

CHAPTER 12

DOMESTIC AND INDUSTRIAL WASTE DISPOSAL

Article 1. Domestic and Industrial Waste Disposal Program Created

Sec. 12-1. Declaring a Public Utility and General Provisions

1. The Sanitary Sewer System of Wilburton Public Works, Latimer County, State of Oklahoma, is hereby declared to be a public utility and a proper source of revenue for the upkeep and maintenance of said Sanitary Sewer System, and for the payment of principal and interest requirements of the sinking fund, and for other purposes.
2. There is hereby established a domestic and industrial waste disposal program within the city government. It shall be the policy of the city that no person shall discharge or allow to be discharged, either directly or indirectly, from any dwelling, building or establishment under his control any effluent that would injure the health, safety, and convenience of its people and in any way jeopardize the water resources of the city.
3. This article sets forth uniform requirements for direct or indirect contributors into the wastewater collection and treatment system for the City of Wilburton and enables the City to comply with the Clean Water Act of 1977 and the General Pretreatment Regulations (40 CFR Part 403.5).

Sec. 12-2. Definitions. *[Amended 7/2008; Ord. No. 08-1059]*

For the purpose of this ordinance, certain terms and words are to be used and interpreted as defined hereinafter:

1. “ACT” means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251, et.seq.
2. “Authorized Representative of the User” means:
 - a. If the User is a corporation:
 - i. The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal function, or any other person

who performs similar policy or decision-making function for the corporation.

- ii. If the User is a partnership or a sole proprietorship; the authorized representative is a general partner or proprietor, respectively.
 - iii. If the User is a Federal, State or Local Government Facility, the authorized representative will be a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.
 - iv. The individuals described in paragraphs i. through iii. Above, may designate another authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having responsibility for environmental matters for the company, and the written authorization is submitted to the City of Wilburton.
3. “Biochemical Oxygen Demand” or “BOD” means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at 20 degrees Centigrade, usually expressed as a concentration (e.g., mg/l).
4. “CRF” means the most recent publication of the Code of Federal Regulations published by the Office of the Federal Register, National Archives and Records Administration.
5. “Domestic Sewage” means liquid wastes from any of the following sources:
- a. Preparation, cooking and/or handling of food. This applies to individual dwelling units, private living quarters, or commercial establishments, OR
 - b. Human excrement and similar matter from the sanitary conveniences of dwellings, commercial buildings, industrial facilities and institutions, OR
 - c. Any waster collected by drains located in commercial establishments that generate only floor wash down water that does not normally contact significant amounts of any substance or waster containing either toxic pollutants defined under 40 CFR Part 401.15, or oil and grease.
6. “Environmental Protection Agency” or “EPA” means the U.S. Environmental Protection Agency, or where appropriate, the Regional Water Management Division Director, or other duly authorized official or said agency.
7. “Indirect Discharge” or “Discharge” means the introduction of pollutants into a Publicly Owned Treatment Plant or “POTW”.

8. “Industrial Sewage” means wastewater that is not domestic sewage.
9. “Inflow” means water other than wastewater that enters a sewer system (includes sewer service connections) from sources such as, but not limited to, roof leaders, cellar drains, yard drains, cleanouts, area drains, drains from springs and swampy areas, manhole covers, cross connections between storm sewers and sanitary sewers, catch basins, cooling towers, stream waters, surface runoff, street wash waters, broken service lines or drainage.
10. “interference” is a discharge which, alone or in conjunction with a discharge or discharges from other sources:
 - a. Inhibits or disrupts the POTW, its treatment process or operations.
11. “National pollutant Discharge Elimination System Permit” or “NPDES Permit” means a permit issued to a POTW pursuant to Section 402 of the Act.
12. “Oil and Grease” refers to substances measured in a laboratory procedure defined in 40 CFR Part 136.
13. “Pollutant” is dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, medical wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, municipal, agricultural and industrial wastes, and certain characteristics of wastewater (e.g., pH, TOSS, turbidity, color, BOD, COD, toxicity or odor).
14. “Publicly Owned Treatment Works” or “POTW” means a treatment works as defined by Section 212 of the Act, which is owned by a State or municipality (as defined by Section 502(4) of the Act). This definition includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal, sewage or industrial wastes of a liquid nature. It also includes sewers, pipes, and other conveyances only if they convey wastewater to a POTW Treatment Plant. The term also means the municipality as defined in Section 502(4) of the Act, which has jurisdiction over the Indirect Discharges to and the discharges from such a treatment works.
15. “Storm Water” is any flow occurring during or following any form of natural precipitation and resulting from such precipitation, including snowmelt.
16. “Suspended Solids” or “TSS” means the total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and which is removable by laboratory filtering.

17. “Wastewater” is liquid and water-carried wastes and sewage from residential dwellings, commercial buildings, and institutions, whether treated or untreated, which are contributed to the POTW

18. In this Ordinance, the use of the term “shall” means a mandatory requirement. The term “may” means permissive or discretionary.



Article 2. Use of Public Sewers Required

Sec. 12-3. Human or Animal Excrement Prohibited.

It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the city, or in any area under the jurisdiction of the city, any human or animal excrement, garbage, or other objectionable waste.

Sec. 12-4. Polluted Waters Prohibited.

It shall be unlawful to discharge to any natural outlet within the city, or in any area under the jurisdiction of the city, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of the ordinance.

Sec. 12-5. Types of Facilities Prohibited.

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.

Sec. 12-6. Toilet Facilities Required.

1. Every residence or other building must connect to the city sewer system if within 300 feet of the sewer. All individuals, corporations, partnerships, etc. must obtain a sewer permit from the city plus buy from the city the tapping saddle, to make the tap. The fee for the sewer permit shall be as shown in Section 12-8.
2. Sewer lines leading to the sewer system must be of a minimum or equal requirement as schedule 40 PVC or equal rated material. All sewer lines must be a minimum of 18 inches deep. It will be up to the individual to get their own plumber to make the sewer tap and there will be an inspection by the city inspector prior to covering up the sewer tap. A clean out must be provided for each sewer connection. It shall be unlawful for any person to connect to the sewer system without the above terms. Any person violating the above terms is subject to a two hundred fifteen dollar (\$215.00) fine and will result in cutting off water service to this person.

Article 3. Private Sewage Disposal

Sec. 12-7. Connection to Private Sewage System.

Where a public sanitary or combined sewer is not available under the provisions of Section 12-6, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this article.

Sec. 12-8. Permit Required; Fees and Inspection.

1. Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the Superintendent.
2. The application for such permit shall be made on a form furnished by the city, which the applicant shall supplement by any plans, specifications, and other information as are deemed necessary by the Superintendent.
3. A permit and inspection fee of twenty-five dollars (\$25.00) for a residential or commercial building sewer permit, and twenty-five_ dollars (\$ 25.00) for an industrial building sewer permit shall be paid to the city at the time the application is filed.

Sec. 12-9. Completion of Project.

1. A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Superintendent.
2. 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.
3. The inspection shall be made within four (4) hours of the receipt of notice by the Superintendent.

Sec. 12-10. Private Systems Must Comply with State Requirements.

1. The type, capacities, location, and layout of a private sewage disposal system shall comply with all recommendations of the Department of Public Health, Oklahoma Department of Environmental Quality and the State of Oklahoma.

2. 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 6,000 square feet.
3. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

Sec. 12-11. Forced Abandonment of Private System.

1. At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Section 12-10,
 - a. a direct connection shall be made to the public sewer in compliance with this ordinance, and
 - b. any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned and filled as described in Section 12-14.

Sec. 12-12. Expense and Operation of Private System.

The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times at no expense to the city.

Sec. 12-13. Additional Requirements of Health Officer.

No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the Health Officer.

Sec. 12-14. Time for Transfer to Public System.

When a public sewer becomes available, the building sewer shall be connected to said sewer within sixty (60) days and the private sewage disposal system shall be cleaned of sludge and filled with clean bank-run gravel or dirt.

Article 4. Building Sewers and Connections

Sec. 12-15. Permit Required for Connections to System.

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.

Sec. 12-16. Classes of Permits.

1. There shall be two classes of building sewer permits:
 - a. for residential and commercial service, and
 - b. for service to establishments producing industrial wastes.
2. In either case, the owner or his agent shall make application on a special form furnished by the city.
3. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgement of the Superintendent.
4. A permit and inspection fee, as required in Section 12-8 shall be paid to the city at the time the application is filed.

Sec. 12-17. Owner to Pay Expenses.

1. All costs and expense incidental to the installation and connection of the building sewer shall be borne by the owner.
2. The owner shall indemnify the city from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

Sec. 12-18. Separate Sewer Required.

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.

Sec. 12-19. Old Sewer Systems May be Used.

Old building sewers may be used in connection with new building sewer only when they are found, on examination and tested by the superintendent, to meet all requirements of this ordinance.

Sec. 12-20. Methods for Installation.

1. The size, slope, alignment, materials, or construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of the latest edition of the BOCA Building and Plumbing Code or other applicable rules and regulations of the City. In the absence of code provisions or in amplifications thereof, the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. Manual of Practice No. 9 shall apply.
2. Where the effluent quality is non predictable or subject to unknown contaminants one of the following methods shall be used to minimize the chance of upsetting or causing discharge permit violations by the City POTW.
 - a. The industry must have a minimum of two holding tanks each with a minimum of the anticipated maximum day waste with piping and valves such that either may be isolated from the other, both on the inlets and outlets. The isolation valves shall be equal to Dysuric plug valves. The valve materials shall be compatible with the anticipated wastes. The covers of the tanks shall have an access opening for sampling for testing.
 - b. The industry must have a minimum of one sump, with a capacity of not less than 25% of the anticipated maximum day waste with a sump pump capable of pumping the contents into one of two tanks each with a capacity of not less than 50% of the anticipated maximum day waste. Valves shall be such that each tank can be emptied separately. If the discharge is by gravity then the valves shall be equal to Dysuric plug valves. The valve materials shall be compatible with the anticipated wastes.
 - c. Should the industry or the City feel that the above methods are not adequate then the industry shall meet the requirements of the Sewer Superintendent, with the approval of the City Council.

Sec. 12-21. Method for Connection to Sewer System.

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. 12-22. Restrictions on Connections.

No person shall make connection of roof downspout, exterior or interior foundation drains, area 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. 12-23. Connection Must Comply with Plumbing Code.

1. The connection of the building sewer into the public sewer shall conform to the requirements of the latest edition of the BOCA Building and Plumbing Code or other applicable rules and regulations of the city, or in the absence of code provisions or procedures then use the provisions or procedures set forth in appropriate specifications of the A.S.T.M. and the W.P.C.F. Manual of Practice No. 9.
2. All such connections shall be made gas tight and watertight.
3. Any deviation from the prescribed procedures and materials must be approved by the Superintendent before installation.

Sec. 12-24. Connection Must be Under City Supervision.

1. 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.
2. The connection shall be made under the supervision of the Superintendent or his representative.

Sec. 12-25. Protection of Public Around Excavations.

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



Article 5. Use of the Public Sewers

Sec. 12-26. Types of Water Restricted.

1. No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.
2. No user shall introduce or cause to be introduced into the City's Publicly Owned Treatment Works (POTW) any pollutant or wastewater which causes pass through or interference. These general prohibitions apply to all users of the POTW whether or not they are subject to categorical pretreatment standards or any other National, State or local pretreatment standard or requirements.

Sec. 12-27. Method for Using Public System for Restricted Water.

Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the Superintendent. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Superintendent, to a storm sewer, combined sewer, or natural outlet.

Sec. 12-28. Prohibited Discharges. *[Amended 7/2008; Ord. No. 08-1059]*

General Prohibitions. A User may not introduce into a POTW any pollutant(s) or wastewater which causes Pass Through or Interference. These general prohibitions and the specific prohibitions in this section apply to each User introducing wastewater into a POTW whether or not the User is subject to other National Pretreatment Standards or any national, state, or other Pretreatment Requirements. A User (either a domestic or non-domestic source) may not contribute the following to the POTW:

1. Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas.
2. Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process or facility, constitute a hazard to humans or animals, create a public nuisance or create any hazard in the receiving waters of sewage treatment plant effluent.
3. Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin in

amounts that will cause Interference or Pass Through;

4. Pollutants which will result in the presence of toxic gases, vapors or fumes within the POTW in a quantity that may cause acute worker health and safety problems;
5. Any septic tank waste that does not comply with all provisions listed below:
 - a. Septic tank waste may be introduced into the POTW only at locations designated by the Manager, and at such times as are established by the Manager. Such waste shall not violate the provisions by the City of Wilburton. The Manager may require septic tank waste haulers to provide copies of their state authorization to haul wastes.
 - b. No load may be discharged without prior consent of the Manager. The Manager may collect samples of each hauled load to ensure compliance with applicable standards. The Official may require the septic tank waste hauled to provide a waste analysis of any load prior to discharge.
 - c. Septic waste haulers must have available for review a waste-tracking form for every load. This form shall include, at a minimum, the name and address of the septic tank waste hauler, permit number, truck identification, names and addresses of sources of waste, and volume and characteristics of waste. The form shall identify the type of industry, known or suspected waste constituents, and whether any wastes are RCRA hazardous wastes. The Manager may require copies of the waste-tracking form.
6. Solid viscous or liquid substances in quantities or of such size as to cause or be capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works such as, but no limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and flashings, entrails, paper products such as dishes, cups milk containers, etc., either whole or ground by garbage grinders, slops, chemical residues, or bulk solids.
7. Any unusual volume of flow or concentration of wastes.
8. Any substance that may pass through the treatment plant without being effectively treated or otherwise reduced to acceptable concentrations by normal treatment methods such that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over the discharge to the receiving waters.
9. Any waters or wastes containing substances in excess of the limits established in Section 5, paragraph B.7

10. Any garbage that has not been properly shredded. The installation and operation of any garbage shredder equipped with a motor of three-fourths (3/4) horsepower (0.76 HP-metric) or greater shall be subject to review and approval of the Manager. All shredded garbage shall be flushed into the sewer system with enough water to prevent the clogging of the sewer system.
11. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits to be established by the Manager on a case by case basis in compliance with and after consultation with the appropriate regulatory agencies.
12. Any water or wastes containing excessive discoloration or causing excess discoloration of the effluent, including but not limited to dye wastes and vegetable tanning solutions.
13. Solid or viscous pollutants in amounts which will cause obstruction to the flow in the POTW resulting in Interference;
14. Any pollutant, including oxygen demanding pollutants (BOD, etc.) released in a Discharge at a flow rate and/or pollutant concentration which will cause interference with the POTW.
15. Any source of inflow.

Specific Prohibitions.

In addition, the following pollutants shall not be introduced into a POTW:

1. Pollutants which create a fire or hazard in the POTW, including but not limited to, waste streams with a closed cup flashpoint of less than 140 degrees F or 60 degrees C using the test method specified to 40 CFR 261.21;
2. Pollutants which will cause corrosive structural damage to the POTW, but in no case Discharges with pH lower than 5.0 or higher than 11.0, provided that the pH at the POTW Treatment Plant remains between 6.5 and 9.0. Should the pH at the POTW Treatment Plant at any time be below 6.5 or above 9.0, then pollutants shall not be introduced to the POTW with a pH lower than 6.5 or higher than 9.0
3. Any substance with a BOD or TSS or oil and grease concentration in amounts individually or in combination with other discharges may result in interference or pass through.

4. Any waters or wastes with total dissolved solids concentrations greater than 3,000 mg/l plus the dissolved solids in the City water supply.
5. Heat in amounts which will inhibit biological activity in the POTW resulting in interference, but in no case heat in such quantities that the temperature at the POTW Treatment Plant exceeds 29.4 degrees C(85 degrees F), or exceeds 120 degrees F at the point of discharge. Should the temperature at the POTW Treatment Plant exceed 29.4 degrees C (85 degrees F) at any time, then pollutants shall not be introduced to the POTW with a temperature that exceeds 40 degrees C (104 degrees F).
6. Hazardous wastes as defined by 40 CFR Part 261.
7. No User shall discharge wastes containing greater than the following total concentration of pollutants (includes both dissolved and suspended portions):

POLLUTANT	MONTHLY AVERAGE	DAILY MAXIMUM
	mg/l	mg/l
Cadmium	0.062	0.10
Chromium	0.460	0.75
Copper	0.070	0.11
Lead	0.230	0.47
Nickel	0.720	1.20
Silver	0.740	1.77
Zinc	0.110	0.19
Phenol	----	12.00
Oil & Grease	----	164.00

The limits specified above apply at the point of discharge to the POTW. National Pretreatment Standards apply at the end of the process generating the waste.

1. Contain more than 25 mg/l of settleable solids in a thirty (30) minute settleability test as per Standard Methods of the Examination of Water or Wastewater, latest edition.
2. Contain solids that are too large to pass a screen with 1 ½ inch openings.

Sec. 12-30. Reports of Potential Problems.

1. In the case of any discharge, including, but not limited to, accidental discharges, discharges of a non-routine, episodic nature, a non-customary batch discharge, or a slug load, that may cause potential problems for the POTW, the User shall

immediately telephone and notify the Manager of the incident. This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and corrective actions taken by the User.

2. Within five (5) days following such discharge, the User shall, submit a detailed written report describing the cause(s) of the occurrences. Such notification shall not relieve the User of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the User of any fines, penalties, or other liability which may be imposed to this Ordinance.
3. A notice shall be permanently posted on the User's bulletin board or other prominent place advertising employees whom to call in the event of a discharge described in paragraph "A" above. Employers shall ensure that all employees, who may cause such a discharge to occur, are advised of the emergency notification procedure.

Sec.12-30.1 Access for Sampling

The Manager shall be granted access at all times for purposes of observing and sampling a discharge of a User. The Manager may require that the User construct or install a structure(s) to provide access to sampling the discharge.

1. Monitoring Facilities. The City may require to provide and operate, at the User's own expense, monitoring facilities to allow inspection, sampling and flow measurement of the building sewer and/or internal drainage systems. The monitoring facility should normally be situated on the User's premises, but the City may, when such a location would be impractical or cause undue hardship on the User, allow the facility to be constructed in the public street or sidewalk area and located so that it will not be obstructed by landscaping or parked vehicles.
 - a. There shall be ample room in or near such sampling manhole or facility to allow accurate sampling and preparation of samples for analysis. The facility, sampling, and measuring equipment shall be maintained at all times in a safe and proper operating condition at the expense of the User.
 - b. Whether constructed on public or private property, the sampling and monitoring facilities shall be provided in accordance with the City's requirements and all applicable local construction standards and specifications. Construction shall be completed within ninety (90) days following written notification by the Manager.
2. Inspection and Sampling. The Manager or their duly authorized agent bearing credentials and identification; an employee of the U.S. Environmental Protection

Agency or Oklahoma Department of Environmental Quality shall have the right to enter the premises of any User to determine whether the User is complying with all requirements of this Ordinance any treatment permit or order issued hereunder. Users shall allow the Manager ready access to all parts of the premises for the purposes of inspection, sampling, and the performance of any additional duties. The Manager shall have the right to set up on the User's property such devices as are necessary to conduct sampling inspection, compliance monitoring and/or metering operations.

- a. Where a User has security measures in force which would require proper identification and clearance before entry into their premises, the User shall make necessary arrangements with their security guards so that upon presentation of suitable identification, personnel from the Manager will be permitted to enter, without delay, for the purposes of performing their specific responsibilities.
 - b. The Manager may require the User to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the User at its own expense. All devices used to measure wastewater flow and quality shall be calibrated as directed by the Manager to ensure their accuracy.
 - c. Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the User at the written or verbal request of the Manager and shall not be replaced. The costs of clearing such access shall be born by the User.
 - d. Unreasonable delays in allowing the Manager access to the User's premises shall be a violation of this Ordinance.
3. If the Manager has been refused access to a building, structure or property, or any part thereof, and is able to demonstrate probable cause to believe that there may be a violation of this Ordinance, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program of the City designed to verify compliance with this Ordinance or any permit or order issued hereunder, or to protect the overall public health, safety and welfare of the community, then the Manager may seek issuance of a search warrant from the State District Court of competent jurisdiction.

Sec. 12-30.2. Enforcement Authorities of the City.

The City retains all rights, powers, and authorities; however, the Manager shall have the

authority listed below in addition to the authority provided elsewhere in this Ordinance.

1. The Manager may require the Users of the POTW to submit necessary information about the discharge to the POTW, or appear at a meeting to discuss the status of compliance with the provisions of the Ordinance. If the User of the POTW fails to submit necessary information regarding the discharge to the POTW, or appear at the meeting with a satisfactory proposal to achieve compliance, the Manager may notify the User of the intent to terminate water and/or sewer service and set show cause hearing dates. Pursuant to the finding of the show cause hearing, the Manager may terminate water and/or sewer services.
2. Notice of Violation: When the Manager or their duly authorized agent finds that a User has violated or continues to violate any provision of this Ordinance, the Manager or the duly authorized agent may serve upon that User a written Notice of Violation. Within fifteen (15) days of the receipt of this notice an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted by the User to the Official or their duly authorized agent. Submission of this plan in no way relieves the User of liability for any violations occurring before or after receipt of the Notice of Violation. Nothing in this section shall limit the authority of the Manager to take any action, including emergency actions or any other enforcement action, without first issuing a Notice of Violation.
3. Consent Orders: The Manager may enter into a Consent Order, assurances of voluntary compliance, or other similar documents establishing an agreement with any User responsible for noncompliance. Such documents will include specific action to be taken by the User to correct the noncompliance within a time period specified by the document. Such documents shall have the same force and effect as the administrative orders issued pursuant to Sections 8.E of this Ordinance and shall be judicially enforceable.
4. Show Cause Hearing: The Manager may order a User which has violated or continues to violate any provision of this Ordinance, any provision of an industrial pretreatment permit or order issued hereunder, to appear before the Manager and show cause why the proposed enforcement action should not be taken. Notice shall be served on the User specifying the time and place for the meeting, the proposed enforcement action, the reasons for such action and a request that the User show cause why the proposed enforcement action should not be taken. The notice of the meeting shall be served personally or by registered certified mail (return receipt requested) at least fifteen (5) days prior to the hearing. Such notice may be served on any authorized representative of the User. A show cause hearing shall not be a bar against, or prerequisite for taking any other action against the User.

5. Compliance Orders: When the Manager finds that a User has violated or continues to violate any provision of this Ordinance, an order issued hereunder or any other pretreatment standard or requirement, the Manager may issue an order to the User responsible for the discharge directing that the User come into compliance within a specified time. If the User does not come into compliance within the time provided, sewer service may be discontinued after show cause hearing unless adequate treatment facilities, devices or other related appurtenances are installed and properly operated. Compliance orders also may contain other requirement to address the noncompliance, including additional self-monitoring and management practices designed to minimize the amount of pollutants discharged to the sewer. A compliance order does not relieve the User of liability for any violation, including any continuing violation. Issuance of a compliance order shall not be a bar against, or a prerequisite for taking any other action against the User.

6. Emergency Suspensions: The Manager may immediately suspend a User's discharge or discontinue water service after informal notice to the User whenever suspensions necessary to stop an actual or threatened discharge which reasonable appears to prevent or cause an imminent or substantial endangerment to the health or welfare of persons. The Manager may also immediately suspend a User's discharge, after informal notice, that threatens to interfere with the operation of the POTW, or which presents, or may present, an endangerment to the environment; or which constitutes a gross violation of this Ordinance.
 - a. Any User notified of a suspension of its discharge or discontinuation of water service, shall immediately stop or eliminate its contribution.
 - b. In the event of a User's failure to immediately comply with the suspension order, the Manager may take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW, its receiving stream or endangerment to any individuals.
 - c. The Manager may allow the User to recommence its discharge when the User has demonstrated to the satisfaction of the Manager that the period of endangerment has passed, unless the termination proceedings of this Ordinance are initiated against the User.

Sec. 12-31. Interceptors Required.

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 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. 12-32. Preliminary Treatment or Flow Equalizing Facilities Must be Maintained.

1. 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.
2. Should the initial testing show that the pH, or conductance and Chemical Oxygen Demand (COD) may be required, not meet the minimum requirements the pre treatment shall be performed to bring the waste into compliance or the waste must not be discharged into the City's sewer collection system.
3. Should the compliance problem reoccur three times within 12 months then the industry shall take corrective action as required by the City or disconnect the industrial waste connection and make other arrangements for disposal of the waste.

Sec. 12-33. Manhole Requirements.

1. When required by the City, the owner of any property served by a building sewer carrying industrial wastes shall install a suitable control manhole or holding tank(s), within a city utility easement, together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes.
2. Such manhole, when required, shall be accessible and safely located, and shall be constructed in accordance with plans approved by the City.
3. 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. 12-34. Sewer Clean-out Plugs.

1. In the event of damaged sewer lines on private property, said the property owner or occupant of said property, after having been notified of the damage by the City, fails and refuses to make or cause to be made the necessary repairs and the placing of a clean-out in said sewer line shall be violating this ordinance.

2. That all sewer line repairs on private property where there is damage causing infiltration, shall include the placing in said sewer line a sewer clean-out or tee and said repair and the placement of a sewer clean-out or tee shall be at the expense of the property owner if the sewer line is on private property.

Sec. 12-35. Installation and Repair by Licensed Plumber.

That all sewer installation and repairs shall be done by a licensed plumber in the City of Wilburton. Where there is any evidence of infiltration into said sewer line the said licensed plumber shall at the time of making any repairs cause to be placed in said private sewer line a sewer clean-out.

Sec. 12-36. Providing for Repair of Damaged Sewer Lines on Sewer Lines Connected to the City of Wilburton Sewage System and Where Said Sewer Lines are Located on Private Property.

1. It shall be unlawful for any person to damage, destroy or tamper with any pipes, meters or other equipment connected with the City Utility System and shall include any sewer lines located on private property.
2. It shall also be declared unlawful for any person or property owner to cause installation or repairs to be made to a sewer line on private property without including the placement of a clean-out on said private sewer line.
3. It shall be unlawful for any licensed plumber or any person to perform plumbing installation or repairs on sewer lines, within the City of Wilburton, to not first obtain a permit, at the City Hall from the City Clerk for the installation or repair of said private sewer line and further to place in said sewer line a Clean-out or tee.
4. It shall be unlawful for any plumber or any person to perform plumbing repairs on sewer lines within the City of Wilburton without a permit and all plumbers must be licensed by the State of Oklahoma as well as by the City of Wilburton. City permits and licenses may be obtained from the City Clerk at the City Hall during normal working hours.

Sec. 12-37. Testing Methods, Tests and Records.

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 or holding tank provided, or upon suitable samples taken at said control manhole or holding tank 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 outfall of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD, COD and suspended solids analysis are obtained from twenty-four (24) hour composites of all outfall whereas pH and conductance are determined from periodic grab samples.

Any time the isolation tanks specified in Sec. 12-20 are required, the industry shall cause the liquids to be tested for pH. Conductance and COD may be required, by the superintendent prior to discharge to show compliance with this Article.

1. Records must be kept for a minimum of one year for the following:
 - a. All required test results shall be recorded along with the date, time and tank.
 - b. The volume and time of each discharge shall be recorded.
2. The cost of all routine testing shall be borne by the industry.
3. Should there be a problem with the treatment of the industrial waste at the POTW and testing confirms that it is caused by the industry, then the industry shall pay for the testing of the involved industrial waste. In addition to the initial testing, the industry shall pay for the cost of follow up testing until the City Superintendent and Mayor are satisfied that the problems have been corrected.

Sec. 12-38. Special Agreements are Authorized.

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

Sec. 12-39. Rate Schedule for Sewer Use. *[Amended 9/2001, Ord. No. 01-1019; 6/2005, Ord. No. 05-1036; Ord. No. 09-1069, 5/2009]*

The following rates shall be in effect for domestic or average strength sewage:

1. Industrial Rates

- a. \$14.00 (minimum) First 1,000 gallons of water metered
 \$.90 per thousand gallons For the next 4,000 gallons of water metered
 \$1.00 per thousand gallons for all water metered over 4,999 gallons

1. Residential / Business Rates: For the purpose of providing funds for the payment in part of the principal and interest requirements on the Sanitary Sewer Improvement Bonds, and maintenance of the Sanitary Sewer System for the use of the Public, and for other purposes, there is hereby established a schedule of payment of fees and charges for the use of said Sanitary System of the City of Wilburton, Oklahoma, as follows:

a. Residential

- \$14.00 (minimum) First 1,000 gallons of water metered
- \$.90 per thousand gallons For the next 4,000 gallons of water metered
- \$1.00 per thousand gallons for all water metered over 4,999 gallons

b Business

- \$14.00 (minimum) First 1,000 gallons of water metered
- \$.90 per thousand gallons For the next 4,000 gallons of water metered
- \$1.00 per thousand gallons for all water metered over 4,999 gallons

Sec. 12-40. Collection.

The fee for the use of the Sanitary Sewer System shall be billed to each user monthly on the water bill, and, in the event of the failure of any user to pay said bill when the same shall become due, the City of Wilburton shall have the right to discontinue the furnishing of services of the Water and/or Sewer Systems to said user.

Article 4. Inspection and Repair of Sewer Lines

Sec. 12-41. Prohibiting Damage and Cause of Damage to Sewer Lines.

1. It shall be unlawful for any person to damage, destroy or tamper with any pipes connected with the sewer system of the City of Wilburton, or other equipment or property which is a part of the City sewer system.
2. That the said City shall cause inspections of sewer lines on private property periodically and upon discovery of any damaged sewer lines which damages cause infiltration into the sewer lines, the property owner shall be notified of said damage and shall within thirty (30) days make necessary repairs to the damaged sewer lines to such an extent to stop all infiltration.



Article 6. Protection from Damage

Sec. 12-42. Protection of System from Damage.

No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the sewage works. Any person violating this provision shall be subject to immediate arrest under the charge of disorderly conduct.



Article 7. Powers and Authority of Inspectors

Sec. 12-43. Inspectors May Enter All Properties for Inspection.

1. The Superintendent and other duly authorized employees of the city bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, record observation and copying, observation, measurement, sampling, testing, and performance of any additional duties in accordance with the provisions of this ordinance.
 - a. The Superintendent or his representatives shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper, or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.
2. Where a user has a security measures in force which require proper identification and clearance before entry into the premises, the user shall make necessary arrangements with the security so that, upon presentation of suitable identification, (the Superintendent) will be permitted to enter without delay for the purpose of performing specific duties.
3. The superintendent shall have the right to set up on the user's property such devices as are necessary to conduct sampling and/or metering of the user's operation.
4. Unreasonable delays in allowing the superintendent access to the user's premises shall be a violation of this ordinance.

Sec. 12-44. Inspectors are Responsible for Their Own Safety.

While performing the necessary work on private properties referred to in Section 12-43, the Superintendent or duly authorized employees of the city shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the city employees and the city shall indemnify the company against loss or damage to its property by city employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Section 12-33.

Sec. 12-45. Inspectors May Enter City Easements.

1. The Superintendent and other duly authorized employees of the city bearing proper credentials and identification shall be permitted to enter all private properties through which the city holds a duly negotiated easement for the purpose of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement.
2. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

Sec. 12-46. Emergency Suspensions

1. The Superintendent, with the Mayor's approval, may immediately suspend a user's discharge, after informal notice to the user, whenever such suspension is necessary to stop an actual or threatened discharge which reasonably appears to present or cause an imminent or substantial endangerment to the health or welfare of persons.
2. The Superintendent, with the Mayor's approval, may also immediately suspend a user's discharge, after notice and opportunity to respond, that threatens to interfere with operation of the POTW, or which presents or may present, an endangerment to the environment.
3. Any user notified of a suspension of its discharge shall immediately stop or eliminate its contribution.
4. In event of the user's failure to immediately comply voluntarily with the suspension order, the superintendent, with the approval of the Mayor, may take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW, its receiving stream or endangerment to any individuals.
5. The Superintendent may allow the user to recommence its discharge when the user has demonstrated to the satisfaction of the Superintendent that the period of endangerment has passed.

Article 8. Penalties

Sec. 12-47. Reasonable Time to Abate Violation.

1. Any person found to be violating any provision of this ordinance shall be served by the city with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof.
2. The offender shall, within the period of time stated in such notice, permanently cease all violations.

Sec. 12-48. Failure to Abate Violation.

1. Any person who shall continue any violation beyond the time limit provided for in Section 12-41, shall be guilty of a misdemeanor, and on conviction thereof shall be fined in the amount not exceeding two hundred fifteen dollars (\$215.00) for each violation.
2. Each day on which any such violation shall continue shall be deemed a separate offense.

O K L A H O M A 1 9 1 0



Article 9. Regulations for Collection of Garbage Refuse and Waste Materials

Sec. 12-49. General Refuse Container and Storage Requirements - for Dwellings.

It shall be the duty of every owner, tenant, lessee or occupant of any private dwelling house to comply with the following provisions pertaining to the storage of garbage and/or refuse in accordance with CHAPTER 20.



Article 10 Severability

Sec. 12-50 Severability

If any section, subsection, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

