

AN ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, THE INSTALLING AND CONNECTING OF BUILDING SEWERS, THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM, AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF.

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WHEREAS, the Federal government has enacted and amended the Federal Water Pollution Control Act, now known as the Federal Clean Water Act (33 U.S.C 1150 et seq.), and

WHEREAS, the Village of Calumet is a member of the North Houghton County Water and Sewage Authority which has been issued a Groundwater Discharge Permit No. 00670, and Surface Water Discharge Permit No. MIO043982, and

WHEREAS, The Village of Calumet desires to remain in compliance with all state and Federal regulations,

THEREFORE, The Village of Calumet, Houghton County, Michigan hereby ORDAINS:

SECTION 200 DEFINITIONS

For the purpose of this ordinance, the following words, terms and abbreviations shall have the meaning set out below, unless the context specifically indicates otherwise.

SECTION 2001 - Village shall mean the Village of Calumet or its duly authorized deputy, agent or representative.

Subd. 2002 - BOD (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures in five (5) days at 20 degrees C, expressed in milligrams per liter as determined in accordance with the latest edition of Standard Methods for the Examination of Water and Wastewater.

Subd. 2003 - BUILDING DRAIN shall mean the 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 buildings and conveys it to the building sewer, beginning five (5) feet (1.4 meters) outside the inner face of the building wall.

Subd. 2004 - BUILDING SEWER also called house connection or service connection, shall mean the pipe extending from the building drain to the public sewer, also called house connection or service connection, or from the building drain to the septic tank.

Subd. 2005 - COMBINED SEWER shall mean a sewer intended to receive both wastewater and storm or surface water.

Subd. 2006 - CHLORINE REQUIREMENT shall mean the amount of chlorine, in milligrams per liter, which must be added to sewage to produce a specified residual chlorine content in accordance with procedures set forth in "Standard Methods."

Subd. 2007 - EASEMENT shall mean an acquired legal right for the specific use of land owned by others.

Subd. 2008 - FLOATABLE OIL is oil, fat or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable oil if it is properly pretreated and the wastewater does not interfere with the collection system.

Subd. 2009 - GARBAGE shall mean the animal and vegetable waste resulting from the handling, preparation, cooking, and service of foods.

Subd. 2010 - GROUND GARBAGE is garbage that has been shredded to such degree that all particles will be carried freely in suspension under the flow conditions normally prevailing in public sewers with no particle greater than one-half inch (1/2") in any dimension.

Subd. 2011 - GROUNDWATER DISCHARGE PERMIT shall mean the State of Michigan's groundwater discharge licensing program which is administered by the Groundwater Quality Division of the Department of Natural Resources under the Village of Act No. 245 of the Public Acts of 1929, as amended, and under the direction of Part 22 and which sets monitoring requirements and maximum contaminant levels for discharges to the groundwater in excess of 10,000 gallons per day.

Subd. 2012 - INDUSTRIAL WASTES shall mean the wastewater from industrial processes or trade as distinct from sanitary sewage.

Subd. 2013 - NATURAL OUTLET shall mean any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake or other body of surface of groundwater.

Subd. 2014 - NORMAL DOMESTIC STRENGTH WASTE shall mean a liquid waste that is generated by a typical residence with the assumed concentrations of 200 mg/l BOD and 240 mg/l Suspended Solids.

Subd. 2015 - NPDES PERMIT (National Pollutant Discharge Elimination System Permit) shall mean the permit issued pursuant to the licensing method used to maintain effluent quality standards by the Department of Natural Resources when authorizing the discharge of a liquid pollutant into a surface water of the State, and includes monitoring requirements and maximum contaminant levels for the discharge.

Subd. 2016 - ON-SITE SEPTIC SYSTEM shall mean the structures, processes, equipment and arrangements necessary to treat and discharge safely underground wastewaters originating on the site from individual dwellings and/or structure, and shall include facilities located off-site other than where sewage is generated.

Subd. 2017 - OPERATION AND MAINTENANCE COST (O&M COSTS) means the expenses related to the cost of the operation, maintenance and administration of the wastewater treatment facility or on-site septic system.

Subd. 2018 - PARTS PER MILLION (also milligrams per liter) is a weight to weight ratio; the parts per million value multiplied by a factor 8.345 shall be equivalent to pounds per million gallons of water.

Subd. 2019 - PERSON shall mean any individual, firm, company, association, society, corporation, or group.

Subd. 2020 - pH shall mean the logarithm of the reciprocal of the hydrogen ion concentration. The concentration is the weight of hydrogen ions, in grams, per liter of solution. Neutral water, for example, has a pH value of 7 and a hydrogen ion concentration of 10^{-7} .

Subd. 2021 - PUBLIC SEWER shall mean a common sewer serving two or more residences and controlled by a governmental agency or public utility.

Subd. 2022 - SANITARY SEWAGE shall be considered to be synonymous with "Normal Domestic Strength Waste" and shall mean any combination of liquid and water-carried wastes discharged from sanitary plumbing facilities. Sanitary sewage shall be assumed to have the following waste parameters and concentrations:

BOD - 200 mg/l

Suspended Solids - 240 mg/l

Other - Substances as prohibited or limited in this ordinance.

Subd. 2023 - SANITARY SEWER shall mean a sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions together with minor quantities of ground, storm, and surface waters that are not admitted intentionally.

Subd. 2024 - SEPTIC TANK shall mean an underground storage tank that meets the requirements of the Michigan Department of Public Health Guidelines for Subsurface Sewage Disposal (Dec., 1977), Part VIII.

The minimum tank size shall be 1000 gallons for a residence and a commercial building with water use comparable to a residence and at least a 1500 gallon for a commercial business with water use greater than a typical residence.

Subd. 2025 - SEWAGE is the spent water of a community. The preferred term is "wastewater."

Subd. 2026 - SEWER shall mean a pipe of conduit that carries wastewater or drainage water.

Subd. 2027 - SHALL is a mandatory. "May" is permissive.

Subd. 2028 - SLUG shall mean any discharge of water or wastewater 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 twenty-four (24) hour concentration or flows during normal operation and shall adversely affect the collection system and/or performance of the wastewater treatment works.

Subd. 2029 - STANDARD METHODS shall mean the examination and analytical procedures set forth in the most recent edition of "Standard Methods for the Examination of Water, Sewage and Industrial Wastes" published jointly by the American Public Health Association, the American Water Works Association and the Federation of Sewage and Industrial Wastes Associations.

Subd. 2030 - STORM DRAIN (sometimes termed "storm sewer") shall mean a drain or sewer for conveying water, groundwater, subsurface water, or unpolluted water from any source.

Subd. 2031 - STORMWATER RUNOFF shall mean that portion of the rainfall that is drained into the sewers.

Subd. 2032 - SUSPENDED SOLIDS (SS) shall mean total suspended matter that either floats on the surface of, or is in suspension in, water, wastewater, or other liquids, and that is removable by laboratory filtering as prescribed in "Standard Methods for the Examination of Water and Wastewater" and referred to as nonfilterable residue.

Subd. 2033 - UNPOLLUTED WATER is water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standard and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.

Subd. 2034 - WASTEWATER shall mean the spent water of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions, together with any groundwater, surface water, and stormwater that may be present.

Subd. 2035 - WASTEWATER DISPOSAL SYSTEM means any facility, appurtenant structure, or arrangement of devices used for the treatment of sewage and includes the sewer system.

Subd. 2036 - WASTEWATER FACILITIES OR SEPTIC SYSTEM shall mean the structures, equipment, and processes required to collect, carry away, and treat domestic and industrial wastes and dispose of the effluent.

Subd. 2037 - WASTEWATER TREATMENT WORKS shall mean an arrangement of devices and structures for treating wastewater, industrial wastes, and sludge.

SECTION 210 REQUIRED USE OF PUBLIC SEWERS

The ordinance pertains to all wastewater generators within the service area of the Village of Calumet.

Subd. 2101 - WASTE DISCHARGES PROHIBITED. 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 service area of the Village of Calumet any human or animal excrement, garbage or objectionable waste.

Subd. 2102 - WASTEWATER DISCHARGES PROHIBITED. It shall be unlawful to discharge into any natural outlet within the service area of the Village of Calumet any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.

Subd. 2103 - UNAPPROVED ON-SITE. Except as hereinafter provide, it shall be unlawful to construct or maintain within the service area of the Village of Calumet any non-Health Department approved, on-site treatment and disposal system, such as any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of wastewater.

Subd. 2104 - PUBLIC SEWER CONNECTION. The owner(s) of all houses, buildings or properties used for human occupancy, employment, recreation, or other purposes, situated within the service area of the Village of Calumet abutting on any streets, alley or right-of-way in which there is now located or may in the future be located a public sanitary sewer, is hereby required at the owner(s)' expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this ordinance, within ninety (90) days after the date of official notice to do so, provided that said public sewer is within two hundred feet (200') (61.0 meters) of and adjacent to the property line.

Subd. 2105 - ALLOWABLE ON-SITE SYSTEMS. On-site disposal shall be allowed for all wastewater generators who do not have a public sewer within 200 feet of the property line and who have a construction permit from Michigan Department of Public Health or who have an on-site system that was constructed and maintained by the Village of Calumet.

SECTION 220 BUILDING AND CONNECTIONS

Subd. 2201 - PERMIT REQUIREMENTS. No persons(s) shall uncover, make any connections with, or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Village.

Subd. 2202 - PERMIT CLASSES. There shall be two classes of building sewer permits:

(a) for industrial service, and

(b) for non-industrial service. In either case, the owner(s) or his agent shall make application on a special form furnished by the Village. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Village. A permit and inspection fee of ten dollars (\$10.00) for a residential or commercial building sewer permit and twenty-five dollars (\$25.00) for an industrial building sewer permit shall be paid to the Village at the time the application is filed.

Subd. 2203 - CONNECTION COSTS. All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner(s). The owner(s) shall indemnify the Village for any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

Subd. 2204 - BUILDING SEWER CONNECTION. A separate and independent building sewer shall be provided for every building discharging wastewater.

Subd. 2205 - USE OF OLD BUILDING SEWERS. Old building sewers may be used in connection with new buildings only when they are found on examination and test by the Village to meet all requirements of this ordinance.

Subd. 2206 - BUILDING SEWER CONSTRUCTION. The size, slope, alignment, materials and construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Village.

Sewage facilities shall also conform to the Water Pollution Control Federation Manual of Practice No. 9 - "Design and Construction of Sanitary and Storm Sewers" and 10-States Standards.

Subd. 2207 - SEWER EVALUATION. 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.

Subd. 2208 - CLEARWATER SOURCES NOT ALLOWED. No persons(s) shall make connection of roof downspouts, foundations, drains, areaway drains, sump pumps, or other sources or surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.

Subd. 2209 - BUILDING SEWER CONNECTION. The connection of the building sewer into the public sewer shall conform to the requirements of the aforesaid building and plumbing code and the other applicable rules and regulations of the Village. All such connections shall be made gastight and watertight and verified by proper testing. Any deviation from the prescribed procedures and materials must be approved by the Village before installation.

Subd. 2210 - CONNECTION APPROVAL. The applicant for the building sewer permit shall notify the Village when the building sewer is ready for inspection and connection to the public sewer. The connection and testing shall be made under the supervision of the Village of his representative.

Subd. 2211 - CONSTRUCTION SAFETY. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Village.

Subd. 2212 - CONNECTION CHARGE. The Village may levy a connection charge upon the application for connection of a building sewer to the public sewer. The amount of this charge shall be determined by a Resolution adopted by the Village of Calumet. The amount shall be paid by the person(s) owning the building served by the building sewer.

SECTION 225 ON-SITE WASTEWATER DISPOSAL

Subd. 2251 - WASTE DISPOSAL. 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 service area of the Village of Calumet, any wastewater, garbage, or other objectionable waste.

Subd. 2252 - WASTEWATER DISCHARGES. It shall be unlawful to discharge wastewater without approval from the Village of Calumet, the Western Upper Peninsula District Health Department (WUPDHD), or the Department of Natural Resources (DNR). Wastewater discharges to wastewater facilities within the service area of the Village of Calumet are not authorized unless approved by the Village of Calumet in accordance with provisions of this Ordinance.

Wastewater discharges to the wastewater disposal system shall meet the limitations imposed in Section 230.

Wastewater discharges of a non-sanitary nature, such as automobile washwater from a gasoline station or service garage must be collected and treated in a manner consistent with DNR rules and regulations and the BOCA Building Code.

No person shall connect roof, foundation, seepage, areaway, parking lot, roadway, or other surface runoff or groundwater drains to any sanitary sewer or on-site septic system unless such connection is authorized in writing by the Village of Calumet. The roof, foundation, areaway, parking lot, roadway, or other surface runoff or groundwater drains shall discharge to natural outlets or storm sewers.

Subd. 2253 - WASTEWATER DISPOSAL. Except as provided in this Ordinance, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility within the service area of the Village of Calumet intended or used for the disposal of wastewater.

Subd. 2254 - CONNECTION TO WASTEWATER DISPOSAL SYSTEM.

a. Buildings:

- (1) All properties provided a septic tank by the Village of Calumet shall connect all occupied buildings and all building sewers to the septic tank. Building drains shall not be connected to the septic tank.
- (2) An unoccupied building may be connected to the Village of Calumet wastewater facilities provided the owner requests such service and complies with the provisions of this ordinance.
- (3) Buildings within the service area of the Village of Calumet shall not be used for purposes which require sanitary wastewater facilities without said facilities being connected to the Village of Calumet wastewater disposal system.

- (4) All buildings within 200 feet of the service area of the Village of Calumet wastewater system which have gravity sewers smaller than 8" diameter, shall connect all building sewers to the Village of Calumet facilities through a Village of Calumet approved septic tank.

(5) Future Construction:

The building owner shall be responsible for the installation of all necessary facilities related to the connection to the Village of Calumet system upon the completion of the initial wastewater project proposed by the Village of Calumet. Such facilities shall include the building sewer from the inlet port of the septic tank to the building.

- (6) A minimum tank size for a residence shall be 1000 gallons. All septic tanks residential or commercial shall meet the requirements of the Michigan Department of Public Health Guidelines for Subsurface Sewage Disposal (Dec., 1977), Part VIII.

b. Special Buildings (Restaurants, Garages, Stores, etc.)

- (1) A grease interceptor conforming to PDI-G101⁽¹⁾ is required for all food service preparation establishments.
- (2) An oil separator is required for all floor drains from gas stations or repair garages. The separator shall have a minimum capacity of six (6) cubic feet for the first 100 square feet of area to be drained, plus one (1) cubic foot for each additional 100 square feet of area to be drained into the separator.⁽²⁾ See Attachment-1 to this Ordinance for sample specifications.
- (3) Village of Calumet in consultation with an Engineer and/or the local Health Department, shall decide which of the Special Buildings, if any, will need the additional devices.
- (4) Commercial businesses with water use greater than a typical residence requires a septic tank or tanks with at least 1,500 gallon capacity. For commercial buildings with water use comparable to a residence a minimum tank size of 1000 gallons is required.

Subd. 2255 - NO STATEMENTS IN THIS ORDINANCE shall be construed to interfere with any additional requirements that may be imposed by the Village of Calumet, Western Upper Peninsula District Health Department, or any other office or agency having proper jurisdiction.

- (1) Testing and Rating Procedures for Grease Interceptors
Plumbing & Drainage Institute, 4352 Blvd. Place,
Indianapolis, IN 46208
- (2) BOCA Plumbing Code (1984) P-1002.5.2 Subparagraph 2.
SECTION 230 - USE OF THE PUBLIC SEWERS

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Subd. 2301 - SANITARY SEWERS. No person(s) shall discharge or cause to be discharged any unpolluted waters such as storm water, groundwater, roof runoff, subsurface drainage, or cooling water to any sanitary sewer, except that storm water runoff from limited areas, which may be polluted at times, may be discharged to the sanitary sewer by permission of the Village.

Subd. 2302 - INSPECTIONS. Authorized personnel from the Village of Calumet may make inspections throughout the limits of the Village of Calumet boundaries for sump pump connections to public sanitary sewers and illegal downspout connections. Violations will be reported to the Village.

Subd. 2303 - STORM SEWERS. Storm water other than that exempted under Section 230, Subd. 1 and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers or to a natural outlet approved by the Village. Unpolluted industrial cooling water or process waters may be discharged on approval of the Village to a storm sewer or natural outlet.

Subd. 2304 - PROHIBITIONS AND LIMITATIONS. Discharges of various substances, materials, waters, or wastes to the sewer systems shall be limited to concentrations or quantities which in the judgment of the Village will not harm the sewers, wastewater treatment process or equipment, will not have an adverse effect on the groundwater, or will not otherwise endanger, lives, limb, public property, or constitute a nuisance. The Village may set limitations more restrictive than the limitations established in the regulations below if, in its own opinion, such limitations are necessary to meet the above prohibitions. In forming its opinion as to the acceptability of a particular waste being discharged to the sanitary sewer, the Village will give consideration to such factors as the quantity of subject waste in relation to flows and velocities in the sewers, materials or construction of the sewers, the wastewater treatment process employed, the treatability of the waste in the wastewater treatment plant, and other pertinent factors. The limitations or restrictions on materials or characteristics of waste or wastewater discharged to the sanitary sewer, which shall not be violated without approval of the Village, are as follows:

(a) Wastewater having a temperature higher than 150 degrees Fahrenheit (65 degrees Celsius).

(b) Wastewater containing more than 25 milligrams per liter of petroleum oil, nonbiodegradable cutting oils, or products of mineral oil origin.

(c) Gasoline, benzine, naptha, fuel oil, or other flammable or explosive liquid solid or gas.

(d) Water or wastes containing toxic or poisonous solids, liquids, or gases pursuant to Clean Water Act 307(a) in sufficient quantity, either singularly or by interaction with other wastes, to injure or interfere with any waste treatment process, to constitute a hazard to humans or animals, or to create a public nuisance in the receiving waters or the wastewater treatment works.

(e) Wastewater from industrial plants containing floatable oil, fat or grease.

(f) Solid or viscous substances in quantities of or in such size capable of causing obstruction to the flow in sewers or other interference with the proper operation of the wastewater facilities such as, but not limited to, ashes, sand, mud, straw, shavings, metal, glass, rags, manure, hair and fleshing, entrails, and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

(g) Garbage that has not been properly shredded. Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments, or similar places where garbage originates from the preparation of food in kitchen for the purpose of consumption on the premises or when served by caterers.

(h) Water or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances in concentrations that would result in the composite wastewater at the wastewater treatment works exceeding the limits established by the Approved Village.

(i) Water or wastes containing odor-producing substances exceeding limits which may be established by the Village.

(j) Water or wastes having a pH lower than 6.0 or having other corrosive properties capable of causing damage or hazard to structures, equipment and personnel or the wastewater works.

(k) Radioactive wastes or isotopes of such half-life or concentrations as may exceed limits established by the Village in compliance with state and federal regulations.

(l) Quantities of flow, concentrations, or both which constitute a "slug" as defined herein.

(m) Water or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed, or are amendable to treatment only to such degree that the wastewater treatment plant's effluent cannot meet the requirements of the Village's Groundwater Discharge or Surface Water Discharge Permits.

(n) Water or wastes which, by interaction with other waste or wastes in the public sewer system, release obnoxious gases, which interfere with the collection system or create a condition deleterious to structures and treatment processes.

(o) Materials(s) which exert(s) or cause(s):

1. Unusual BOD, COD (chemical oxygen demand) or chlorine requirements in such quantities as to constitute a significant load on the Wastewater Treatment Works.

2. Unusual flows volumes of concentrated wastes constituting "slugs" as defined herein.

3. Unusual concentrations of inert suspended solids (such as fuller's earth, lime slurries and lime residues) or dissolved solids (such as sodium sulfate).

4. Excessive discoloration (such as dye wastes and vegetable tanning solutions).

Subd. 2305 - VARIANCES. Variance in its sole discretion may be issued upon application to the Village by a wastewater system user for industrial waste of unusual strength or character, either before or after pretreatment, provided, however, that there is no impairment of the functioning of the sewage disposal works by reason of the admission of such wastes, and no extra costs are incurred by the Village without recompense by the person requesting admission of said industrial waste into the sewage works.

SECTION 240 - CONTROL OF INDUSTRIAL WASTES DIRECTED TO PUBLIC SEWERS

Subd. 2401 - INDUSTRIAL WASTE DISCHARGE CHARACTERIZATION. Within three (3) months after passage of this ordinance each person who discharges industrial wastes to a public sewer shall prepare and file a report with the Village according to standards prescribed by the Village. The report shall include pertinent information relating to the quantity and characteristics of the wastes discharged to the wastewater system.

Similarly, each person desiring to make a new connection to a public sewer for the purpose of discharging industrial waste shall prepare and file with the Village a similar report that shall include actual or predicted information relating to the quantity and characteristics of the waste to be discharged.

Subd. 2402 - EXTENSION. When it can be demonstrated that circumstances exist which would create an unreasonable burden on the person to comply with the time schedule imposed by Section 2401, a request for extension of time may be present for consideration of the Village.

Subd. 2403 - ACCEPTANCE OF INDUSTRIAL WASTE. If any waters or wastes are discharged or proposed to be discharged to the public sewers, and said water or wastes contain substances or possess the characteristics enumerated in Section 2304 and which, in the judgment of the Village, may have deleterious effect upon the sewage system, processes, equipment or receiving waters, or which otherwise create a hazard to life or health, or constitute public nuisance, the Village may in its sole discretion:

- (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.

Subd. 2404 - CONTROL MANHOLE(S). Each person discharging industrial wastes into a public sewer shall construct and maintain one or more control manholes or access points to facilitate observation, measurement and sampling of his wastes, including domestic sewage.

Control manholes or access facilities shall be located and built in a manner acceptable to the Village. If measuring devices are to be permanently installed they shall be a type acceptable to the Village.

Control manholes, access facilities and related equipment shall be installed by the wastewater system user discharging the waste, at his expense, and shall be maintained by him so as to be in safe condition, accessible and in proper operating condition at all times. Plans for installation of the control manholes or access facilities and related equipment shall be approved by the Village prior to the beginning of construction.

Subd. 2405 - FLOW METERING. The volume of flow used for computing the industrial waste collection and treatment charge shall be the metered water consumption of the wastewater system user as shown in the records of meter readings maintained by the owner except as noted in Subd. 2407 in this section.

Subd. 2406 - RATE RELIEF. In the event that a wastewater system user discharging industrial waste in the public sewers produces evidence satisfactory to the Village that more than ten percent (10%) of the total annual volume of water used for all purposes does not reach the public sewer, then the determination of the water consumption to be used in computing the waste volume discharged into the public sewer may be made a matter of agreement between the Village and the wastewater system user.

Subd. 2407 - WASTEWATER SAMPLING. Devices for measuring the volume of waste discharged may be required by the Village if this volume cannot otherwise be determined. Metering devices for determining the volume of waste shall be installed, owned, and maintained by the wastewater system user discharging the waste. Following approval and installation, such meters may not be removed without the consent of the Village.

Samples shall be collected in such a manner as to be representative of the composition of the wastes. The sampling may be accomplished either manually or by the use of mechanical equipment acceptable to the Village.

Installation, operation and maintenance of the sampling facilities shall be the responsibility of the wastewater system user discharging the waste and shall be subject to the approval of the Village. Access to sampling locations shall be granted to the Village or its duly authorized representatives at all times. Every care shall be exercised in the collection of samples to insure their preservation in a state comparable to that at the time the sample was taken.

Subd. 2409. - MONITORING CHANGES. The Village may at its option, install such structures and equipment, and perform monitoring, sampling and laboratory analyses called for above. In such cases all structures and equipment shall be considered a part of the wastewater treatment works and the costs of construction, operation and maintenance of same shall be incorporated in the service charge of the industrial user.

Subd. 2410 - PRETREATMENT. When, in the opinion of the Village, and in accordance with Title 40, Part 403 of the Code of Federal Regulations and other applicable state and federal regulations, pretreatment is required to modify or eliminate wastes that are harmful to the structures processes or operation of the wastewater treatment facility, the wastewater system user so discharging shall provide, at his expense, such preliminary treatment or process facilities as the Village may determine necessary to render his waste acceptable for admission to the public sewers.

Subd. 2411 - INTERCEPTORS. Grease, oil and sand interceptor devices shall be provided by the Owner, at his expense, when, in the opinion of the Village, they are necessary for the proper handling of liquid wastes as described in the is ordinance, or any flammable wastes, sands, or other harmful ingredients; except that such interceptors shall not be required for private living quarter or dwelling units discharging normal domestic strength waste. All interceptors shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors the owner(s) shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates, and means of disposal which are subject to review by the Village. Any removal and handling of the collected materials not performed by owner(s) personnel must be performed by currently licensed waste disposal firms.

Subd. 2412 - MEASURING AND TESTING. All measurements, tests and analyses of the characteristics of the waters and wastes to which reference is made in this ordinance shall be determined in accordance with Title 40, Part 136, of the Code of Federal Regulations and in accordance with the latest edition of "Standard Methods for Examination of Water and Wastewater", published by American Public Health Association. Sampling methods, location, times, durations, and frequencies are to be determined on an individual basis subject to approval by the Village.

Determination of the character and concentration of the industrial wastes shall be made by the wastewater system user discharging them, or his agent, as designated and required by the Village. The Village may also make its own analysis on the waters and these determination shall be binding as a basis for treatment service charges.

Subd. 2413 - PLAN REVIEW. Plans, specifications and any other pertinent information relating to proposed flow equalization, pretreatment or processing facilities shall be submitted for review of the Village prior to the start of their construction if the effluent from such facilities is to be discharged into the public sewers.

SECTION 250 - RIGHT OF ENTRY, SAFETY AND IDENTIFICATION

Subd. 2501 - RIGHT OF ENTRY. Duly authorized agents of the Village of Calumet, bearing proper credentials and identification, shall be permitted to enter all properties for the purposed investigations to determine compliance with the provisions of this ordinance. They shall have no Village to inquire into any process beyond that point having a direct bearing on the kind and source of discharge to the sewers, waterways or facilities for wastewater treatment.

Subd. 2502 - SAFETY. While performing the necessary work on private premises, investigators shall observe all safety rules applicable to the premises established by the company.

Subd. 2503 - IDENTIFICATION, RIGHT TO ENTER EASEMENTS. Duly authorized agents of the Village, bearing proper credentials with identification, shall be permitted to enter all private properties through which the Village has duly negotiated easement for the purpose of, repair and maintenance of any portion of the sewage works lying within said easement, all subject to the terms, if any, in the agreement.

SECTION 260 - DAMAGE OR TAMPERING WITH SEWAGE FACILITIES

Subd. 2601 - WILLFUL, NEGLIGENT OR MALICIOUS DAMAGE. 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 sewage facility. Any persons violating this provision shall be subject to immediate arrest under charges of disorderly conduct or malicious destruction of property as the case may be.

SECTION 270 - VIOLATIONS AND PENALTIES

Subd. 2701 - WRITTEN NOTICE OF VIOLATION. Any such notice given shall be in writing and served in person or by registered or certified mail. The notice shall be sent to the last address of the violator known to the Village, or its authorized designee. Where the address is unknown, service may be made upon the owner of record of the property involved. If satisfactory action is not taken in the time allotted by the notice, the following paragraph shall be implemented.

Subd. 2702 - VIOLATIONS. Any person found in violation of this Ordinance or any requirement of a permit issued hereunder, may be served with a written notice stating the nature of the violation and providing a reasonable time limit for compliance.

Any person who continues to violate the provisions of this ordinance beyond the time limit stated in the Notice of Violation, may be charged with commission of a misdemeanor and upon conviction thereof, shall be fined not more than One Hundred Dollars (\$100.00), for each residential user, and Five Hundred Dollars (\$500.00), for each commercial or industrial user, for each day the violation continues.

Each day or portion thereof that a violation continues shall constitute a separate violation.

Subd. 2703 - LIABILITY FOR LOSSES. Any person violating any provision of this ordinance shall become liable to the Village for any expenses, loss or damage occasioned by reason of such violation which the Village may suffer as a result thereof.

Subd. 2704 - APPEALS. The Village shall hear appeals from sewer users on matters concerning interpretation and execution of the provisions of this ordinance at any monthly meeting of the Village of Calumet.

SECTION 280 - VALIDITY AND AMENDMENTS

Subd. 2801 - REPEAL OF CONFLICTING ORDINANCE. All ordinances or parts of ordinances or regulations or parts or regulations in conflict with this ordinance are hereby repealed.

Subd. 2802 - INVALIDATION CLAUSE. Invalidity of any section, clause, sentence, or provision in the Ordinance shall not affect the validity of any other section, clause, sentence, or provision of this Ordinance which can be given effect without such invalid part or parts.

Subd. 2803 - AMENDMENTS. Public Notice shall be given in accordance with applicable provisions of the State and Federal law prior to adoption of any amendments to this ordinance.

SECTION 290 - EFFECTIVE DATE

Subd. 2901 - DATE EFFECT. This ordinance shall take effect and be in fore from and after the date of enactment.

Subd. 2902 - DATE OF ENACTMENT.

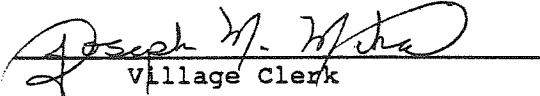
Adopted by the Village of Calumet this 19th day of May, 1992.

YES: 6

NO: 0

ABSENT: 1


Village President


Village Clerk