activities in the construction of a building sewer which have not been described above shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Town or to the procedures set forth in appropriate specifications of the ASTM and Water Environment Federation Manual of Practice. Any deviation from the prescribed procedures and materials must be approved by the Superintendent before installation.
  - (k) Grease traps. Upon construction or renovation, all restaurants, cafeterias, hotels, motels, hospitals, garages and some manufacturing plants shall install a grease trap on kitchen waste lines and other discharge lines carrying grease and oil. All existing restaurants, cafeterias, hotel, motels, hospitals, garages and manufacturing plants and other commercial food preparation establishments shall be required to construct a grease trap, at the owner's expense upon notification by the Superintendent, if and when the Superintendent determines that a grease/oil problem exists which is capable of causing damage or operational problems to structures or equipment in the public sewer system. The Town retains the right to inspect and approve installation of the grease trap facility. The grease trap must be designed in accordance with current engineering standards; it shall be tightly sealed and easily accessible to encourage regular maintenance. Grease traps shall be maintained by the owner or operator of the facility so as to prevent a stoppage of the public sewer. If the Town is required to clean out the public sewer lines as a result of a stoppage resulting from a clogged grease trap, the property owner shall be required to refund the labor, equipment, materials and overhead costs to the Town.
- (7) Inspections. The sewer connection and all building sewers from the building to the public sewer main line shall be inspected and subject to testing by the Superintendent or his authorized representative before the underground portion is covered. The applicant for discharge shall notify the Superintendent when the building sewer and connection are ready for inspection.
- (8) Protection from hazard. All excavations for building sewer installation shall be adequately guarded the barricades and lights so as to protect the

public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Town.

- (9) Illegal connections. No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, basement drains, or other sources of surface or groundwater to a building sewer or building drain which in turn is connection directly or indirectly to a public sanitary sewer.

#### Section 6. Maintenance of Building Sewers.

Each individual property owner or user of the POTW shall be responsible for the maintenance of the building sewer located on private property. This maintenance will include repair or replacement of the service line as deemed necessary by the Superintendent to meet specifications of the Town.

#### Private Domestic Wastewater Disposal

#### Section 7. Availability of Public Sewer

- (1) Where a public sanitary sewer is not available under the provisions of Section 5, the building sewer shall be connected to a private wastewater disposal system complying with the provisions of this section.
- (2) Any residence, office, recreational facility, or other establishment used for human occupancy where the building drain is below the elevation to obtain a grade equivalent to a 1/8-inch per foot in the building sewer but is otherwise accessible to a public sewer as provided in Section 5, the Owner shall provide a private sewage pumping station as provided in Section 5(h).
- (3) Where a public sewer becomes available, the building sewer shall be connected to said sewer within ninety (90) days after date of official notice to do so.

#### Section 8. Requirement for Private Waterwaste Disposal.

- (1) A private domestic wastewater disposal system may not be constructed within the Town unless and until a certificate is obtained from the Superintendent stating that a public sewer is not accessible to the property and no such sewer is proposed for construction in the immediate future. No certificate shall be issued for any private domestic wastewater disposal system employing subsurface soil absorption facilities where the area of the lot is less than that specified by the Unicoi County Health Department.
- (2) Before commencement of construction of a subsurface soil absorption facility, the Owner shall first obtain written permission from the Unicoi County Health Department. The Owner shall supply any plans, specifications, and other information as are deemed necessary by the Unicoi County Health Department.

- (3) A subsurface soil absorption facility shall not be placed in operation until the installation is completed to the satisfaction of the Unicoi County Health Department. They shall be allowed to inspect the work at any stage of construction and, in any event, the owner shall notify the Unicoi County Health Department when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within a reasonable period of time after the receipt of notice by the Unicoi County Health Department.
- (4) The type, capacity, location, and layout of a private sewage disposal system shall comply with all recommendations of the Department of Environment and Conservation of the State of Tennessee and/or the Unicoi County Health Department. No septic tank or cesspool shall be permitted to discharge to any waters of the State.
- (5) The Owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the Town.
- (6) No statement contained in this article shall be constructed to interfere with any additional requirements that may be imposed by the Unicoi County Health Department.

#### Section 9. Applications for Discharge of Domestic Wastewater

All Users or prospective users which generate domestic wastewater shall make application to the Superintendent for written authorization to discharge to the municipal wastewater treatment system. Applications shall be required from all new dischargers as well as for any existing discharger desiring additional service. Connection to the municipal sewer shall not be made until the application is received and approved by the Superintendent, the building sewer is installed in accordance with Section 5 of this Ordinance and an inspection has been performed by the Superintendent or his representative.

The receipt by the Town of a prospective customer's application for service shall not obligate the Town to render the service. If the service applied for cannot be supplied in accordance with this Ordinance and the Town's rules and regulations and general practice, the connection charge will be refunded in full, and there shall be no liability of the Town to the applicant for such service, except that conditional waivers for additional services may be granted by the Superintendent for interim periods if compliance may be assured within a reasonable period of time.

#### **Discharge Regulations**

#### Section 10. General Discharge Prohibitions

No User shall contribute or cause to be contributed, directly or indirectly any pollutant or wastewater which will interfere with the operation and performance, of the POTW. These general prohibitions apply to all such Users of a POTW whether or not the User is subject to National Categorical Pretreatment Standards or any other national, state, or local Pretreatment Standards or Requirements. A User may not contribute the following

substances to any POTW.

- (1) Any liquids, solids, or gases which by reason of their nature or quantity are, or may be sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the POTW or to the operation of the POTW. At no time, shall two successive readings on an explosion hazard meter, at the point of discharge into the system (or to any point in the system) be more than five percent (5%) nor any single reading over twenty percent (20%) of the Lower Explosive Limit (LEL) of the meter. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketone, aldehydes, peroxides, chlorates, prechlorates, bromate, carbides, hydrides and sulfides and any other substances which the Town, the State, or EPA has notified the User is a fire hazard or a hazard to the system.
- (2) Solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities such as, but not limited to: grease, garbage with particles greater than one-half inch (1/2") in any dimension, paunch manure, bones, hair, hides, or fleshing, entrails, whole blood, feathers, ashes, cinders, sand, spent line, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, gas, tar, asphalt residues, residues from refining, or processing of fuel or lubricating oil, mud, or glass grinding or polishing wastes.
- (3) Any wastewater having a pH less than 6.0 or higher than 9.0 or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment, and/or personnel of the POTW.
- (4) Any wastewater containing any toxic pollutants, chemical elements, or compounds in sufficient quantity, either singly or by interaction with other pollutants, to interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a toxic effect in the receiving waters of the POTW, or to exceed the limitation set forth in a Categorical Pretreatment Standard. A toxic pollutant shall include but not be limited to any pollutant identified pursuant to Section 307(a) of the Act.
- (5) Any noxious or malodorous liquids, gases, or solids which either singly or by interaction with other wastes are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewer for maintenance and repair.
- (6) Any substance which may cause the POTW's effluent or any other product of the POTW such as residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case, shall a substance discharged to the POTW to be in non-compliance with sludge use or disposal criteria, guidelines, or regulations developed under Section 405 of the Act; any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste

Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State Criteria applicable to the sludge management method being used.

- (7) Any substance which will cause the POTW to violate its NPDES Permit or the receiving water quality standards.
- (8) Any wastewater causing discoloration of the wastewater treatment plant effluent to the extent that the receiving stream water quality requirements would be violated, such as, but not limited to, dye wastes and vegetable tanning solutions.
- (9) Any wastewater having a temperature which will inhibit biological activity in the POTW treatment plant resulting in interference, but in no case wastewater with a temperature at the introduction into the POTW which exceeds 40 degrees Centigrade (104 degrees Fahrenheit).
- (10) Any pollutants, including oxygen demanding pollutants (BOD, etc.) released at a flow rate and/or pollutant concentration which a user knows or has reason to know will cause interference to the POTW.
- (11) Any waters or wastes causing an unusual volume of flow or concentration of waste constituting "Slug" as defined herein.
- (12) Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Superintendent in compliance with applicable state or federal regulations.
- (13) Any wastewater which causes a hazard to human life or creates a public nuisance.
- (14) Any waters or wastes containing fats, wax, grease, or oil, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperature between thirty-two (32) or one hundred forty (140) degrees Fahrenheit (0 and 60 degrees Centigrade).
- (15) Any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer. Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the Superintendent and the Tennessee Department of Environment and Conservation. Industrial cooling water or unpolluted process waters may be discharged on approval of the Superintendent and the Tennessee Department of Environment and Conservation to a storm sewer or natural outlet.
- (16) Except where expressly authorized to do so by an applicable Pretreatment Standard or Requirement, no Industrial User shall ever increase the use of process water, or in any other way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with a Pretreatment Standard or Requirement.

- (17) Any trucked or hauled pollutants, except at discharge points designated by the POTW in accordance with Section 9.

#### Section 11. Legal Action

If any person discharges sewage, industrial wastes, or other wastes into the Town's wastewater disposal system contrary to the provisions of this Ordinance, Federal or State Pretreatment Requirements (Tennessee Code Annotated, 69-3-128 and 69-3-129) or any order of the Town, the Town Attorney may commence an action for appropriate legal and/or equitable relief in the Chancery Court of Unicoi County.

#### Fees and Billing.

#### Section 12. Purpose

It is the purpose of this chapter to provide for the equitable recovery of costs from Users of the Town's wastewater treatment system, including costs of operation, maintenance, administration, bond service costs, capital improvements, and depreciation.

#### Section 13. Types of Charges and Fees.

The charges and fees as established in the Town's schedule of charges and fees, may include, but not be limited to:

- (1) Inspection fee and tapping fee;
- (2) Fees for application for discharge;
- (3) Sewer use charges;
- (4) Other fees as the Town may deem necessary to carry out the requirements of this Ordinance.

#### Section 14. Fees for Applications for Discharge

A fee may be charged when a User or prospective User makes application for discharge as required by Section 5(2) of this Ordinance.

#### Section 15. Inspection Fee and Tapping Fee.

An inspection fee and tapping fee for a building sewer installation shall be paid to the Town at the time the application is filed. Fees shall cover the costs of inspecting new and/or existing plumbing within subject building establishments as well as inspection of building sewers, property sewers, and sewer service lines and connections to the public sewers. The inspection fee and tapping fee shall be set by the Town.

## Section 16. Sewer User Charges

### (1) Determination of Costs

The Town shall establish monthly rates and charges for the use of the system and for the services supplied by the system. Said charges shall be based upon the cost categories of administration costs, including billing and accounting costs; operation and maintenance costs of the wastewater collection and treatment system; depreciation; and debt service costs.

- (a) All Users who fall under Cladd I shall pay a single unit charge expressed as dollars per thousand gallons of water purchased (\$/1,000 gallons) with the unit charge being determined in accordance with the following formula:

$$C_{ii} = T.S.C./V_t$$

Where;

$C_i$  = the Class I total unit cost in \$/1,000 gallons

T.S.C. = the total operation and maintenance, administration, depreciation and debt service determined by yearly budget projections

$V_t$  = the total volume of water purchased from all Users per year as determined from projections from one Town fiscal year to the next.

- (b) The volume of water purchased which is used in the calculation of sewer use charges may be adjusted by the Superintendent if a User purchases a significant volume of water for a consumptive use and does not discharge it to the public sewers (i.e., filling swimming pools, industrial heating, and humidifying equipment, etc.). The User shall be responsible for documenting the quantity of waste discharged to the public sewer.

## Section 17. Billing

The Rules and Regulations for Billing shall be set by the Town.

## Section 18. Validity

- (1) All Ordinances or parts of ordinances in conflict herewith are hereby repealed.
- (2) The validity of any section, clause, sentence, or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given effect without such invalid part or parts.

- (3) This Ordinance and its provisions shall be valid for all service areas, regions and sewage works under the jurisdiction of the Town of Unicoi, Tennessee

Section 19. Ordinance in Force

That this Ordinance take effect after its passage the public welfare requiring it.

Certified as a true copy of Ordinance passed on 5/5/98 (date).

Passed on 2nd reading 5/18/98 (date)

TOWN OF UNICOI

BY: Charles M. Hensting  
MAYOR

ATTEST:

Sherry J. Bailey  
CITY RECORDER

bya.3