

ORDINANCE NO. 199

AN ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS, THE INSTALLATION AND CONNECTION TO THE PUBLIC SEWER, THE DISCHARGE OF WATER AND WASTES INTO THE PUBLIC SEWER, PROVIDING FOR SEWER SERVICE CHARGES, ALLOWING SPECIAL AGREEMENTS, AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF, AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED by the City Council of the City of Bonifay, Florida:

ARTICLE I

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

Sec. 1. "BOD" (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20° C, expressed in milligrams per liter.

Sec. 2. "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.

Sec. 3. "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.

Sec. 4. "Combined Sewer" shall mean a sewer receiving both surface runoff and sewage.

Sec. 5. "Establishment" shall mean any place of industry, business, assembly, or residence, whether multiple or single-family including all buildings, structures, trailers, mobile homes, vehicles or tents, and the land appertaining thereto.

Sec. 6. "Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and the handling and storage and sale of produce.

Sec. 7. "Industrial Wastes" shall mean the liquid wastes from industrial manufacturing processes, trade, or business as distinct from sanitary sewage.

Sec. 8. "Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake, or other body of surface or groundwater.

Sec. 9. "Person" shall mean any individual, firm, company, association, society, corporation or group.

Sec. 10. "pH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

Sec. 11. "Properly Shredded Garbage" shall mean the wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow of such conditions normally prevailing in public sewers, with no particle greater than one-half ( $\frac{1}{2}$ ) inch (1.27 centimeters) in any dimension.

Sec. 12. "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

Sec. 13. "Sanitary Sewer" shall mean a sewer which carries sewage and to which storm, surface, and groundwaters are not intentionally admitted.

Sec. 14. "Septic Tank" shall mean a tank or receptacle used as a reservoir for receiving or disposing sewage wastes at a total estimated daily waste flow of less than or equal to 2,000 gallons for any one establishment. The City may be guided by the table of flows in Fla. Admin. Code Rule 10D-6. (2) (b), and any amendment thereto, when determining the total estimated daily waste flow of one establishment.

Sec. 15. "Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and stormwaters as may be present.

Sec. 16. "Sewage Treatment Plant" shall mean any arrangement of devices and structures used for treating sewage.

Sec. 17. "Sewage Works" shall mean all facilities for collecting, pumping, treating, and disposing of sewage.

Sec. 18. "Sewer" shall mean a pipe or conduit for carrying sewage.

Sec. 19. "Shall" is mandatory; "May" is permissive.

Sec. 20. "Slug" shall mean any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration of longer than fifteen (15 minutes) more than five(5) times the average twenty-four (24) hour concentration or flows during normal operation.

Sec. 21. "Storm Drain" (sometimes termed "storm sewer") shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

Sec. 22. "Superintendent" shall mean the (Superintendent of Sewage Works and/or of Water Pollution Control) of the (City) of (Bonifay), or his authorized deputy, agent, or representative.

Sec. 23. "Suspended Solids" shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.

Sec. 24. "Watercourse" shall mean a channel in which a flow of water occurs either continuously or intermittently.

Sec. 25. "User" shall mean each connection by a person to the public sewer.

## ARTICLE II

Sec. 1. Except as hereinafter provided, it shall be unlawful to construct or maintain a septic tank, private sewer system utility, or other facility intended or used for the disposal of sewage.

Sec. 2. The owner of all houses, buildings, or properties used for human occupancy, employment, recreation or other purposes, situated within the City and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary or combined sewer of the City, is hereby required 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 Ordinance, within the time period specified by written notice from the City to do so.

Sec. 3. All connections to the public sewer shall be made in accordance with the rules and regulations that shall be adopted from time to time by the City, which rules and regulations shall provide for a charge for making any connections, said charge to be termed a "connection fee" and said connection fee shall be in such reasonable amount, if any amount, as the City may fix and determine.

Sec. 4. There shall be the following exceptions to the mandatory connection requirement set forth in Article II, Section 2 above:

A. No connection or connections shall be required where said public sewer is more than one hundred feet from the property line of an owner utilizing a septic tank. Before commencement of construction of a septic tank, the owner shall first obtain a written permit from the City that finds that the use of a septic tank is within this exception and is permissible.

Sec. 5. If any owner of any lot or parcel of land within the City that does not fall within an exception to the connection requirement as outlines in Article II, Section 4, shall fail and refuse to connect with and use the facilities of the public sewer after notification by the City, as provided herein, then the City shall be authorized and shall bill said owner the base charge as defined in Article V, Section 1 A. hereinafter for each potential connection that the owner is required to, but has not, utilized.

## ARTICLE III

Sec. 1. 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 City.

Sec. 2. There shall be three (3) classes of building sewer permits: (a) For residential service, (b) for commercial service, and (c) public buildings and industrial users. In either case, the owner or his agent shall make applications on a special form furnished by the City. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent by the judgement of the City. A reasonable permit and inspection fee may be established by the City for each class of building sewer permit.

Sec. 3. All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the City from any loss or damage that may be directly or indirectly be occasioned by the installation of the building sewer.

Sec. 4. A separate and independ building sewer shall be provided for every building; except where one buildings 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.

Sec. 5. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the City, to meet all requirements of this Ordinance.

Sec. 6. The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavation, placing a pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the City.

Sec. 7. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

Sec. 8. No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.

Sec. 9. The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the City. All such connections shall be made water tight and gas tight. Any deviation from the prescribed procedures and materials must be approved by the City before installation.

Sec. 10. The applicant for the building sewer permit shall notify the City when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the City.

Sec. 11. 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 work shall be restored in a manner satisfactory to the City.

#### ARTICLE IV - DISCHARGE INTO SEWERS

Sec. 1. No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, unpolluted industrial process waters, air conditioning condensate, any discharge from any air conditioning or heating system including heat pumping, or swimming pools into any sanitary sewer.

Sec. 2. Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or natural outlets approved by the City. Industrial cooling water or unpolluted process waters shall be discharged to a storm sewer, combined sewer, or natural outlet approved by the City.

Sec. 3. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

A. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.

B. Any waters or wastes containing toxic or poisonous solids, liquids, gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant, including but not limited to cyanides in excess of two (2) mg/l as CN in the wastes as discharged to the public sewer.

C. Any waters or wastes having a pH lower than 5.5, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.

D. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc, either whole or ground by garbage grinders.

E. Any industrial waste or septic tank pump-out unless approved for discharge by the City.

Sec. 4. No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the City that such wastes can harm either the sewers, sewage treatment process, or equipment have an adverse effect on receiving stream, or can otherwise endanger life, limb, public property, or constitute a nuisance.

Sec. 4-Con't. In forming the opinion as to the acceptability of these wastes, the City will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The substances prohibited are:

- A. Any liquid or vapor having a temperature higher than one hundred fifty (150) F (65 C°).
- B. Any water or wastes containing fats, wax, grease, or oils, whether melsified or not, in excess of one hundred (100) mg/1 or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150) F (0 and 65 C°).
- C. Any grabage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the City.
- D. Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.
- E. Any waters or wastes containing iron, chromium, copper, zinc, and similiar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such a degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the City for such materials.
- F. Any waters or wastes containing phenols or other tastes or odor-producing substances, in such concentrations exceeding limits which may be established by the City as necessary, after treatment, of the composite sewage, to meeting the requirements of the State, Federal, or other public agencies of jurisdiction for such discharge to the receiving waters.
- G. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the City in compliance with applicable State or Federal regulations.
- H. Any waters or wastes having a pH in excess of 9.5 .
- I. Materials which exert or cause:
  - (1) Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).
  - (2) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).

(3) Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.

(4) Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.

J. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

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

A. Reject the wastes.

B. Require pretreatment to an acceptable condition for discharge to the public sewers.

C. Require control over the quantities and rates of discharge and/or,

D. Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of Section 10 of this Article.

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

Sec. 6. Grease, oil, and sand interceptors shall be provided when, in the opinion of the City, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; 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 City, and shall be located as to be readily and easily accessible for cleaning and inspection.

Sec. 7. Where preliminary treatment or flow-equalizing facilities are provided for any waters, or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

Sec. 8. When required by the City, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes.

Sec. 8-Con't. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the City. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

Sec. 9. All measurements, tests, and analysis of the characteristics of waters and wastes to which reference is made in this Ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb, and property. (The particular analysis involved will determine whether a twenty-four (24) hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solid analysis are obtained from 24-hr. composites of all outfalls whereas pH's are determined from periodic grab samples.)

Sec. 10. No statement contained in this Article shall be construed as preventing any special arrangement or agreement between the City and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the City for treatment, subject to payment therefore, by the industrial concern.

Sec. 11. Duly authorized employees or agents of the City bearing proper credentials and identification shall be permitted to enter all properties within the City or served by the City's public sewer system at reasonable times and in a reasonable manner for the purposes of inspection, observation, measurement, sampling and testing in accordance with the provisions of this Ordinance.

#### ARTICLE V

Sec. 1. The following charges and assessments are hereby levied and assessed by the City to be collected by the City payable through the City for services used by resident and non-resident users of the municipal sewer lines, mains and laterals for the disposal of wastewater provided by the City to those residences and commercial and industrial establishments after designated, and the said consumer shall pay for said services the sum so designated at the same time as the payment for water services shall be made as provided by the City Ordinances, of the City and which charges shall be assessed upon the water bill of all consumers and to be paid at the same time as part of said water bill, and the said consumer shall pay such charges as hereinafter set forth.

A. Each residential user shall pay a base charge independent of volume of water consumed, of \$2.00 per month and an additive charge based on metered volume of water consumed of .50 per one thousand (1,000) gallons, subject to a maximum residential billing for 15,000 gallons and minimum of 5,000 gallons monthly.



B. For purposes of determining residential sewer charges in the winter months of December through February, each user's water consumption shall be taken as that metered water volume properly billed during the current month.

C. For purposes of determining residential sewer charges in the non-winter months of March through November, each user's water consumption shall be taken as the average metered volume properly billed in the preceeding winter months (December through February).

D. For those residential user's intially served during non-winter months (March through November) for whom no prior winter consumption figures are available charges during the initial non-winter period of service shall be determined based on an estimated volume of seventy-five (75%) percent of the metered volume properly billed for the current month. Residential users are those defined as generating only domestic waste.

E. Multiple residential units that have individual meters for each unit are considered as residential users and are limited to a maximum billing of 15,000 gallons per month.

F. Each residential units that are served by a master meter shall pay proportional share of the total metered volume with maximum billing of 15,000 gallons per month per residential unit.

Sec. 2. Each commercial, public building, industrial user, which are not residential users, shall pay the following base charges. The additive charge based on metered volume of water consumed by each class per one thousand (1,000) gallons per month is as follows:

	<u>Base Rate</u>	<u>Additive Charges</u>
Industrial User/Public Building	\$ 7.75	.50/thousand gallons/month
Commercial	3.00	.50/thousand gallons/month

Sec. 2-A. For the purpose of determining additive charges for the commercial, public buildings and Industrial sewer charges, the previous monthly metered water volume shall be used, or best available information, unless Section 3 applies.

Sec. 3. In the event that the City does not furnish water to the aforesaid users, the water meter used for such unit shall be the measuring instrument unless it shall be found to be faulty or inaccurate by the City. If said meter is found to be faulty or inaccurate, or in the event that there is no meter, then the City shall estimate the wastewater rates in accord with the foregoing rate schedules; or the City may install a meter at its option and at the expense of the user; or the user, at his option, may install a meter acceptable to the City.

Sec. 4. Each user that discharges any toxic pollutants which cause an increase in the cost of managing the effluent or the sludge treatment works shall pay for such increased cost.

Sec. 5. Rates are to be adjusted annually, based on the adopted budget for the wastewater system. This annual review and adjustment shall be the result of studies that reflected any change in the proportionate contribution of wastewater flow or pollutant by any class of user. The adjusted rate or rates, whether an increase or decrease, shall be reflected in each subsequent billing period by the amount of such change. This annual review will ensure a proportional distribution of operation and maintenance and renewal and replacement, and other costs to each user including major and minor industrials, commercials, and residential users.

Sec. 6. The City may charge a reasonable late charge if the sewer bill is not paid within ten (10) days from the date same is due. A sewer bill that has not been paid within thirty (30) days from the date same is due is delinquent. The City reserves the right to use all legal remedies to collect said delinquent bill, including, but not limited to, cutting off water service and sewer service to the customer whose bill is delinquent.

Sec. 7. The City may charge a reasonable sewer security deposit.

Sec. 8. Each residential, commercial and industrial user shall pay an account charge of \$10.00 to establish an account with the City for public sewer service.

Sec. 9. Each residential, commercial and industrial user shall pay a connection charge for connection to the public sewer in the amount of \$100.00, or actual cost to the City of making such connection, whichever is greater. The following users shall be exempted from payment of a connection charge:

(a) Where there is available to any user a suitable existing sewer tap connection in a public sewer collector line adjoining the property to be served by public sewer, and

(b) When a user makes application to the City, as provided in Article III, Sec. 2 hereof, for connection to the public sewer shall pay all required fees and charges to the City within the time period specified by the written notice from the City provided in Article II, Sec. 2 hereof, in the case of new construction, at the time a user applies to the City for a building permit in accordance with the Standard Building Code.

Sec. 10. Each bulk customer shall pay a connection fee of \$200.00 or actual cost to the City of making connection of the bulk customer's private sewer system utility to the public sewer, whichever is greater.

Sec. 11. The charges provided in Section 5 of this Article shall be in addition to the permit and inspection fee provided in Article III, Sec. 2 of this Ordinance and any charges established under the Standard Building Code.

## ARTICLE VI

FAILURE TO MAINTAIN PLUMBING SYSTEM. Failure to keep the sewer pipe, i.e. the pipe leading from the plumbing system to the City's main, clean and maintained in a proper manner will give the City of Bonifay the right to cut off the water connection, which shall not be reconnected until the sewer pipe is cleaned and maintained properly. In those instances where the owner has his own private water supply, the City shall have the right to cut off such water supply to the plumbing system, and the owner shall have no right to reconnect his own private water supply until the sewer pipe leading from the plumbing system to the City Sewer main has been maintained and cleaned and in proper condition. Any violation of this provision by reconnecting his private water supply or the connection from the City's water line, until such sewer pipes are cleaned and maintained properly, shall be considered a violation of this Ordinance and subject to the penalties hereinafter provided.

## ARTICLE VII

NO SERVICE FREE. No water nor sewage disposal service shall be furnished or rendered free of charge to any person, firm, or corporation whatsoever, and each and every agency, department or instrumentality which uses either or both such service shall pay therefor at the rates fixed by this Ordinance.

## ARTICLE VIII

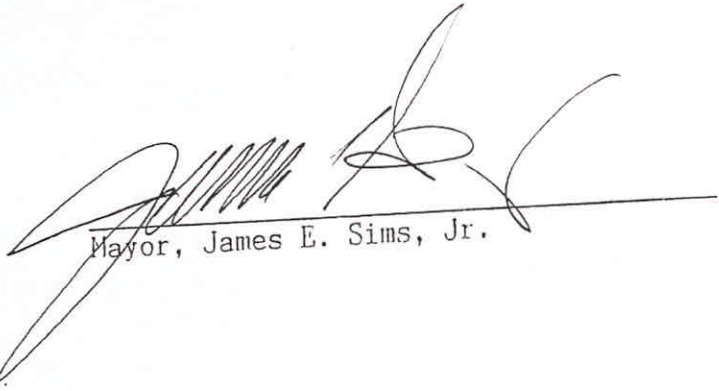
SEPARATE CONNECTIONS FOR EACH SEPARATE UNIT. Each residential unit whether occupying one or more lots and whether it shall occupy any lot or parcel jointly with any other residential unit shall be considered a separate unit for the payment of the water fees and the sewage disposal fees, and separate connections and meters will be required for each of such units.

## ARTICLE IX

PENALTIES. Any person, firm or corporation violating any of the provisions of this Ordinance shall, upon conviction thereof, for each such offense, be subject to a fine of not to exceed three hundred dollars (\$300.00) or imprisonment for not to exceed ninety (90) days, or by both such fine and imprisonment in the discretion of the County Judge. Any failure or refusal by an owner to connect to the City's presiding sewer system after notification so to do, as hereinabove provided, or any failure or refusal to pay the charges or rates hereinabove provided, shall be construed to be a violation of this Ordinance.

## ARTICLE X

All ordinances or parts of ordinances and all sections or parts of sections of this Code of Ordinance of the City of Bonifay in conflict herewith are hereby repealed.



Mayor, James E. Sims, Jr.

ATTEST:

  
City Clerk, Shirley Mitchell

Re-adopted this 27 day of July, 1992.