

TOWN OF BISCOE
BOARD OF COMMISSIONERS MEETING
June 10, 2019

The Biscoe Town Board of Commissioners met in a regular session on Monday, June 10, 2019 at 7:00 pm in the Municipal Building. Present were: Mayor Jimmy Blake, Mayor Pro-Tem Jerry Smith, Commissioners Gene Anderson, Kay Cagle Kinch and John Beard. (James Cagle, Jr. "Jimmy" Cagle's seat is vacant due to his death on December 30, 2017).

Members of Management Present: Town Manager Brandon Holland, Town Clerk Laura Morton, and Police Chief Brent Tedder.

Call to Order/Pledge of Allegiance

Mayor Blake called the meeting to order at 7:00 pm. The Pledge of Allegiance to the American Flag was recited and a moment of silence was observed.

Conflict of Interest Statement

"In keeping with the Conflict of Interest Laws outlined in Chapter 138A of the North Carolina Board of Ethics, any conflicts of interest or appearance of conflict with matters coming before the Board of Commissioners should be declared," "Having received our agenda for this evening's meeting, are there any conflicts of interest to be announced? If so, please, state them at this time."

Approval of the Consent Agenda

A motion was made by Mayor Pro-tem Smith, seconded by Commissioner Beard and so the motion carried unanimously to approve consent agenda items:

- a) Approval of the Agenda
- b) Approval of May 13, 2019 Regular Meeting Minutes
- c) Approval of June Monthly Financial Report
- d) Approval of Pool Concession Fees
- e) Approval of Policy to Unseal Closed Session Minutes (Attachment #1)

AYES: 4; NAYS: 0

Schedule Public Hearing #1 – Proposed Fiscal Year 2019-2020 Budget

A motion was made by Commissioner Anderson, seconded by Mayor Pro-tem Smith, and so the motion carried unanimously to recess the regular session and call to order a Public Hearing for the Proposed Fiscal Year 2019-2020 Budget. Manager Holland presented the Proposed Fiscal Year 2019-2020 Budget. No one spoke during the public hearing.

A motion was made by Commissioner Anderson, seconded by Commissioner Kinch, and so the motion carried unanimously to adjourn the Public Hearing and reconvene the regular session.

AYES: 4; NAYS: 0

A motion was made by Mayor Pro-tem Smith, seconded by Commissioner Beard, and so the motion carried unanimously to adopt the Fiscal Year 2019-2020 Budget as Presented.

AYES: 4; NAYS: 0

Schedule Public Hearing #2 – Proposed Fire Hydrant Policy

A motion was made by Commissioner Beard, seconded by Commissioner Anderson, and so the motion carried unanimously to recess the regular session and call to order a Public Hearing for the Proposed Bulk Water/Fire Hydrant Policy.

Manager Holland presented the Proposed Bulk Water/Fire Hydrant Policy. No one spoke during the public hearing.

A motion was made by Mayor Pro-tem Smith, seconded by Commissioner Anderson, and so the motion carried unanimously to adjourn the Public Hearing and reconvene the regular session.

A motion was made by Mayor Pro-tem Smith, seconded by Commissioner Anderson, and so the motion carried unanimously to adopt the Bulk Water/Fire Hydrant Policy.

Attachment #2 - Bulk Water/Fire Hydrant Policy

AYES: 4; NAYS: 0

Reconsideration of Game Room Application for Demetrius Stancil

This item was not discussed.

Proposed Water/Sewer Ordinance Amendment

Deputy Clerk Laura Jordan presented the proposed changes to the Water/Sewer Ordinance.

A motion was made by Commissioner Anderson, seconded by Commissioner Kinch and so the motion carried unanimously to schedule a public hearing for the July 8, 2019 Board meeting.

Attachment #3 Proposed Water/Sewer Ordinance Amendments

Budget Amendment Request - Pump Replacement

Manager Holland said the purpose of this request is because it is over the amount he can approve on purchase order and the budget will need to be amended.

A motion was made by Commissioner Anderson, seconded by Commissioner Kinch and so the motion carried unanimously to approve a budget amendment/purchase order request for a pump for the water sewer department in the amount of \$15,648.75.

Attachment #4 Purchase Order

Mayor's Minutes - Commissioner Reports - Staff Reports

Mayor Blake announced that he would not be running for another term as Mayor of Biscoe. He encouraged the Board to talk with each other and the Town Manager. He said I have been Mayor for 22 years, it's time to give someone else an opportunity to serve.

Commissioner Beard thanked the Mayor for his service to the Town of Biscoe. Commissioner Anderson thanked Town staff for their hard work.

Manager Holland provided the following update to the Board:

- A small car lot is going in beside of the Pet Hospital.
- Kountry Kids will be expanding to the old Vanderveer's building.
- We are in the design stage of the CDBG-infrastructure Project. He said we are having monthly progress meetings.
- He said on the East and West sides of Town Tree City signs will be installed very soon.

Public Comment

No one spoke during the public forum.

Closed Session- Pursuant to NCGS 143-318.11 (5) - Property & NCGS 143-318.11 (6) Personnel

A motion was made by Commissioner Beard, seconded by Commissioner Kinch, and so the motion carried unanimously to recess the regular meeting and call to order a Closed Session - Pursuant to NCGS 143-318.11 (6) - Personnel.

AYES: 4; NAYS: 0

A motion was made by Commissioner Anderson, seconded by Commissioner Kinch, and so the motion carried unanimously to adjourn the closed session and reconvene the regular meeting.

AYES: 4; NAYS: 0

The Board came out of the Public Hearing with nothing to report.

Adjournment

There being no further business to bring before the Board, Commissioner Beard made the motion to adjourn, and Mayor Pro-tem Smith made the second. All voted in favor. Meeting adjourned at 7:55 p.m.

Mayor



Town Clerk

**A RESOLUTION OF THE TOWN OF BISCOE BOARD OF COMMISSIONERS
OF BISCOE, NORTH CAROLINA
ADOPTING A POLICY TO UNSEAL CLOSED SESSION MINUTES**

WHEREAS, North Carolina General Statute (NCGS) Section 143-318.10(e) provides that every public body shall keep full and accurate minutes of all official meetings, including any closed sessions held pursuant to North Carolina General Statute (NCGS) Section 143-318.11; and

WHEREAS, NCGS Section 143-318.10(e) also provides that minutes or a general account of a closed session conducted by a public body in compliance with NCGS Section 143-318.11 may be withheld from public inspection so long as public inspection would frustrate the purpose of a closed session.

WHEREAS, The Town of Biscoe has no policy in place to unseal closed session minutes in accordance with State and Federal Law.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Biscoe, North Carolina, that the attached document entitled "Town of Biscoe Policy for Unsealing Closed Session Minutes" and consisting of one (1) page is hereby adopted in compliance with State and/or Federal Law.

This Resolution adopted this 10th day of June, 2019.

**TOWN OF BISCOE POLICY
FOR UNSEALING CLOSED SESSION MINUTES**

The purpose of this policy is to set forth guidelines for Unsealing Closed Session Minutes of the Biscoe Town Council.

North Carolina General Statute (NCGS) Section 143-318.10(e) provides that every public body shall keep full and accurate minutes of all official meetings, including any closed sessions held pursuant to North Carolina General Statute (NCGS) Section 143-318.11.

NCGS Section 143-318.10(e) also provides that minutes or a general account of a closed session conducted by a public body in compliance with NCGS Section 143-318.11 may be withheld from public inspection so long as public inspection would frustrate the purpose of a closed session.

The Biscoe Town Council hereby gives authority to the Town Attorney, Town Manager, and Town Clerk to unseal all closed session minutes as long as it does not frustrate the purpose of the closed session as stated in NCGS Section 143-318-10 (e).

Once the minutes have been unsealed the Clerk will keep them in a separate Closed Session Minute Book. The Minute Book will be indexed and copies of the opened minutes will be sent to the NC Department of Natural & Cultural Resources as needed. The Closed Session Minute Book will be kept in the same location as the regular minute books.

Approved this 10th day of June 2019 by the Biscoe Town Council at its regular monthly meeting.

EFFECTIVE: Immediately

DATE: June 10, 2019



James E. Blake, Mayor

Laura B. Morton, Town Clerk

Bulk Water Use Policy

Section 1: Purpose of Bulk Water Policy Section 2: Definitions

Section 3: Fire Hydrant Use Requirements Section 4: Bulk Water Meter Accounts

Section 5: Responsibilities of the Town of Biscoe Section 6: Violations

Section 7: During Water Restrictions

Section 1: Purpose of Bulk Water Policy

It is the Policy of the Town of Biscoe, North Carolina that the opening and closing, tampering, connecting to, or withdrawal of water from any publicly owned or privately owned fire hydrant connected to the Town water system is expressly prohibited, except with the terms of this Policy. Authorized withdrawal of water from any Town fire hydrant defined above is strictly limited to the following persons and purposes:

- a) Firefighting activities by personnel of the Town of Biscoe Fire Department, and by other Fire Department personnel through Mutual Aid Agreements that provide fire protection services within a Jurisdiction served by Town fire hydrants.
- b) Firefighting training activities by the Town of Biscoe Fire Department, or by other Fire Departments as approved by the Director of Public Works.
- c) Testing operations by personnel of the Town of Biscoe to establish the flow rate of water available from fire hydrants and to develop data needed for fire insurance or engineering evaluations on the effectiveness of the system.
- d) Water flushing and collection operations by personnel of the Town of Biscoe for improving or determining the quality of water in the System, or to minimize the possibility of any impurities remaining in the System from breaks, leaks or repairs.
- e) Water withdrawal by personnel of the Town of Biscoe for any use deemed necessary by the Director of Public Works.
- f) Water withdrawal through a designated Town fire hydrant approved by the Director of Public Works for a permitted Bulk Water Use Account Customer as defined in Section 5 of this Policy.
- g) Other uses only as expressly authorized in writing in advance by the Director of Public Works.

Section 2: Definitions

For the purpose of this Bulk Water Use Policy, the following definitions shall apply:

- a) Air Gap Separation - An unobstructed vertical distance through the atmosphere between the lowest opening from any pipe supplying water from any source to a tank or other device and the flood level rim of the receptacle. An approved air gap separation shall be at least twice the diameter of the supply pipe. In no case shall the air gap separation be less than one inch.
- b) Applicants - Any person, firm, partnership, joint venture, association, corporation, group or organization applying for a Bulk Water Use Permit.
- c) Director of Public Works - Town of Biscoe Director of Public Works or his/her designee.
- d) Backpressure - Refers to a condition in which a pump, boiler, or other equipment produces a pressure greater than the water supply pressure.
- e) Back-siphonage - Refers to a condition in which the pressure in the distribution system is less than atmospheric pressure, which allows contamination to enter a water system through a cross-connection.
- f) Business Day - Normal operating hours of the Town of Biscoe, excluding holidays.
- g) Town Council - Town Council of Biscoe, North Carolina.
- h) Town of Biscoe - Referred to as "Town".

- i) Customer - Refers to any person or entity having an authorized system usage account with the Town of Biscoe
- j) Municipal Building - Town of Biscoe Municipal Building is located at
- k) 110 West Main Street Biscoe, North Carolina 27209, 910-428-4112.
- l) Director of Public Works - Town of Biscoe Director of Public Works or his/her designee
- m) Public Works Department - Town of Biscoe Public Works department located at 110 West Main Street Biscoe, North Carolina 27209, 910-428-4112.
- n) Shall - Is mandatory
- o) System - The Town of Biscoe water supply and distribution system.
- p) Tanker - A vehicle on which a tank is mounted to carry non-potable water for delivery

Section 3: Bulk Water Use Requirements

- a) Any customer requesting to withdraw water from a Town fire hydrant shall have a valid Town of Biscoe Bulk Water Contract. The customer shall contact the Town Hall to set up an account for a Bulk Water Use Account to not exceed 14 days from date of set up to draw water from a designated fire hydrant in the Town. Bulk Water Use Accounts shall require an annual inspection and permit for each tank(er), with a minimum size of 500 gallons, withdrawing water from the System.

Section 4: Bulk Water Use Accounts

- a) The Bulk Water Use Account customers shall contact the Director of Public Works at the Public Works Department to inspect that each tank(er) is equipped with an approved air gap or approved Reduced Pressure Detector Assembly and to have the permit sticker applied in the proper location on the tank(er)
- b) Water consumption shall be billed a minimum of 2000 gallons, at the current outside town limits water use rate in accordance of Town rate and fee schedules as established by the Town Council.
- c) The customer shall be responsible for maintaining accurate consumption records. The Consumption Reports shall be received by the Customer Service Center by the 1st business day of every month. The monthly record shall be provided to the Town regardless of any consumption or not and shall be in violation of Section 6 of this Policy if not received.
- d) Any tank(er) found withdrawing water from a Town fire hydrant without a valid Town- issued Bulk Water Use Permit in violation of Section 6 of this Policy.
- e) The customer shall use only fire hydrants designated by the Superintendent of Utilities to withdraw water from the System.
- f) The customer has the responsibility of operating the designated Town fire hydrants in a proper and safe manner to prevent damage to the fire hydrant and the Town's water system. Fire hydrants shall be opened and closed slowly and at no time shall any connections to a Town fire hydrant be left unattended.
- g) The customer shall use an approved fire hydrant wrench only. Pipe wrenches and adjustable wrenches or other unapproved devices used in the operation of a fire hydrant are strictly prohibited and in violation of Section 6 of this Policy.
- h) All hoses shall be disconnected after each use and shall not remain attached to the fire hydrant.
- i) All nozzle caps shall be replaced after each use.
- j) The customer shall be responsible for any damage associated with improper use of a Town fire hydrant and shall pay for all repairs or shall be in violation of Section 6 of this Policy.
- k) The customer shall be responsible for maintaining his/her backflow protection on each permitted tank(er) and to prevent contamination of the Town's water system. The customer shall show proof the backflow assembly has been tested and is up to date.
- l) In no instance shall the discharge end of the hose be inserted into the tank or laid on the

ground where it could become submerged in any liquid.

- m) Any customer in arrears shall not be allowed to continue to draw water from the Town's fire hydrant until the account balance has been paid and shall be considered in violation of Section 6 of this Policy.

Section 5: Responsibilities of the Town of Biscoe

- a) The Director of Public Works shall be responsible for enforcing this Policy and to ensure that each customer that is withdrawing water from any of the designated Town fire hydrants does so in accordance with this Policy and in a safe and responsible manner to prevent cross contamination.

Section 6: Violations

- a) A written notice shall be served in person or by Certified Mail to any Permit Holder found to be in violation of any part of this Policy.
- b) Such notice will explain the violation and give the time period within which the violation must be corrected. The time period set forth shall not exceed 30 days after receipt of notice, unless specified in the notice. If the violation has been determined by the Director of Public Works to be imminent hazard, the customer shall be required to correct the violation immediately or risk having his/her permit revoked.
- c) Any customer connected to the Town's System without backflow protection shall be considered illegal and to have an unprotected cross-connection between a private water system and the Town's water system. Any such customer shall be considered in violation of this Policy and shall have their permit revoked.
- d) In addition to any applicable charges for usage, a customer violating any part of this Policy shall be liable to the Town for expenses incurred for investigating a violation and for the repair of any damage to the Town of Biscoe water system. At the Town's discretion, the violator may be prosecuted under North Carolina State General Statute 12- 151.1.
- e) Violations may result in permanent disqualification of account depending upon the severity.

Section 7: During Water Restrictions

- a) Tanker fill ups *may* be restricted or suspended at any time in order to protect the Town's water supply. Permit holders shall be notified in writing of the current water restrictions and informed of their limitations.

I hereby certify that this is a true and correct copy of the Bulk Water Use Policy Ordinance as adopted by the Town Council of Biscoe, North Carolina, on the 8th day of April, 2019.

WITNESS my hand and the official seal of Laura B. Morton, this the 10th day of June, 2019.

TITLE V: PUBLIC WORKS

Chapter

50. GARBAGE AND REFUSE

51. WATER

52. SEWERS

APPENDIX A: SUMMARY FOR INDUSTRIAL USERS

APPENDIX B: INDUSTRIAL SEWER CONNECTION APPLICATION

CHAPTER 50: GARBAGE AND REFUSE

Section

50.01 Definitions

50.02 Refuse required to be deposited in approved containers

50.03 Burning or burying garbage and refuse; permit required

50.04 Accumulation of garbage and refuse prohibited

50.05 Containers required; specifications

50.06 Pre-collection practices; requirements

50.07 Collections schedule

50.08 Interference with containers prohibited

50.09 Special or bulk collections regulated

50.10 Removal of dead animals

50.11 Collection fees

Definitions

Refuse required to be deposited in approved containers Burning or burying garbage and refuse; permit required Accumulation of garbage and refuse prohibited Containers required; specifications

Pre-collection practices; requirements Collection schedule Interference with containers prohibited Special or bulk collections regulated Removal of dead animals Collection fees.

§ 50.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BUILDING MATERIAL SCRAPS. Scrap building material from the construction, reconstruction, remodeling or repair of a building, walkway, driveway, sign and other structure, including but not limited to, excavated earth, tree stumps, rocks, gravel, bricks, plaster, concrete, lumber or any other similar material used in construction or the containers or wrappings therefore.

GARBAGE. All putrescible wastes, including animal and vegetable matter, animal offal and carcasses, and recognizable industrial by-products but excluding sewage and human wastes.

REFUSE. All non-putrescible wastes.

SOLID WASTE. Garbage, refuse, rubbish, trash, and other discarded solid materials, including *SOLID WASTE* materials resulting from homes, businesses, industrial, commercial and agricultural operations, and from community activities, but does not include solids or dissolved materials in domestic sewage or other significant pollutants in water resources, such as silt, dissolved or suspended solids in industrial waste water effluents, dissolved materials in irrigation return flows or other common water pollutants.

TREE TRIMMINGS. Tree limbs, leaves, shrubbery, weeds, plants or grass. ('79 Code, 4-2-1)

§ 50.02 REFUSE REQUIRED TO BE DEPOSITED IN APPROVED CONTAINERS.

It shall be unlawful for any person to throw, place or deposit any garbage or refuse of any kind on any public or private property except in approved containers or as otherwise provided in this chapter.

('79 Code, § 4-2-2) Penalty, see § 10.99

§ 50.03 BURNING OR BURYING GARBAGE AND REFUSE; PERMIT REQUIRED.

It shall be unlawful to burn or set fire to or bury any garbage for the purpose of disposal. In addition, it shall be unlawful to bury any refuse for the purpose of disposal unless a permit therefore has been granted by the Fire Chief.

('79 Code, § 4-2-3) Penalty, see § 10.99

§ 50.04 ACCUMULATION OF GARBAGE AND REFUSE PROHIBITED.

All garbage and refuse shall be collected and placed in containers as required by this chapter, and it shall be unlawful for any person to permit garbage or refuse to accumulate or remain on any premises longer than is reasonably necessary to remove and deposit same in approved containers as required herein.

('79 Code, § 4-2-4) Penalty, see § 10.99

§ 50.05 CONTAINERS REQUIRED; SPECIFICATIONS.

The occupant of every building or premises where garbage and refuse does or may exist shall provide containers made of substantial galvanized, iron, plastic, rubber or other non-rusting material in which shall be deposited all garbage and refuse existing at such building or premises. Each container shall be provided with handles or bails and with a tight-fitting cover made of the same material as the container. All containers shall be watertight and they shall be of a size that can be conveniently handled by the collectors, and no container shall be more than 30 gallons in capacity and measure not over 22 inches in diameter nor 30 inches in height. All containers shall be kept in a reasonably clean condition.

('79 Code, § 4-2-5) Penalty, see § 10.99

§ 50.06 PRE-COLLECTION PRACTICES; REQUIREMENTS.

All garbage and refuse shall have the liquid drained therefrom and shall be wrapped in paper or other like material before it is placed in the container for collection. Ashes and cinders shall be placed in a separate container provided for that purpose and no ashes shall be deposited in any container until they are cold. Containers which fail to have a cover as required in § 50.05 or which become rusted or broken and therefore are unable to contain garbage and refuse in a satisfactory manner shall not be used. ('79 Code, § 4-2-6) Penalty, see §10.99.

§ 50.07 COLLECTION SCHEDULE.

Garbage and refuse will be collected by the town according to a collection schedule maintained in the Clerk's office. The schedule may be periodically revised and amended by action of the Board.

('79 Code, § 4-2-7)

§ 50.08 INTERFERENCE WITH CONTAINERS PROHIBITED.

It shall be unlawful for any person to damage, displace, or to otherwise interfere with garbage containers or their contents except the owner or upon permission or at the request of the owner. ('79 Code, § 4-2-8) Penalty, see § 10.99

§ 50.09 SPECIAL OR BULK COLLECTIONS REGULATED.

- a) No bulk trash, tree limbs, shrubbery cuttings, leaves and other refuse will be collected without special charge unless the refuse can be placed in regulation type garbage cans.
- b) Any property owner desiring special bulk collections of loose matter, not in closed containers or tied in bundles, may request a special collection for which a special charge will be made. If sufficient manpower and equipment are available, town personnel are authorized to make the special collections; provided the person making the request agrees to pay for the labor and equipment used at the rate specified by the Board.
- c) No collection shall be made from vacant lots nor shall any large rocks, tree trunks, tree stumps, tree limbs of more than six feet in length or other heavy objects be collected by the city. No waste building materials or lot clearings shall be collected from houses or other structures under construction or recently completed.
- d) Material to be collected by special collections shall be placed in neat piles and so located that the refuse can be easily loaded on trucks for disposal.
('79 Code, § 4-2-9)

§ 50.10 REMOVAL OF DEAD ANIMALS.

Dead animals will be removed from any premises upon notice to the Clerk of the existence of such dead animals. ('79 Code, § 4-2-10)

§ 50.11 COLLECTION FEES.

- A. Monthly garbage and refuse collection fees are hereby established in amounts set forth on the most current fee schedule located in the office of the Town Clerk.
- B. For premises having town water service the charges shall be billed along with the charges for water service to each separate metered premises. For premises not having town water service, the charges shall be billed separately to each residence, and to each business firm, under a separate roof. ('79 Code, § 4-2-11)

CHAPTER 51: WATER

Section 51.01 Service contracts to conform with chapter

51.02 Supervision of Mayor and Board; duties of Superintendent

51.03 Installation of service pipes

51.04 Connection requirements

51.05 Application for connections

51.06 Connection charges

- 51.07 Service pipe extensions
- 51.08 Access to premises
- 51.09 Water meters
- 51.10 Connections outside of town
- 51.11 Unauthorized use of water
- 51.12 Leaks to be responsibility of consumer
- 51.13 Water for use of consumers only
- 51.14 Injury to property and fixtures
- 51.15 Tampering with meters prohibited
- 51.16 Town liability
- 51.17 Establishing Utility Services
- 51.18 Rates and charges; non-refundable ~~connection~~ Application fee
- 51.19 Meter reading; billing; collecting
- 51.20 Disconnection for late payment
- 51.21 Unpaid Balances
- 51.22 Suspension of service
- 51.23 Reconnection of Service
- 51.24 Adjustments due to Overbill and Underbill
- 51.25 Leak Adjustments
- 51.26 Returned Payments
- 51.27 Water supply plan

§ 51.01 SERVICE CONTRACTS TO CONFORM WITH CHAPTER.

All pertinent provisions of this chapter shall govern the terms and conditions of the contracts under which the town furnishes water service to any person, or whereby the town makes any water connections or performs any work of any kind in connection with the furnishing of water service.

('79 Code, § 5-1-1)

§ 51.02 SUPERVISION OF MAYOR AND BOARD; DUTIES OF SUPERINTENDENT.

(A) The water system shall be under the supervision of the Mayor and Board. The duty of enforcing full compliance with all rules and regulations governing all connections with the mains shall be vested in the Superintendent of the water and sewage system. ('79 Code, § 5-1-2)

(B) The Superintendent shall perform the following duties:

1. He shall have general supervision over all the operations of the water system.
2. He shall see that all rules and regulations of the town are enforced.
3. He shall see that water rates and assessments are correctly made.
4. He shall have authority to appoint and discharge, subject to supervision by the Board, all employees of the Water and Sewer Department. ('79 Code, § 5-1-3)

§ 51.03 INSTALLATION OF SERVICE PIPES.

The town, or a licensed plumber under permit of the town, shall tap the water main for connections and extend all service pipes to the curbing where a stop box will be placed over a stop cock, all of which shall be under the exclusive control of the town. No person shall be allowed to turn the water on or off at this stop cock, except the Superintendent of the water and sewer system. ('79 Code, § 5-1-4)

§ 51.04 CONNECTION REQUIREMENTS.

(A) Within 30 days after the water main in any street is completed and ready for use, the

owner of every abutting lot whereon water is needed for human use shall cause such lot to be connected with the water main. ('79 Code, § 5-1-5(a))

(B) Every house or building abutting any water main shall be separately and independently connected, except in those cases where laterals from the main have already been laid in macadam or improved streets, without provisions having been made for such house or building, when the connection may be made to an existing lateral. If such house or building is on a macadam or improved street where laterals have not been laid, the connection may be made to any convenient lateral. When two or more houses or units are connected with the same water lateral, a separate water meter shall be provided for each house or unit. ('79 Code, §5-1-5(b))

(C) The construction of laterals for water connections, and the necessary excavation therefore shall be done by the town, or, if done by a licensed plumber, it shall be done under the supervision of the town. ('79 Code, § 5-1-6)

§ 51.05 APPLICATION FOR CONNECTIONS.

Every application for a water connection shall be made on a form provided by the town, shall be signed by the applicant, shall be accompanied by the proper fee for making the connections, and shall be filed with the Deputy Clerk. ('79 Code, §5-1-7)

§ 51.06 CONNECTION CHARGES.

The Board shall establish fees for extension of water service pipe and the tapping of main. A copy of current charges shall be kept on file in the office of the Clerk. ('79 Code, § 5-1-8)

§ 51.07 SERVICE PIPE EXTENSIONS.

No service pipe shall be allowed to run across lots, that is, from one lot to another, but it must be taken from the main in front of the premises or from some point adjacent thereto, unless specific permission is obtained from the Superintendent. The Superintendent shall have the power to extend service pipe to a building abutting a main. All additional expenses for such extensions shall be paid by the owner of the property. ('79 Code, § 5-1-9)

§ 51.08 ACCESS TO PREMISES.

Whenever it becomes necessary to enter any premises, stores or dwelling, for the purpose of inspecting water pipes, fixtures or meters, the Superintendent or Building Inspector may do so within reasonable hours; should the Superintendent or Inspector be refused admittance, the supply of water shall be cut off until the examination is made and the required information is obtained, or until repairs and alterations are made. ('79 Code, § 5-1-10)

§ 51.09 WATER METERS.

A. The water meters furnished by the town shall remain the property of the town and will be serviced by the town.

B. The Town of Biscoe will make special meter readings at the request of the consumer for a fee of \$25.00 provided, however, that if such special reading discloses that the meter was over read, or in error in any way, the fee will be refunded. ('79 Code, § 5-1-11)

§ 51.10 CONNECTIONS OUTSIDE OF TOWN.

No connection of any water line or system outside of the town shall be made to any part of the town water system without special permission from the Board on such terms as the Board shall prescribe. ('79 Code, § 5-1-12)

§ 51.11 UNAUTHORIZED USE OF WATER.

Only the Superintendent or other town employees are authorized to turn on water. If water is found to be in use without the knowledge of the Superintendent, or without being turned on by him or his agent, or if water is used for any other purpose than that paid for, ~~the consumer of the water shall be guilty of a violation of this chapter and assessed a \$350.00 tampering fee.~~ **the meter will be pulled from the premises and the consumer assessed a \$150.00 fee. Once the consumer pays any fees accrued, the consumer will be assessed another \$150.00 fee and the meter will then be reinstalled at the premises.** The fact that water is cut on to any premises by a person without the prior knowledge of either The Town of Biscoe or the consumer shall not relieve the consumer of liability for such unauthorized use of water. ('79 Code, § 5-1-13) Penalty, see § 10.99

§ 51.12 LEAKS TO BE RESPONSIBILITY OF CONSUMER.

If a break occurs, or a defect is found in any pipe or fixture, causing or permitting a leakage or waste of water, it shall be the duty of the owner of the premises or the consumer to have the break or defect repaired. ('79 Code, § 5-1-14)

§ 51.13 WATER FOR USE OF CONSUMERS ONLY.

It shall be unlawful for any consumer to permit any person, except the members of his or her family or employees living on the premises as a part of the household or visitors in the home to remove water from the premises for any purpose except in case of fire or other emergency. Any person unlawfully receiving or using water shall be guilty of a misdemeanor, and if it is shown that the unlawful use has been made with the knowledge and consent of the consumer, the consumer shall be deemed equally guilty. ('79 Code, § 5-1-15) Penalty, see § 10.99

§ 51.14 INJURY TO PROPERTY AND FIXTURES.

It shall be unlawful for any person to injure, deface or destroy the building, machinery, fences, trees or other property of the town water system, or the pipes, stand pipes, valves, boxes, fire hydrants, fountains, service boxes, service valves or service connections or any other fixtures, or in any way to contaminate the town water supply. ('79 Code, § 5-1-16) Penalty, see § 10.99

§ 51.15 TAMPERING WITH METERS PROHIBITED.

It shall be unlawful for any person, after the water has been turned off for failure to pay the water bill, to turn the water on at the meter or to bypass the meter or in any manner to obtain water at no cost. ~~A fee of \$350.00 will be charged (to the account holder) if evidence of tampering is found.~~ **the meter will be pulled from the premises and the consumer assessed a \$150.00 fee. Once the consumer pays any fees accrued, the consumer will be assessed another \$150.00 fee and the meter will then be reinstalled at the premises.** ('79 Code, § 5-1-17) Penalty, see § 10.99

§ 51.16 TOWN LIABILITY.

The town will not be liable for any damages that may result to consumers from the shutting off of water service for any cause ~~whatever~~ whatsoever, even in cases where no motive is given, and no deduction from bills will be made in consequence thereof. ('79 Code, § 5-1-18)

§ 51.17 ESTABLISHING UTILITY SERVICES

Customers who wish to establish water and/or sewer ~~account~~ **service** must complete a written application in person, submit to the Town of Biscoe and provide valid Government issued **photo** identification as well as a Lease Agreement or Rent Receipt, or Deposit Receipt containing the Address where service is to be connected and the Account Holder's full name. The Property

Owner information must be on the completed application. In lieu of the valid Government Issued photo identification TWO or more of the following will suffice as identification: residence permits, non-driver's government ID cards (such as SNAP cards), Proof of checking or savings accounts, birth certificate, W2s, Bills from other utility companies or credit card companies. Non-Acceptable forms of identification: Matricular Consular or Identify document issued or created by local government or private entity unless expressly authorized by the legislature.

If the Account Holder is the Property Owner, then buyer documentation must be presented at the time of application as well as the Government issued photo identification or TWO or more acceptable forms of identification identified above. If the property becomes rental property it is the Account Holder's responsibility to disconnect service so the new tenant can establish service. If the property owner establishes another account at the same address the non – refundable connection account fee will be waived but a new application for service must be completed.

§ 51.18 RATES AND CHARGES; NON-REFUNDABLE CONNECTION ACCOUNT FEE

The rates and charges for water service shall be as established by the Board, shall be due and payable monthly, and shall be collected in accordance with the provisions of this chapter. A copy of the current rates and charges shall be kept on file at all times in the office of the Clerk. ('79 Code, § 5-1-19) (Am. Ord. passed 7-14-99)

Water & Sewer			
Water & Sewer (Residential Rates)			
Inside City Limits			
	First 2000 Gallons (Minimum Charge)	\$ 12.00	Per 1000 gallons
	Each additional 1000 Gallons	\$ 5.50	Per 1000 gallons
	Sewer	100%	of water used
Outside City Limits			
	First 2000 Gallons (Minimum Charge)	\$ 22.00	Per 1000 gallons
	Each additional 1000 Gallons	\$ 11.00	Per 1000 gallons
	Sewer	100%	of water used
	NCGS 160A-314.(a)		
Water & Sewer (Commercial Rates)			
Inside City Limits	First 3000 Gallons (Minimum Charge)	\$ 34.00	
	Each additional 1000 Gallons	\$ 5.50	Per 1000 gallons
	Over 1 Million Gallons, contact Office		
	Sewer	100%	of water used
Outside City Limits	First 2000 Gallons (Minimum Charge)	\$ 55.00	
	Each additional 1000 Gallons	\$ 11.00	Per 1000 gallons
	Over 1 Million Gallons, contact Office		
	Sewer	100%	of water used
Water & Sewer Fees			
Account Fee	Water Connection - Residential Owner	\$ 50.00	
Account Fee	Water Connection - Resident - Renter	\$ 75.00	
Account Fee	Water Connection - Business	\$ 75.00	
	TIER 1 Late Fee	\$ 10.00	APPLIED BEFORE 8:30 ON 21ST

	TIER 2 Late Fee	\$ 35.00	APPLIED BEFORE 8:30 ON 1ST DAY OF MONTH
	Special Meter Reading	\$ 25.00	WILL BE REFUNDED IF NO FAULT OF CUSTOMER
	Tampering Fee Meter Pulled Fee	\$ 350.00 \$150.00	
	Meter Reinstalled Fee	\$150.00	
	Water Tap (3/4")	\$ 500.00	
	Water Tap (1")	\$ 600.00	
	Water Tap (Bore or Push)	Actual cost + 5%	
	Sewer Tap (Inside City Limits)	\$ 500.00	
	Sewer Tap (Outside City Limits)	\$ 600.00	
	Sewer Tap (Bore or Push)	Actual cost + 5%	
Planning & Zoning Fees			
	CONDITIONAL USE PERMIT	\$ 200.00	
	MAPS	\$ 1.00	
	REZONING APPLICATION	\$ 300.00	
	ZONING BOOKS	\$ 10.00	
	ZONING PERMIT	\$ 25.00	
Cemetery Prices			
Sect ion B			
	Inside City Limits Resident	\$ 230.00	Per Grave
	Outside City Limits Resident	\$ 430.00	Per Grave
Sect ion D			
	Inside City Limit s Resident	\$ 330.00	Per Grave
	Outside City Limit s Resident	\$ 730.00	Per Grave

Administration			
	COPIES PER PAGE	\$ 0.10	PER PAGE
	PUBLIC RECORDS REQUEST	\$ 0.25	PER PAGE
	NOTARY FEES	\$ 5.00	PER SIGNATURE
	RETURN CHECK/DRAFT FEE	\$ 25.00	WATER/PARK FEES, ETC.
	SEND A FAX	\$ 0.25	PER PAGE
Parks & Recreation			
	PARK RESTROOM KEY	\$ 25.00	DEPOSIT
	PICNIC SHELTER RESERVEATION FEE OVER 100 PEOPLE	\$ 1.00	PER PERSON
	PICNIC SHELTER RESERVEATION FEE 100 PEOPLE OR LESS	\$ 25.00	CIVIC CLUBS, ORGANIZATIONS & GOVERNMENT AGENCIES ARE EXEMPT FROM FEES
	SWIMMING LESSONS	\$ 30.00	FREE TO EMPLOYEES/CHILDREN
	SWIMMING POOL ADMISSION	\$ 2.00	FREE TO EMPLOYEES/CHILDREN
Police			
	FINGERPRINTS	\$ 10.00	
	WRECK REPORT FEES	\$ 5.00	
	ALL OTHER POLICE REPORTS	\$ 5.00	

- A. Each customer applying for water service shall pay a Non-Refundable ~~connection~~ **account** service charge in an amount fixed by the Board. A copy of the current service connection charge shall be kept on file at all times in the office of the Clerk. ('79 Code, § 5-1-20) (Ord. passed 7-11-94)
- B. The town shall give a one-time \$10 rebate to customers who install water-saving faucets and showerheads. (Ord. passed 9-24-01)

§ 51.19 METER READING; BILLING; COLLECTING.

- A. Meters will be read and bills rendered monthly, but the town may vary dates or length of period covered, temporarily or permanently, if necessary or ~~desirable~~.
- B. Bills for water will be figured in accordance with the rate schedule then in effect and will be based on the amount consumed for the period covered by the meter readings, but the amount payable for each month's service shall not be less than the minimum charge prescribed in the schedule of rates.
- C. Charges for service commence when the meter is installed and connection is made, whether used or not.
- D. Bills for water service are due when rendered and are delinquent at midnight on day 20. In the event the bill for water service is not paid in 20 days after it was rendered, a penalty will be added before 8:30 am on day 21 and will be paid by the customer. Unless day 21 falls on a Saturday, Sunday, or Holiday in which the Town Hall is closed. The penalty will then be assessed on the following business day. In the event the bill for water service is not paid on the last day of the month a second tier penalty will be added and will be paid by the customer in an amount set forth on the most current fee schedule located in the office of the Town Clerk. Unless the last day of the month falls on a Saturday, Sunday, or Holiday in which the Town Hall is closed. The Penalty will then be assessed on the following business day. **It is the policy of the town to discontinue utility service to customers by reason of nonpayment of bills on the fifth day of the month for the amount of the previous month and any fees incurred unless the fifth day of the month falls on a Thursday, Friday, Saturday, Sunday, or Holiday in which the Town Hall is closed. Disconnection will then occur on the following business day.**
- E. Reading from different meters will not be combined for billing, irrespective of the fact that such meters may be for the same or different premises, or for the same or different customers, or for the same or different services.
- F. No second notice will be sent.
- G. Failure to receive bills mailed or notices shall not prevent the bills from becoming delinquent nor relieve the customer from payment. ('79 Code, § 5-1-21) (Ord. passed 3-11-96)

§ 51.20 DISCONNECTION FOR LATE PAYMENT.

(A) It is the policy of the town to discontinue utility service to customers by reason of nonpayment of bills on the ~~first~~ **fifth** day of ~~the~~ month for the amount of the previous month and any fees incurred **unless the fifth day of the month falls on a Thursday, Friday, Saturday, Sunday, or Holiday in which the Town Hall is closed. Disconnection will then occur on the following business day** only after notice and a meaningful opportunity to be heard on disputed bills. The town's form for application for utility service and all bills shall contain, in addition to the title, address, room number, and telephone number of the official in charge of billing, clearly visible and easily readable provisions to the effect:

- (1) That all bills are due and payable on or before the date set forth on the bill; and
- (2) That if any bill is not paid by or before that date, service will be discontinued for nonpayment; and
- (3) That any customer disputing the correctness of his bill shall have a right to a hearing at which time he may be represented in person and by counsel or any other person of his choosing and may present orally or in writing his complaint and contentions to the town official in charge of utility billing. This official shall be authorized to order that the customer's service not be discontinued

and shall have the authority to make a final determination of the customer's complaint.

(B) Requests for delays or waiver of payment will not be entertained; only questions of proper and correct billing will be considered. In the absence of payment of the bill rendered or resort to the hearing procedure provided herein, service will be discontinued at the time specified, but in no event until the charges have been due and unpaid for at least 30 days.

(C) When it becomes necessary for the town to discontinue utility service to a customer for nonpayment of bills, service will be reinstated only after all bills for service then due have been paid.

§ 51.21 UNPAID BALANCES

Any balance owed to the Town of Biscoe must be paid prior to beginning service at a new address or the same address, otherwise, The Town of Biscoe reserves the right to reject service to the applicant. Customers with multiple accounts are subjected to any unpaid Town of Biscoe balance (s) being transferred to another Town of Biscoe account. The balance transfer may cause the new account to be disconnected if payment is not received.

§ 51.22 SUSPENSION OF SERVICE VOLUNTARY OR OTHERWISE.

(A) It is the account holder's responsibility to discontinue service by coming to the Town Hall and requesting service disconnected. The account holder will complete a Disconnect of Service agreement. If an account holder fails to properly disconnect service any and all bills accumulated in the account holder's name will be the sole responsibility of the account holder for three billing cycles to end on the 1st day of the third month after payment has not been made. At this point service will be discontinued by the Town of Biscoe and a letter will be sent to the account holder at the last address available.

(B) Upon discontinuance of service for nonpayment of bills. The town will proceed to collect the balance in any way provided by law for the collection of debts.

(C) Service discontinued for nonpayment of bills will be restored only after all bills currently due are paid in full.

(D) Once a tenant provides notice that he or she will be terminating service, the property owner or new tenant must come in person to begin service; otherwise, the connection will remain off.

(E) The town reserves the right to discontinue water service without notice for any one or more of the following additional reasons:

- (1) To prevent fraud or abuse;
- (2) Customer's willful disregard of the town's rules and regulations;
- (3) Emergency repairs;
- (4) Insufficiency of supply due to circumstances beyond the town's control;
- (5) Legal process;
- (6) Direction of public authorities;
- (7) Strike, riot, fire, flood, accident or any unavoidable cause.

(F) The town may, in addition to prosecution by law, permanently refuse service to any consumer who tampers with a meter or other measuring device. ('79 Code, § 5-1-22)
(Am. Ord. passed 7- 11-94)

§ 51.23 RECONNECTION OF SERVICE

Once disconnected for non-payment, the customer must pay the total balance owed on the account to ~~include the current month's bill.~~

If a different customer requests service at an address that has been disconnected for non-payment, at least one of the following requirements must be met in addition to those detailed in other sections of this Ordinance.

1. Customer must provide copy of valid Lease Agreement or Deed to the Property with the customer's name listed on the document provided; or
2. If no Lease Agreement exists, the customer must provide a notarized letter containing the Property Owner's signature signifying that the tenant is authorized to begin service at the specific address requested.
3. No reconnections will be made after normal business hours.

§ 51.24 Adjustments due to Over Billing or Under Billing

The Town of Biscoe will collect any deficiencies in utility payments due to under billing for a maximum period of twelve months.

The Town of Biscoe will refund or apply a credit to an account any excess money collected in utility payments due to overbilling in accordance with the current North Carolina General Statute.

§ 51.25 Leak Adjustments

The purpose of this section is to provide for a credit adjustment to sewer account ONLY of a customer who has experienced a loss of metered water as a result of conditions beyond normal and reasonable control of the customer or other parties responsible for the use, care, and maintenance of the metered water system.

All metered water lost due to negligence on the part of the user will be charged at the normal rate and no adjustment of the bill will be made.

If the customer believes his bill to be in error, he shall present his claim, in person, at The Town of Biscoe before the bill becomes delinquent. Such claim, if made after the bill has become delinquent, shall not be effective in preventing discontinuance of service as heretofore provided. The consumer may pay such bill under protest and said payment shall not prejudice his claim.

The Town of Biscoe will make special meter readings at the request of the consumer for a fee of \$25.00 provided, however, that if such special reading discloses that the meter was over read, or in error in any way, the fee will be refunded.

Conditions

It is the customer's responsibility to promptly discover and immediately repair the cause of any unusual situation or condition that may result in loss of metered water. There must be no evidence of undue delay by the customer in stopping the water loss and in making repairs.

Customer Responsibility

1. The customer must be able to provide reasonable evidence of the type of loss and the period of time the loss occurred;
2. The customer must show that the loss was of a nature that was not foreseeable and controllable

- in the course of customary and prudent use and care of the metered water system;
3. The customer must show that diligent effort was made to stop the flow of water to minimize the loss in a timely manner;
 4. The customer must show that permanent repairs have been made to prevent a recurrence.

Adjustment Procedure

1. Customer must submit a written request for an adjustment and a copy of the repair bill, if applicable, within two months of the occurrence. Once received, the Town of Biscoe will evaluate the information provided as to the applicability of an adjustment under this ordinance.
2. The customer shall provide a completed Leak Adjustment Application Form and documentation, in the form of receipts or a completed No Receipt Available Form, showing that the leak has been repaired. No adjustment will be granted if the customer fails to provide the required forms or documentation.
3. The customer's adjustment will be an average of the previous six (6) months of water service, which will be divided by two (2) and then become the sewer part of the water bill for the month of adjustment.
4. If the customer has had water service for less than six (6) months, the average will be taken on the months available.
5. Only one (1) leak adjustment will be allowed within a one-year period.
6. The Utility customer must have water and sewer service, adjustments to the water portion of the bill are not allowed under this policy.
7. Adjustments can be applied to two (2) consecutive billing periods if the water loss occurred over two consecutive billing periods. Insert Utility Leak Adjustment Here.

§ 51.26 RETURNED PAYMENTS

A Returned check Fee as approved by the Board of commissioners in the current fiscal year fee schedule will be applied to all returned payments, including but not limited to automatic bank drafts, electronic check payments and written checks. If the returned payment makes the accounts more than ten (10) days delinquent, the account will be disconnected without further notice. Once disconnected for returned check payment, the reconnection procedure is the same as those accounts disconnected for non-payment.

If the returned payment is the non-refundable connection fee payment for beginning service, the account will be disconnected without further notice. Once disconnected for returned check payment, the reconnection procedure is the same as those accounts disconnected for non-payment.

If an account holder has three (3) returned checks or bank drafts the account will be set to CASH ONLY and no other form of payment will be accepted. ANY Checks attempted to be paid on the account will not be posted. They will be returned to the address on file.

§ 51.27 WATER SUPPLY PLAN.

- A. The water supply plan entitled *Biscoe Water Supply Plan* dated August 11, 2000, is hereby approved and shall be submitted to the Department of Environment and Natural Resources, Division of Water Resources.
- B. The Board of Commissioners intends that this plan shall be revised to reflect changes in relevant data and projections at least once every five years or as otherwise requested by the Department, in accordance with the statute and sound planning practice.
(Ord. passed 10-9-00)

CHAPTER 52: SEWERS

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GENERAL PROVISIONS

§ 52.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

(BIOCHEMICAL OXYGEN DEMAND). The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20°C, expressed in parts per million by weight.

BUILDING DRAIN. 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 five feet outside the inner face of the building wall.

BU/WING SEWER. The extension from the building drain to the public sewer or other place of disposal.

GARBAGE. Solid wastes from the preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.

INDUSTRIAL WASTES. The liquid wastes from industrial processes as distinct from sanitary sewage.

NATURAL OUTLET. Any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.

OFFENDING PARTY. The owner, person or tenant to whom the Superintendent has duly delivered a notice of violation of any provision of this chapter.

PERSON. Any individual, firm, company, association, society, corporation, or group.

pH. The logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution. A stabilized *pH* will be considered as a *pH* which does not change beyond the specified limits when the waste is subjected to aeration under test. A *pH* value indicates the degree of acidity or alkalinity.

PROPERLY SHREDDED GARBAGE. The wastes from the preparation, cooking, and dispensing of food that have been shredded to such degree that all particles will be carried freely under

the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch in any dimension.

SEWAGE. A combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and storm waters as may be present.

SEWAGE TREATMENT PLANT. Any arrangement of devices and structures used for treating sewage.

SEWAGE WORKS. All facilities for collecting, pumping, treating, and disposing of sewage.

SEWER. A pipe or conduit for carrying sewage.

- (1) *COMBINED SEWER.* A sewer receiving both surface run-off and sewage.
- (2) *PUBLIC SEWER.* A sewer in which all owners of abutting properties have equal rights and is controlled by public authority.
- (3) *SANITARY SEWER.* A sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.

STORM SEWER or *STORM DRAIN.* A sewer which carries storm and surface waters and drainage but excludes sewage and polluted industrial wastes.

SURCHARGE WASTEWATER RATE. The additional user charge billed in addition to the normal user rate for discharge of wastewater with concentrations expressed in parts per million by weight, greater than those limits established in §§ 52.47 through 52.51.

SUPERINTENDENT. The Superintendent of Public Works, or sewage works or his authorized representative or such person or persons as may be designated by the Town Board.

SUSPENDED SOLIDS. Solids that either floats on the surface of, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.

TOTAL KJEWahl NITROGEN. The total of organic and ammonia nitrogen expressed in parts per million by weight.

WATERCOURSE. A channel in which a flow of water occurs, either continuously or intermittently. (Ord. passed 10-9-89)

§ 52.02 USE OF PUBLIC SEWERS REQUIRED.

- (A) It shall be unlawful for any person to place, deposit, or permit to be deposited in an unsanitary manner upon public or private property within the town or in any area under the jurisdiction of the town, any human or animal excrement, garbage, or other objectionable waste.
- (B) It shall be unlawful to discharge to any natural outlet within the town, or in any area under the jurisdiction of the town any sanitary sewage, industrial wastes, or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this chapter.

- (C) 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.
- (D) The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purpose, situated within the town and abutting on any street, alley or right-of-way in which there is now located or may in the future be located a public sanitary or combined sewer of the town, is hereby required at his 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 chapter, within 90 days after date of official notice to do so, provided that the public sewer is within 100 feet of the property line. (Ord. passed 10-9-89) Penalty, see § 10.99

§ 52.03 TAMPERING WITH WASTEWATER FACILITY PROHIBITED.

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 municipal sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct. (Ord. passed 10-9-89) Penalty, see § 10.99

§ 52.04 REQUEST FOR SEWER SERVICE OUTSIDE OF CITY LIMITS.

Whenever a request is received for sewer service from someone whose residence or business is located outside city limits, the Superintendent of Public Utilities will take the request in writing to the Board of Commissioners at their next regular meeting for a decision on whether to authorize a sewer hookup to the town's sewer system. (Ord. passed 7-10-00)

PRIVATE WASTEWATER DISPOSAL

§ 52.15 PRIVATE WASTEWATER DISPOSAL FOR BUILDINGS.

Where a public sanitary or combined sewer is not available under the provisions of § 52.02(0), the building sewer shall be connected to a private sewage disposal system complying with the provisions of this subchapter. (Ord. passed 10-9-89) Penalty, see § 10.99

§ 52.16 PERMIT REQUIRED.

- (A) Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the Superintendent. The application for such permit shall be made on a form furnished by the town, which the applicant shall supplement by any plans, specifications and other information as are deemed necessary by the Superintendent. A permit and inspection fee shall be paid to the Town Clerk at the time the application is filed. The amount of the fee shall be posted in the office of the Superintendent.
- (B) A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Superintendent. He shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the Superintendent when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within 48 hours of the receipt of notice by the Superintendent. (Ord. passed 10-9-89) Penalty, see § 10.99

§ 52.17 COMPLIANCE WITH DEPARTMENT OF PUBLIC HEALTH.

The type, capacities, location, and layout of a private sewage disposal system shall comply with all recommendations of the Department of Public Health of the state. No permit shall be issued for any private sewage disposal system employing subsurface soil absorption facilities where the area of the lot is less than 15,000 square feet. No septic tank or cesspool shall be permitted to discharge to any public sewer or natural outlet. (Ord. passed 10-9-89) Penalty, see § 10.99

§ 52.18 CONNECTION TO PUBLIC SEWER.

At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in § 52.17, a direct connection shall be made to the public sewer in compliance with this chapter, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned and filled with suitable material. (Ord. passed 10-9-89) Penalty, see § 10.99

§ 52.19 OPERATION AND MAINTENANCE.

The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the town. (Ord. passed 10-9-89)

§ 52.20 ADDITIONAL REQUIREMENTS.

No statement contained in this subchapter shall be construed to interfere with any additional requirements that may be imposed by the Health Officer. (Ord. passed 10-9-89)

BUILDING SEWERS AND CONNECTIONS

§ 52.30 INTERFERENCE WITH PUBLIC SEWER SYSTEM; PERMIT REQUIRED.

No unauthorized person 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 Superintendent. (Ord. passed 10-9-89) Penalty, see § 10.99

§ 52.31 BUILDING SEWER PERMITS.

There shall be two classes of building sewer permits; for residential and commercial service, and 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 town. 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 for a residential, commercial, or industrial building sewer permit shall be paid to the Town Clerk at the time the application is filed. The amount of the fee shall be posted in the office of the Superintendent. (Ord. passed 10-9-89)

§ 52.32 COST OF INSTALLATION.

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 town from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer. (Ord. passed 10-9-89)

§ 52.33 SEPARATE SEWERS FOR SINGLE BUILDINGS.

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, court, yard, or

driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

(Ord. passed 10-9-89)

§ 52.34 EXISTING BUILDING SEWERS.

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 chapter.

(Ord. passed 10-9-89)

§ 52.35 SPECIFIC REQUIREMENTS.

- (A) The building sewer shall be cast iron soil pipe ("No-Hub"); PVC plastic sewer pipe, ASTM specification D3034, SDR 35, or other suitable material approved by the Superintendent. Joints shall be tight and waterproof. Any part of the building sewer that is located within ten feet of a water service pipe shall be constructed of cast iron soil pipe. Cast iron pipe may be required by the Superintendent where the building sewer is exposed to damage by tree roots. If installed in filled or unstable ground, the building sewer shall be of cast iron soil pipe, except that non-metallic material may be accepted if laid on a suitable concrete bed or cradle as approved by the Superintendent.
- (B) The size and slope of the building sewer shall be subject to the approval of the Superintendent, but in no event shall the diameter be less than six inches. The slope of such six-inch pipe shall not be less than one-eighth inch per foot.
- (C) Whenever possible the building sewer shall be brought to the building at an elevation below the basement floor. No building sewer shall be laid parallel to or within three feet of any bearing wall, which might thereby be weakened. The depth shall be sufficient to afford protection from frost. The building sewer shall be laid at uniform grade and in straight alignment insofar as possible. Changes in direction shall be made only with properly curved pipe and fittings.
- (D) In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such drain shall be lifted by approved artificial means and discharged to the building sewer.
- (E) All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the Superintendent. Pipe laying and backfill shall be performed in accordance with ASTM specification C12-19 except that no backfill shall be placed until the work has been inspected.
- (F) All joints and connections shall be made gastight and watertight.
 - (1) "No-Hub" cast iron soil pipe joints shall consist of a neoprene gasket and stainless-steel clamp and shield. PVC plastic sewer pipe joints shall be either solvent cement or elastomeric gasket joints.
 - (2) Other jointing materials and methods may be used only by approval of the Superintendent
- (G) The connection of the building sewer into the public sewer shall be made at the "Y"

branch, if such branch is available at a suitable location. If the public sewer is 12 inches in diameter or less, and no properly located "Y" branch is available, the owner shall at his expense install a "Y" branch in the public sewer at the location specified by the Superintendent. Where the public sewer is greater than 12 inches in diameter, and no properly located "Y" branch is available, a neat hole may be cut into the public sewer to receive the building sewer, with entry in the downstream direction at an angle of about 45°. A 45° elbow may be used to make such connection, with the spigot end cut so as not to extend past the inner surface of the public sewer. The invert of the building sewer at the point of connection shall be at the same or at a higher elevation than the invert of the public sewer. A smooth, neat joint shall be made, and the connection made secure and watertight by encasement in concrete. Special fittings may be used for the connection only when approved by the Superintendent (Ord. passed 10-9-89)

§ 52.36 SUPERINTENDENT TO INSPECT SEWERS.

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. (Ord. passed 10-9-89)

§ 52.37 EXCAVATIONS.

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 town. (Ord. passed 10-9-89)

USE OF PUBLIC SEWERS

§ 52.45 DISCHARGE OF UNPOLLUTED WATER.

No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, subsurface drainage, cooling water or unpolluted industrial process waters to any sanitary sewer. (Ord. passed 10-9-89) Penalty, see § 10.99

§ 52.46 STORM SEWERS.

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, upon approval of the Superintendent, to a storm sewer, combined sewer or natural outlet. (Ord. passed 10-9-89)

§ 52.47 PROHIBITED DISCHARGES WASTES.

Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:

- (A) Any liquid or vapor having a temperature higher than 135°F.
- (B) Any water or waste which may contain more than 100 parts per million, by weight, of fat, oil or grease.
- (C) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.
- (D) Any garbage that has not been properly shredded.

- (E) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastic, wood, paunch manure, or any other solid or viscous substance in sufficient quantity to cause or substantially contribute to obstruction of the flow in sewers or cause other interference with the proper operation of the sewage works.
- (F) Any waters or wastes having a stabilized pH, as defined in § 52.01, lower than 6.0 or higher than 9.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
- (G) Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any hazard to humans or animals, or create any hazard in the receiving waters of the sewage treatment plant.
- (H) Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant.
- (I) Any noxious or malodorous gas or substance capable of creating a public nuisance.
- (J) Since the intent of this section is to protect the sewerage system of the town while treating as such of the industrial waste of the town as practicable, the Superintendent shall have the authority to waive the provisions of divisions (A), (B), (C), (D), (E), (F), (G), and (I) when he determines that the quantity of the waste discharged by any person is so small in relation to the overall flow into the town system as to make the offending characteristics of the waste negligible. The waiving of the provisions at one time shall not prohibit the enforcement of these same provisions at a later date when the cumulative effect of the discharge from several industrial establishments and businesses may become detrimental to the sewerage system. Waivers contained in this section shall be subject to the approval of the Board of Commissioners.
- (K) Any change of regulations or treatment standards imposed on the town by the state will in turn be passed along to the industrial waste discharger. (Ord. passed 10-9-89) Penalty, see § 10.99

§ 52.48 GREASE, OIL AND SAND INTERCEPTORS.

- (A) Grease, oil and sand interceptors shall be provided, except that such interceptors shall not be required for private living quarters or 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.
- (B) Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight, and equipped with easily removable covers which when bolted in place shall be gastight and watertight.
- (C) Where installed, all grease, oil and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times.
(Ord. passed 10-9-89) Penalty, see § 10.99

§ 52.49 CERTAIN WATERS TO BE APPROVED BY SUPERINTENDENT.

The admission into the public sewers of any waters or wastes having (1) a five-day biochemical oxygen demand greater than 300 parts per million by weight, or (2) containing more than 350 parts per million by weight of total suspended solids, or (3) containing any quantity of substances having the characteristics described in § 52.47, or (4) a chemical oxygen demand greater than 1,000 parts per million by weight, or (5) a Total Kjeldahl Nitrogen greater than 40 parts per million by weight shall be subject to the review of the Superintendent. When the Superintendent makes a determination that it is necessary, the owner shall provide, at his expense, such preliminary treatment as may be necessary to, (1) reduce the biochemical oxygen demand to 300 parts per million, the total suspended solids to 350 parts per million by weight, reduce the chemical oxygen demand to 1,000 parts per million, and reduce the Total Kjeldahl Nitrogen greater than 40 parts per million by weight, or (2) reduce objectionable characteristic or constituents to within the maximum limits provided for in § 52.47, or (3) control the quantities and rates of discharge of such waters or wastes. Plans, specifications and any other pertinent information relative to proposed preliminary treatment facilities shall be submitted for the approval of the Superintendent and of the State Department of Water and Air Resources, and no construction of such facilities shall be commenced until the approvals are obtained in writing. (Ord. passed 10-9-89)

§ 52.50 PRELIMINARY TREATMENT FACILITIES.

Where preliminary treatment facilities are provided for any waters or wastes, they shall be maintained continuously in safe and effective operation. In the event such treatment facilities malfunction or cease to operate for any reason, the owner shall give immediate notice of such condition to the Superintendent.
(Ord. passed 10-9-89)

§ 52.51 STORAGE TANKS; CONTROL MANHOLE.

A) *Storage tanks.* In order to promote equalization of flows, it shall be the responsibility of each person discharging a waste into the town's sanitary sewers having the following average daily volumes over a period of his normal work week shall construct and maintain at his own expense a suitable storage tank, reservoir or pond of the corresponding minimum volumes:

Volume of Waste Discharged Average Gallons Per Day	Minimum Volume of Storage Tank In Percentage of Daily Volume of Waste Discharged
0 to 2,000.....	0%
2,001 to 50,000	50%
50,001 to 200,000	100%
200,001 to 750,000.....	150%
750,001 and above	200%

- (1) Such storage tank shall have its outlet to the sewer controlled by an approved device, the setting of flow rates being as directed by the Superintendent.
- (2) Storage tank requirements may be waived by the Superintendent in cases where a constant rate of flow is discharged provided:
 - (a) That the normal operating day extends over a 24-hour period and the rate of waste flow and character of load discharged is such that in the determination of the Superintendent the installation of a storage tank would not improve sewer treatment plant loading conditions.
 - (b) That all other requirements of this chapter are fulfilled or where the character of waste

when held for the period of time indicated would not be detrimental to operation of the town's sewerage system.

- (B) Control manhole. Any person discharging industrial wastes into the town's sanitary sewers shall construct a suitable control manhole, downstream from any treatment, storage tank or other approved works, to facilitate observations, and provide means for measurements and sampling of all such wastes from the industry.
 - (1) The control manhole shall be constructed at a suitable and satisfactory location and built in a manner approved by the Superintendent. The manhole shall be installed by the person discharging the wastes at his expense and shall be maintained by him so as to be safe accessible and in proper operating condition at all times.
 - (2) A control valve shall be located downstream from any treatment, storage tank or other approved works, to facilitate control of discharge to the town's sewer system. The control valve shall be locked and controlled by the town.
 - (3) Plans for the construction of such preliminary treatment facilities, storage tanks, control manholes, interceptors, and controlling devices shall be approved by the Superintendent prior to the commencement of construction.
 - (4) Control manhole requirements may be waived by the Superintendent. A person discharging may be relieved of this requirement providing:
 - (a) That such waste meets all other requirements of this chapter, as determined by the Superintendent.
 - (b) That all such wastes are discharged through a single standard sewer manhole before entrance into the sanitary sewers.
- (C) Plans for construction. Plans for the construction of the storage tank, control manhole, interceptors and controlling devices shall be approved by the Superintendent prior to the beginning of construction. (Ord. passed 10-9-89)

§ 52.52 INTERRUPTION OF DISCHARGE.

Notices shall be given the approving authority when normal operations of the industry will be interrupted for 24 hours or longer and wastes will not be available for discharge or when a change of process is contemplated. (Ord. passed 10-9-89)

§ 52.53 METHOD FOR EXAMINATION OF WATER AND WASTEWATER.

- (A) All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in §§ 52.47 through 52.51 shall be determined in accordance with "Standard Methods for the Examination of Water and Sewage," and shall be determined at the control provided for in §§ 52.48 through 52.51, or upon suitable samples taken at the 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.
- (B) Testing shall be at a rate of five tests and analyses per month unless a violation has occurred, then the Superintendent may require testing as frequently as needed until compliance has been accomplished. The town may require daily testing to assure compliance. All testing and analyses costs shall be borne by the owner.

(Ord. passed 10-9-89)

§ 52.54 SPECIAL CONDITIONS; WAIVERS.

In the event that any sewer user is unable to comply with any provision contained in this subchapter, whether because of the physical location of the premises, the nature of his operations, conditions beyond his control, or circumstances which would render compliance unreasonable, burdensome, or impractical, or would result in an arbitrary and unreasonable taking of property, or in the closing and elimination of lawful business occupation or activity without sufficient corresponding benefit or advantage to the public, he may apply to the Superintendent for a certificate of waiver, specifying the requirement sought to be waived and setting forth in detail the reasons underlying the request. Upon receipt of such request, the Superintendent shall examine the premises and operations in question to determine whether adequate justification exists. If good cause is shown, the Superintendent may thereafter issue a certificate of waiver which sets forth the findings of fact as determined by the Superintendent with respect to the request, the grounds upon which the certificate is based, and the specific conditions and restrictions to which the continued validity of the certificate are subject including without limitations, the payment by the requesting party of such additional charges as are necessary, in the determination of the Superintendent, to compensate for the excess burden on the sewer system occasioned by the waiver. The certificate of waiver may be conditioned upon periodic review of the grounds upon which it is based, and any such certificate shall be revocable by the Superintendent for good cause at any time upon reasonable notice to party who has been granted the waiver. Nothing in this section shall be construed to modify or affect the application of § 52.66 as to the requesting party. The Superintendent shall maintain publicly at his office a file containing copies of all current certificates of waiver issued. (Ord. passed 10-9-89)

INDUSTRIAL WASTE

§ 52.65 INDUSTRIAL PERMIT APPLICATION; FEE.

Any industry desiring to discharge waste into the town's collection system shall submit an industrial sewer connection application to the Superintendent for approval. A permit and inspection fee shall be paid to the Town Clerk at the time the application is filed. The amount of the fee shall be posted in the office of the Superintendent. (Ord. passed 10-9-89) Penalty, see § 10.99

§ 52.66 INDUSTRIAL WASTE SURCHARGE.

In the event the wastewater being discharged by an industry into the town's collection system exceeds those requirements in §§ 52.47 through 52.51, the town has the option of imposing an industrial waste surcharge against the industry until the problem is corrected in lieu of not accepting the waste. If after 30 days the problem is not corrected, the town has the right to refuse further treatment of the industry's waste. (Ord. passed 10-9-89)

§ 52.67 ASSESSMENT POLICY FOR INDUSTRIAL SEWER EXTENSIONS.

The following assessment policy for future users of this industrial sewer extension will be in effect upon completion of construction:

- (A) All future connections shall be charged an assessment of \$200 for residential users and \$500 for commercial users. These charges are in addition to tap fees in effect at the time of the connection and shall be paid in full prior to connection to the sewer line.
- (B) That all revenues received from this assessment policy be used to finance future capital improvements to the town water and sewer systems in predominantly low- and moderate-income neighborhoods. (Ord. passed 9-10-90)

ADMINISTRATION AND ENFORCEMENT

§ 52.80 POWER AND AUTHORITY OF INSPECTORS.

The Superintendent and other duly authorized employees of the town bearing proper credentials and identification shall be permitted to enter upon all properties for the purposes of inspection, observation, measurement, sampling, and testing, in accordance with the provisions of this chapter. In case any inspector or inspectors are refused admittance to any premises for any such purpose or are hindered or prevented from making such examination, the water or sewer privilege shall be terminated and shall not be reinstated until free access is given and the current charge for the activation of water or sewer services is paid. (Ord. passed 10-9-89)

Water

§ 52.81 NOTICE OF VIOLATION.

In the event that the Superintendent determines that any person is violating or has violated any provision of this chapter except § 52.65, the Superintendent shall serve such person with a written notice of violation setting forth the facts found by the Superintendent with respect to the violation, citing the applicable provision or provisions of this chapter, and providing a time limit of 30 days, which may be further extended by the Superintendent for good cause, for the satisfactory correction of the noted violation.

(Ord. passed 10-9-89)

§ 52.82 APPEALS; HEARING.

Any person so notified or any person aggrieved by any action of the Superintendent under these regulations may, within ten days from such notification or at any time after such grievance may arise, appeal in writing from the notice or action to the Sewer Committee appointed by the Board of Commissioners or such professional agency as may be agreed upon by the Sewer Committee and the alleged violator. Upon receipt of such appeal, the Sewer Committee or its designated agency shall grant a hearing within 14 days. Within a reasonable time after such hearing, the Sewer Committee, or its designated agency shall issue a memorandum outlining its findings and may modify, continue or revoke the notice of violation or action of the Superintendent, provided, however, that the Sewer Committee or its designated agency shall not take any inconsistent action with this chapter or any standards established by the State Board of Water and Air Resources.

(Ord. passed 10-9-89)

§ 52.83 DISCONTINUANCE OF SERVICE.

Failure of any person to comply with the notice provided for in § 52.80 in accordance with the provisions of this chapter shall be cause for the discontinuance of sewer or water services to the offending person and the offending person shall be guilty of misdemeanor and upon conviction thereof shall be fined an amount equal to damages incurred by the town. (Ord. passed 10-9-89)

APPENDIX A: SUMMARY FOR INDUSTRIAL USERS

The following is a summary of the town's sewer use chapter identifying items applicable to industrial users. This does not relieve an industry from complying with the town's sewer chapter in entirety.

- (1) No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, subsurface drainage, cooling water or unpolluted industrial process waters to any sanitary sewer without approval of the Superintendent.
- (2) Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:
- (3) Any liquid or vapor having a temperature higher than 135°F.
- (4) Any water or waste which may contain more than 100 parts per million, by weight, of fat, oil or grease.
- (5) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.
- (6) Any garbage that has not been properly shredded.
- (7) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastic, wood, paunch manure, or any other solid or viscous substance in sufficient quantity to cause or substantially contribute to obstruction of the flow in sewers or cause other interference with the proper operation of the sewage works.
- (8) Any waters or wastes having a stabilized pH lower than 6.0 or higher than 9.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
- (9) Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any hazard to humans or animals, or create any hazard in the receiving waters of the sewage treatment plant.
- (10) Any noxious or malodorous gas or substance capable of creating a public nuisance.
- (11) Any waters or waste having a five-day biochemical oxygen demand greater than 300 parts per million by weight.
- (12) Any waters or waste having a total suspended solid greater than 350 parts per million by weight.
- (13) Any waters or waste having a chemical oxygen demand greater than 1,000 parts per million by weight.
- (14) Any waters or waste having a Total Kjeldahl Nitrogen greater than 40 parts per million by weight.

(15) No person shall discharge wastewater containing in excess of:

- 0.01 mg/l arsenic
- 0.01 mg/l cadmium
- <1.00 mg/l copper
- 0.05 mg/l cyanide
- < 1.00 mg/l lead
- <1.00 mg/l mercury
- <1.00 mg/l nickel
- 0.05 mg/l silver
- 0.05 mg/l total chromium
- < 5.00 mg/l zinc
- < 1.00 mg/l total identifiable chlorinated hydrocarbons
- 0.001 mg/l phenolic compounds which cannot be removed by the city's wastewater treatment process.
- 2,000 mg/l sodium
- 10,000 mg/l sodium chloride 1,000 mg/l sulfate
- 800 mg/l chloride
- 250 mg/l formaldehyde

(16) Since the intent of this section is to protect the sewerage system of the town while treating as much of the industrial waste of the town as practicable, the Superintendent shall have the authority to waive the provisions above or allow pretreatment to meet the same.

(B) Structures required:

- (1) Grease, oil and sand interceptors shall be provided and maintained by the owner at his expense.
- (2) Where preliminary treatment facilities are provided for any waters or wastes, they shall be maintained continuously in safe and effective operation. In the event such treatment facilities malfunction or cease to operate for any reason, the owner shall give immediate notice of such condition to the Superintendent.
- (3) Equalization Basins:

<i>Volume of Waste Discharged Percentage of Daily Volume of</i>	<i>Minimum Volume of Storage Tank In Average Gallons Per Day Waste Discharged</i>
0 to 2,000	0%
2,001 to 50, 000	50%
50,001 to 200,000	100%
200,001 to 750,000	150%
750,001 and above	200%
- (4) Any person discharging industrial wastes into the town's sanitary sewers shall construct a suitable control manhole, downstream from any treatment,

storage tank or other approved works, to facilitate observations, and provide means for measurements and sampling of all such wastes from the industry.

- (5) A control valve shall be located downstream from any treatment, storage tank or other approved works to facilitate control of discharge to the town's sewer system. The control valve shall be locked and controlled by the town.
- (D) Testing by the town shall be at a rate of five tests and analyses per month unless a violation has occurred, then the Superintendent may require testing as frequently as needed until compliance has been accomplished. The town may require daily testing to assure compliance. All testing and analyses costs shall be borne by the owner.
- (E) In the event the wastewater being discharged by an industry into the town's collection system exceeds those requirements herein, the town has the option of imposing an industrial waste surcharge against the industry until the problem is corrected in lieu of not accepting the waste. If after 30 days the problem is not corrected, the town has the right to refuse further treatment of the industry's waste.
- (F) Any industry desiring to discharge waste into the town's collection system shall submit an industrial sewer connection application to the Superintendent for approval. A permit and inspection fee shall be paid to the Town Clerk at the time the application is filed. The amount of the fee shall be posted in the office of the Superintendent.
- (G) Notes:
 - (1) Biochemical oxygen demand (BOD₅): \$0.01 per 1,000 gallons water usage for every part per million by weight (p.p.m.) greater than 500 p.p.m.
 - (2) Total suspended solids (TSS): \$0.01 per 1,000 gallons water usage for every p.p.m. greater than 550 p.p.m.
 - (3) Chemical oxygen demand (COD): \$0.005 per 1,000 gallons water usage for every p.p.m. greater than 1,400 p.p.m.
 - (4) Total Kjeldahl Nitrogen (TKN): \$0.05 per 1,000 gallons water usage for every p.p.m. greater than 40 p.p.m.
 - (5) Surcharges for other materials such as heavy metals, oil and grease, sulfates, cyanide, phenols, and the like should be developed as the situation merits and should be based on actual costs incurred by the town to treat substances present in excessive concentrations.
 - (6) The town may adopt additional charges and fees which may include:
 - (a) Fees for reimbursement of costs of setting up and operating the town's

pretreatment
program;

- (b) Fees for monitoring, inspections and surveillance procedures;
- (c) Fees for reviewing accidental discharge procedures and construction;
- (d) Fees for permit applications;
- (e) Fees for filing appeals;
- (f) Fees for consistent removal (by the town) of pollutants otherwise subject to federal pretreatment standards;
- (g) Other fees as the town may deem necessary to carry out the requirements contained herein.

(2) Any change of regulations or treatment standards imposed on the town by the state will in turn be passed along to the industrial waste discharger.

(B) Surcharge wastewater rates.

BOD ₅		TSS	
Concentration in PPM	Surcharge per 1,000 gallon	Concentration in PPM	Surcharge per 1,000 gallon
300 and less	\$0	350 and less	\$0
301 - 325	0.25	351 - 375	0.25
326 - 350	0.50	376 - 400	0.50
351 - 375	0.75	401 - 425	0.75
376 - 400	1.00	426 - 450	1.00
401 - 425	1.25	451 - 475	1.25

BOD ₅		TSS	
Concentration in PPM	Surcharge per 1,000 gallon	Concentration in PPM	Surcharge per 1,000 gallon
426 - 450	\$1.50	476 - 500	\$1.50
451 - 475	1.75	501 - 525	1.75

476 - 500	2.00	526 - 550	2.00
501 and greater	See (1) below	551 and greater	See (2) below

COD		TKN	
Concentration in PPM	Surcharge per 1,000 gallons	Concentration in PPM	Surcharge per 1,000 gallons
1,000 and less	\$0	40 and less	\$0
1,001 - 1,050	0.25	41 - 50	0.50
1,051 - 1,100	0.50	51 - 60	1.00
1,101 - 1,150	0.75	61 - 70	1.50
1,151 - 1,200	1.00	71 - 80	2.00
1,201 - 1,250	1.25	81 - 90	2.50
1,251 - 1,300	1.50	91 - 100	3.00
1,301 - 1,350	1.75	101 - 110	3.50
1,351 - 1,400	2.00	111 - 120	4.00
1,401 and greater	See (3) below	121 and greater	See (4) below

Penalty, see § 10.99

APPENDIX B: INDUSTRIAL SEWER CONNECTION APPLICATION
Industrial Sewer Connection Application

To the town

The undersigned being the _____ of the property located at _____ does hereby request a permit to _____ an industrial sewer connection serving, which company is engaged in at the location.

1. A plan to the property showing accurately all sewers and drains now existing is attached hereunto as Exhibit "A."
2. Plans and specifications covering any work proposed to be performed under this permit is attached hereunto as Exhibit "B."
3. A complete schedule of all process waters and industrial wastes produced or expected to be produced at the property, including a description of the character of each waste, the daily volume and maximum rates of discharge, representative analyses, and compliance with any applicable pretreatment standard or requirements, is attached hereunto as Exhibit "C."

4. The name and address of the person or firm who will perform the work covered by this permit

5. In consideration of the granting of this permit, the undersigned agrees:

To furnish any additional information relating to the installation or use of the industrial sewer for which this permit is sought as may be requested by the local government.

1. To accept and abide by all provisions of the Sewer Use Ordinance of the local government and of all other pertinent Ordinances or regulations that may be adopted in the future.

2. To operate and maintain any pretreatment facilities as may be required as a condition of the acceptance into the wastewater disposal system of the industrial wastes involved, in an efficient manner at all times, and at no expense to the local government.

3. To cooperate at all times with the local government in their inspecting, sampling, and study of the industrial wastes, and any facilities provided for pretreatment.

4. To notify the local government immediately in the event of any accident, or other occurrence that causes discharge to the wastewater disposal system of any wastewater or substances prohibited by this permit.

Application approved and permit granted:

Date: _____ Signed _____

Application not approved and permit not granted:

Date: _____ Signed _____



Town of Biscoe
"A Dream Worth Dreaming"

Purchase Order
05282019-WS

SHIPPING ADDRESS
110 West Main St
PO Box 1228
Biscoe, NC 27209
910-428-4112

MAILING ADDRESS
110 West Main St
Biscoe, N.C. 27209
www.townofbiscoe.com
Follow us on Instagram
Follow Us on Twitter

Issued To:
Purser Central Rewinding Co
PO box 1217
Concord, NC 28026
704-786-3131 Phone 704-784-1298 FAX


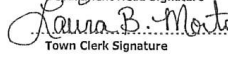
P. O. Number: 05282019-WS
Date: 5/28/2019
Authorized by: <i>ebm</i>
Budget Code: 60-7100-290
Budget Line Amount on Date of Request
Requesting Department Public Works

Federal ID # or SS# 56-1316557

W9 Received Yes No

Description	Price
Myers 4VEX250MF-23-35, 25 HP 230 VOLT 3 PHASE SOLID HANDELING PUMP WITH 4" DISCHARGE AND 35' CORD	14,350.00
FREIGHT	275.00
Subtotal	\$ 14,625.00
Sales Tax	7.00%
S&H/Delivery Fee	
Sales tax	\$ 1,023.75
Total	\$ 15,648.75

Budget Code 60-7100-290
State Sales Tax 694.69
County Sales Tax 329.06


 Department Head Signature _____ Date _____

 Town Clerk Signature _____ Date 5-29-19

Purchase order number must appear on all invoices and correspondence.

PURSER CENTRAL REWINDING CO.
CONCORD, NC 28026

Estimate

Phone # 704-786-3131	Fax # 704-784-1298	E-Mail sales@pursercentral.com
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Date 5/23/2019	Estimate # 5134
--------------------------	---------------------------

Name / Address
TOWN OF BISCOE
110 WEST MAIN STREET
BISCOE, NC 27209

Quote Expires 6/22/2019	P.O. No.	Terms NET 30 Days
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Description	Qty	Cost	Total
NURSING HOME MYERS 4VEX250M4-23-35, 25 HP 230 VOLT 3 PHASE SOLID HANDELING PUMP WITH 4" DISCHARGE AND 35' CORD	1	14,350.00	14,350.00T
FREIGHT	1	275.00	275.00T
		Subtotal	\$14,625.00
		Sales Tax (7.0%)	\$1,023.75
		Total	\$15,648.75

Purser Central Rewinding Co., Inc. Standard Terms and Conditions, including Limited Warranty Policy are available upon request.