

CHAPTER 11

UTILITIES & SOLID WASTE*

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* State Law reference—Municipal utilities generally, V.T.C.A., Local Government Code, Chapter 402.

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ARTICLE 11.100 WATER SYSTEM REGULATIONS

Sec. 11.101 Turning On Water Supply

No water from the city water supply shall be turned on for service into any premises by any person but the superintendent of public works or some person authorized by him to perform this service.

Sec. 11.102 Application for Service

Application to have water turned on shall be made in writing to the city clerk, and shall contain an agreement by the applicant to abide by and accept all of the provisions of this article as conditions governing the use of the city water supply by the applicant.

Sec. 11.103 Deposit

A deposit as provided for in the fee schedule found in the appendix of this code shall be made with each such application, this sum to be retained by the city, to insure payment of all bills. When service to the applicant is discontinued permanently this deposit, less any amount still due the city for water service, shall be refunded without interest.

Sec. 11.104 Plumbing

(a) No water shall be turned on for service in premises in which the plumbing does not comply with the ordinances of the city; provided, that water may be turned on for construction work in unfinished buildings, subject to the provisions of this article.

(b) All plumbing fixtures, and methods of installation shall comply with the requirements of the Standard Plumbing Code as adopted by the city.

(c) Backflow Assembly Testing

- (1) All backflow prevention assemblies shall be tested upon installation by a recognized backflow prevention assembly tester and certified to be operating within specifications. Backflow prevention assemblies which are installed to provide protection against high health hazards must be tested and certified to be operating within specification at least annually by a recognized backflow prevention device tester.
- (2) It shall be the duty of the customer at any premise where backflow prevention assemblies are installed to have a certified inspection and operational tests conducted annually. In those instances where the City of Ladonia deems the hazard to be harmful to human health, inspections and tests shall be at the expense of the customer or customer's representative and shall be performed by a certified technician.

- (3) Assemblies shall be repaired, overhauled, or replaced at the expense of the customer whenever said assemblies are found to be defective. Records of such tests, repairs and overhaul shall be kept and submitted to the City of Ladonia within (5) days of the test, repairs or overhaul of each backflow prevention assembly.
- (4) No device or assembly shall be removed from use, relocated, or other device or assembly substituted without the approval of the City of Ladonia. Whenever the existing assembly is moved from the present location, requires more than minimum maintenance, or when the City of Ladonia finds that the maintenance constitutes a hazard to health, the unit shall be replaced by a backflow prevention assembly complying with requirements of this section and the Standard Plumbing Code as adopted by the City of Ladonia.
- (5) A test report must be completed by the recognized backflow prevention assembly tester for each assembly tested. The signed and dated original must be submitted to the City of Ladonia Water Department within five (5) days of the test. A recognized backflow prevention assembly tester must have completed a Texas Natural Resources Conservation Commission (TNRCC) approved course on cross connection control and backflow prevention and pass an examination administered by the TNRCC or its designated agent.
- (6) The City of Ladonia shall maintain a current list of licensed Backflow Prevention Assembly Tester.

(Ordinance No. 2017-05-15, adopted May 15, 2017)

Sec. 11.105 Service Connections

(a) Service Connections

- (1) No connections with a water main shall be made without a permit being issued and twenty-four hour notice having been given to the City of Ladonia water department. All such connections shall be made and all such work done at the expense of the applicant who shall also furnish materials necessary for such work. Applications for such connections must be made to the city secretary, and a fee shall be paid for each water or sewer connection as provided for in the fee schedule found in the appendix of this code.

(b) Customer Service Inspection

- (1) A customer service inspection certification shall be completed prior to providing water service to new construction, or on any existing service either when the City of Ladonia has reason to believe that cross-connections or other potential contaminant hazards exist, or after any material improvement, correction, or addition to the private plumbing facilities. Inspections shall be at the expense of the customer or customer's representative and shall be performed by a licensed customer service inspector.

(2) As potential contaminant hazards are discovered, they shall be promptly eliminated to prevent possible contamination of the water supplied by the public water system. The existence of a health hazard shall be considered sufficient grounds for immediate termination of water service. Service can be restored only when the health hazard no longer exists, or until the health hazard has been isolated from the public water system.

(3) A customer service inspection is an examination of the private water distribution facilities for the purpose of providing or denying water service. This inspection is limited to the identification and prevention of cross-connections, potential contaminant hazards, and illegal lead materials. A customer service inspection is not a plumbing inspection and a customer service inspector is not permitted to perform plumbing inspections.

(4) The City of Ladonia shall maintain a current list of licensed customer service inspectors.

(Ordinance No. 2017-05-15, adopted May 15, 2017)

Sec. 11.106 Resale

No water shall be resold or distributed by the recipient thereof from the city supply to any premises other than that for which application has been made and the meter installed, except in case of emergency.

Sec. 11.107 Tampering with Waterworks

It shall be unlawful for any person not authorized by the city to tamper with, alter or injure any part of the city waterworks or supply system, or any meter.

Sec. 11.108 Installation and Repair of Service Pipes

(a) All service pipes from the mains to the premises served shall be installed by, and at the cost of, the owner of the property to be served or the applicant for the service. Such installation shall be under the inspection of the building inspector.

(b) No service shall be installed unless it conforms to specifications drawn up by the board of trustees and approved thereby, a copy of which specifications shall be kept on file by the clerk and shall be open to inspection by any person interested.

(c) All repairs for service pipes and plumbing systems of buildings shall be made by and at the expense of the owners of the premises served. The city may in case of an emergency, repair any service pipes and if this is done the cost of such repair work shall be repaid to the city by the owner of the premises served.

(d) Excavations for installing service pipes or repairing the same shall be made in compliance with the ordinance provisions relating to making excavations in streets. Provided, that it shall be unlawful to place any service pipe in the same excavation with, or directly over, any drain pipe or sewer pipe.

(e) Shut-off boxes or service boxes shall be placed on every service pipe, and shall be located between the curb line and the sidewalk line where this is practicable. Such boxes shall be so located that they are easily accessible and shall be protected from frost.

Sec. 11.109 Meters Required

(a) All premises using the city water supply must be equipped with an adequate water meter furnished by the city but paid for by the consumer; provided, that such water service may be supplied by the city at a flat rate of charge until such meter may be installed.

(b) Before any premises are occupied a water meter shall be installed therein as herein required or application made for such water service at the flat rate of charge until the meter can be installed or no water shall be furnished such premises.

(c) Meters shall be installed in a location that will be easy of access.

(d) The superintendent of public works shall read or cause to be read every water meter used in the city at such times as are necessary that the bills may be sent out at the proper time.

(e) Any municipal water meter shall be taken out and tested upon complaint of the consumer, upon payment of a fee as provided for in the fee schedule found in the appendix of this code. If upon test the meter is not within three percent of being accurate, it shall be repaired or replaced and the fee returned to the consumer.

Sec. 11.110 Bills

Bills for water used shall be dated and sent out at such times as may be directed by the mayor and council.

Sec. 11.111 Construction contractors

During the construction of any building and before any water is installed as is herein provided the contractor so constructing such building may be permitted to use the city water supply by making application therefor, and paying the flat fee prescribed by the city council.

Sec. 11.112 Nonpayment

The water supply may be shut off from any premises for which the water bill remains unpaid for a period of twenty days after the bill is rendered and mailed. When shut off, water shall not be turned on except upon the payment of the usual fee for turning on water. For rental property, property owners are responsible for payment of water bills left unpaid by tenants (exceeding deposits) and water will not be turned on for new tenants until previous tenant bills are paid. Proper notice of the intent to shut off water to property owners and tenants and a reasonable period for payment shall be provided prior to actually shutting off the water supply.

(Ordinance adopting Code)

ARTICLE 11.200 WATER RATES

The city's water rate schedule shall be as provided for in the fee schedule found in the appendix of this code. (Ordinance adopting Code)

ARTICLE 11.300 SEWER RATES

The city's sewer rate schedule shall be as provided for in the fee schedule found in the appendix of this code. (Ordinance adopting Code)

ARTICLE 11.400 SEPTIC TANKS

(a) The owner of any land or lot situated within the incorporated limits of the City of Ladonia shall neither construct nor allow to be constructed, or place a septic system or septic tank on such land unless:

- (1) Such septic system or septic tank was situated on such land or lot before October 10, 1985.
- (2) City sewer facilities are not available from the City of Ladonia.
- (3) It is feasibly impossible because of the geographical features of the area.

(b) The owner of any land or lot situated within the incorporated limits of the City of Ladonia when building a new structure must use the city sewer system if available.

(Ordinance 96 adopted 10/10/85)

ARTICLE 11.500 INDUSTRIAL WASTES

Sec. 11.501 Definitions

As used in this article:

Approving Authority. Means the mayor or his duly authorized representative.

B.O.D. (Biochemical Oxygen Demand). Means the quantity of oxygen by weight, expressed in mg/l, utilized in the biochemical oxidation of organic matter under standard laboratory conditions for five (5) days at a temperature of twenty (20) degrees centigrade.

Building Sewer. Means the extension from the building drain to the public sewer or other place of disposal (also called house lateral and house connection).

City. Means the City of Ladonia, Texas or any authorized person acting in its behalf.

C.O.D. (Chemical Oxygen Demand). Means measure of the oxygen consuming capacity of inorganic and organic matter present in the water or wastewater expressed in mg/l as the amount of oxygen consumed from a chemical oxidant in a specific test, but not

differentiating between stable and unstable organic matter and thus not necessarily correlating with biochemical oxygen demand.

Control Manhole. Means a manhole giving access to a building sewer at some point before the building sewer discharge mixes with other discharges in the public sewer.

Control Point. Means a point of access to a course of discharge before the discharge mixes with other discharges in the public sewer.

Garbage. Means animal and vegetable wastes and residue from preparation, cooking, and dispensing of food; and from the handling, processing, storage and sale of food products and produce.

Industrial Waste. Means waste resulting from any process of industry, manufacturing, trade, or business from the development of any natural resource, or any mixture of the waste with water or normal wastewater, or distinct from normal wastewater.

Industrial Waste Charge. Means the charge made on those persons who discharge industrial waste into the city's sewerage system.

Milligrams Per Liter (mg/l). Means the same as parts per million and is a weight-to-volume ratio; the milligram-per-liter value multiplied by the factor 8.34 shall be equivalent to pounds per million gallons of water.

Natural Outlet. Means any outlet into a water course, ditch, lake, or other body of surface water or ground water.

Normal Domestic Wastewater. Means wastewater excluding industrial wastewater discharged by a person into sanitary sewers and in which the average concentration of total suspended solids is not more than 300 mg/l and BOD is not more than 300 mg/l.

Overload. Means the imposition of organic or hydraulic loading on a treatment facility in excess of its engineered design capacity.

Person. Includes corporation, organization, government or governmental subdivision or agency, business trust, estate, trust, partnership association, and any other legal entity.

pH. Means the logarithm (Base 10) of the reciprocal of the hydrogen ion concentration.

Public Sewer. Means pipe or conduit carrying wastewater or unpolluted drainage in which owners of abutting properties shall have the use, subject to control by the City of Ladonia.

Sanitary Sewer. Means a public sewer that conveys domestic wastewater or industrial wastes or a combination of both, and into which storm water, surface water, groundwater, and other unpolluted wastes are not intentionally passed.

Slug. Means any discharge of water, wastewater, or industrial waste which in concentration of any given constituent or in quantity of flow, exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average.

Standard Methods. Means the examination and analytical procedures set forth in the latest edition, at the time of analysis of "Standard Methods for the Examination of Water and Wastewater" as prepared, approved, and published jointly by the American Public Health Association, the American Water Works Association, and the Water Pollution Control Federation.

Storm Sewer. Means a public sewer which carries storm and surface waters and drainage and into which domestic wastewater or industrial wastes are not intentionally passed.

Storm Water. Means rainfall or any other forms of precipitation.

Superintendent. Means the water and wastewater superintendent of the City of Ladonia or his duly authorized deputy, agent, or representative.

Suspended Solids. Means solids measured in mg/l that either float on the surface of, or in suspension in, water, wastewater, or other liquids, and which are largely removable by a laboratory filtration device.

To Discharge. Includes to deposit, conduct, drain, emit, throw, run, allow to seep, or otherwise release or dispose of, or to allow, permit, or suffer any of these acts or omissions.

Trap. Means a device designed to skim, settle, or otherwise remove grease, oil, sand, flammable wastes or other harmful substances.

Unpolluted Wastewater. Means water containing:

- (1) no free or emulsified grease or oil;
- (2) No acids or alkalis;
- (3) No phenols or other substances producing taste or odor in receiving water;
- (4) No toxic or poisonous substances in suspension, colloidal state, or solution;
- (5) No noxious or otherwise obnoxious or odorous gases,

- (6) Not more than an insignificant amount in mg/l each suspended solids and BOD, as determined by the Texas Water Quality Board; and
- (7) Color not exceeding fifty (50) units as measured by the Platinum-Cobalt method of determination as specified in "Standard Methods".

Waste. Means rejected, unutilized or superfluous substances in liquid, gaseous, or solid form resulting from domestic, agricultural, or industrial activities.

Wastewater. Means a combination of the water-carried waste from residences, business buildings, institutions, and industrial establishments, together with any ground, surface, and storm water that may be present.

Wastewater Facilities. Includes all facilities for collection, pumping, treating, and disposing of wastewater and industrial wastes.

Wastewater Treatment Plant. Means any city-owned facilities, devices, and structures used for receiving processing and treating wastewater, industrial wastes, and sludges from the sanitary sewers.

Watercourse. Means a natural or man-made channel in which a flow of water occurs, either continuously or intermittently.

(Ordinance 20-A adopted 7/1/76, Section 1)

Sec. 11.502 Prohibited Discharges

(a) No person may discharge to public sewers any waste which by itself or by interaction with other waste may:

- (1) injure or interfere with wastewater treatment processes or facilities;
- (2) constitute a hazard to humans or animals; or water treatment plant effluent.

(b) All discharges shall conform to requirements of this article.

(Ordinance 20-A adopted 7/1/76, Section 2)

Sec. 11.503 Chemical Discharges

(a) No discharge to public sewers may contain:

- (1) cyanide greater than 1 mg/l;
- (2) fluoride other than that contained in the public water supply;

- (3) chlorides in concentrations greater than 250 mg/l;
 - (4) gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas; or
 - (5) substances causing an excessive Chemical Oxygen Demand (C.O.D.).
- (b) No waste or wastewater discharged to public sewers may contain:
- (1) strong acid, iron pickling wastes, or concentrated plating solutions whether neutralized or not;
 - (2) fats, wax, grease or oils, whether emulsified or not, in excessive amounts or containing substances which may solidify or become vicious at temperatures between thirty-two (32) and one hundred fifty (150) degrees Fahrenheit (0 and 65 degrees Centigrade).
 - (3) objectionable or toxic substances, exerting an excessive chlorine requirement, to such degree that any such material received in the composite wastewater at the wastewater treatment works exceeds the limits established by the approving authority for such materials; or
 - (4) obnoxious, toxic, or poisonous solids, liquids, or gases in quantities sufficient to violate the provisions of Section 2 (a).
- (c) No waste, wastewater, or other substance may be discharged into public sewers which has a pH lower than 5.5 or higher than 9.5 or any other corrosive property capable of causing damage or hazard to structures, equipment, and/or personnel at the wastewater facilities.
- (d) All waste, wastewater, or other substances containing phenols, hydrogen sulfide, or other odor producing substances, shall conform to concentration limits established by the approving authority. After treatment of the composite wastewater, concentration limits may not exceed the requirements established by state, federal, or other agencies with jurisdiction over discharges to receiving waters.

(Ordinance 20-A adopted 7/1/76, Section 3)

Sec. 11.504 Heavy Metals and Toxic Materials

- (a) No discharges may contain concentrations of heavy metals greater than amounts specified in subsection (b) of this section.

(b) The maximum allowable concentrations of heavy metals stated in terms of milligrams per liter (mg/l), determined on the basis of individual sampling in accordance with "Standard Methods" are:

(1) Arsenic	0.3 mg/l
(2) Barium	4.0 mg/l
(3) Boron	1.0 mg/l
(4) Cadmium	0.2 mg/l
(5) Chromium (total)	5.0 mg/l
(6) Copper	2.0 mg/l
(7) Lead	1.5 mg/l
(8) Manganese	3.0 mg/l
(9) Mercury	0.01 mg/l
(10) Nickel	3.0 mg/l
(11) Selenium	0.2 mg/l
(12) Silver	0.2 mg/l
(13) Zinc	6.0 mg/l

(c) No other heavy metals or toxic materials may be discharged into public sewers without a permit from the approving authority specifying conditions of pretreatment, concentrations, volumes, and other applicable provisions.

(d) Prohibited heavy metals and toxic materials include but are not limited to:

- (1) Antimony,
- (2) Beryllium,
- (3) Bismuth,
- (4) Cobalt,
- (5) Molybdenum,
- (6) Uranyl ion,
- (7) Rhenium,
- (8) Strontium,
- (9) Tellurium,
- (10) Herbicides,
- (11) Fungicides, and
- (12) Pesticides.

(Ordinance 20-A adopted 7/1/76, Section 4)

Sec. 11.505 Garbage

(a) No person may discharge garbage into public sewers unless it is shredded to a degree that all particles can be carried freely under the flow conditions normally prevailing in public sewers. Particles greater than one-half (1/2) inch in any dimension are prohibited.

(b) The approving authority is entitled to review and approve the installation and operation of any garbage grinder equipped with a motor of three-fourth (3/4) horsepower (0.76 hp metric) or greater.

(Ordinance 20-A adopted 7/1/76, Section 5)

Sec. 11.506 Storm Water and Other Unpolluted Drainage

(a) No person may discharge to public sanitary sewers:

- (1) unpolluted storm water, surface water, ground water, roof runoff or subsurface drainage;
- (2) unpolluted cooling water;
- (3) unpolluted industrial process waters; or
- (4) other unpolluted drainage

(b) In compliance with the Texas Water Quality Act and other statutes, the approving authority may designate storm sewers and other watercourses into which unpolluted drainage described in subsection (a) of this section may be discharged.

(Ordinance 20-A adopted 7/1/76, Section 6)

Sec. 11.507 Temperature

No person may discharge liquid or vapor having a temperature higher than one hundred fifty (150) degrees Fahrenheit (65 degrees Centigrade), or any substance which causes the temperature of the total wastewater treatment plant influent to increase at a rate of ten (10) degrees Fahrenheit or more per hour, or a combined total increase of plant influent temperature to one hundred ten (110) degrees Fahrenheit. (Ordinance 20-A adopted 7/1/76, Section 7)

Sec. 11.508 Radioactive Wastes

(a) No person may discharge radioactive wastes or isotopes into public sewers without the permission of the approving authority.

(b) The approving authority may establish, in compliance with applicable state and federal regulations, regulations for discharge of radioactive wastes into public sewers.

(Ordinance 20-A adopted 7/1/76, Section 8)

Sec. 11.509 Impairment of Facilities

- (a) No person may discharge into public sewers any substance capable of causing:
 - (1) obstruction to the flow in sewers;
 - (2) interference with the operation of treatment processes of facilities; or
 - (3) excessive loading of treatment facilities.
- (b) Discharges prohibited by Section 9 (a) include, but are not limited to materials which exert or cause concentrations of:
 - (1) inert suspended solids greater than 250 mg/l including but not limited to:
 - (A) Fuller's Earth
 - (B) lime slurries; and
 - (C) lime residues.
 - (2) dissolved solids greater than 1000 mg/l including but not limited to:
 - (A) sodium chloride; and
 - (B) sodium sulfate.
 - (3) excessive discoloration including but not limited to:
 - (A) dye wastes; and
 - (B) vegetable tanning solution; or
 - (4) BOD, COD, or chlorine demand in excess of normal plant capacity.
- (c) No person may discharge into public sewers any substances that may:
 - (1) deposit grease or oil in the sewer lines in such a manner as to clog the sewers;
 - (2) overload skimming and grease handling equipment;
 - (3) pass to the receiving waters without being effectively treated by normal wastewater treatment processes due to the nonamenability of the substance to bacterial action; or
 - (4) deleteriously affect the treatment process due to excessive quantities.
- (d) No person may discharge any substance into public sewers which:

- (1) is not amenable to treatment or reduction by the processes and facilities employed; or
 - (2) is amenable to treatment only to such a degree that the treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
- (e) The approving authority shall regulate the flow and concentration of slugs when they may:
- (1) impair the treatment process;
 - (2) cause damage to collection facilities;
 - (3) incur treatment costs exceeding those for normal wastewater; or
 - (4) render the waste unfit for stream disposal or industrial use.
- (f) No person may discharge into public sewers solid or viscous substances which may violate subsection (a) of this section if present in sufficient quantity or size including but not limited to:
- (1) ashes;
 - (2) cinders;
 - (3) sand;
 - (4) mud;
 - (5) straw;
 - (6) shavings;
 - (7) metal;
 - (8) glass;
 - (9) rags;
 - (10) feathers;
 - (11) tar;
 - (12) plastics;
 - (13) wood;
 - (14) unground garbage;
 - (15) whole blood;
 - (16) paunch manure;
 - (17) hair and fleshings;
 - (18) entrails;
 - (19) paper products, either whole or ground by garbage grinders;
 - (20) slops;
 - (21) chemical residues;

- (22) paint residues; or
- (23) bulk solids.

(Ordinance 20-A adopted 7/1/76, Section 9)

Sec. 11.510 Compliance with Existing Authority

(a) Unless exception is granted by the approving authority, the public sanitary sewer system shall be used by all persons discharging:

- (1) wastewater;
- (2) industrial waste;
- (3) polluted liquids.

(b) Unless authorized by the Texas Water Quality Board, no person may deposit or discharge any waste included in subsection (a) of this section on public or private property into or adjacent to any:

- (1) natural outlet;
- (2) watercourse;
- (3) storm sewer;
- (4) other area within the jurisdiction of the city.

(c) The approving authority shall verify prior to discharge that wastes authorize to be discharged will receive suitable treatment within the provisions of laws, regulations, ordinances, rules and orders of federal, state and local governments.

(Ordinance 20-A adopted 7/1/76, Section 10)

Sec. 11.511 Approving Authority Requirements

(a) If discharges or proposed discharges to public sewers may:

- (1) deleteriously affect wastewater facilities, processes, equipment, or receiving waters;
- (2) create a hazard to life or health; or
- (3) create a public nuisance;

the approving authority shall require:

- (A) pretreatment to an acceptable condition for discharge to the public sewers;
 - (B) control over the quantities and rates of discharge; and
 - (C) payment to cover the cost of handling and treating the wastes.
- (b) The approving authority is entitled to determine whether a discharge or proposed discharge is included under subsection (a) of this section.
- (c) The approving authority shall reject wastes when:
- (1) it determines that a discharge or proposed discharge is included under subsection (a) of this section; and
 - (2) the discharger does not meet the requirements of subsection (a) of this section.

(Ordinance 20-A adopted 7/1/76, Section 11)

Sec. 11.512 Approving Authority Review and Approval

- (a) If pretreatment or control is required, the approving authority shall review and approve design and installation of equipment and processes.
- (b) The design and installation of equipment and processes must conform to all applicable statutes, codes, ordinances and other laws.
- (c) Any person responsible for discharges requiring pretreatment, flow-equalizing, or other facilities shall provide and maintain the facilities in effective operating condition at his own expense.

(Ordinance 20-A adopted 7/1/76, Section 12)

Sec. 11.513 Requirements for Traps

- (a) Discharges requiring a trap include:
- (1) grease or waste containing grease in excessive amounts;
 - (2) oil;
 - (3) sand;

- (4) flammable wastes; and
 - (5) other harmful ingredients.
- (b) Any person responsible for discharges requiring a trap shall at his own expense and as required by the approving authority.
- (1) provide equipment and facilities of a type and capacity approved by the approving authority;
 - (2) locate the trap in a manner that provides ready and easy accessibility for cleaning and inspection; and
 - (3) maintain the trap in effective operating condition.

(Ordinance 20-A adopted 7/1/76, Section 13)

Sec. 11.514 Requirements for Building Sewers

Any person responsible for discharges through a building sewer carrying industrial wastes shall, at his own expense and as required by the approving authority:

- (1) install an accessible and safely located control manhole;
- (2) install meters and other appurtenances to facilitate observation sampling and measurement of the waste, and
- (3) maintain the equipment and facilities.

(Ordinance 20-A adopted 7/1/76, Section 14)

Sec. 11.515 Sampling and Testing

(a) Sampling shall be conducted according to customarily accepted methods, reflecting the effect of constituents upon the sewage works and determining the existence of hazards to health, life, limb, and property.

(b) Examination and analyses of the characteristics of waters and wastes required by this article shall be:

- (1) conducted in accordance with the latest edition of "Standard Methods"; and
- (2) determined from suitable samples taken at the control manhole provided or other control point authorized by the approving authority.

(c) BOD and suspended solids shall be determined from composite sampling, except to detect unauthorized discharges.

(d) The city may select an independent firm or laboratory to determine flow, BOD, and suspended solids.

(e) The city is entitled to select the time of sampling at its sole discretion so long as at least annual samples are taken.

(Ordinance 20-A adopted 7/1/76, Section 15)

Sec. 11.516 Industrial Waste Charge and Added Costs

(a) If the volume of character of the waste to be treated by the city does not cause overloading the sewer collection, treatment, or disposal facilities of the city, then prior to approval, the city and the person making discharge shall enter into an agreement which provides that the discharger pay an industrial waste charge to be determined from the schedule of charges.

(b) If the volume or character of the waste to be treated by the city requires that wastewater collection, treatment, or other disposal facilities of the city be improved, expanded, or enlarged in order to treat the waste, then prior to approval, the city and the person making the discharge shall enter into an agreement which provides that the discharger pay in full all added costs the city may incur due to acceptance of the waste.

(c) The agreement entered into pursuant to subsection (a) of this section shall include but not limited to:

- (1) amortization of all capital outlay for collecting and treating the waste, including new capital outlay and the proportionate part of the value of the existing system used in handling and treating the waste;
- (2) operation and maintenance cost including salaries and wages costs, costs of chemicals and supplies, proper allowances for maintenance, depreciation, overhead, and office expense; and

(d) Amortization shall be completed in a eight (8) year period and payment shall include all debt service cost.

(Ordinance 20-A adopted 7/1/76, Section 16)

Sec. 11.517 Schedule of Charges

Industrial waste charges shall be calculated by the following formula:

$$Ci + 0.055Vi + 0.043Bi + 0.0279Si$$

Less (1) duplication of charges by use of water receipts for retirement of bonds connected with capital cost of this project, and (2) duplication by use of ad valorem tax for the same.

(Ordinance 20-A adopted 7/1/76, Section 17)

Sec. 11.518 Adjustment of Charges

(a) The city shall adjust charges at least annually to reflect changes in the characteristics of wastewater based on the results of sampling and testing.

(b) Increases in charges shall be retroactive for two (2) billing periods and shall continue for six (6) billing periods unless subsequent test determine that the charge should further increased.

(c) The city shall review at least annually, the basis for determining charges and shall adjust the unit treatment cost in the formula to reflect increases or decreases in wastewater treatment costs based on the previous year's experience.

(d) The city shall bill the discharger by the month and shall show industrial waste charges as a separate item on the regular bill for water and sewer charges, the discharger shall pay monthly in accordance with practiced existing for payment of sewer charges.

(Ordinance 20-A adopted 7/1/76, Section 18)

Sec. 11.519 Savings Clause

A person discharging industrial wastes into public sewers prior to the effective date of this article may continue without penalty so long as he:

- (1) does not increase the quantity or decrease the quality of discharge, without permission of the approving authority;
- (2) has discharged the industrial waste at least six (6) months prior to the effective date of this article.

(Ordinance 20-A adopted 7/1/76, Section 19)

Sec. 11.520 Power to Enter Property

- (a) The superintendent and other duly authorized employees of the city bearing proper or private property at any reasonable time for the purpose of enforcing the ordinance.
- (b) Anyone acting under this authority shall observe the establishment's rules and regulations concerning safety, internal security, and fire protection.
- (c) Except when caused by negligence or failure of the company to maintain safe conditions, the city shall indemnify the company against loss or damage to its property by city employees and against liability claims and demands for person injury or property damage asserted against the company and growing out of the sampling operation.
- (d) The superintendent and other duly authorized employees of the city bear proper credentials and identification are entitled to enter all private properties through which the city holds a negotiated easement for the purposes of:
 - (1) inspection, observation, measurements, sampling, or repair;
 - (2) maintenance of any portion of the sewerage system lying within the easements; and
 - (3) conducting any other authorized activity. All activities shall be conducted in full accordance with the terms of the negotiated easement pertaining to the private property involved.
- (e) No person acting under authority of this provision may 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 public sewers.

(Ordinance 20-A adopted 7/1/76, Section 20)

Sec. 11.521 Authority to Disconnect Service

- (a) The city may terminate water and wastewater disposal service and disconnect an industrial customer from the system when:
 - (1) acids or chemicals damaging to sewer lines or treatment process are released to the sewer causing rapid deterioration of these structures or interfering with proper conveyance and treatment of wastewater;
 - (2) a governmental agency informs the city that the effluent from the wastewater treatment plant is no longer of a quality permitted for discharge to a watercourse, and it is found that the customer is delivering wastewater to the

city's system that cannot be sufficiently treated or requires treatment that is not provided by the city as normal domestic treatment; or

(3) the industrial customer

(A) discharges wastewater at an uncontrolled, variable rate in sufficient quantity to cause an imbalance in the wastewater treatment system;

(B) fails to pay monthly bills for water and sanitary sewer services when due; or

(C) Repeats a discharge of prohibited wastes.

(b) If service is discontinued pursuant to subsection (a)(2) of this section, the city shall:

(1) disconnect the customer;

(2) supply the customer with the governmental agency's report and provide the customer with all pertinent information; and

(3) continue disconnection until such time as the facilities designed to remove the objectionable characteristics from his industrial wastes.

(Ordinance 20-A adopted 7/1/76, Section 21)

Sec. 11.522 Notice

The city shall serve persons discharging in violation of this article with written notice stating the nature of the violation and providing a reasonable time limit for satisfactory compliance. (Ordinance 20-A adopted 7/1/76, Section 22)

Sec. 11.523 Continuing Prohibited Discharges

No person may continue discharging in violation of this article beyond the time limit provided in the notice. (Ordinance 20-A adopted 7/1/76, Section 23)

Sec. 11.524 Penalty

A person who continues prohibited discharges is guilty of a misdemeanor and upon conviction is punishable by a fine in accordance with the general penalty provision found in Section 1.106 of this code. (Ordinance 20-A adopted 7/1/76, Section 24)

Sec. 11.525 Failure to Pay

In addition to sanctions provided for by this article the city is entitled to exercise sanctions provided for by the other ordinances of the city for failure to pay the bill for water and sanitary sewer service when due. (Ordinance 20-A adopted 7/1/76, Section 25)

ARTICLE 11.600 GARBAGE REGULATIONS

Sec. 11.601 Bids

Every two years, the City of Ladonia takes bids for the collection of residential garbage. The city pays the contractor to collect and transport the residential garbage to a state approved landfill. The city pays the cost of landfill fees. The city does not provide for collection of garbage from commercial establishments.

Sec. 11.602 Pick-Up

Garbage shall be picked up from in front of each residence once per week.

(Ordinance adopting Code)

ARTICLE 11.700 GARBAGE RATES

The city's garbage rates shall be as provided for in the fee schedule found in the appendix of this code. (Ordinance adopting Code)