

**AN ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE
SEWERS AND DRAINS, PRIVATE SEWAGE DISPOSAL, THE INSTALLATION
AND CONNECTION OF BUILDING SEWERS, AND THE DISCHARGE OF
WATER AND WASTES INTO THE PUBLIC SEWER SYSTEMS; AND
PROVIDING PENALTIES FOR VIOLATIONS THEREOF
IN THE CITY OF SALTILLO, COUNTY OF LEE, STATE OF MISSISSIPPI.**

WHEREAS, the Mayor and Board of Aldermen of the City of Saltillo, Mississippi do hereby establish An Ordinance Regulating the Use of Public and Private Sewers and Drains, Private Sewage Disposal, the Installation and Connection of Building Sewers, and the Discharge of Water and Wastes into the Public Sewer Systems; and Providing Penalties for Violations Thereof in the City of Saltillo, County of Lee, State of Mississippi pursuant to Miss. Code Ann. § 21-27-7 (1972), as amended.

**BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMAN OF THE CITY OF
SALTILLO, MISSISSIPPI, AS FOLLOWS:**

ARTICLE I

DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

- Section 1. "BOD" (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in 5 days at 20°C, expressed in milligrams per liter.
- Section 2. "Building Drain" 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 the building and conveys it to the building sewer, beginning 5 feet (1.5 meters) outside the inner face of the building wall.
- Section 3. "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.
- Section 4. "Combined Sewer" shall mean a sewer receiving both surface runoff and sewage.
- Section 5. "Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.
- Section 6. "Industrial wastes" shall mean the liquid wastes from industrial manufacturing processes, trade, or business as distinct from sanitary sewage as defined in 40 CFR 35.905.
- Section 7. "Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake, or other body of surface or groundwater.
- Section 8. "Person" shall mean any individual, firm, company, association, society, corporation, or group.
- Section 9: "pH" shall mean the common logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.
- Section 10. "Properly Shredded Garbage" shall mean the wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than 1 inch (1.27 centimeters) in any dimension.

- Section 11. "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.
- Section 12. "Sanitary Sewer" shall mean a sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.
- Section 13. "Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and storm water as may be present.
- Section 14. "Sewage Treatment Plant" shall mean any arrangement of devices and structures used for treating sewage.
- Section 15. "Sewage Works" shall mean all facilities for collecting, pumping, treating, and disposing of sewage.
- Section 16. "Sewer" shall mean a pipe or conduit for carrying sewage.
- Section 17. "Shall" is mandatory. "May" is permissive.
- Section 18. "Slug" shall mean any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than 15 minutes more than 5 times the average 24 hour concentration or flows during normal operation.
- Section 19. "Storm Drain" (sometimes termed "storm sewer") shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.
- Section 20. "Superintendent" shall mean the Superintendent of Utilities of the City of Saltillo or his authorized deputy, agent, or representative.
- Section 21. "Suspended Solids" shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.
- Section 22. "City" shall mean the City of Saltillo, Mississippi or when appropriate in the context, its duly authorized representative.
- Section 23. "Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

ARTICLE II

USE OF PUBLIC SEWERS REQUIRED

- Section 1. It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the City of Saltillo or in any area under the jurisdiction of said City, any human or animal excrement, garbage or other objectionable waste.
- Section 2. It shall be unlawful to discharge to any natural outlet within the City of Saltillo or in any area under the jurisdiction of said City, any sewage or other polluted water, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.

- Section 3. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.
- Section 4. The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the City and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary or combined sewer of the City, is hereby required to connect such facilities directly with the proper public sewer in accordance with the provisions of this ordinance, within 90 days after official notice to do so, provided that said public sewer is within 100 feet (30.5) of the property line, excluding city approved systems. If an on-site pressure system is required for a service connection, the operation costs for the facility shall be the responsibility of the owner, including, but not limited to, electricity, parts, labor and materials.
- Section 5. It shall be unlawful for any person, establishment or corporation to discharge to the sewer system any pollutant except in compliance with Federal standards promulgated pursuant to the Clean Water Act, and any more stringent State and Local standards.

ARTICLE III

INDIVIDUAL ONSITE WASTEWATER DISPOSAL

- Section 1. Where a public sanitary or combined sewer is not available under the provisions of Article II, Section 4, the building sewer shall be connected to an individual onsite disposal system complying with the provisions of this article.
- Section 2. Before commencement of construction of an individual onsite disposal system the owner shall refer to the City and other applicable standards.
- Section 3. The type, capacities, location, and layout of an individual onsite disposal system shall comply with all recommendations of the Bureau of Environmental Health of the State of Mississippi. Applicant shall provide the City of Saltillo with a pink slip from the board of health; a \$25.00 permit fee and allow the City to inspect to make sure it is installed per health dept. recommendations. No individual onsite wastewater disposal system shall be permitted to discharge to any natural outlet.
- Section 4. At such time as a public sewer becomes available to a property served by a individual onsite disposal system, as provided in Article III, Section 4, a direct connection shall be made to the public sewer in compliance with this ordinance, and any septic tanks, cesspools, and similar individual onsite wastewater disposal facilities shall be abandoned and filled with suitable material.
- Section 5. The owner shall operate and maintain the individual onsite disposal facilities in a sanitary manner at all times, at no expense to the City. If an on-site pressure system is required for use of the public sewer facility, the operation costs of the pressure system shall be the responsibility of the owner or user.
- Section 6. The statement contained in this article shall not be construed to interfere with any additional requirements that may be imposed by the Health Officer.
- Section 7. When a public sewer becomes available, the building sewer shall be connected to said sewer within 60 days and the individual onsite wastewater system shall be abandoned.

ARTICLE IV

BUILDING SEWERS AND CONNECTIONS

- Section 1. No unauthorized person shall uncover, make any connections with or opening into, use, alter, or appurtenance thereof without first obtaining a written permit from the Superintendent.
- Section 2. There shall be two (2) classes of building sewer permits: (a) for residential and commercial service, and (b) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the City. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Superintendent. A permit and inspection fee (see attachment A) for a residential or commercial building sewer permit and for an industrial building sewer permit shall be paid to the City at the time application is filed.
- Section 3. All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.
- Section 4. A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, courtyard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.
- Section 5. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Superintendent to meet all requirements of this ordinance.
- Section 6. The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench, shall conform to the requirements of the building and plumbing code or the standards of the City. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the American Society for Testing and Material (ASTM) and the Water Pollution Control Federation (WPCF) Manual of Practice No. 9 shall apply.
- Section 7. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.
- Section 8. No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.
- Section 9. The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the City, or the procedures set forth in appropriate specifications of the ASTM and the WPCF Manual of Practice No. 9. All such connections shall be made gas tight and water tight. Any deviation from the prescribed procedures and materials must be approved by the Superintendent before installation.

- Section 10. The applicant for the building sewer permit shall notify the Superintendent when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Superintendent or his representative.
- Section 11. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to prevent 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 City.

ARTICLE V

USE OF THE PUBLIC SEWERS

- Section 1. No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.
- Section 2. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the Superintendent. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Superintendent to a storm sewer, combined sewer, or natural outlet.
- Section 3. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:
- (a) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.
 - (b) Any waters or wastes containing toxic 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 to humans or receiving waters of the sewage treatment plant, including, but not limited to, cyanides in excess of 0.05 mg/l as Cn in the wastes as discharged to the public sewer.
 - (c) Any waters or wastes having a pH lower than 6.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
 - (d) Solids or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to ashes, cinders, sand, mud, straw, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc. either whole or ground by garbage grinders.
- Section 4. No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the Superintendent that such wastes can harm the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the Superintendent 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. The substances prohibited are:
- (a) Any liquid or vapor having a temperature higher than 120°F, (40C).

- (b) Any water or waste containing "fats, wax, grease, or oils, whether emulsified or not, in excess of 80 mg / l or containing substances which reach viscosity of 55 cps at 250C.
- (c) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of $\frac{3}{4}$ horsepower (0.16 hp metric) or greater shall be subject to the review and approval of the Superintendent.
- (d) Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.
- (e) Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or toxic wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Superintendent for such materials. (For Industrial Processes Wastes, see Article V, Section 5).
- (f) Any water or wastes containing phenols or other taste or odor producing substances, in such concentrations exceeding limits which may be established by the Superintendent as necessary, after treatment of the composite sewage, to meet the requirements of the State, Federal, or other public agencies of jurisdiction for such discharge to the receiving waters.
- (g) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Superintendent in compliance with applicable State or Federal regulations.
- (h) Any waters or wastes having a pH in excess of 8.5 or below 6.0.
- (i) Materials which exert or cause:
 - (1) Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).
 - (2) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
 - (3) Unusual COD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
 - (4) Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.
- (j) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
- (k) Any waste prohibited by Environmental Protection Agency standards 40 CFR 403.

Section 5. All industrial and commercial process wastewater shall be pretreated prior to discharge to the public sewers, if necessary, in accordance with the provisions of the United States Environmental Protection Agency, the Bureau of Pollution Control, and/or the City, whichever is more stringent. The minimum pretreatment requirements are as follows:

<u>Parameter</u>	<u>Maximum Concentration</u> <u>(mg/l)*</u>
BOD5	180.0
Suspended Solids (SS)	180.0
TKN	40.0
Oil & Grease	80.0
Arsenic	0.05
Barium Boron	5.0
Cadmium	1.0
Chromium	0.005
Copper	0.005
Cyanide Lead	0.02
Manganese	0.05
Mercury	0.05

Nickel	0.08
Selenium S11	0.08
Silver	0.02
Zinc	0.04

*BODS, SS, TKN, Oil and Grease may be increased by written approval of Superintendent for limited periods of time, as determined by the superintendent.

As a condition for authorization to dispose of industrial wastes through the municipal system, the industrial applicant for a sewer permit shall provide the City with information describing wastewater constituents and characteristics, and the type of activity and quantity of production.

Section 6. If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Sections 4 and 5 of this Article and which in the judgment of the Superintendent may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Superintendent may:

- (a) Reject the wastes,
- (b) Require pretreatment to an acceptable condition for discharge to the public sewers,
- (c) Require control over the quantities and rates of discharge, and/or
- (d) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of Section 10 of this Article.

If the Superintendent permits the pretreatment or equalization of waste flow, the design and installation of the plants and equipment shall be subject to the review and approval of the Superintendent, and subject to the requirements of all applicable codes, ordinances, and laws.

Section 7. Grease, oil, and sand interceptors shall be provided for all commercial kitchens, restaurants and for other locations where food is prepared routinely for groups of ten or more or when, in the opinion of the Superintendent, it is necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or for single family dwelling units. All interceptors shall be of a type and capacity approved by the Superintendent, and shall be located as to be readily and easily accessible for cleaning and inspection.

Section 8. Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

Section 9. When required by the Superintendent, the owner of any property service by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Superintendent. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

Section 10. All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association, and shall be determined at the manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has

been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb, and property. (The particular analyses involved will determine whether a 24-hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24-hour composites of all outfalls whereas pH's are determined from periodic grab samples.)

- Section 11. No statement contained in this article shall be construed as preventing any special agreement or arrangement between the City and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the City for treatment, subject to payment therefore, by the industrial concern.

ARTICLE VI

PROTECTION FROM DAMAGE

- Section 1. No unauthorized 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 sewage works. Any person violating this provision shall be subject to immediate arrest for the applicable felony or misdemeanor charge.

ARTICLE VII

POWERS AND AUTHORITY OF INSPECTORS

- Section 1. The Superintendent and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provision of this ordinance. The Superintendent or his representatives 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 waterways or facilities for waste treatment.
- Section 2. While performing the necessary work on private properties referred to in Article VII, Section 1 above, the Superintendent or duly authorized employees of the City shall observe all safety rules applicable to the premises established by the company. The company is responsible for providing access as required in Article V, Section 9.
- Section 3. The Superintendent and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all private properties through which the City holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

ARTICLE VIII

PENALTIES

- Section 1. Any person found to be violating any provision of this ordinance except Article VI shall be served by the City with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.
- Section 2. Any person who shall continue any violation beyond the time limit provided for in Article VIII, Section 1, shall be guilty of a misdemeanor and on conviction thereof shall be fined in the amount not exceeding, One Thousand Dollars (\$1000.00) nor less than two hundred fifty (\$250.00) for each violation. Each day in which any such violation shall continue shall be deemed a separate offense. Additionally, chronic violation of the terms of this ordinance may result in termination of the sewer disposal permit.
- Section 3. Any person violating any of the provisions of this ordinance shall become liable to the City for any expense, loss, or damage occasioned the City by reason of such violation.
- Section 4. The City will disconnect water service if not met.

ARTICLE IX

CHARGES

See current applicable city ordinance.

ARTICLE X

SEVERABILITY, CONFLICT, EFFECTIVE DATE, AND PUBLICATION & RECORDING

(A) Severability. Should any section, clause, paragraph, provision, or part of this ordinance for any reason be held invalid or unconstitutional by any court of competent jurisdiction, this act shall not affect the validity of any other section, clause, paragraph, provision, or part of this ordinance. All provisions of this ordinance shall be considered separate provisions, and completely severable from all other portions.

(B) Conflict. In any case where a provision of this ordinance is found to be in conflict with a provision of any other ordinance or code of the City of Slatton, Mississippi, existing on the effective date of the ordinance, the provisions of this ordinance shall take precedence.

(C) Effective Date. This Ordinance shall become effective upon publication and after one (1) month from the date of passage.

(D) Publication & Recording. The City Clerk is instructed to publish this ordinance one time in the Northeast Mississippi Daily Journal and to obtain proof of publication thereof and record this ordinance in the ordinance book.

ARTICLE XI

ADOPTION AND CERTIFICATION

UPON MOTION of Alderman Cliff Nichols, duly seconded by Alderman Terry Glidewell, the aforesaid ordinance was put to a vote with Aldermen voting as follows:

ALDERMEN VOTING "YEA":

Alderman Mitchell Brazeal
Alderman Bill Cherry
Alderman Terry Glidewell
Alderman Beverly Bedford
Alderman Cliff Nichols

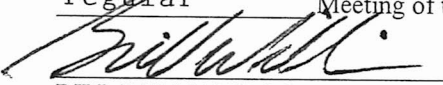
ALDERMEN VOTING "NAY":


None

ALDERMEN ABSENT OR NOT
VOTING:

None

ORDAINED AND ADOPTED this the 5th day of August, 2008, at the regular Meeting of the Mayor and Board of Aldermen of the City of Saltillo, Mississippi.


BILL WILLIAMS, Mayor
City of Saltillo, Mississippi


LISA STRICKLAND, City Clerk
City of Saltillo, Mississippi

(SEAL)

NOTE: This ordinance was approved and adopted by the Mayor and Board of Alderman at their regular Meeting on August 5, 2008 and appears in Minute Book 1 at pages 161.



