



City of Grand Island

Tuesday, August 8, 2017

Council Session

Item F-4

#9641 - Consideration of Amendments to Chapter 30 of the Grand Island City Code Relative to Sewers and Sewage Disposal

Staff Contact: John Collins, P.E. - Public Works Director

Council Agenda Memo

From: Marvin Strong PE, Wastewater Plant Engineer

Meeting: August 8, 2017

Subject: Consideration of Amendments to Chapter 30 of the Grand Island City Code Relative to Sewers and Sewage Disposal

Presenter(s): John Collins PE, Public Works Director

Background

Proposed revisions to Chapter 30 of the City Code have been drafted for City Council consideration. The applicable section of the existing city code with markups is shown in this memo. A clean version of the proposed city code is attached as an ordinance.

Discussion

Since the last revision of Chapter 30; via Ordinance No. 9524 dated February 24, 2015, several changes have taken place to necessitate further updates. The following items are addressed in the attachment and will allow for current and concise information within City Code Chapter 30.

- Establish consistent standard for renewing expiring pretreatment permits
- Reflect new chloride and conductivity limits in the City's NPDES (National Pollution Discharge Elimination System) permit effective on or before January 1, 2021
- Match the Uniform Plumbing code requiring municipal sanitary sewer connections for structures a distance of 200 feet or less from mainline sanitary sewer
- Clean up technical terminology

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date

4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve the changes to Chapter 30 of the City Code

Sample Motion

Move to approve the ordinance revising a code section in Chapter 30 of the Grand Island City Code.

CHAPTER 30

SEWERS AND SEWAGE DISPOSAL

Article I. Generally

§30-1. Definitions

The definitions of certain words and phrases used in this chapter shall be as follows:

Act shall mean the Clean Water Act of 1977 (PL 95-217), and any amendments thereto, as well as any guidelines, limitations, and standards promulgated by EPA, pursuant to the Act.

Ammonia shall mean the chemical combination of hydrogen and nitrogen occurring in nature expressed as NH_3 , NH_2 , or any of its derivatives as contained in the wastewater flow.

BOD (biochemical oxygen demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20 degrees ~~Celsius~~Centigrade, expressed in milligrams per liter by weight. BOD shall be determined by standard methods as hereinafter defined.

Biodegradable Oils and Grease shall mean fats, oils, and greases of animal or vegetable origin contained in the wastewater flow.

Building Sewer shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of a building and conveys it to the lateral sewer. The building sewer shall extend two feet outside the building wall.

Chloride shall mean the anion Cl^- (Negative Charge at top of Cl)

City shall mean the City of Grand Island, Nebraska.

Compatible Wastes shall mean wastes containing pollutants for which the water pollution control plant was basically designed to treat and which are identified in the NPDES permit that is applicable to this treatment plant.

Composite shall mean the makeup of a number of individual samples, so taken as to represent the nature of wastewater or industrial wastes.

Constituents shall mean the combination of particles, chemicals, or conditions which exist in industrial wastes.

Conductivity shall mean the measure of the ability of an aqueous solution to carry an electric charge

Cooling Water shall mean the cleaned wastewaters discharged from any system of heat transfer such as condensation, air conditioning, cooling, or refrigeration.

Department shall mean the City's Department of Public Works.

Director shall mean the Director of the Department of Public Works or his or her authorized representative.

EPA shall mean the United States Environmental Protection Agency.

Hydrogen Sulfide shall mean the chemical combination of hydrogen and sulfide occurring in nature expressed as H_2S , HS^- , or S^{2-} as contained in the wastewater flow.

ICR shall mean industrial cost recovery.

Industrial Plant shall mean any facility which discharges industrial wastes as defined in this ordinance.

Industrial User shall mean:

(A) any nongovernmental, nonresidential user of the City's treatment works which discharges more than the equivalent of 25,000 gallons per day of sanitary waste, or a volume of process waste, or combined process and sanitary waste, equivalent to 25,000 gallons per day of sanitary waste and which is identified in the Standard Industrial Classification Manual under Divisions A, B, D, E, and I; or

(B) any nongovernmental user of the City's treatment works which discharges wastewater to the treatment works which contains toxic pollutants or poisonous solids, liquids, or gases in sufficient quantity either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in or have an adverse effect on the waters receiving any discharge from the treatment works.

Industrial Wastes shall mean the liquid wastes resulting from the processes employed in industrial, manufacturing, trade or business establishments, as distinct from domestic wastes.

Lateral Sewer shall mean the sanitary sewer that extends from the building sewer to the public sanitary sewer system.

Major Contributing Industry shall mean an industrial user that:

(A) has a flow of 50,000 gallons or more per average work day; or

(B) has a waste strength greater than 5 percent of the plant design capacity; or

(C) has in its waste a toxic pollutant in toxic amounts; or

(D) is found to have significant impact, either singly or in combination with other contributing industries, on the water pollution control plant, or upon the quality of the plant effluent.

mg/L shall mean milligrams per liter.

Natural Outlet shall mean any natural outlet extending to a water course, pond, or other body of surface or groundwater.

Normal Strength Wastewater shall mean wastewater with pollutant strength values not exceeding the following:

Ammonia TKN.....	30mg/ 4L
Biochemical Oxygen Demand.....	250300 mg/ 4L
Hydrogen Sulfide.....	0mg/ 4L
Suspended Solids.....	250300 mg/ 4L
Biodegradable Oils and Grease.....	100 mg/ 4L
Chloride	230 mg/L
Nitrate	25 mg/L

Where the nature of the wastewater does not permit BOD determination, COD shall be substituted according to the relation $BOD = (K) (COD)$, where "K" is a constant to be determined by the Department.

NPDES Permit shall mean the National Pollutant Discharge Elimination System Permit as established by the Act. All municipalities, industries, and commercial enterprises that discharge to surface watercourses are required to have NPDES permits approved by EPA and in Nebraska by the Department of Environmental Quality.

Owner shall have the same meaning as Person defined in this section.

Planning Area shall mean the Grand Island planning area as adopted by the Regional Planning Commission.

Person or Owner shall mean any individual, firm, company, association, developer, corporation, or group.

~~pH_P~~ shall mean the logarithm of the reciprocal of the concentration of hydrogen ions in grams per liter of solution.

Pollution shall mean the placing of any noxious or deleterious substance in any waters of the City in quantities which are or may be potentially harmful or injurious to human health or welfare, animal or aquatic life, or property, or unreasonably interfere with the enjoyment of life or property, including outdoor recreation.

Pretreatment shall mean the application of physical, chemical and biological processes to reduce the amount of pollutants in or alter the nature of the pollutant properties in a wastewater prior to discharge into a sanitary sewer.

Public Sewer shall mean the sanitary and/or storm sewers owned by the people of Grand Island and controlled and maintained by the Department of Public Works.

Residential Strength Wastewater shall mean wastewater with pollutant strength values which average ~~250300~~ mg/~~L~~ of BOD and ~~250300~~ mg/~~4L~~ of SS.

Sanitary Sewer shall mean a sewer which carries sanitary wastewater and industrial wastes and to which storm, surface, and groundwaters are not intentionally admitted.

Sanitary Sewerage System shall mean all facilities for collecting, pumping, and transporting wastewater to the water pollution control plant.

Sanitary Wastes or Wastewater shall mean the water carried wastes discharged from building sewers by reason of human occupancy.

Shall is mandatory; May is permissive.

Standard Methods shall mean those procedures or methods established by the latest edition of the "Standard Methods for the Examination of Water and Wastewater," as prepared, approved, and published jointly by the American Public Health Association and the American Water Works Association.

Storm Sewer or Storm Drain shall mean a sewer which carries storm waters, surface runoff, street wash waters and drainage, but which excludes sanitary wastewater and industrial wastes, other than unpolluted cooling water.

Suspended Solids (SS) shall mean solids that either float on the surface of, or are in suspension in, water, wastewater, or other liquids, and which are removable by laboratory filtering, expressed in milligrams per liter (mg/~~4L~~).

Total Kjeldahl Nitrogen (TKN) shall mean the sum of organic nitrogen, ammonia (NH₃), and ammonium (NH₄⁺)

Total Sulfides shall mean the chemical combination of dissolved hydrogen sulfide gas (H₂S); dissolved ionic sulfide in the form of HS⁻ and S⁻² and acid-soluble metallic sulfide present in suspended matter

Toxic shall mean constituents of wastes which adversely affect the organisms involved in wastewater treatment.

Unpolluted Water or Drainage shall mean water to which no pollutants have been added, either intentionally or accidentally.

~~Water Pollution Control Plant~~Wastewater Treatment Facility shall mean the wastewater treatment facility owned and operated by the City for the benefit of all persons located within the City's planning area.

Watercourse shall mean a channel in which a flow of water occurs, either continuously or intermittently.

Wastewater shall mean the liquid and water carried domestic or industrial wastes from dwellings, commercial buildings, industrial facilities, and institutions, together with any groundwater, surface water, and storm water that may be present, whether treated or untreated, which is discharged into or permitted to enter the City's treatment works.

Wastewater Treatment Works shall mean the sanitary sewers, pumping, and other equipment and their appurtenances, and other facilities which are an integral part of the wastewater collection and treatment processes and treatment residue disposal system.

§30-2. Supervision of Sewers and Drains

The director shall control and supervise the construction, repair, and maintenance of all sewers and drainage systems in the planning area, whether the sewers are publicly or privately owned.

§30-3. Wastewater Treatment Facility ~~Water Pollution Control Plant~~

The City may continue operating the existing water pollution control plant and may enlarge or expand the plant from time to time. The City may also construct other similar plants and employ other methods of treating wastewater sufficiently to comply with all applicable federal and state regulations.

§30-4. Authority to Enter Private Property

The director and other duly authorized employees of the Department bearing proper credentials and identification shall be permitted to enter all private properties to which a proper easement is on record for the purpose of surveying, inspection, maintenance, operation, repair, and reconstruction of any portion of the sanitary and storm sewer systems under the management of the Department subject to the terms of the easement.

§30-5. Violation Notices

The Department shall have authority to serve persons discharging in violation of this ordinance with written notice stating the nature of the violation and providing a reasonable time limit for satisfactory compliance. No person may continue discharging in violation of this ordinance beyond the time limit provided in the notice.

§30-6. Damage to Wastewater Treatment Works

No person shall maliciously, willfully, or negligently break damage, destroy, uncover, deface, or tamper with, any structure, appurtenance, or equipment which is a part of the wastewater treatment works. Any person violating this provision shall be punished according to law.

Article II. Sewer and Drainage Districts

§30-7. Establishment

The City may by ordinance divide the area within the planning area into suitable districts for the purpose of establishing sewer and drainage systems.

§30-8. Levy of Special Taxes or Assessments

The City may by ordinance levy special taxes or assessments for the purpose of constructing or extending public sewers. The City may provide for the payment of the construction costs by annual installments for the number of years stated in the ordinances. The taxes or assessments levied upon the real estate located within the sewer district in which the sewers are to be constructed shall be to the extent such property is benefitted.

§30-9. Sewer District Bonds

The City may by ordinance issue bonds designated as "District Sewer Bonds of District No. . . ". The City may establish the bond repayment period and interest rates and levy an assessment against the property owners within the district to provide funds for the annual repayment of the bonds and interest. In the event the levy assessment shall be insufficient to pay the bond and interest payments for any cause, the City shall make a relevy to pay such deficiency.

Article III. Construction of Public, Private Sewer Mains by Other Persons

§30-xx. Any new buildings located within 200 feet of a public sanitary sewer main shall be required to connect to it. §30-xx. Any existing buildings ~~Commercial~~ located within 200 feet of a public sanitary sewer main shall be required to connect to it upon failure of the private septic disposal system serving the building. An interceptor does not qualify as a sanitary sewer main. An interceptor is defined as a primary transport line usually larger than 15".

§30-10. Sewers to Meet Department Standards

The design and construction of all sanitary sewers connected, either directly or indirectly, to the existing sanitary sewer system shall meet all standards and specifications established by the Department.

Private sewer mains shall comply with adopted model plumbing codes and be constructed by licensed plumbing contractors.

§30-11. Plans Signed by Engineer

All sewer construction plans shall bear the signature and seal of the registered professional engineer who has prepared them.

§30-12. Cost to Review Plans

The Department may charge to review plans submitted by persons proposing to construct sewers in the planning area. The charge shall be at a rate per hour established and published from time to time by the Department.

§30-13. Plans Submitted to State

Plans requiring the approval of the State Department of Environmental Quality will be submitted to them by the Director following his or her approval of the plans.

§30-14. Construction Permit

The property owner, owner's agent or contractor, shall obtain a construction permit from the director after the engineering reports, plans, and specifications have been approved by the director, and before any sewer construction work has started.

§30-15. Workmanship and Materials

All workmanship and materials shall comply fully with the requirements of the approved plans and specifications. If at any time within one year after the date of the final inspection any defect should appear, which in the opinion of the director is due to inferior materials or workmanship, the contractor shall do whatever is necessary to remedy the defects at no cost to the City. The Department will notify the contractor in writing of the defects and repairs to be made. If the contractor fails to begin repairs within ten days, the Department may cause the defects to be remedied and charge the cost and expense involved to the contractor or contractor's surety. The contractor's surety shall not be relieved until the defects or repairs are corrected and approved and a written release is furnished the surety by the Department.

§30-16. Sewer Inspection and Approval

The director shall investigate and approve or reject the laying of all sewers and drains. The director shall have the right to enter property containing sewers or drains at all reasonable hours for inspection and investigation purposes.

§30-17. Certificate of Inspection

No architect, owner, agent, or contractor shall accept any sewer laying or drain laying of any description prior to the issuance of a certificate of inspection and approval by the director.

§30-18. Conforming Plans

Before sewers which are constructed by others and connected to the City's sanitary sewerage system will be accepted, plans that conform to construction records must be presented to the Department. Data shown on the plans shall be as specified by the Department.

Article IV. Lateral Sewers

§30-19. Owner Responsibilities

All costs and expense associated with the installation and connection of lateral sewers shall be borne by the owner. The owner shall indemnify the City from any loss or damage that may directly or indirectly result from installing lateral sewers.

Lateral sewers shall be connected, as required by Chapter 30, Article III; to a public sewer system where available or a private sewer system in accordance with adopted model plumbing code and State of Nebraska regulations.

§30-20. Lateral Sewer to Serve Each Building

One sewer tap shall be provided for every tract or parcel of land, except, upon written request to the director or the administrative authority for an exception.

§30-21. Prohibited Connections

No person shall connect interior or exterior roof downspouts, interior or exterior foundation drains, areaway

drains, or other sources of surface runoff or ground water to a lateral sewer or a building drain which in turn is connected directly or indirectly to a public sanitary sewer.

The Public Works Director may inspect or cause to be inspected any residential, commercial and/or industrial facility for prohibited connections at any reasonable time.

Any cross-connection between a potable water supply and a sanitary sewer shall be prohibited.

§30-22. Connection Regulations

The connection of any lateral sewer into the public sanitary sewer system shall conform to the requirements of the building and plumbing codes or other applicable rules and regulations of the City. All such connections shall be made gas tight and water tight. Any deviation from the prescribed procedures and materials must be approved by the director before installation.

§30-23. Construction Regulations

The kind and size of materials, slope and alignment of a lateral sewer, and the methods used in excavating, placing of the pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of the building and plumbing codes or other applicable rules and regulations of the City.

§30-24. Reserved

§30-25. On-Site Requirements

All excavations for lateral sewer installation shall be adequately guarded with barricades and lights 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 director.

Article V. Connecting to Existing Public Sewers

§30-26. Connections by Licensed Plumbers

No person shall make any opening in, addition to, alterations of, connections with, or tap any public sewer or associated appurtenances unless they are a licensed plumber and have complied with all the conditions and requirements of the City, ~~including the filing with the city clerk of a surety bond, approved by the director, in the sum of one thousand five hundred dollars.~~

§30-27. Permit Required

Before connecting with, tapping, modifying, altering or repairing any public sewer in the City a plumber shall first obtain a written permit from the director. The permit shall be posted upon the premises at all times during the progress of the work.

§30-28. Applications for Permits

Applications for permits to connect, tap, construct, modify or make attachments to public sewers shall be made to the director upon forms provided by the City. Such applications shall be accompanied by a fee in accordance with the City of Grand Island Fee Schedule to cover the cost of inspection, recording, and other expenses. The application shall show the exact location of the proposed work, and when requested by the director, the plumber shall provide plans or specifications of the proposed work. When required, an application shall be on file with the director twenty-four hours before the issuance of a permit. If work is commenced prior to application for the permit, an investigation fee in addition to the permit fee in the same amount as the permit fee shall be assessed. Each permit shall expire six (6) months from date of issuance.

§30-29. Connections When Property Not Assessed

No person shall connect with or tap any sanitary or storm sewer in the City when the property to be served has not been assessed for lateral services. In this event, no plumber or other person shall make any connection with or tap any sewer, nor shall the director grant a connection permit until the owner of the property to be served or the person desiring such connection first makes formal application to the director for permission to tap or connect with the public sewers, and complies with the conditions and requirements of the City which may include the payment of an equitable amount for lateral service. The director reserves the right to refuse to grant a permit to any person who shall desire to connect with the public sewers, where the property to be served has not been assessed for lateral service, or, if assessed, has not made such payment for any reason whatever.

§30-30. Excavations In Streets

Excavations in streets and alleys for the purpose of constructing, repairing, altering or tapping sewers shall be

made in a manner that will impede travel as little as possible. The director may determine and limit the time such excavations remain open and when unnecessarily delayed, may direct that the number of workmen be increased. Warning lights shall be maintained at all unfinished work, from dark to daylight. All work is to be done in accordance with OSHA rules and regulations. After the work has been completed, the streets or alleys shall be repaired to the satisfaction of the director. Within one year of the excavation, the director may require the excavation to be refilled if settling has occurred.

§30-31. Sewer Trenches

Sewer trenches shall be braced in accordance with industry standards and OSHA rules and regulations~~more than six feet deep and all other trenches, when required by the director, shall be properly braced.~~

§30-32. Exposure of Sewer Pipe to Frost

No person shall dig up or uncover any public sewer so as to expose it to frost, except under the direction of the director.

§30-33. Materials and Construction Procedures

All connections with the public sewers must be made with the kind and size of materials approved by the director. When a connection is made to a public sewer a saddle shall be used and the connection shall be made under the supervision of the director.

A maximum of only one connection may be made on each length of public sewer pipe. Additional connections may be made only after written authorization is granted by the director. Said authorization shall be noted on the permit required pursuant to §30-27.

§30-34. Disconnection of Drains

The director shall have the right to disconnect any drain from the public sewers which is found to be used contrary to the provisions of this Article.

§30-35. Revocation of Plumber's License

The city council may at any time revoke the license of any plumber found guilty of violating this Article or refusing to cooperate with the director in performing his or her duties.

§30-36. Violations of this Article

Any owner, architect, agent, plumber, contractor, or other persons failing, neglecting, omitting, resisting, or refusing to comply with any of the rules or regulations of this Article shall be deemed guilty of a misdemeanor.

Article VI. Private Wastewater and Septic Tank Waste Disposal

§30-37. Outside Water Closets

The construction of outside water closets, known as the "frost-proof" type, shall be prohibited.

§30-38. Privies Prohibited in Dwellings

~~It shall be unlawful for any person to permit any privy or privy pit to be connected with, or to remain connected with, or contained in any dwelling, house, or building within the City.~~ Privies are prohibited within City limits.

§30-39. Community and Private Disposal Systems

Community Disposal Systems

The owner of a private wastewater treatment system (lagoon, mechanical, etc.) within City limits, providing service to multiple buildings and operating under an NPDES (National Pollution Discharge Elimination System) Permit issued by the NDEQ (Nebraska Department of Environmental Quality) shall connect to a public sanitary sewer within 12 months after it becomes available. Availability is defined when the building is located within 200 feet of a public sanitary sewer main.

Private Disposal Systems

Where a public sanitary sewer is not available to a building, the lateral sewer shall be connected to an individual private wastewater disposal system complying with appropriate rules and regulations in this ordinance and the State of Nebraska. The definition of available shall be found in the adopted model plumbing code.-

The owner shall, at owner's own expense, operate and maintain such private wastewater disposal facility to the satisfaction of the director.

§30-40. Unlawful Connection to Public Sewers

It shall be unlawful for any private residential wastewater disposal facility to be connected to any public sewer.

§30-41. Disposal of Septic Tank Waste

No person shall discharge septic tank waste into any watercourse or storm sewer. This type of waste may be discharged into the City's wastewater treatment works only at hose locations and in a manner designated by the director.

§30-42. Permits for Discharge of Septic Wastes

Permits for discharge of septic tank waste shall be required. The permits may be obtained by filling out an application form furnished by the director. ~~A separate permit shall be obtained for each tank vehicle upon payment of an annual fee in an amount as established by the director from time to time. These permits shall be displayed at all times on the vehicles for which the permit was purchased. Permits must be renewed annually on or before the first regular business day of each year. The capacity in gallons of each tank vehicle shall be clearly marked on the side of the tank.~~

§30-43. Discharge Fee

Any person discharging septic tank waste into the wastewater treatment works shall pay the Department at a rate per one hundred gallons of tank capacity (or fraction thereof) as a wastewater disposal charge, the rate to be established by the city council.

Article VII. Prohibited Discharges

§30-44. Storm Water and Unpolluted Drainage

Storm water and all other unpolluted drainage shall be discharged into sewers specifically designed and designated as storm sewers or to a natural outlet.

No person shall discharge or cause to be discharged, either directly or indirectly, to the sanitary sewer system any surface water, ground water, roof runoff, subsoil or sub-surface drainage, cooling water, or unpolluted industrial process water. Any such connections made either before or after the effective date of these rules and regulations shall be considered illegal and shall be subject to immediate removal by the owner and at the owner's expense.

Should the owner of an illegal connection fail to remove it within ninety days after being notified by the director to do so, the director may cause the connection to be removed and the cost billed to the owner of the property served by the illegal connection.

§30-45. Sanitary and Other Polluted Waters

No person shall discharge or cause to be discharged to any natural outlet or storm sewer any sanitary wastewater or other polluted waters. Effluent from privately-owned individual household disposal devices shall not be discharged to storm sewers.

§30-46. Other Prohibited Discharges

No person shall discharge, or cause to be discharged to, any sanitary sewer, any of the following described substances, water, or wastes unless authorized by the Public Works Director:

(1) Any liquid or vapor having a temperature higher than 65 degrees ~~Centigrade~~ Celsius (150 degrees Fahrenheit).

(2) Wastes containing oil or grease of petroleum origin shall be prohibited.

(3) Any gasoline, benzene, naphtha, fuel oil, mineral spirits, commercial solvent, motor oil, or other flammable or explosive liquid, solid or gas, or any other petroleum derivative.

(4) Any water or wastes containing dissolved gases (such as hydrogen sulfide, ~~sulphur~~ sulfur dioxide, nitrogen oxides, and ammonia) in concentrations sufficient to cause poisonous or toxic fumes or waste-water, or a malodorous or harmful condition.

(5) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, asphaltic materials, cement or concrete, paunch manure, hair and fleshings, entrails, lime slurry, lime residues, beer or distillery spent grains, chemical residues, paint residues, cannery waste, bulk solids, or any other solid or viscous substances, in amounts capable of causing obstructions to flow in sewers or interference with the proper operation of the wastewater treatment works.

(6) Any waters or wastes having a ~~Ph~~ pH lower than ~~6.05~~ 6.0 or higher than 9 at any time, or having any other corrosive property capable of causing damage or being a hazard to structures, equipment and personnel of the wastewater treatment works.

(7) Any waters or wastes containing pollutants in the form of compounds or elements, in solution or suspension, in concentrations exceeding the following:

Pollutant

Maximum Concentration in mg/L

Arsenic (AS).....	0.050
Barium (BA).....	1.000
Cadmium (Cd).....	0.100
Chromium (Cr) (Total).....	3.000
Copper (Cu).....	1.000
Cyanides (CN).....	2.000
Lead (Pb).....	0.100
Manganese (Mn).....	1.000
Mercury (Hg).....	0.005
Nickel (Ni).....	1.000
Selenium (Se).....	0.030
Silver (Ag).....	0.100

The maximum concentrations shown for the above metals may be used as a guide in design and plant control, but may be altered by the director in the event of accumulative overload on the water pollution control plant.

(8) Any waters or wastes containing heavy metals and toxic materials in concentrations prohibited by state or federal rules, including but not limited to:

Antimony	Strontium
Beryllium	Tellurium
Bismuth	Fungicides
Boron	Herbicides
Cobalt	Pesticides
Molybdenum	Uranyl ion
Rhenium	

unless the permit required for discharge of industrial wastes specifies conditions of pretreatment, concentrations, and volumes.

(9) Any noxious or malodorous gas or substance, capable of creating a public nuisance or hazard to life or preventing entry into sewers for their inspection, maintenance, and repair.

(10) Any waters containing quantities of radium, naturally occurring, or artificially produced radioisotopes in excess of presently existing or subsequently accepted limits for drinking water as established by the national committee on radiation protection and measuring.

(11) Any concentrated dye wastes, spent tanning solutions, or other wastes which are highly colored, or wastes which are of unusual volume, concentration of solids, or composition that may create obstruction to the flow in sewers or interference with the wastewater treatment processes without proper pretreatment and written approval of the director.

(12) Waters or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed, or are amenable to treatment only to the degree that the wastewater treatment plant effluent cannot meet the requirements of the NPDES permit.

(13) Any water or wastes containing more than 2,000 mg/4-L total solids, maximum of 100,000 gallons.

(14) Any water or wastes containing more than 230 mg/L chlorides monthly average concentration, 380 mg/L chlorides daily maximum concentration (November 1 – February 28 (29), 389 mg/L chlorides daily maximum concentration (June 1 – October 31) and 390 mg/L daily maximum concentration (March 1 – May 31).

(15) Any water or wastes containing Conductivity greater than 2,000 umhos/cm monthly average (April 1 – September 30)

~~(14)~~ (16) Wastes at a flow rate and/or pollutant discharge rate which is excessive over short periods of time so that there is a treatment process overload and subsequent loss of treatment efficiency.

§30-47. Dilution

The admission into the public sewers of any waters or wastes in volumes, or with constituents, such that existing dilution conditions in the sewers or at the treatment plant would be adversely affected, shall be subject to review and approval of the director. Where necessary, in the opinion of the director, pretreatment or equalizing units may be required to bring constituents or volume of flow within an acceptable level, and to hold or equalize flows so that no peak flow conditions may hamper the operation of any unit of the sewer system. The equalization or holding unit shall have a capacity suitable to serve its intended purpose, and be equipped with acceptable outlet control facilities to provide flexibility in operation and accommodate changing conditions in the waste flow.

§30-48. Deleterious Discharges

If any waters or wastes are discharged, or are proposed to be discharged, to the public sewers, which contain substances or possess the characteristics enumerated in the preceding sections of this article, and which in the judgment of the director or the local, state, and federal agencies having jurisdiction, may have a deleterious effect upon the wastewater

treatment processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the director may:

- (1) Reject the wastes;
- (2) Require pretreatment to an acceptable condition for discharge to the public sewers;
- (3) Require control over the quantities and rates of discharge;
- (4) Require payment to cover the added cost of handling and treating the wastes not covered by ~~existing taxes or~~ sewer user charges.

In forming his or her opinion as to the acceptability of wastes, the director will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. Any waters or wastes having a BOD concentration greater than ~~250~~300 mg/4-L or a SS concentration greater than ~~300-250~~ mg/4-L or an average daily flow greater than 5 percent of the average total sewage flow of the City shall be subject to the review of the director.

If the director permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the director, and the local, state, and federal agencies having jurisdiction and subject to the requirements of all applicable codes, resolutions, and laws. See §30-54.

In the event of an accidental spill or unavoidable loss to the drains of any deleterious materials, the owner shall promptly notify the director of the nature of the spill, the quantity, and time of occurrence.

§30-49. Wastes from Garbage Grinders

Food Waste Grinders installed in dwellings shall be regulated by the Plumbing Code.

No business establishment shall install any garbage grinder or replace an existing garbage grinder after the effective date of this ordinance, without approval of the City Engineer in conformance with the Uniform Plumbing Code as adopted by the City.

All garbage grinders shall shred the waste to a degree that all particles will be carried freely under normal flow conditions prevailing in the public sewer. Garbage grinders shall not be used for grinding plastic, paper products, inert materials, or garden refuse.

All waste is subject to Section 30-48 regarding Deleterious Discharges and the latest edition of the fee schedule for extra strength waste.

Amended by Ordinance No. 9506, effective 11/04/2014

§30-50. Grease, Oil, and Sand Traps

Grease (animal), oil, and sand interceptors, or traps, shall be provided by the owner when, in the opinion of the director, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, sand, or other harmful ingredients; except that interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the director and shall be so located as to be readily and easily accessible for cleaning and inspection.

Interceptors will be maintained at appropriate intervals and proof of maintenance will be maintained for at least three (3) years. Manifests showing the material removed from the interceptors was disposed of in a proper manner will be maintained for at least three (3) years.

§30-51. Unlawful Use of Manholes

Opening or entering manholes for any purpose whatever is strictly prohibited, except by persons duly authorized to do so.

No person shall discharge any substance directly into a manhole or other opening in the public sewers other than through an approved building sewer, unless upon written application to the director and payment of the applicable user charges and fees, and the director issues a permit for such direct discharges.

Article VIII. Industrial Wastes and Discharge Permits

§30-52. Major Contributing Industries

All major contributing industries proposing to directly or indirectly connect to or discharge wastes into the sanitary sewers shall obtain a discharge permit before connecting to or discharging into these sewers.

§30-53. Industrial Wastes; Requirements

Persons proposing to or who actually discharge industrial wastes which contain none of the prohibited ingredients or characteristics set forth in Article VII of this ordinance, other than excessive concentrations of BOD, suspended solids

and grease, hydrogen sulfide, or ~~TKN~~~~ammonia~~ shall be required to pretreat their wastes to meet the requirements of "Normal Strength Wastewater" with the exception that wastes may be accepted for treatment if all the following requirements are met:

- (1) The wastes will not cause damage to the sanitary sewer system;
- (2) The wastes will not impair the wastewater treatment process;
- (3) The discharger of the waste agrees to pay a surcharge over and above the published sewer rates when the waste strength exceeds that of "Normal Strength Wastewater." See Article IX.

§30-54. Pretreatment Requirements

When the Director determines that any industrial waste will be harmful to the structures, treatment processes or operation of the wastewater treatment works, or detrimental to the water pollution control plant effluent, the person discharging the waste shall provide, at his or her own expense, preliminary treatment or processing facilities as may be determined by the director as necessary to make the waste acceptable for admission to the public sanitary sewers.

When the director determines that an industrial waste must be pretreated, the owner shall submit plans and specifications of the proposed pretreatment facilities, and any other pertinent information relating to proposed preliminary treatment facilities by an approved registered professional engineer authorized to do business in the State of Nebraska to the director for review, and no construction of such facilities shall be commenced until said approvals are obtained in writing. After the plans and specifications are reviewed as submitted, or as amended by the director, the owner shall proceed to provide pretreatment facilities. If the pretreatment facilities are completed according to the plans and specifications, and the owner provides a proper sewer connection permit from the plant to the sanitary sewers, the director will issue the owner an industrial waste discharge permit authorizing such connection and permitting the owner to discharge waste into the sanitary sewers at the rate, ~~and in the~~ quantity, quality and other conditions stated in the permit. These pretreatment facilities shall be maintained continuously in satisfactory and effective operation by the owner at the owner's expense.

§30-55. Discharge Permit; Application

Persons requiring a discharge permit shall complete and file with the Department an application in the form prescribed by the director and accompanied by applicable fees. Except as otherwise agreed in writing by the director, the applicant shall submit, in units and terms appropriate for evaluation, the following information:

- (1) Name, address, and Standard Industrial Classification (SIC) number of applicant.
- (2) Volume of waste to be discharged.
- (3) Waste constituents and characteristics including BOD, suspended solids, pH, biodegradable oils and grease, ~~total hydrogen sulfides, ammonia~~~~TKN~~, and any others required by the director.
- (4) Time and duration of discharge.
- (5) Average and thirty minute peak waste flow rates, including daily, weekly, monthly, and seasonal variations, if any.
- (6) Ground plan or plat sufficient to indicate locations of building sewers, building drains, process waste sewers, monitoring facilities and pretreatment facilities with respect to buildings, property lines, streets, public sewers, and industrial process facilities.
- (7) Description of plant activities, facilities, and processes, including all types of waste which are or could be discharged.
- (8) Each product produced by type, amount, and rate of production when required to determine compliance with pretreatment standards.
- (9) Number and type of employees, and hours of work.
- (10) Any other information the director may feel is necessary to evaluate the permit application.

The Department will evaluate the data furnished and may require additional information. After evaluation of the data furnished, the director may issue a discharge permit subject to the terms and conditions of this ordinance. Wastewater constituents and characteristics shall not be recognized as confidential information.

§30-56. Discharge Permit; Requirements

Discharge permits may contain any or all of the following conditions and requirements:

- (1) The average and maximum waste pollutant concentrations permitted to be discharged into the sanitary sewers.
- (2) The maximum daily amounts of BOD, suspended solids, pH, biodegradable oils and grease, ~~total hydrogen sulfides, TKN and ammonia, chlorides and conductivity~~ permitted to be discharged into the sanitary sewers.
- (3) Limits on rate and time of discharge and requirements on flow regulations and equalization.
- (4) Requirements for installation of inspection and sampling facilities.
- (5) Pretreatment requirements.

- (6) Specifications for monitoring programs which may include sampling locations, frequency and methods of sampling and the number, types, and standards for tests and reporting schedule.
- (7) Requirements for submission of technical reports or discharge reports.
- (8) Requirements for maintaining plant records relating to waste discharges as specified by the director and making the records available to the Department.
- (9) Additional requirements as may be determined by the director.

§30-57. Discharge Permit; Term

Permits shall be issued for a specified period of time but in no event shall a permit extend beyond ~~five (5)~~^{three} years from the date of issuance. ~~Ninety~~^{Thirty} days prior to the expiration of the permit, the owner shall apply to the Department for a renewal of the permit.

The owner shall be notified in writing of any proposed changes in the permit at least thirty days prior to the effective date of change. The notice shall include a specified time schedule for compliance. This time schedule shall be based on practical delivery and construction time requirements, and shall become part of the permit.

§30-58. Discharge Permit; Not Transferable

Waste discharge permits are issued to a specific owner for a specific operation. A waste discharge permit shall not be reassigned or transferred or sold to a new owner. A waste discharge permit shall not be transferred to a new or significantly changed operation.

§30-59. Discharge Permit; Revocation

Any owner who violates any of these rules and regulations, or applicable state and/or federal regulations, or any of the following conditions which are hereby made part of every permit, whether stated therein or not, is subject to having owner's permit revoked:

- (1) The owner shall factually report the waste constituents and characteristics of the discharge.
- (2) The owner shall report significant changes in operation, or in waste constituents and characteristics.
- (3) The owner shall allow reasonable access to owner's plant or facilities for the purpose of inspection or monitoring.
- (4) The owner shall comply with each and every term and condition of the permit.

Before a permit is revoked, the owner shall be sent written notice fifteen days in advance of the date of a hearing by the director. The owner shall have the opportunity to present evidence at the hearing. The director shall notify the owner in writing of the decision by no later than fifteen days after the hearing.

§30-60. Monitoring Facilities

The director may require any industrial plant owner to construct, at the owner's expense, monitoring facilities to allow inspection, sampling, and flow measurement of the lateral sewer or internal drainage systems, and may also require sampling or metering equipment to be provided, installed, and operated at the owner's expense.

The monitoring facility shall be situated on the owner's property and located so that it will not be obstructed by landscaping or parked vehicles.

The personnel of the Department shall have access to the monitoring facilities at all times for inspection and sample collection. If the facilities are locked, special arrangements shall be made to allow access. The Department's personnel shall also have the right to set up monitoring devices at the facilities. There shall be ample room in or near such monitoring facilities to allow adequate sampling and composition of samples for analysis. The monitoring facilities, sampling, and measuring equipment shall be maintained at all times in a safe and proper operating condition at the expense of the owner.

The sampling and monitoring facilities shall be provided in accordance with the Department's requirements, standards and specifications. Unless a time extension is otherwise granted by the director, construction shall be completed within ninety days following the issuance of written notification by the Department.

§30-61. Access to Owner's Property

The owner of any industrial plant where waste is created or discharged shall allow the employees of the Department ready access at all reasonable times to all parts of the property for the purposes of inspection or sampling or for the performance of their duties. The Department shall have the right to set up on the owner's property such devices as are necessary to conduct sampling or metering operations. Where an owner has security measures in force which would require proper identification and clearance before entry into the facilities, the owner shall make necessary arrangements with its security guards so that upon presentation of suitable identification, personnel from the Department will be permitted to enter without delay for the purpose of performing their specific responsibilities. While performing the work, the Department personnel shall observe all safety rules established by the owner and applicable to the plant or facilities. The Department shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic,

paper, or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or facilities for waste treatment.

§30-62. Reliability of Monitoring Facilities

Approval of proposed monitoring facilities or equipment by the director does not, in any way, guarantee that those facilities or equipment will function in the manner prescribed by their constructor or manufacturer; nor shall they relieve a person of the responsibility to enlarge or otherwise modify such facilities to accomplish the intended purpose.

§30-63. Sampling Methods

All measurements, tests, and analyses of the characteristics of industrial wastes shall be determined in accordance with EPA approved methods published in the latest edition of *Standard Methods for the Examination of Water and Wastewater* published by the American Health Association and American Water Works Association, or *Methods for Chemical Analysis of Water and Wastes* published by the Environmental Monitoring and Support Laboratory, Office of Research and Development, U.S. Environmental Protection Agency, and shall be determined at the monitoring facilities or from samples taken at the monitoring facilities. In the event no special monitoring facility has been installed, the sampling shall be done at the nearest downstream manhole in the public sewers to the point at which the building lateral sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effects of waste constituents upon the wastewater treatment works and to determine the existence of possible hazards to life, limb and property.

§30-64. Special Contracts or Agreements

No statement contained in these rules and regulations shall be construed as preventing any special agreement or arrangement between the City and any person whereby an industrial waste of unusual strength or character may be accepted by the Department for transport and/or treatment, subject to applicable fees or payments.

§30-65. Excessive Pollutant Penalty

If a person discharges amounts of permissible pollutants in excess of the amounts permitted in the discharge permit, as stated in §30-56, a penalty of one thousand dollars per day of violation shall be imposed and paid by the person discharging wastes in violation of the permit.

§30-66. Indemnity

In the event a person does discharge excessive amounts of pollutants in violation of the discharge permit, said person shall agree to indemnify and hold the City harmless against and from any and all loss, damage, claims, demands, actions, causes of action, penalties, judgments, costs, and expenses of whatsoever nature which may result from injury to or death of persons whomsoever, or from loss or destruction of or damage to property whatsoever, or results in the City being in violation of state or federal regulatory agency requirements, when such violation, injury, death, loss, destruction, or damage arises in any way in connection with or incident to a person depositing amounts of industrial waste in excess of those permitted in the discharge permit into the City's sanitary sewers. It must be proved, on an individual case basis, that a person's depositing of excessive amounts of pollutants, on a daily basis, was in fact the cause of a violation, injury, death, loss, destruction, or damage, and that the excessive discharge was not due to force majeure.

§30-67. Charges to Major Industries

Each major contributing industry shall be assessed a monthly charge that reflects the City's cost of owning, operating, and maintaining the facilities used to serve these customers. The monthly charges shall be determined from time to time based upon analysis of the costs of capital and operation and maintenance costs associated with the facilities used to provide service.

Article IX. Industrial Waste Surcharge

§30-68. When Surcharge Is Applicable

An industrial waste surcharge shall be assessed against any person discharging industrial wastes into the City's sanitary sewer system where the contributed waste strength exceeds that of "Normal Strength Wastewater" as defined in §30-1. Persons subject to the industrial waste surcharge shall be subject to the regular sewer user charges.

§30-69. Pollutants Subject to Surcharge

The monthly amount of pollutants subject to the surcharge will be based on the average loading per plant operating day, in excess of ~~250300~~ 250 mg/~~4-L~~ mg/L for BOD or suspended solids, in excess of 100mg/~~4-L~~ mg/L for biodegradable oils and grease, in excess of 30mg/~~4-L~~ mg/L for ~~TKN-ammonia~~ TKN, in excess of ~~0mg~~ 25 mg/~~4-L~~ mg/L for ~~Nitrates~~ Nitrates, in excess of ~~0 mg/L~~ 0 mg/L for hydrogen sulfide, lower than 6.0 or higher than 9 for pH, times the number of operating days per month.

§30-70. Amount of Surcharge

The industrial waste surcharge to be assessed each month will be determined by application of the rates then in effect.

The surcharge amount shall be determined by calculating the average number of pollutant pounds per operating day based on the average of periodic grab or composite samples obtained and tested as described in §30-63.

In computing the surcharge amount, no credit will be allowed because a pollutant strength is less than that allowed in "Normal Strength Wastewater."

§30-71. Review of Surcharge Rates

The director shall review the surcharge rates each August and adjust them, if necessary, to reflect the actual cost to treat the pollutants subject to the surcharge.

§30-72. Monitoring Facilities

When a person discharges a waste that is subject to the industrial waste surcharge, the director may require monitoring facilities be provided. The installation and use of the monitoring facilities shall be in compliance with §30-60 and §30-63.

§30-73. Surcharge for Class Groups

The director may classify certain commercial and industrial establishments which routinely discharge BOD and suspended solids concentrations exceeding those established for "Normal Strength Wastewater," into the following classes:

- (1) *Eating Places*: Includes restaurants, bars, lounges, and other establishments which engage in the preparation of food or beverage which is served directly to the consumer.
- (2) *Food and Kindred Products Processing*: Includes commercial establishments which engage in the preparation, packaging, processing, or distribution of food, food products, grains, or produce, and which discharge less than 200,000 gallons of wastes per month.
- (3) *Equipment Service Facilities*: Includes establishments which perform washing, cleaning, or servicing of automobiles, trucks, buses, machinery, or equipment; this class to include public facilities, facilities limited to specific companies, and attended or coin-operated establishments.

The director shall assess an industrial waste surcharge for each class based on waste strength determinations established by averaging grab or composite samples or both, taken from a representative number of establishments in each class and shall apply this surcharge to the water consumption or metered wastewater of the establishment. If the establishment is within a larger facility for which water usage is determined from a master meter, the director shall determine an estimated volume for the establishment on which the surcharge is applied. The director shall then add the appropriate industrial surcharge to billings for regular water and sanitary sewer service for each establishment included in one of the classes.

If an establishment contains operations from more than one of the classes, and the director determines that the surcharge for a particular class would not adequately compensate the City for its cost of treatment, the director may assess a surcharge based on a proportional average of the class surcharges involved, or may require the establishment to be billed under the requirements of §30-70.

The owner of an establishment classified into one of the classes may elect to have the industrial surcharge billed under §30-70 rather than this section, by making application to the director and paying the required sampling costs.

The director may revise the class surcharges in the future to reflect a change in the average strength of the wastes discharged or to reflect a change in the costs to treat these wastes.

§30-74. Contract for Reserved Capacity

The director may, with the approval of the council, enter into a contract with persons discharging industrial wastes who desire to reserve a portion of the design capacity of the sanitary sewer system or water pollution control plant. The contract shall contain a provision stating that an annual amount, representing the person's proportionate share of the City's net annual capital investment cost in the facilities reserved, shall be paid by the person signing the contract. The contract shall also contain a provision that if the person's average daily flow varies more than 20 percent on a yearly basis, either party may open the contract for renegotiation of the minimum payment.

Article X. Sewer Rates and Charges

§30-75. Purpose of Article

The mayor and council of the city hereby find and determine: This City has constructed and owns and operates a sewerage system and plant for the treatment, purification, and disposal in a sanitary manner of the liquid and solid wastes,

sewage, and night soil of such community and it is necessary, in order to protect the health of the inhabitants of the city and to comply with the law of the state and the requirements of the department of health of the state that the sewerage system be operated and maintained; that in order to provide the revenues to operate and maintain the sewer system and disposal plant and to create a reserve fund for the purpose of future maintenance, it is necessary that the City establish just and equitable rates and charges to be paid to the City for the use of such disposal plant and sewerage system by each person whose premises are served thereby.

§30-76. Consumer; Defined

The word "consumer" as used in this article shall include all users of the municipal sewerage system of the City, including all persons whose premises are served thereby and all owners and tenants of real estate and buildings connected with such sewerage system or served thereby and all users of such system who in any way use the same or discharge sanitary sewage, industrial waste, water or other liquid either directly or indirectly into the sewerage system of the City.

§30-77. Consumer; Classification

Consumers shall be classified as residential or commercial. For the purposes of this article a residential consumer is one whose property is used exclusively for residential purposes and commercial consumers are all consumers other than residential consumers.

§30-78. Rental Charge; Computation

For the use of the city sewer system, each consumer shall pay a rental charge which shall be computed and based on his contribution of sewage to such system; provided, that a minimum charge for sewer rental as set forth in §30-84 and §30-85 shall be made for each dwelling unit which is directly or indirectly connected to the City sanitary sewer system, unless for a complete billing period the City water supply to such unit has been disconnected by the City, or the private water supply disconnected to the satisfaction of the City. For the purposes of this Article, a dwelling unit shall mean one or more rooms and a single kitchen designed as a unit for occupancy by one family for living and sleeping purposes, and shall include a manufactured home. If more than one dwelling unit is served from a single water meter or single private water source as in the case of apartments and mobile home courts, a percentage of the minimum rate shall be charged against each unit, depending on the number of dwelling units per water meter or private water source as follows:

2	to	5	dwelling	units.....	65%
6	to	10	dwelling	units.....	60%
11	to	20	dwelling	units.....	55%
21	and over		dwelling units.....		50%

The above charges shall be computed upon the yearly average of the number of dwelling units occupied.

§30-79. Rental; Residential and Commercial

The charges to be paid by residential consumers for use of the sewerage system and disposal plant shall be based upon water consumption. The monthly residential sewer charges for the twelve months following April 1st of each year will be based on the average water consumption for that property during the months of January, February and March. Commercial customers shall pay according to the meter reading which precedes billing.

Amended by Ordinance No. 9524, effective 03/17/2015

§30-80. Rental Charge; Use of Water Meters

The sewer rental charge shall be applied separately to each individual water meter which measures water contributing to or discharging into the city sewerage system and shall be determined by the water meter reading for water furnished by the water works system of the city or by privately-owned water supply which may contribute to or discharge into the sewerage system. In the case of unmetered water supply, the quantity of water used and discharged into the sewerage system of the City shall be determined to the satisfaction of the council and at the expense of the owner of the unmetered water supply. If the quantity of unmetered water discharged into the sewerage system is estimated by the council to be in excess of one thousand cubic feet per month for any one month, the council may require that such water supply be metered at the expense of the owner or consumer.

Should any meter get out of order or repair and fail to register properly, such consumer will be charged at the average monthly consumption as shown by the meter when in order for six months previous, or fraction thereof, if the same has not been used that long.

§30-81. Volume Charges

The charges for sewer service shall be paid either quarterly or monthly in conformance with the billing for water, and each consumer shall be billed per 100 cubic feet in accordance with the City of Grand Island Fee Schedule.

§30-82. Service Charges

The monthly service charge for sewage contributions to consumers and users shall be in accordance with the City of Grand Island Fee Schedule, regardless of the volume of sewage contributed.

§30-83. Industrial Waste Surcharge

Extra Strength Surcharge

An industrial waste surcharge shall be assessed against any person discharging industrial wastes into the City's sanitary sewer system where the contributed wastewater strength exceeds normal strength wastewater and shall be billed in accordance with the City of Grand Island Fee Schedule.

Customer Charge

The specific costs incurred by the City associated with monitoring and determining flow and strength.

Industrial Four Part Charge

The industrial service four-part charges will be applied to those industrial users who certify that their sewage contributions are less than normal strength wastewater, and such customers shall be billed in accordance with the City of Grand Island Fee Schedule.

Customer Charge

The specific costs incurred by the City associated with monitoring and determining flow and strength and/or checking the users certification.

§30-84. Minimum Charges

The minimum charge for sewage contributions shall be the sum of applicable service charge, volume charge and/or extra strength surcharge. For customers billed on the industrial four part charge, the minimum charge shall be the sum of the volume, BOD, SS, oil and grease, hydrogen sulfide, ammonia, and customer charge.

The minimum charge for sewage contributions to consumers and users who are not required to meter their water supply shall be in accordance with the City of Grand Island Fee Schedule.

§30-85. Reserved

§30-86. Collection

The sewer rental charges prescribed by this article shall be collected at the same time and in the same manner and by the same officers as water charges are collected by the City.

§30-87. Delinquent Charges

Bills for sewer rental charges made by this Article shall be rendered as for water service of the City and all rental charges levied by this Article which are not paid at or before water service charges of the City are required to be paid shall be deemed to be delinquent and the water service of such consumer may be discontinued.

§30-88. Charges To Be a Lien

All rental charges prescribed by this article shall be a lien upon the premises and real estate for which the sewer service is supplied and used and if not paid when due such charge shall be certified to the city treasurer and may be recovered by the City in an action at law and such delinquent charges may be certified to the county clerk and assessed against the real estate and premises served and be collected and returned in the same manner as other city taxes are certified, collected, and returned.

§30-89. Disposition of Funds

The mayor and council hereby find and determine that the rental charges established by this article are just and equitable rates and charges to be paid to the City for the use of its disposal plant and sewerage system by each person whose premises are served thereby. All moneys collected for such rental charges shall be paid into the sewer and sewer collection funds and shall be used only for the purpose of maintenance and operation of the existing sewer system and disposal plant, and to create a reserve fund for the purpose of future maintenance, pursuant to Article 5, Chapter 18, Reissue Revised Statutes of Nebraska 1943.

§30-90. Accounting System

Under Ordinance No. 4131, the City of Grand Island, Nebraska, has agreed to account for its revenues and expenditures in a specified manner. It is considered that the requirements for user charge accounting systems can be met by following the accounting procedures outlined in Ordinance No. 4131 and supplemental ordinance which have been issued subsequently for additional bonds.

§30-91. Special Rates

Where, in the judgment of the council, special conditions surround the use of city water to the extent that the application of the service charges, rates, or rentals as specified by this Article would be inequitable and unfair to either the City or such consumers, the council shall establish a special rate applying to such consumers. Such special rates when adopted by ordinance by the city council shall apply to all consumers under like circumstances.

§30-92. Water Discharged Into Storm Sewers

The provisions of this Article do not apply to water discharged into the storm sewer.

§30-93. Charges for Septic Tank Sludge

Septic tank sludge may be deposited at the City's ~~wa~~Wastewater Facility~~ter pollution control plant~~ in a location designated by the superintendent of the said plant or his representative after payment of a fee in accordance with the City of Grand Island Fee Schedule for ordinary septage, having strength up to 6,000 mg/l BOD, and 20,000 mg/l SS.

Per 100 gallons or fraction thereof of tank capacity in accordance with the City of Grand Island Fee Schedule.

For septage having strength of more than 6,000 mg/~~l~~L BOD, and 20,000 mb/~~l~~L SS, the fee shall be charged according to the current Fee Schedule for charges of high septic sludge~~calculated by applying the industrial four part rate specified in §30-83.~~

Waste from a recreational vehicle may be deposited at the City's water pollution control plant in a location designated by the superintendent of said plant. Fees for such discharge of recreational waste shall be on a voluntary basis.

§30-94. User Charge System Review

The City will review the user charge system at least every two years and revise user charge rates as necessary to insure that the system generates adequate revenues to pay the cost of operation and maintenance, including replacement, and that the system continues to provide for the proportional distribution of operation and maintenance, including replacement expenses among users and user classes.

§30-95. Reserved

§30-96. Toxic Pollutants

Any user which discharges any toxic pollutants which cause an increase in the cost of managing the effluent or the sludge from the City's treatment works, or any user which discharges any substance which singly or by interaction with other substances causes identifiable increases in the cost of operation and maintenance, including replacement of the treatment works, shall pay for such increased cost.

ORDINANCE NO. 9641

An ordinance to amend Grand Island City Code Chapter 30, Sewers and Sewage Disposal, in its entirety; to repeal Chapter 30 sections 30-1 through 30-96 as now existing, and any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA:

SECTION 1. Chapter 30 of the Grand Island City Code is hereby amended to read as follows:

Article I. Generally

§30-1. Definitions

The definitions of certain words and phrases used in this chapter shall be as follows:

Act shall mean the Clean Water Act of 1977 (PL 95-217), and any amendments thereto, as well as any guidelines, limitations, and standards promulgated by EPA, pursuant to the Act.

Ammonia shall mean the chemical combination of hydrogen and nitrogen occurring in nature expressed as NH₃, NH₂, or any of its derivatives as contained in the wastewater flow.

BOD (biochemical oxygen demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20 degrees Celsius, expressed in milligrams per liter by weight. BOD shall be determined by standard methods as hereinafter defined.

Biodegradable Oils and Grease shall mean fats, oils, and greases of animal or vegetable origin contained in the wastewater flow.

Building Sewer shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of a building and conveys it to the lateral sewer. The building sewer shall extend two feet outside the building wall.

Chloride shall mean the anion CL⁻ (Negative Charge at top of CL)

City shall mean the City of Grand Island, Nebraska.

Compatible Wastes shall mean wastes containing pollutants for which the water pollution control plant was basically designed to treat and which are identified in the NPDES permit that is applicable to this treatment plant.

Composite shall mean the makeup of a number of individual samples, so taken as to represent the nature of wastewater or industrial wastes.

Constituents shall mean the combination of particles, chemicals, or conditions which exist in industrial wastes.

Conductivity shall mean the measure of the ability of an aqueous solution to carry an electric charge

Cooling Water shall mean the cleaned wastewaters discharged from any system of heat transfer such as condensation, air conditioning, cooling, or refrigeration.

Department shall mean the City's Department of Public Works.

Director shall mean the Director of the Department of Public Works or his or her authorized representative.

EPA shall mean the United States Environmental Protection Agency.

ICR shall mean industrial cost recovery.

Industrial Plant shall mean any facility which discharges industrial wastes as defined in this ordinance.

Industrial User shall mean:

(A) any nongovernmental, nonresidential user of the City's treatment works which discharges more than the equivalent of 25,000 gallons per day of sanitary waste, or a volume of process waste, or combined process and

Approved as to Form	□ _____
August 4, 2017	□ City Attorney

ORDINANCE NO. 9641 (Cont.)

sanitary waste, equivalent to 25,000 gallons per day of sanitary waste and which is identified in the Standard Industrial Classification Manual under Divisions A, B, D, E, and I; or

(B) any nongovernmental user of the City's treatment works which discharges wastewater to the treatment works which contains toxic pollutants or poisonous solids, liquids, or gases in sufficient quantity either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in or have an adverse effect on the waters receiving any discharge from the treatment works.

Industrial Wastes shall mean the liquid wastes resulting from the processes employed in industrial, manufacturing, trade or business establishments, as distinct from domestic wastes.

Lateral Sewer shall mean the sanitary sewer that extends from the building sewer to the public sanitary sewer system.

Major Contributing Industry shall mean an industrial user that:

- (A) has a flow of 50,000 gallons or more per average work day; or
- (B) has a waste strength greater than 5 percent of the plant design capacity; or
- (C) has in its waste a toxic pollutant in toxic amounts; or
- (D) is found to have significant impact, either singly or in combination with other contributing industries, on the water pollution control plant, or upon the quality of the plant effluent.

mg/L shall mean milligrams per liter.

Natural Outlet shall mean any natural outlet extending to a water course, pond, or other body of surface or groundwater.

Normal Strength Wastewater shall mean wastewater with pollutant strength values not exceeding the following:

TKN.....	30mg/L
Biochemical Oxygen Demand.....	250 mg/L
Hydrogen Sulfide.....	0mg/L
Suspended Solids.....	250 mg/L
Biodegradable Oils and Grease.....	100 mg/L
Chloride.....	230 mg/L
Nitrate.....	25 mg/L

Where the nature of the wastewater does not permit BOD determination, COD shall be substituted according to the relation $BOD = (K) (COD)$, where "K" is a constant to be determined by the Department.

NPDES Permit shall mean the National Pollutant Discharge Elimination System Permit as established by the Act. All municipalities, industries, and commercial enterprises that discharge to surface watercourses are required to have NPDES permits approved by EPA and in Nebraska by the Department of Environmental Quality.

Owner shall have the same meaning as Person defined in this section.

Planning Area shall mean the Grand Island planning area as adopted by the Regional Planning Commission.

Person or Owner shall mean any individual, firm, company, association, developer, corporation, or group.

pH shall mean the logarithm of the reciprocal of the concentration of hydrogen ions in grams per liter of solution.

Pollution shall mean the placing of any noxious or deleterious substance in any waters of the City in quantities which are or may be potentially harmful or injurious to human health or welfare, animal or aquatic life, or property, or unreasonably interfere with the enjoyment of life or property, including outdoor recreation.

Pretreatment shall mean the application of physical, chemical and biological processes to reduce the amount of pollutants in or alter the nature of the pollutant properties in a wastewater prior to discharge into a sanitary sewer.

Public Sewer shall mean the sanitary and/or storm sewers owned by the people of Grand Island and controlled and maintained by the Department of Public Works.

Residential Strength Wastewater shall mean wastewater with pollutant strength values which average 250 mg/L of BOD and 250 mg/L of SS.

Sanitary Sewer shall mean a sewer which carries sanitary wastewater and industrial wastes and to which storm, surface, and groundwaters are not intentionally admitted.

Sanitary Sewerage System shall mean all facilities for collecting, pumping, and transporting wastewater to the water pollution control plant.

ORDINANCE NO. 9641 (Cont.)

Sanitary Wastes or Wastewater shall mean the water carried wastes discharged from building sewers by reason of human occupancy.

Shall is mandatory; May is permissive.

Standard Methods shall mean those procedures or methods established by the latest edition of the "Standard Methods for the Examination of Water and Wastewater," as prepared, approved, and published jointly by the American Public Health Association and the American Water Works Association.

Storm Sewer or Storm Drain shall mean a sewer which carries storm waters, surface runoff, street wash waters and drainage, but which excludes sanitary wastewater and industrial wastes, other than unpolluted cooling water.

Suspended Solids (SS) shall mean solids that either float on the surface of, or are in suspension in, water, wastewater, or other liquids, and which are removable by laboratory filtering, expressed in milligrams per liter (mg/L).

Total Kjeldahl Nitrogen (TKN) shall mean the sum of organic nitrogen, ammonia (NH₃), and ammonium (NH₄⁺)

Total Sulfides shall mean the chemical combination of dissolved hydrogen sulfide gas (H₂S); dissolved ionic sulfide in the form of HS⁻ and S⁻² and acid-soluble metallic sulfide present in suspended matter

Toxic shall mean constituents of wastes which adversely affect the organisms involved in wastewater treatment.

Unpolluted Water or Drainage shall mean water to which no pollutants have been added, either intentionally or accidentally.

Wastewater Treatment Facility shall mean the wastewater treatment facility owned and operated by the City for the benefit of all persons located within the City's planning area.

Watercourse shall mean a channel in which a flow of water occurs, either continuously or intermittently.

Wastewater shall mean the liquid and water carried domestic or industrial wastes from dwellings, commercial buildings, industrial facilities, and institutions, together with any groundwater, surface water, and storm water that may be present, whether treated or untreated, which is discharged into or permitted to enter the City's treatment works.

Wastewater Treatment Works shall mean the sanitary sewers, pumping, and other equipment and their appurtenances, and other facilities which are an integral part of the wastewater collection and treatment processes and treatment residue disposal system.

§30-2. Supervision of Sewers and Drains

The director shall control and supervise the construction, repair, and maintenance of all sewers and drainage systems in the planning area, whether the sewers are publicly or privately owned.

§30-3. Wastewater Treatment Facility

The City may continue operating the existing water pollution control plant and may enlarge or expand the plant from time to time. The City may also construct other similar plants and employ other methods of treating wastewater sufficiently to comply with all applicable federal and state regulations.

§30-4. Authority to Enter Private Property

The director and other duly authorized employees of the Department bearing proper credentials and identification shall be permitted to enter all private properties to which a proper easement is on record for the purpose of surveying, inspection, maintenance, operation, repair, and reconstruction of any portion of the sanitary and storm sewer systems under the management of the Department subject to the terms of the easement.

§30-5. Violation Notices

The Department shall have authority to serve persons discharging in violation of this ordinance with written notice stating the nature of the violation and providing a reasonable time limit for satisfactory compliance. No person may continue discharging in violation of this ordinance beyond the time limit provided in the notice.

§30-6. Damage to Wastewater Treatment Works

No person shall maliciously, willfully, or negligently break damage, destroy, uncover, deface, or tamper with, any structure, appurtenance, or equipment which is a part of the wastewater treatment works. Any person violating this provision shall be punished according to law.

Article II. Sewer and Drainage Districts

§30-7. Establishment

The City may by ordinance divide the area within the planning area into suitable districts for the purpose of establishing sewer and drainage systems.

§30-8. Levy of Special Taxes or Assessments

The City may by ordinance levy special taxes or assessments for the purpose of constructing or extending public sewers. The City may provide for the payment of the construction costs by annual installments for the number of years stated in the ordinances. The taxes or assessments levied upon the real estate located within the sewer district in which the sewers are to be constructed shall be to the extent such property is benefitted.

§30-9. Sewer District Bonds

The City may by ordinance issue bonds designated as "District Sewer Bonds of District No. . . ". The City may establish the bond repayment period and interest rates and levy an assessment against the property owners within the district to provide funds for the annual repayment of the bonds and interest. In the event the levy assessment shall be insufficient to pay the bond and interest payments for any cause, the City shall make a relevy to pay such deficiency.

Article III. Construction of Public, Private Sewer Mains by Other Persons

§30-10. Connection of New Buildings.

Any new buildings located within 200 feet of a public sanitary sewer main shall be required to connect to it.

§30-11. Connection Upon Failure of Private Sewage System.

Any existing buildings located within 200 feet of a public sanitary sewer main shall be required to connect to it upon failure of the private septic disposal system serving the building. An interceptor does not qualify as a sanitary sewer main. An interceptor is defined as a primary transport line usually larger than 15”.

§30-12. Sewers to Meet Department Standards

The design and construction of all sanitary sewers connected, either directly or indirectly, to the existing sanitary sewer system shall meet all standards and specifications established by the Department.

Private sewer mains shall comply with adopted model plumbing codes and be constructed by licensed plumbing contractors.

§30-13. Plans Signed by Engineer

All sewer construction plans shall bear the signature and seal of the registered professional engineer who has prepared them.

§30-14. Cost to Review Plans

The Department may charge to review plans submitted by persons proposing to construct sewers in the planning area. The charge shall be at a rate per hour established and published from time to time by the Department.

§30-15. Plans Submitted to State

Plans requiring the approval of the State Department of Environmental Quality will be submitted to them by the Director following his or her approval of the plans.

§30-16. Construction Permit

The property owner, owner's agent or contractor, shall obtain a construction permit from the director after the engineering reports, plans, and specifications have been approved by the director, and before any sewer construction work has started.

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§30-17. Workmanship and Materials

All workmanship and materials shall comply fully with the requirements of the approved plans and specifications. If at any time within one year after the date of the final inspection any defect should appear, which in the opinion of the director is due to inferior materials or workmanship, the contractor shall do whatever is necessary to remedy the defects at no cost to the City. The Department will notify the contractor in writing of the defects and repairs to be made. If the contractor fails to begin repairs within ten days, the Department may cause the defects to be remedied and charge the cost and expense involved to the contractor or contractor's surety. The contractor's surety shall not be relieved until the defects or repairs are corrected and approved and a written release is furnished the surety by the Department.

§30-18. Sewer Inspection and Approval

The director shall investigate and approve or reject the laying of all sewers and drains. The director shall have the right to enter property containing sewers or drains at all reasonable hours for inspection and investigation purposes.

§30-19. Certificate of Inspection

No architect, owner, agent, or contractor shall accept any sewer laying or drain laying of any description prior to the issuance of a certificate of inspection and approval by the director.

§30-20. Conforming Plans

Before sewers which are constructed by others and connected to the City's sanitary sewerage system will be accepted, plans that conform to construction records must be presented to the Department. Data shown on the plans shall be as specified by the Department.

Article IV. Lateral Sewers

§30-21. Owner Responsibilities

All costs and expense associated with the installation and connection of lateral sewers shall be borne by the owner. The owner shall indemnify the City from any loss or damage that may directly or indirectly result from installing lateral sewers.

Lateral sewers shall be connected, as required by Chapter 30, Article III; to a public sewer system where available or a private sewer system in accordance with adopted model plumbing code and State of Nebraska regulations.

§30-22. Lateral Sewer to Serve Each Building

One sewer tap shall be provided for every tract or parcel of land, except, upon written request to the director or the administrative authority for an exception.

§30-23. Prohibited Connections

No person shall connect interior or exterior roof downspouts, interior or exterior foundation drains, areaway drains, or other sources of surface runoff or ground water to a lateral sewer or a building drain which in turn is connected directly or indirectly to a public sanitary sewer.

The Public Works Director may inspect or cause to be inspected any residential, commercial and/or industrial facility for prohibited connections at any reasonable time.

Any cross-connection between a potable water supply and a sanitary sewer shall be prohibited.

§30-24. Connection Regulations

The connection of any lateral sewer into the public sanitary sewer system shall conform to the requirements of the building and plumbing codes or other applicable rules and regulations of the City. All such connections shall be made gas tight and water tight. Any deviation from the prescribed procedures and materials must be approved by the director before installation.

§30-25. Construction Regulations

The kind and size of materials, slope and alignment of a lateral sewer, and the methods used in excavating, placing of the pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of the building and plumbing codes or other applicable rules and regulations of the City.

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§30-26. Reserved

§30-27. On-Site Requirements

All excavations for lateral sewer installation shall be adequately guarded with barricades and lights 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 director.

Article V. Connecting to Existing Public Sewers

§30-28. Connections by Licensed Plumbers

No person shall make any opening in, addition to, alterations of, connections with, or tap any public sewer or associated appurtenances unless they are a licensed plumber and have complied with all the conditions and requirements of the City.

§30-29. Permit Required

Before connecting with, tapping, modifying, altering or repairing any public sewer in the City a plumber shall first obtain a written permit from the director. The permit shall be posted upon the premises at all times during the progress of the work.

§30-30. Applications for Permits

Applications for permits to connect, tap, construct, modify or make attachments to public sewers shall be made to the director upon forms provided by the City. Such applications shall be accompanied by a fee in accordance with the City of Grand Island Fee Schedule to cover the cost of inspection, recording, and other expenses. The application shall show the exact location of the proposed work, and when requested by the director, the plumber shall provide plans or specifications of the proposed work. When required, an application shall be on file with the director twenty-four hours before the issuance of a permit. If work is commenced prior to application for the permit, an investigation fee in addition to the permit fee in the same amount as the permit fee shall be assessed. Each permit shall expire six (6) months from date of issuance.

§30-31. Connections When Property Not Assessed

No person shall connect with or tap any sanitary or storm sewer in the City when the property to be served has not been assessed for lateral services. In this event, no plumber or other person shall make any connection with or tap any sewer, nor shall the director grant a connection permit until the owner of the property to be served or the person desiring such connection first makes formal application to the director for permission to tap or connect with the public sewers, and complies with the conditions and requirements of the City which may include the payment of an equitable amount for lateral service. The director reserves the right to refuse to grant a permit to any person who shall desire to connect with the public sewers, where the property to be served has not been assessed for lateral service, or, if assessed, has not made such payment for any reason whatever.

§30-32. Excavations In Streets

Excavations in streets and alleys for the purpose of constructing, repairing, altering or tapping sewers shall be made in a manner that will impede travel as little as possible. The director may determine and limit the time such excavations remain open and when unnecessarily delayed, may direct that the number of workmen be increased. Warning lights shall be maintained at all unfinished work, from dark to daylight. All work is to be done in accordance with OSHA rules and regulations. After the work has been completed, the streets or alleys shall be repaired to the satisfaction of the director. Within one year of the excavation, the director may require the excavation to be refilled if settling has occurred.

§30-33. Sewer Trenches

Sewer trenches shall be braced in accordance with industry standards and OSHA rules and regulations.

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§30-34. Exposure of Sewer Pipe to Frost

No person shall dig up or uncover any public sewer so as to expose it to frost, except under the direction of the director.

§30-35. Materials and Construction Procedures

All connections with the public sewers must be made with the kind and size of materials approved by the director. When a connection is made to a public sewer a saddle shall be used and the connection shall be made under the supervision of the director.

A maximum of only one connection may be made on each length of public sewer pipe. Additional connections may be made only after written authorization is granted by the director. Said authorization shall be noted on the permit required pursuant to §30-27.

§30-36. Disconnection of Drains

The director shall have the right to disconnect any drain from the public sewers which is found to be used contrary to the provisions of this Article.

§30-37. Revocation of Plumber's License

The city council may at any time revoke the license of any plumber found guilty of violating this Article or refusing to cooperate with the director in performing his or her duties.

§30-38. Violations of this Article

Any owner, architect, agent, plumber, contractor, or other persons failing, neglecting, omitting, resisting, or refusing to comply with any of the rules or regulations of this Article shall be deemed guilty of a misdemeanor.

Article VI. Private Wastewater and Septic Tank Waste Disposal

§30-39. Outside Water Closets

The construction of outside water closets, known as the "frost-proof" type, shall be prohibited.

§30-40. Privies Prohibited in Dwellings

Privies are prohibited within City limits.

§30-41. Community and Private Disposal Systems

Community Disposal Systems

The owner of a private wastewater treatment system (lagoon, mechanical, etc.) within City limits, providing service to multiple buildings and operating under an NPDES (National Pollution Discharge Elimination System) Permit issued by the NDEQ (Nebraska Department of Environmental Quality) shall connect to a public sanitary sewer within 12 months after it becomes available. Availability is defined when the building is located within 200 feet of a public sanitary sewer main.

Private Disposal Systems

Where a public sanitary sewer is not available to a building, the lateral sewer shall be connected to an individual private wastewater disposal system complying with appropriate rules and regulations in this ordinance and the State of Nebraska. The definition of available shall be found in the adopted model plumbing code.

The owner shall, at owner's own expense, operate and maintain such private wastewater disposal facility to the satisfaction of the director.

§30-42. Unlawful Connection to Public Sewers

It shall be unlawful for any private residential wastewater disposal facility to be connected to any public sewer.

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§30-43. Disposal of Septic Tank Waste

No person shall discharge septic tank waste into any watercourse or storm sewer. This type of waste may be discharged into the City's wastewater treatment works only at those locations and in a manner designated by the director.

§30-44. Permits for Discharge of Septic Wastes

Permits for discharge of septic tank waste shall be required. The permits may be obtained by filling out an application form furnished by the director.

§30-45. Discharge Fee

Any person discharging septic tank waste into the wastewater treatment works shall pay the Department at a rate per one hundred gallons of tank capacity (or fraction thereof) as a wastewater disposal charge, the rate to be established by the city council.

Article VII. Prohibited Discharges

§30-46. Storm Water and Unpolluted Drainage

Storm water and all other unpolluted drainage shall be discharged into sewers specifically designed and designated as storm sewers or to a natural outlet.

No person shall discharge or cause to be discharged, either directly or indirectly, to the sanitary sewer system any surface water, ground water, roof runoff, subsoil or sub-surface drainage, cooling water, or unpolluted industrial process water. Any such connections made either before or after the effective date of these rules and regulations shall be considered illegal and shall be subject to immediate removal by the owner and at the owner's expense.

Should the owner of an illegal connection fail to remove it within ninety days after being notified by the director to do so, the director may cause the connection to be removed and the cost billed to the owner of the property served by the illegal connection.

§30-47. Sanitary and Other Polluted Waters

No person shall discharge or cause to be discharged to any natural outlet or storm sewer any sanitary wastewater or other polluted waters. Effluent from privately-owned individual household disposal devices shall not be discharged to storm sewers.

§30-48. Other Prohibited Discharges

No person shall discharge, or cause to be discharged to, any sanitary sewer, any of the following described substances, water, or wastes unless authorized by the Public Works Director:

- (1) Any liquid or vapor having a temperature higher than 65 degrees Celsius (150 degrees Fahrenheit).
- (2) Wastes containing oil or grease of petroleum origin shall be prohibited.
- (3) Any gasoline, benzene, naphtha, fuel oil, mineral spirits, commercial solvent, motor oil, or other flammable or explosive liquid, solid or gas, or any other petroleum derivative.
- (4) Any water or wastes containing dissolved gases (such as hydrogen sulfide, sulfur dioxide, nitrogen oxides, and ammonia) in concentrations sufficient to cause poisonous or toxic fumes or waste-water, or a malodorous or harmful condition.
- (5) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, asphaltic materials, cement or concrete, paunch manure, hair and fleshings, entrails, lime slurry, lime residues, beer or distillery spent grains, chemical residues, paint residues, cannery waste, bulk solids, or any other solid or viscous substances, in amounts capable of causing obstructions to flow in sewers or interference with the proper operation of the wastewater treatment works.
- (6) Any waters or wastes having a pH lower than 6.0 or higher than 9 at any time, or having any other corrosive property capable of causing damage or being a hazard to structures, equipment and personnel of the wastewater treatment works.

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(7) Any waters or wastes containing pollutants in the form of compounds or elements, in solution or suspension, in concentrations exceeding the following:

Pollutant	Maximum Concentration in mg/L
Arsenic (AS).....	0.050
Barium (BA).....	1.000
Cadmium (Cd).....	0.100
Chromium (Cr) (Total).....	3.000
Copper (Cu).....	1.000
Cyanides (CN).....	2.000
Lead (Pb).....	0.100
Manganese (Mn).....	1.000
Mercury (Hg).....	0.005
Nickel (Ni).....	1.000
Selenium (Se).....	0.030
Silver (Ag).....	0.100

The maximum concentrations shown for the above metals may be used as a guide in design and plant control, but may be altered by the director in the event of accumulative overload on the water pollution control plant.

(8) Any waters or wastes containing heavy metals and toxic materials in concentrations prohibited by state or federal rules, including but not limited to:

Antimony	Strontium
Beryllium	Tellurium
Bismuth	Fungicides
Boron	Herbicides
Cobalt	Pesticides
Molybdenum	Uranyl ion
Rhenium	

unless the permit required for discharge of industrial wastes specifies conditions of pretreatment, concentrations, and volumes.

(9) Any noxious or malodorous gas or substance, capable of creating a public nuisance or hazard to life or preventing entry into sewers for their inspection, maintenance, and repair.

(10) Any waters containing quantities of radium, naturally occurring, or artificially produced radioisotopes in excess of presently existing or subsequently accepted limits for drinking water as established by the national committee on radiation protection and measuring.

(11) Any concentrated dye wastes, spent tanning solutions, or other wastes which are highly colored, or wastes which are of unusual volume, concentration of solids, or composition that may create obstruction to the flow in sewers or interference with the wastewater treatment processes without proper pretreatment and written approval of the director.

(12) Waters or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed, or are amenable to treatment only to the degree that the wastewater treatment plant effluent cannot meet the requirements of the NPDES permit.

(13) Any water or wastes containing more than 2,000 mg/L total solids, maximum of 100,000 gallons.

(14) Any water or wastes containing more than 230 mg/L chlorides monthly average concentration, 380 mg/L chlorides daily maximum concentration (November 1 – February 28 (29), 389 mg/L chlorides daily maximum concentration (June 1 – October 31) and 390 mg/L daily maximum concentration (March 1 – May 31).

(15) Any water or wastes containing Conductivity greater than 2,000 umhos/cm monthly average (April 1 – September 30)

(16) Wastes at a flow rate and/or pollutant discharge rate which is excessive over short periods of time so that there is a treatment process overload and subsequent loss of treatment efficiency.

§30-49. Dilution

The admission into the public sewers of any waters or wastes in volumes, or with constituents, such that existing dilution conditions in the sewers or at the treatment plant would be adversely affected, shall be subject to review and approval of the director. Where necessary, in the opinion of the director, pretreatment or equalizing units may be required to bring constituents or volume of flow within an acceptable level, and to hold or equalize flows so

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that no peak flow conditions may hamper the operation of any unit of the sewer system. The equalization or holding unit shall have a capacity suitable to serve its intended purpose, and be equipped with acceptable outlet control facilities to provide flexibility in operation and accommodate changing conditions in the waste flow.

§30-50. Deleterious Discharges

If any waters or wastes are discharged, or are proposed to be discharged, to the public sewers, which contain substances or possess the characteristics enumerated in the preceding sections of this article, and which in the judgment of the director or the local, state, and federal agencies having jurisdiction, may have a deleterious effect upon the wastewater treatment processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the director may:

- (1) Reject the wastes;
- (2) Require pretreatment to an acceptable condition for discharge to the public sewers;
- (3) Require control over the quantities and rates of discharge;
- (4) Require payment to cover the added cost of handling and treating the wastes not covered by sewer user charges.

In forming his or her opinion as to the acceptability of wastes, the director will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. Any waters or wastes having a BOD concentration greater than 250 mg/L or a SS concentration greater than 250 mg/L or an average daily flow greater than 5 percent of the average total sewage flow of the City shall be subject to the review of the director.

If the director permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the director, and the local, state, and federal agencies having jurisdiction and subject to the requirements of all applicable codes, resolutions, and laws. See §30-54.

In the event of an accidental spill or unavoidable loss to the drains of any deleterious materials, the owner shall promptly notify the director of the nature of the spill, the quantity, and time of occurrence.

§30-51. Wastes from Garbage Grinders

Food Waste Grinders installed in dwellings shall be regulated by the Plumbing Code.

No business establishment shall install any garbage grinder or replace an existing garbage grinder after the effective date of this ordinance, without approval of the City Engineer in conformance with the Uniform Plumbing Code as adopted by the City.

All garbage grinders shall shred the waste to a degree that all particles will be carried freely under normal flow conditions prevailing in the public sewer. Garbage grinders shall not be used for grinding plastic, paper products, inert materials, or garden refuse.

All waste is subject to Section 30-48 regarding Deleterious Discharges and the latest edition of the fee schedule for extra strength waste.

Amended by Ordinance No. 9506, effective 11/04/2014

§30-52. Grease, Oil, and Sand Traps

Grease (animal), oil, and sand interceptors, or traps, shall be provided by the owner when, in the opinion of the director, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, sand, or other harmful ingredients; except that interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the director and shall be so located as to be readily and easily accessible for cleaning and inspection.

Interceptors will be maintained at appropriate intervals and proof of maintenance will be maintained for at least three (3) years. Manifests showing the material removed from the interceptors was disposed of in a proper manner will be maintained for at least three (3) years.

§30-53. Unlawful Use of Manholes

Opening or entering manholes for any purpose whatever is strictly prohibited, except by persons duly authorized to do so.

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No person shall discharge any substance directly into a manhole or other opening in the public sewers other than through an approved building sewer, unless upon written application to the director and payment of the applicable user charges and fees, and the director issues a permit for such direct discharges.

Article VIII. Industrial Wastes and Discharge Permits

§30-54. Major Contributing Industries

All major contributing industries proposing to directly or indirectly connect to or discharge wastes into the sanitary sewers shall obtain a discharge permit before connecting to or discharging into these sewers.

§30-55. Industrial Wastes; Requirements

Persons proposing to or who actually discharge industrial wastes which contain none of the prohibited ingredients or characteristics set forth in Article VII of this ordinance, other than excessive concentrations of BOD, suspended solids and grease, hydrogen sulfide, or TKN shall be required to pretreat their wastes to meet the requirements of "Normal Strength Wastewater" with the exception that wastes may be accepted for treatment if all the following requirements are met:

- (1) The wastes will not cause damage to the sanitary sewer system;
- (2) The wastes will not impair the wastewater treatment process;
- (3) The discharger of the waste agrees to pay a surcharge over and above the published sewer rates when the waste strength exceeds that of "Normal Strength Wastewater." See Article IX.

§30-56. Pretreatment Requirements

When the Director determines that any industrial waste will be harmful to the structures, treatment processes or operation of the wastewater treatment works, or detrimental to the water pollution control plant effluent, the person discharging the waste shall provide, at his or her own expense, preliminary treatment or processing facilities as may be determined by the director as necessary to make the waste acceptable for admission to the public sanitary sewers.

When the director determines that an industrial waste must be pretreated, the owner shall submit plans and specifications of the proposed pretreatment facilities, and any other pertinent information relating to proposed preliminary treatment facilities by an approved registered professional engineer authorized to do business in the State of Nebraska to the director for review, and no construction of such facilities shall be commenced until said approvals are obtained in writing. After the plans and specifications are reviewed as submitted, or as amended by the director, the owner shall proceed to provide pretreatment facilities. If the pretreatment facilities are completed according to the plans and specifications, and the owner provides a proper sewer connection permit from the plant to the sanitary sewers, the director will issue the owner an industrial waste discharge permit authorizing such connection and permitting the owner to discharge waste into the sanitary sewers at the rate, quantity, quality and other conditions stated in the permit. These pretreatment facilities shall be maintained continuously in satisfactory and effective operation by the owner at the owner's expense.

§30-57. Discharge Permit; Application

Persons requiring a discharge permit shall complete and file with the Department an application in the form prescribed by the director and accompanied by applicable fees. Except as otherwise agreed in writing by the director, the applicant shall submit, in units and terms appropriate for evaluation, the following information:

- (1) Name, address, and Standard Industrial Classification (SIC) number of applicant.
- (2) Volume of waste to be discharged.
- (3) Waste constituents and characteristics including BOD, suspended solids, pH, biodegradable oils and grease, total sulfides, TKN, and any others required by the director.
- (4) Time and duration of discharge.
- (5) Average and thirty minute peak waste flow rates, including daily, weekly, monthly, and seasonal variations, if any.

ORDINANCE NO. 9641 (Cont.)

- (6) Ground plan or plat sufficient to indicate locations of building sewers, building drains, process waste sewers, monitoring facilities and pretreatment facilities with respect to buildings, property lines, streets, public sewers, and industrial process facilities.
- (7) Description of plant activities, facilities, and processes, including all types of waste which are or could be discharged.
- (8) Each product produced by type, amount, and rate of production when required to determine compliance with pretreatment standards.
- (9) Number and type of employees, and hours of work.
- (10) Any other information the director may feel is necessary to evaluate the permit application.

The Department will evaluate the data furnished and may require additional information. After evaluation of the data furnished, the director may issue a discharge permit subject to the terms and conditions of this ordinance. Wastewater constituents and characteristics shall not be recognized as confidential information.

§30-58. Discharge Permit; Requirements

Discharge permits may contain any or all of the following conditions and requirements:

- (1) The average and maximum waste pollutant concentrations permitted to be discharged into the sanitary sewers.
- (2) The maximum daily amounts of BOD, suspended solids, pH, biodegradable oils and grease, total sulfides, TKN, chlorides and conductivity permitted to be discharged into the sanitary sewers.
- (3) Limits on rate and time of discharge and requirements on flow regulations and equalization.
- (4) Requirements for installation of inspection and sampling facilities.
- (5) Pretreatment requirements.
- (6) Specifications for monitoring programs which may include sampling locations, frequency and methods of sampling and the number, types, and standards for tests and reporting schedule.
- (7) Requirements for submission of technical reports or discharge reports.
- (8) Requirements for maintaining plant records relating to waste discharges as specified by the director and making the records available to the Department.
- (9) Additional requirements as may be determined by the director.

§30-59. Discharge Permit; Term

Permits shall be issued for a specified period of time but in no event shall a permit extend beyond five (5) years from the date of issuance. Ninety days prior to the expiration of the permit, the owner shall apply to the Department for a renewal of the permit.

The owner shall be notified in writing of any proposed changes in the permit at least thirty days prior to the effective date of change. The notice shall include a specified time schedule for compliance. This time schedule shall be based on practical delivery and construction time requirements, and shall become part of the permit.

§30-60. Discharge Permit; Not Transferable

Waste discharge permits are issued to a specific owner for a specific operation. A waste discharge permit shall not be reassigned or transferred or sold to a new owner. A waste discharge permit shall not be transferred to a new or significantly changed operation.

§30-61. Discharge Permit; Revocation

Any owner who violates any of these rules and regulations, or applicable state and/or federal regulations, or any of the following conditions which are hereby made part of every permit, whether stated therein or not, is subject to having owner's permit revoked:

- (1) The owner shall factually report the waste constituents and characteristics of the discharge.
- (2) The owner shall report significant changes in operation, or in waste constituents and characteristics.
- (3) The owner shall allow reasonable access to owner's plant or facilities for the purpose of inspection or monitoring.
- (4) The owner shall comply with each and every term and condition of the permit.

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Before a permit is revoked, the owner shall be sent written notice fifteen days in advance of the date of a hearing by the director. The owner shall have the opportunity to present evidence at the hearing. The director shall notify the owner in writing of the decision by no later than fifteen days after the hearing.

§30-62. Monitoring Facilities

The director may require any industrial plant owner to construct, at the owner's expense, monitoring facilities to allow inspection, sampling, and flow measurement of the lateral sewer or internal drainage systems, and may also require sampling or metering equipment to be provided, installed, and operated at the owner's expense.

The monitoring facility shall be situated on the owner's property and located so that it will not be obstructed by landscaping or parked vehicles.

The personnel of the Department shall have access to the monitoring facilities at all times for inspection and sample collection. If the facilities are locked, special arrangements shall be made to allow access. The Department's personnel shall also have the right to set up monitoring devices at the facilities. There shall be ample room in or near such monitoring facilities to allow adequate sampling and composition of samples for analysis. The monitoring facilities, sampling, and measuring equipment shall be maintained at all times in a safe and proper operating condition at the expense of the owner.

The sampling and monitoring facilities shall be provided in accordance with the Department's requirements, standards and specifications. Unless a time extension is otherwise granted by the director, construction shall be completed within ninety days following the issuance of written notification by the Department.

§30-63. Access to Owner's Property

The owner of any industrial plant where waste is created or discharged shall allow the employees of the Department ready access at all reasonable times to all parts of the property for the purposes of inspection or sampling or for the performance of their duties. The Department shall have the right to set up on the owner's property such devices as are necessary to conduct sampling or metering operations. Where an owner has security measures in force which would require proper identification and clearance before entry into the facilities, the owner shall make necessary arrangements with its security guards so that upon presentation of suitable identification, personnel from the Department will be permitted to enter without delay for the purpose of performing their specific responsibilities. While performing the work, the Department personnel shall observe all safety rules established by the owner and applicable to the plant or facilities. The Department shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper, or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or facilities for waste treatment.

§30-64. Reliability of Monitoring Facilities

Approval of proposed monitoring facilities or equipment by the director does not, in any way, guarantee that those facilities or equipment will function in the manner prescribed by their constructor or manufacturer; nor shall they relieve a person of the responsibility to enlarge or otherwise modify such facilities to accomplish the intended purpose.

§30-65. Sampling Methods

All measurements, tests, and analyses of the characteristics of industrial wastes shall be determined in accordance with EPA approved methods published in the latest edition of *Standard Methods for the Examination of Water and Wastewater* published by the American Health Association and American Water Works Association, or *Methods for Chemical Analysis of Water and Wastes* published by the Environmental Monitoring and Support Laboratory, Office of Research and Development, U.S. Environmental Protection Agency, and shall be determined at the monitoring facilities or from samples taken at the monitoring facilities. In the event no special monitoring facility has been installed, the sampling shall be done at the nearest downstream manhole in the public sewers to the point at which the building lateral sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effects of waste constituents upon the wastewater treatment works and to determine the existence of possible hazards to life, limb and property.

ORDINANCE NO. 9641 (Cont.)

§30-66. Special Contracts or Agreements

No statement contained in these rules and regulations shall be construed as preventing any special agreement or arrangement between the City and any person whereby an industrial waste of unusual strength or character may be accepted by the Department for transport and/or treatment, subject to applicable fees or payments.

§30-67. Excessive Pollutant Penalty

If a person discharges amounts of permissible pollutants in excess of the amounts permitted in the discharge permit, as stated in §30-56, a penalty of one thousand dollars per day of violation shall be imposed and paid by the person discharging wastes in violation of the permit.

§30-68. Indemnity

In the event a person does discharge excessive amounts of pollutants in violation of the discharge permit, said person shall agree to indemnify and hold the City harmless against and from any and all loss, damage, claims, demands, actions, causes of action, penalties, judgments, costs, and expenses of whatsoever nature which may result from injury to or death of persons whomsoever, or from loss or destruction of or damage to property whatsoever, or results in the City being in violation of state or federal regulatory agency requirements, when such violation, injury, death, loss, destruction, or damage arises in any way in connection with or incident to a person depositing amounts of industrial waste in excess of those permitted in the discharge permit into the City's sanitary sewers. It must be proved, on an individual case basis, that a person's depositing of excessive amounts of pollutants, on a daily basis, was in fact the cause of a violation, injury, death, loss, destruction, or damage, and that the excessive discharge was not due to force majeure.

§30-69. Charges to Major Industries

Each major contributing industry shall be assessed a monthly charge that reflects the City's cost of owning, operating, and maintaining the facilities used to serve these customers. The monthly charges shall be determined from time to time based upon analysis of the costs of capital and operation and maintenance costs associated with the facilities used to provide service.

Article IX. Industrial Waste Surcharge

§30-70. When Surcharge Is Applicable

An industrial waste surcharge shall be assessed against any person discharging industrial wastes into the City's sanitary sewer system where the contributed waste strength exceeds that of "Normal Strength Wastewater" as defined in §30-1. Persons subject to the industrial waste surcharge shall be subject to the regular sewer user charges.

§30-71. Pollutants Subject to Surcharge

The monthly amount of pollutants subject to the surcharge will be based on the average loading per plant operating day, in excess of 250 mg/L for BOD or suspended solids, in excess of 100mg/L for biodegradable oils and grease, in excess of 30mg/L for TKN, in excess of 25 mg/L for Nitrates, in excess of 0 mg/L for hydrogen sulfide, lower than 6.0 or higher than 9 for pH, times the number of operating days per month.

§30-72. Amount of Surcharge

The industrial waste surcharge to be assessed each month will be determined by application of the rates then in effect.

The surcharge amount shall be determined by calculating the average number of pollutant pounds per operating day based on the average of periodic grab or composite samples obtained and tested as described in §30-63.

In computing the surcharge amount, no credit will be allowed because a pollutant strength is less than that allowed in "Normal Strength Wastewater."

ORDINANCE NO. 9641 (Cont.)

§30-73. Review of Surcharge Rates

The director shall review the surcharge rates each August and adjust them, if necessary, to reflect the actual cost to treat the pollutants subject to the surcharge.

§30-74. Monitoring Facilities

When a person discharges a waste that is subject to the industrial waste surcharge, the director may require monitoring facilities be provided. The installation and use of the monitoring facilities shall be in compliance with §30-60 and §30-63.

§30-75. Surcharge for Class Groups

The director may classify certain commercial and industrial establishments which routinely discharge BOD and suspended solids concentrations exceeding those established for "Normal Strength Wastewater," into the following classes:

- (1) *Eating Places*: Includes restaurants, bars, lounges, and other establishments which engage in the preparation of food or beverage which is served directly to the consumer.
- (2) *Food and Kindred Products Processing*: Includes commercial establishments which engage in the preparation, packaging, processing, or distribution of food, food products, grains, or produce, and which discharge less than 200,000 gallons of wastes per month.
- (3) *Equipment Service Facilities*: Includes establishments which perform washing, cleaning, or servicing of automobiles, trucks, buses, machinery, or equipment; this class to include public facilities, facilities limited to specific companies, and attended or coin-operated establishments.

The director shall assess an industrial waste surcharge for each class based on waste strength determinations established by averaging grab or composite samples or both, taken from a representative number of establishments in each class and shall apply this surcharge to the water consumption or metered wastewater of the establishment. If the establishment is within a larger facility for which water usage is determined from a master meter, the director shall determine an estimated volume for the establishment on which the surcharge is applied. The director shall then add the appropriate industrial surcharge to billings for regular water and sanitary sewer service for each establishment included in one of the classes.

If an establishment contains operations from more than one of the classes, and the director determines that the surcharge for a particular class would not adequately compensate the City for its cost of treatment, the director may assess a surcharge based on a proportional average of the class surcharges involved, or may require the establishment to be billed under the requirements of §30-70.

The owner of an establishment classified into one of the classes may elect to have the industrial surcharge billed under §30-70 rather than this section, by making application to the director and paying the required sampling costs.

The director may revise the class surcharges in the future to reflect a change in the average strength of the wastes discharged or to reflect a change in the costs to treat these wastes.

§30-76. Contract for Reserved Capacity

The director may, with the approval of the council, enter into a contract with persons discharging industrial wastes who desire to reserve a portion of the design capacity of the sanitary sewer system or water pollution control plant. The contract shall contain a provision stating that an annual amount, representing the person's proportionate share of the City's net annual capital investment cost in the facilities reserved, shall be paid by the person signing the contract. The contract shall also contain a provision that if the person's average daily flow varies more than 20 percent on a yearly basis, either party may open the contract for renegotiation of the minimum payment.

Article X. Sewer Rates and Charges

§30-77. Purpose of Article

The mayor and council of the city hereby find and determine: This City has constructed and owns and operates a sewerage system and plant for the treatment, purification, and disposal in a sanitary manner of the liquid

ORDINANCE NO. 9641 (Cont.)

and solid wastes, sewage, and night soil of such community and it is necessary, in order to protect the health of the inhabitants of the city and to comply with the law of the state and the requirements of the department of health of the state that the sewerage system be operated and maintained; that in order to provide the revenues to operate and maintain the sewer system and disposal plant and to create a reserve fund for the purpose of future maintenance, it is necessary that the City establish just and equitable rates and charges to be paid to the City for the use of such disposal plant and sewerage system by each person whose premises are served thereby.

§30-78. Consumer; Defined

The word "consumer" as used in this article shall include all users of the municipal sewerage system of the City, including all persons whose premises are served thereby and all owners and tenants of real estate and buildings connected with such sewerage system or served thereby and all users of such system who in any way use the same or discharge sanitary sewage, industrial waste, water or other liquid either directly or indirectly into the sewerage system of the City.

§30-79. Consumer; Classification

Consumers shall be classified as residential or commercial. For the purposes of this article a residential consumer is one whose property is used exclusively for residential purposes and commercial consumers are all consumers other than residential consumers.

§30-80. Rental Charge; Computation

For the use of the city sewer system, each consumer shall pay a rental charge which shall be computed and based on his contribution of sewage to such system; provided, that a minimum charge for sewer rental as set forth in §30-84 and §30-85 shall be made for each dwelling unit which is directly or indirectly connected to the City sanitary sewer system, unless for a complete billing period the City water supply to such unit has been disconnected by the City, or the private water supply disconnected to the satisfaction of the City. For the purposes of this Article, a dwelling unit shall mean one or more rooms and a single kitchen designed as a unit for occupancy by one family for living and sleeping purposes, and shall include a manufactured home. If more than one dwelling unit is served from a single water meter or single private water source as in the case of apartments and mobile home courts, a percentage of the minimum rate shall be charged against each unit, depending on the number of dwelling units per water meter or private water source as follows:

2 to 5 dwelling units.....	65%
6 to 10 dwelling units.....	60%
11 to 20 dwelling units.....	55%
21 and over dwelling units.....	50%

The above charges shall be computed upon the yearly average of the number of dwelling units occupied.

§30-81. Rental; Residential and Commercial

The charges to be paid by residential consumers for use of the sewerage system and disposal plant shall be based upon water consumption. The monthly residential sewer charges for the twelve months following April 1st of each year will be based on the average water consumption for that property during the months of January, February and March. Commercial customers shall pay according to the meter reading which precedes billing.

Amended by Ordinance No. 9524, effective 03/17/2015

§30-82. Rental Charge; Use of Water Meters

The sewer rental charge shall be applied separately to each individual water meter which measures water contributing to or discharging into the city sewerage system and shall be determined by the water meter reading for water furnished by the water works system of the city or by privately-owned water supply which may contribute to or discharge into the sewerage system. In the case of unmetered water supply, the quantity of water used and discharged into the sewerage system of the City shall be determined to the satisfaction of the council and at the expense of the owner of the unmetered water supply. If the quantity of unmetered water discharged into the sewerage system is estimated by the council to be in excess of one thousand cubic feet per month for any one month, the council may require that such water supply be metered at the expense of the owner or consumer.

ORDINANCE NO. 9641 (Cont.)

Should any meter get out of order or repair and fail to register properly, such consumer will be charged at the average monthly consumption as shown by the meter when in order for six months previous, or fraction thereof, if the same has not been used that long.

§30-83. Volume Charges

The charges for sewer service shall be paid either quarterly or monthly in conformance with the billing for water, and each consumer shall be billed per 100 cubic feet in accordance with the City of Grand Island Fee Schedule.

§30-84. Service Charges

The monthly service charge for sewage contributions to consumers and users shall be in accordance with the City of Grand Island Fee Schedule, regardless of the volume of sewage contributed.

§30-85. Industrial Waste Surcharge

Extra Strength Surcharge

An industrial waste surcharge shall be assessed against any person discharging industrial wastes into the City's sanitary sewer system where the contributed wastewater strength exceeds normal strength wastewater and shall be billed in accordance with the City of Grand Island Fee Schedule.

Customer Charge

The specific costs incurred by the City associated with monitoring and determining flow and strength.

Industrial Four Part Charge

The industrial service four-part charges will be applied to those industrial users who certify that their sewage contributions are less than normal strength wastewater, and such customers shall be billed in accordance with the City of Grand Island Fee Schedule.

Customer Charge

The specific costs incurred by the City associated with monitoring and determining flow and strength and/or checking the users certification.

§30-86. Minimum Charges

The minimum charge for sewage contributions shall be the sum of applicable service charge, volume charge and/or extra strength surcharge. For customers billed on the industrial four part charge, the minimum charge shall be the sum of the volume, BOD, SS, oil and grease, hydrogen sulfide, ammonia, and customer charge.

The minimum charge for sewage contributions to consumers and users who are not required to meter their water supply shall be in accordance with the City of Grand Island Fee Schedule.

§30-87. Reserved

§30-88. Collection

The sewer rental charges prescribed by this article shall be collected at the same time and in the same manner and by the same officers as water charges are collected by the City.

§30-89. Delinquent Charges

Bills for sewer rental charges made by this Article shall be rendered as for water service of the City and all rental charges levied by this Article which are not paid at or before water service charges of the City are required to be paid shall be deemed to be delinquent and the water service of such consumer may be discontinued.

§30-90. Charges To Be a Lien

All rental charges prescribed by this article shall be a lien upon the premises and real estate for which the sewer service is supplied and used and if not paid when due such charge shall be certified to the city treasurer and may be recovered by the City in an action at law and such delinquent charges may be certified to the county clerk and assessed against the real estate and premises served and be collected and returned in the same manner as other city taxes are certified, collected, and returned.

ORDINANCE NO. 9641 (Cont.)

§30-91. Disposition of Funds

The mayor and council hereby find and determine that the rental charges established by this article are just and equitable rates and charges to be paid to the City for the use of its disposal plant and sewerage system by each person whose premises are served thereby. All moneys collected for such rental charges shall be paid into the sewer and sewer collection funds and shall be used only for the purpose of maintenance and operation of the existing sewer system and disposal plant, and to create a reserve fund for the purpose of future maintenance, pursuant to Article 5, Chapter 18, Reissue Revised Statutes of Nebraska 1943.

§30-92. Accounting System

Under Ordinance No. 4131, the City of Grand Island, Nebraska, has agreed to account for its revenues and expenditures in a specified manner. It is considered that the requirements for user charge accounting systems can be met by following the accounting procedures outlined in Ordinance No. 4131 and supplemental ordinance which have been issued subsequently for additional bonds.

§30-93. Special Rates

Where, in the judgment of the council, special conditions surround the use of city water to the extent that the application of the service charges, rates, or rentals as specified by this Article would be inequitable and unfair to either the City or such consumers, the council shall establish a special rate applying to such consumers. Such special rates when adopted by ordinance by the city council shall apply to all consumers under like circumstances.

§30-94. Water Discharged Into Storm Sewers

The provisions of this Article do not apply to water discharged into the storm sewer.

§30-95. Charges for Septic Tank Sludge

Septic tank sludge may be deposited at the City's Wastewater Facility in a location designated by the superintendent of the said plant or his representative after payment of a fee in accordance with the City of Grand Island Fee Schedule for ordinary septage, having strength up to 6,000 mg/l BOD, and 20,000 mg/l SS.

Per 100 gallons or fraction thereof of tank capacity in accordance with the City of Grand Island Fee Schedule.

For septage having strength of more than 6,000 mg/L BOD, and 20,000 mb/L SS, the fee shall be charged according to the current Fee Schedule for charges of high septic sludge.

Waste from a recreational vehicle may be deposited at the City's water pollution control plant in a location designated by the superintendent of said plant. Fees for such discharge of recreational waste shall be on a voluntary basis.

§30-96. User Charge System Review

The City will review the user charge system at least every two years and revise user charge rates as necessary to insure that the system generates adequate revenues to pay the cost of operation and maintenance, including replacement, and that the system continues to provide for the proportional distribution of operation and maintenance, including replacement expenses among users and user classes.

§30-97. Reserved

§30-98. Toxic Pollutants

Any user which discharges any toxic pollutants which cause an increase in the cost of managing the effluent or the sludge from the City's treatment works, or any user which discharges any substance which singly or by interaction with other substances causes identifiable increases in the cost of operation and maintenance, including replacement of the treatment works, shall pay for such increased cost.

ORDINANCE NO. 9641 (Cont.)

SECTION 2. Chapter 30, Sections 30-1 through 30-96 as now existing, and any ordinances or parts of ordinances in conflict herewith be, and hereby are, repealed.

SECTION 3. This ordinance shall be in force and take effect from and after its passage and publication, within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: August 8, 2017.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk