

PART 17

UTILITIES

CHAPTER 1

GENERAL PROVISIONS

Section 17-101 Lease of systems to authority.
Section 17-102 Rules adopted, penalty.

CHAPTER 2

(RESERVED)

CHAPTER 3

WATER SERVICE

Section 17-301 Repeal of Previous Regulations
Section 17-302 Water System Power and Duties
Section 17-303 Application for Water Service
Section 17-304 Installation of Service
Section 17-305 Water Taps
Section 17-306 Meter Deposit
Section 17-307 Application of Deposit
Section 17-308 Previous Service-Outstanding Balance
Section 17-309 Ownership of Meters
Section 17-310 Water Rates Inside City Limits
Section 17-311 Water Rates Outside City Limits
Section 17-312 Billing Due Date and Payment of Bill
Section 17-313 Delinquency - Termination of Service
Section 17-314 Late Payment Charge
Section 17-315 Deferred Payment
Section 17-316 Non-Payment charge
Section 17-317 Returned Check charge
Section 17-318 Meter Testing Charge
Section 17-319 Failure to Receive a bill
Section 17-320 Hardship
Section 17-321 Turning on water
Section 17-322 Unauthorized Water usage
Section 17-323 Interference with Fire Hydrants
Section 17-324 Tampering with water System
Section 17-325 Water stoppage
Section 17-326 Discontinue water service
Section 17-327 Water shortage
Section 17-328 Customer Maintenance of Pipes

Section 17-329 Inspection of Private Premises
Section 17-330 Utility Deposit-Refund Notice Forfeiture
Section 17-331 Municipal Programs Mosquito Control and Street Light Program
Section 17-332 Utility Capital Improvement Fee
Section 17-333 Department of Environmental Quality Public Water Supply Construction Standards

SEWER SERVICE

Section 17-400 Sanitary Sewer Service
Section 17-405 Sewer Tap
Section 17-407 Billing Due Date and Payment of bill
Section 17-408 Clean Water Act
Section 17-409 Sewer Rates Outside City Limits
Section 17-410 Department of Environmental Quality Water Pollution Control Facility Construction Standards

CHAPTER 5

SANITATION

Section 17-500 Sanitation Policy
Section 17-501 Receptacles and Materials
Section 17-502 Placement-Collection
Section 17-503 Bulky Materials
Section 17-504 Materials not to be placed in Receptacles
Section 17-505 Unauthorized Use
Section 17-506 Collection of bulky items Prohibited
Section 17-507 Frequency of Service
Section 17-508 Damaging Property of the City
Section 17-509 Service Fees- Residential
Section 17-510 Services Fees – Dumpsters
Section 17-511 Penalty clause

CHAPTER I

GENERAL PROVISIONS

Section 17-101 Lease of systems to authority.
 Section 17-102 Rules adopted, penalty.

SECTION 17-101 LEASE OF SYSTEMS TO AUTHORITY.

The city hereby consents and agrees to the leasing of all of the city's proprietary, revenue-producing utility properties, systems and facilities together with all and singular appurtenances and hereditaments thereto appertaining and belonging, including (without limitation by reason of express mention) all buildings and improvements now or hereafter located thereon and all fixtures now or hereafter existing thereto, together with any and all additions, enlargements, extensions and improvements thereto acquired by the city during the life of the lease for a primary term of fifty (50) years, renewable for successive like terms, to the Trustees of The Dewey Public Works Authority (a public trust of which the city is the beneficiary). The lease shall become effective as of 12:01 A.M. on the day following the date this section shall become effective. The mayor of the city hereby is authorized and directed to execute the lease upon behalf of the city as lessor, in several multiple originals, and after the same shall have been attested by the city clerk, to deliver such lease to the trustees of the authority. (Ord. No. 77-1237, 1-27-77)

SECTION 17-102 RULES ADOPTED, PENALTY.

Rules or regulations adopted by the Dewey Public Works Authority governing the utility systems or services, and as they may be amended from time to time, are hereby adopted and incorporated herein by reference. A copy of such rules and regulations are on file in the office of the city clerk. Any violation of the authority's rules or regulations shall be punishable as provided in Section 1-108 of this code.

CHAPTER 2
(RESERVED)

PART 17

CHAPTER 3

WATER SERVICE

Section 17-301	Repeal of Previous Regulations
Section 17-302	Water System Power and Duties
Section 17-303	Application for Water Service
Section 17-304	Installation of Service
Section 17-305	Water Taps
Section 17-306	Meter Deposit
Section 17-307	Application of Deposit
Section 17-308	Previous Service-Outstanding Balance
Section 17-309	Ownership of Meters
Section 17-310	Water Rates Inside City Limits
Section 17-311	Water Rates Outside City Limits
Section 17-312	Billing Due Date and Payment of Bill
Section 17-313	Delinquency - Termination of Service
Section 17-314	Late Payment Charge
Section 17-315	Deferred Payment
Section 17-316	Non-Payment charge
Section 17-317	Returned Check charge
Section 17-318	Meter Testing Charge
Section 17-319	Failure to Receive a bill
Section 17-320	Hardship
Section 17-321	Turning on water
Section 17-322	Unauthorized Water usage
Section 17-323	Interference with Fire Hydrants
Section 17-324	Tampering with water System
Section 17-325	Water stoppage
Section 17-326	Discontinue water service
Section 17-327	Water shortage
Section 17-328	Customer Maintenance of Pipes
Section 17-329	Inspection of Private Premises
Section 17-330	Utility Deposit-Refund Notice Forfeiture
Section 17-331	Municipal Programs Mosquito Control and Street Light Program

Part 17

CHAPTER 3

WATER SERVICE

Section 17-301 Repeal of Previous Regulations

1. Chapter N, Section N1 through N19a of Public Utilities and Other Enterprises - Water Service is hereby repealed.
2. All other ordinances or regulations governing City of Dewey water service are hereby repealed except those which directly concern the leasing of the water system by the Dewey Public Works Authority from the City of Dewey.

Section 17-302 Water System Powers and Duties

The water system is a public utility operated and maintained by the Dewey Public Works Authority and leased from the City of Dewey in accordance with Section 17-101 of the City of Dewey Code of Ordinances, Resolution 77-1, and Ordinances 77-1237. The water utility is supervised by the City Manager/Manager of the Dewey Public Works Authority who also serves as the City Manager of the City of Dewey. It is the responsibility of the City Manager/Manager, hereafter referred to as the "City Manager", to ensure that the water system is operated in a business-like manner and in accordance with ordinance provisions and other policies as adopted by the City of Dewey and/or the Dewey Public Works Authority, State law, and/or Federal law. Subject to such ordinances, regulations, and/or laws, the City Manager may make such reasonable regulations as to govern the water system to ensure its continued operation.

Section 17-303 Application for Water Service

1. Any person and/or business required to or desiring to obtain water service from the City of Dewey shall make an application on a form supplied by the City. The application shall include: a) name of the individual to be responsible for the payment of water service; b) social security number of the individual responsible for payment; c) name, if applicable, of the business to be served; d) address to be served; e) address, if different from the service address, to which bills are to be sent; f) a phone number where the individual responsible for service can be contacted; and g) the signature of the individual responsible for payment of water service. The City may also, if necessary, request additional information regarding the establishment of water service.
2. The person responsible for the payment of water service shall agree that he/she will abide by all ordinances, rules, policies, and/or regulations governing the water service of the City.

Section 17-304 Installation of Service

1. No private lines shall be connected or tapped to any City water line

unless a meter is installed by the City at the connection or tap.

Not more than one (1) premise may be connected to any one (1) tap. The City Manager and/or his/her designee may grant an exception to apartment complexes or mobile home parks if a master meter is requested to serve the property.

SECTION 17-305 WATER TAPS

The City reserves the right to tap existing City water lines, set water meters, and require use of City taps and meters.

Any individual or business desiring a water tap shall made said request to the City. If said request, in the City's opinion, is beneficial to the City and/or does not endanger the existing water line and/or water system, the City shall provide all materials, labor, and equipment to tap the existing water line.

The City and the individual and/or business requesting the tap shall agree to the location of the tap prior to making the tap. The City shall in no case relinquish the right to make a final determination as to the location of a water tap.

The charges for performing a water tap shall be as follows:

- a. Three-fourth (3/4) inch \$500.00 (Res. 11/15/99)
- b. One (1) inch Cost of (labor, equip. and materials) plus 15% of that amount.

In return for payment of such charge, the City shall tap the existing City water line and install a water meter. The charge shall not include the cost of the meter deposit as provided in Section 17-306. (Ordinance#201-1523;Revised 2/18/2014)

SECTION 17-306 METER DEPOSIT

In order to establish water service an applicant for water service shall be required, and pay a deposit to the City in the amount of \$100.00. This deposit only covers meters the size of three-fourths (3/4) inch and one (1) inch. (Ord. 2003-1428 as amended)(Ordinance#2017-157;8/07/2017)

- b. One and one-half inch \$100.00
- c. Three (3) inch \$200.00
- d. Four (4) inch \$300.00
- e. Six (6) inch \$500.00

SECTION 17-307 APPLICATION OF DEPOSIT

All or part of the deposit may be applied to the payment of the account of the applicant at any time the account may thereafter become delinquent.

The deposit or any portion of the deposit remaining shall be returned to the applicant when his/her water service has been discontinued and all water and other charges have been paid.

Applicants who have, each month, paid their bill in full and by the due date for a period of twenty-four (24) consecutive months shall be refunded the full amount of their deposit.

On any account that the City becomes aware that the debtor is deceased, the City shall give notice that a new application needs to replace the name of the decedent

Utilities

within thirty (30) days. In the interim, notice shall be sent in the name of the "Estate Of" the decedent. The personal representative of the estate may make application to hold the account in the "Estate Of" status during the pendency of probate.

In the event of any legal entity not desiring to make application for credit in maintaining a credit account for water or sewer service, the entity may deposit and maintain a Two Hundred and 00/00 Dollars (\$200.00) credit balance which the said entity must maintain by the 14th day of each month for continued service.

(as amended Ord. 2003-1428 2/3/02)

SECTION 17-308 Previous Service – Outstanding Balance

Any applicant requesting water service from the City of Dewey who has previously had water service and has, at the time of application, an outstanding balance on his/her previous water service must pay the outstanding balance in full in addition to the meter deposit prior to receiving new service.

SECTION 17-309 OWNERSHIP OF METERS

The City of Dewey reserves title and ownership to meters and related equipment and in no case shall ownership of said meter and equipment be passed to the customer.

SECTION 17-310 WATER RATES INSIDE CITY LIMITS

The following rates shall be charged, subject to amendments as deemed necessary by the City, for water furnished and delivered to residential, commercial, and/or industrial customers, excluding those entities which resell water, within the corporate limits of the City of Dewey:

- a. First 2,000 gallons (minimum charge) \$18.00
- b. Each additional 1,000 gallons above the \$4.32/1,000 gallons
2,000 gallon minimum

(As amended Ordinance 2004-1441, amended #2009-1489;06/21/04, amended #2014-1527;04/07/2014; amended #2019-1576 11/18/19, amended #2021-1590;04/05/2021)

2. As noted in Section 17-310 (1), the minimum monthly charge for water service for any customer within the corporate boundaries of Dewey shall be \$18.00 (eighteen dollars and no/100)

The water rates for entities which resell water sold to them by the City shall be negotiated and established by contract between the City and the entity.

SECTION 17-311 WATER RATES OUTSIDE CITY LIMITS

Water furnished and delivered to residential, commercial, and industrial customers at locations outside of the corporate limits of the City of Dewey shall have water rates set at one and one-half (1 ½) time that or rates charged to customers within the corporate limits of the City of Dewey.

Utilities

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- a. First 2,000 gallons (minimum charge) \$18.00
- b. Each additional 1,000 gallons above the 2,000 gallon minimum \$4.32/1,000 gallons

(As amended Ordinance 2004-1441, amended #2009-1489;06/21/04, amended #2014-1527;04/07/2014; amended #2019-1576 11/18/19, amended #2021-1590;04/05/2021)

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The water rates for entities which resell water sold to them by the City shall be negotiated and established by contract between the City and the entity.

SECTION 17-312 BILLING DUE DATE AND PAYMENT OF BILL

All charges for water service shall be due and payable in full on or before the first (1st) day of the calendar month following the service month in which water service was rendered and shall become delinquent if not paid on or before the tenth (10th) day of the month.

Should the tenth (10th) calendar day of the month be a Saturday, Sunday, or holiday, the payment due date shall be the first business day after the tenth (10th) day of the month.

Bills rendered when service is discontinued shall be due and payable in full at such time that the bills are presented and/or sent by United States Mail to the customer.

SECTION 17-313 DELINQUENCY-TERMINATION OF SERVICE

Should a bill not be paid in full on or before the due date as noted in Section 17-311, the bill shall be declared delinquent by the City and water service shall be subject to termination.

Once declared delinquent, the City shall provide notice to the customer by such means as determined reasonable by the City. Notice shall be provided not less than three (3) calendar days prior to the termination of service.

The notice shall provide the balance due to the City, the date of service termination, and the City phone number where a representative of the City may be contacted.

The City reserves the right to terminate service should a bill not be paid in full on or before the close of business on the date noted upon the delinquency notice.

On any account which shall fall sixty (60) days delinquent, the City shall cause termination of service. To reestablish service or establish new service, the City shall require the debtor to bring the account current and place an additional One Hundred and 00/00 Dollars (\$100.00) deposit with the City for continued or new service. (as amended Ord. 2003-1428 2/3/03)

- a. Should a bill not be paid in full on or before the due date as noted in Section 17311, the bill shall be declared delinquent by the City and water service shall be subject to termination.
- b. Once declared delinquent, the City shall provide notice to the customer by a late notice. Notice shall be provided not less than three (3) calendar days prior to the termination of service.
All services that are delinquent by the shut-off date will be terminated unless written payment arrangements have been made in accordance with the Payment Arrangement Policy section of this Ordinance.
- c. The notice shall provide the balance due to the City, the date of cut-off termination, and the City phone number where a representative of the City may be contacted.
- d. Remittance made by mail will be exempted provided that the envelope postmark is on or before the cutoff- off dated stated on the late notices.
- e. Shut Off/service disconnection fee shall result in a twenty-five dollar (\$25.00) on/off service charge levied on all accounts to which this applies. This penalty cannot be appealed or abated under any circumstances.
- f. All amounts that are delinquent as well as all on/off and reconnection surcharge fees must be paid in full before utility service will be reconnected.
- g. The City reserves the right to refuse to provide or reestablish utility service for individuals who exhibit a history of chronic delinquency with the City. Chronic delinquency is having had service

disconnected by non-payment more than three times in a calendar year; and/or placement of account on delinquency status for four or more consecutive months; and/or having written two or more non-sufficient fund checks for delinquent utility services in the past twelve months.

- h. The City reserves the right to terminate utility service, when, in the City's opinion, there is reasonable cause to believe that the customer is receiving utility service without paying therefore, or the meter(s), or other connecting apparatus have in any manner been tampered with, damaged, or suspected of damage, in such ways as to prevent the meter(s) from recording the amount of utility service consumed by the customer.
- i. The City reserves the right to terminate utility service, when, in the City's opinion, the condition of the customer's plumbing, or other appurtenance is either unsafe or unsuitable for receiving utility service, or when the customer's use of a utility service or equipment interferes with or may be detrimental to the supply of utility service by the City to any of its other customers.
- i. The City reserves the right to terminate utility service, when, in the City's opinion, it is necessary in order to prevent theft and/or fraud upon the City.
- j. The City cannot be held liable for any and all damages resulting from the disconnection of utility service.
- l. The City reserves the right to terminate service should a bill not be paid in full on or before the close of business on the date noted upon the delinquency notice.
- m. On any account which shall fall sixty (30) day's delinquent; the City shall cause termination of service. To reestablish service or establish new service, the City shall require the debtor to bring the account current and place an additional One Hundred Dollar (\$175.00) deposit with the City for continued or new service.
- n. Hardship termination deferral and reinstatement relief.
A customer that owns and resides at a residential premises which is subject to or resides at a residential premises which is subject to or has had water service termination for nonpayment, may request the deferral of termination and/or reinstatement of water service based on hardship as defined and provided in this subsection (f). "Hardship" means the documented present inability of customer and other persons owning or occupying the premises, to pay some or all of the delinquent charges without defaulting on payment of customer's other minimum reasonable and necessary living expenses, that is caused by a substantial decrease in available income and assets attributable to events that were unforeseeable or beyond customer's control, such as but not limited to, loss of or change in employment or severe health problems rendering them unable to pay their bill. To be considered, a request for deferral of water service termination or reinstatement of water service based on hardship must be in writing, signed and dated by the customer. (amended Ordinance #2016-1548; 01/19/2016)(Ordinance#2017-1556;8/07/2017)

SECTION 17-314 LATE PAYMENT CHARGE

The City shall assess on each bill not paid in full on or before the tenth (10th) day of the calendar month a late payment charge in the amount of the percent (10%) of the balance at the time the bill is declared delinquent.

SECTION 17-315 DEFERRED PAYMENT

The City Manager and/or his/her designee shall be empowered to develop payment schedules should a customer be unable to pay his/her bill.

Should a customer be unable to pay his/her bill, he/she must contact

the City prior to the tenth (10th) day of the month and request that a payment schedule be developed.

3. Should a customer not contact the City prior to the tenth (10th) day of the month to arrange a payment schedule, he/she shall pay the entire amount of the bill in order to retain water service.
4. The customer and the City may develop a payment schedule which will be documented on a form supplied by the City. This form shall include, but not be limited to, the following information: a) dates of future payment; b) amounts of future payments; and c) signature of the customer. Should the customer not comply with the agreed upon schedule of payments, termination procedures shall be initiated.
5. In no case shall the City abdicate the right to refuse a payment schedule as presented by a customer.
6. In no case shall the schedule of payments allow for less than one-half (1/2) on the total current bill amount to be paid prior to the tenth (10th) day of the current month.
7. In no case shall a customer be permitted to have more than one (1) outstanding schedule at any one time. Should a payment schedule extend into subsequent billing cycles, the customer shall not have the option of establishing other payment schedules until such time that all obligations associated with the initial payment schedule have been fulfilled. Any and all bills received by a customer, after establishing a payment schedule and until all obligations associated with the payment schedule have been fulfilled, are due and payable in accordance with Section 17-312 and are subject to any and all penalties contained within this ordinance.
8. Regardless of the development of a pay schedule with the City, the late charge identified in Section 17-314 shall remain applicable for any amount not paid by the tenth (10th) day of the month.

Section 17-316 Reconnect Fee

1. Rename Section 17-316 to Reconnect Fee
2. Once service has been terminated due to a delinquent bill, the customer shall be required to pay the bill, including any late payment charge, in full plus a reconnect fee prior to the restoration of water service.
3. Reconnect fee shall be \$25.00 per occurrence.
4. If the customer pays the amount described above after 3:30 p.m. then an additional fee of \$12.50 will be required to be paid prior to reconnecting the water service the same day. However, the customer has the option to decline this fee and have the water service restored during the next regular scheduled business day.

(Amended March 19th, 2007)

Section 17-317 Returned Check Charge

1. Any customer who pays his/her utility bill with a check which is returned from the financial institution due to, but not limited to, insufficient funds and/or closed account shall be assessed a \$25.00 fee
2. Should a customer have more than two (2) checks returned due to insufficient funds, the City will no longer accept checks from that individual; all payments for utility service shall then be made with cash, cashier's check, or money order.

Section 17-318 Meter Testing Charge

1. Any customer who doubts the accuracy of a water meter which services his/her property may request that the meter be tested.
2. If the meter is measured to be accurate within a two percent (2%) margin or error, the customer will be assessed a \$25.00 charge plus the cost of testing the meter.

Section 17-319 Failure to Receive a Bill

1. All bills for utility service shall be rendered monthly and as soon after the meter reading as is practical. The City shall exercise reasonable care in the delivery of utility bills.
2. Failure to receive a utility bill shall not relieve the customer from payment of services received within the prescribed period nor exempt him/her from the responsibility imposed for delinquency of account.

Section 17-320 Hardship

1. The City Manager shall be empowered to make adjustments on utility bills when an investigation reveals that the meter charges are excessive in comparison to previous billings due to inadvertent misfortune or inadvertent damage to a customer's pipes and plumbing.
2. In no case shall the adjustment to the utility bill be less than the largest bill during the previous twelve (12) month period.
3. In no case shall a hardship be granted if the City notified the customer of a potential water leak on his/her property and/or if any investigation reveals a violation of Section 17-327.

Section 17-321 Turning on Water

1. It is unlawful for any person to turn water onto any premises from the City water system without first notifying the City.
2. It is unlawful for any person to restore water service to a premises after service has been terminated by the City due to delinquent payment, health hazard, and any situation deemed necessary for the protection of water system.

3. All water service shall remain off until plumbing has been inspected by the Plumbing Inspector or City Engineer, all applicable fees have been paid and/or all applicable deposits have been paid to the City.
4. Any violation of this section shall be punishable as provided in Section 1-108 of the City of Dewey Code of Ordinance.

Section 17-322 Unauthorized Water Usage

1. If any customer purposely and / or maliciously connects to an existing water meter and/or tampers with his/her shut-off valve and/or water meter, he/she will be assessed a \$100.00 fee plus the cost of repairs for any damage which may have offered.
2. Any violation of this section shall be punishable as provided in Section 1-108 of the City of Dewey Code of Ordinances.

Section 17-323 Interference with Fire Hydrants

1. It shall be unlawful for any person except for city employees and members of the Dewey Fire Department to open, turn on or off, interfere with, attach any pipe or hose to, and/or connect any equipment to fire hydrant.
2. It shall be unlawful for any person to obstruct access to any fire hydrant.
3. Any violation of this section shall be punishable as provided in section 1-4-1 of this code. (Ordinance 93-1356, 1-4-1993)

Section 17-324 Tampering with Water System

1. It shall be unlawful for any person to damage, destroy, or tamper with any pipes, meters and other equipment or property which is a part of the City water system.
2. Any violation of this section shall be punishable as provided in Section 1-108 of the City of Dewey Code of Ordinances.

Section 17-325 Water Stoppage

The City shall not be responsible for any damages due to stoppage or interruption of water service.

Section 17-326 Discontinue Water Service

The City reserves the right to discontinue water service to any customer when necessary for the public welfare to conserve water, to protect life and property, and to protect the health of water system customers.

Section 17-327 Water Shortage

1. Upon determination of such an emergency exist the City Council shall pass a resolution declaring an emergency and settling out with particularity such provisions that the City Council deems appropriate in order to properly deal with such emergency. The resolution may be revised from time to time as the City Council deems appropriate.

2. The resolution authorized by Section II shall be placed specifically on the agenda prior to a meeting with notice as required by law. Substantial compliance with this section is sufficient to effect the emergency.
3. Whenever sudden or unexpected event so reduces the availability of water or water pressure as to create an immediate threat to public health or safety, the Mayor may issue an appropriate proclamation and notice of the proclamation may be given by reasonable means, including electronic means. The emergency shall be in full force and effect upon such notice; provided that if any such means is other than that required in (a) of this section, the proclamation shall be republished in accordance with (a) of this section within 24 hours of the first notice.
4. A duly proclaimed emergency shall continue and the terms of the resolution shall be in effect until such time as it is repealed by the City Council.
5. Any person aggrieved by the terms of said resolution shall have the right to present the matter to the City Manager or his designee. The City Manager or his designee may exempt such aggrieved person, wholly or in part, from compliance with the resolution order upon a showing that compliance creates an immediate threat to the person's health or safety. The decision of the City Manager or his designee may be appealed by written notice to the City Council but the terms of the resolution as to the person aggrieved shall remain in full force and effect during such appeal period.
6. Any person violating any of the restrictions or provisions contained in the resolution passed by the City Council shall be subject to the following fine scheduled: First Offense written warning; Second Offense fifty (\$50.00) dollar fine; Third offense one hundred (\$100.00) dollars; Fourth Offense two (\$200.00) hundred dollar fine; continued offenses after the fourth will be fined at two (\$200.00) hundred each; and the possibility of restricted service.
7. If designated by the City Council and the resolution declaring an emergency, the rates for household water usage shall be modified on the following basis:

<u>Charge per 1,000 gallons</u>	<u>Gallons used</u>
\$1.91	up to 7,000
\$3.40	7,001 to 8,500
\$4.25	8,501 to 10,000
\$5.10	10,001 to 12,500
\$5.95	12,501 to 15,000
\$6.80	15,001 and greater

If the above rates are implemented by resolution of the City Council, the City Manager is authorized to impose the rates effective with the normal billings dates. The rates will be enforced on the billing cycle that includes the date of such emergency declaration.

Emergency Duration shall continue and the terms of the resolution shall be in effect until such time as it is repealed by the City of Bartlesville. (Ordinance #2002-1416; 4/15/02)

Section 17-328 Customer Maintenance of Pipes

All customers using the City water system shall maintain their service

pipes and other water apparatus in good repair and in proper operation and shall not unnecessarily waste water.

Section 17-329 Inspection of Private Premises

1. City personnel may enter any private premises served by the City Water system, based upon the cause and/or suspicion of violation of this ordinance, at any reasonable time to inspect the water pipes and fixtures on said premises.
2. The customer must answer fully, to the extent of his/her knowledge, all reasonable questions relating to the water service on his/her premises. (ORD. NO. 93-1356)

Section 17-330 Utility Deposit Refund Notice Forfeiture

1. Money in the municipal treasury which has been acquired as a utility deposit from a customer of a municipal utility shall be refunded or credited to the customer upon termination of the utility service and payment of all charges due and connected with the service, or at an earlier date as may be allowed by the municipality. Refunds to the customer shall be made in accordance with the procedures set forth in this section.
2. If a utility deposit is to be refunded to the customer instead of being credited to the account of the customer, a refund check or warrant payable to the customer shall be issued by the municipal utility within thirty (30) days following the termination of the utility service.
3. Utility deposit refund checks or warrants of Five Dollars (\$5.00) or less shall be cashed by the customer within one (1) year of the termination of the utility service. Any such refund check or warrant not cashed by the customer within one (1) year of termination of the utility service shall be cancelled and the amount of the deposit shall be paid into the fund of the municipal utility for which the deposit was collected, or into the general fund as may be determined by the municipal governing body. No municipal utility customer shall have the right to any claim or refund on the deposit following the expiration of the one-year time period as set forth in this subsection.
4. If a utility deposit refund check or warrant in excess of Five Dollars (\$5.00) has not been cashed by a customer within one (1) year following termination of the utility service to the customer, the municipality shall send written notice to the customer at the last-known address of the customer stating that the refund check or warrant shall be cancelled and the deposit will be paid over to the municipality unless it is cashed by the customer within ninety (90) days of the date the notice is mailed by the municipality. If the check or warrant is not cashed within the ninety (90) days, the check or warrant shall be cancelled and the amount of the deposit shall be paid into the fund of the municipal utility for which the deposit was collected, or into the general fund as may be determined by the governing body. No municipal utility customer shall have a right to any claim or refund on the deposit after written notice and expiration of the ninety-day period in accordance with this subsection. (Ordinance #2007-1472; 3/5/07)

Section 17-331 Municipal Programs Mosquito Control and Street Light Program

1. Each utility account shall be charged the sum of one (\$1.00) dollar per month per dwelling unit inside the corporate city limits. Revenue derived shall be for the purpose of funding mosquito control programs and municipal street light programs. (Ordinance #2007-1475; 5/7/07)

Section 17-332 Utility Capital Improvement Fee

The Dewey Public Works Authority is hereby authorized to implement and collect a Utility Capital Improvement Fee, to be deposited in the Utility Capital Improvement Fund. Said Fee is to be assessed to all utility accounts with water and/or sewer service by the City of Dewey and such fee shall be used to fund any authorized expenditure within this Fund.

The Utility Capital Improvement Fee will be in the amount of \$5.00 per month per meter.

(Ordinance No. 2012-1518 adopted 11/19/12)

SECTION 17-333 Department of Environmental Quality; Public Water Supply Construction Standards

The Dewey Public Works Authority shall require all water line extensions to be constructed in accordance with TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY

CHAPTER 262. PUBLIC WATER SUPPLY CONSTRUCTION STANDARDS.

- (a) All municipal water systems, facilities, and connections shall be constructed in compliance with the "Public Water Supply Construction Standards" established by the Oklahoma Department of Environmental Quality or city standards, whichever is more stringent. (Ordinance No. 2016-1552, adopted 10/3/2016)

SECTION 17 CHAPTER 4

SEWER SERVICE

Section 17-400	Sanitary Sewer Service
Section 17-405	Sewer Tap
Section 17-406	Sanitary Sewer Rates
Section 17-407	Billing Due Date and Payment of bill
Section 17-408	Sewer Use Pretreatment Standards
Section 17-409	Sewer Rates Outside the City limits

SECTION 17-405 SEWER TAP

1. The City reserves the right to tap existing City sanitary sewer lines and require use of City taps.
2. Any individual or business desiring a sewer tap shall make said request to the City. If said request, in the City's opinion, is beneficial to the City and or does not endanger the existing sewer line and/or sewer system, the City shall provide all materials, labor, and equipment to tap the existing sewer line.
3. The individual and or business requesting the tap shall agree to the location of the tap prior to making the tap. The City shall in no case relinquish the right to make a final determination as to the location of a sewer tap.
4. The charge for performing a sewer tap shall be labor, equipment, and materials. (Amended 03/03/14 Ordinance #2014-1524)
5. In return for payment of such charge, the City shall tap the existing City sanitary sewer line.
6. All new sewer service lines installed, including all existing lines when replaced shall be required to install a backflow valve near the building, in a meter can, or in any other enclosure approved by the city, with all working parts readily accessible for service and repairs. A clean out with a back-pressure relief cap shall also be installed on every new service tap and service line replacement. (Adopted 9/2/14: Ordinance 2014-1532)

SECTION 17-406 SANITARY SEWER RATES

The following rates shall be charged, subject to amendments as deemed necessary by the City, for Wastewater service to residential customers outside Dewey Corporate Limits, all commercial, and/or all industrial customers:

a. Minimum of \$12.00 per month base charge:

b. Plus a charge of \$3.40 per 1,000 gallons of metered water. (Amended Ord. 2009-1489 4/20/09) (Amended Ord. 2019-1573 11/18/19) (Amended 7/06/2021 Ord. 2021-1592)

The following rates shall be charged, subject to amendments as deemed necessary by the City, for Wastewater service to residential customers inside Dewey Corporate Limits:

A base rate of \$12.00 plus a charge of \$3.40 per 1,000 gallons of metered water will be assessed for the months of November, December, January, and February. The charge for the months of March, April, May, June, July, August, September, and October, will be an average of charges assessed for January and February of the same year plus November and December of the preceding year. (Amended Ordinance 2009-1489, Amended 4/20/2009; Amended 11/18/19); All residential customers inside Dewey Corporate Limits unable to obtain a monthly average from consecutive November, December, January, and February months will be charge a base rate of \$12.00 plus \$3.40 per 1,000 gallons of metered water until an average can be obtained.

Section 17-407 BILLING DUE DATE AND PAYMENT OF BILL

All charges for sanitary sewer service shall be due and payable in full on or before the tenth (10th) day of the calendar month following the service month in which sanitary sewer service was rendered and shall become delinquent if not paid on or before the tenth (10th) day of the month.

Should the tenth (10th) calendar day of the month be a Saturday, Sunday, or holiday, the payment due date shall be the first business day after the tenth (10th) day of the month.

Bills rendered when service is discontinued shall be due and payable in full at such time that the bills are presented and/or sent by United States Mail to the customer.

4. Accounts that are determined to be delinquent after the 10th day of the month will be notified by hand delivery or United States mail of such delinquency and provided ten (10) working days to make payment or arrangements for payment or water service will be terminated. After the ten (10) day grace period, those residents with bills still delinquent will have their water service terminated on the next proceeding business day and be subject to disconnect and reconnect charges.

17- 408 - SEWER USE PRETREATMENT STANDARDS

- **Subdivision A. - General Provisions**

- **Sec. 17-408.0. - Definitions.**

Unless a provision explicitly states otherwise, the following terms and phrases, as used in this division, shall have the meanings hereinafter designated.

"Act" or "the Act" means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. § 1251 et seq.

"Approval authority" means the USEPA Region VI, Regional Administrator, located at Suite 1200, 1445 Ross Ave., Dallas, TX 75202 — 2733; or his/her designee; or the Oklahoma Department of Environmental Quality upon delegation of the NPDES/OPDES Program.

"Authorized representative" or "industrial user" means:

(1)

An authorized representative of an industrial user which may be a principal executive officer of at least the level of vice-president, or his/her authorized designee.

(2)

If the industrial user is a corporation; a general partner or proprietor if the industrial user is a partnership or proprietorship, respectively; a duly-authorized representative of the individual designated above if such representative is responsible for the overall operation of the facilities from which the indirect discharge originates, or his/her authorized designee.

(3)

If the user is a federal, state, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.

"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 twenty (20)° Centigrade, usually expressed as a concentration (e.g., mg/L).

"Categorical pretreatment standard" or "categorical standard" means any regulation containing pollutant discharge limits promulgated by EPA in accordance with Sections 307(b) and (c) of the Act (33 U.S.C. § 1317) which apply to a specific category of users and which appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.

"City" means the City of Dewey, employees or agents acting under the direction of the city council.

"Color" means the optical density at the visual wavelength of maximum absorption, relative to distilled water. One hundred (100) percent transmittance is equivalent to zero (0.0) optical density.

"Composite sample" means the sample resulting from the combination of individual wastewater samples taken at selected intervals based on an increment of either flow or time.

"Control authority" means the City of Dewey, as defined herein above.

"Director of water utilities" means the person designated by the City of Dewey to supervise the operation of the POTW, and who is charged with certain duties and responsibilities by this ordinance, or a duly-authorized representative.

"Direct discharge" means the discharge of treated or untreated wastewater directly to the waters of the State of Oklahoma.

"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 of said agency.

"Existing source" means any source of discharge, the construction or operation of which commenced prior to the publication by EPA of proposed categorical pretreatment standards, which will be applicable to such source if the standard is thereafter promulgated in accordance with Section 307 of the Act.

"Grab sample" means a sample which is taken from a wastestream without regard to the flow in the wastestream and over a period of time not to exceed fifteen (15) minutes.

"Hazardous waste," as defined by 40 CFR 260 and 261, or a solid waste, or combination of solids, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may:

- (1) Cause, or significantly contribute to an increase in mortality, or an increase in serious irreversible, or incapacitating reversible illness; or
- (2) Pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed.

"Indirect discharge" or "discharge" means the introduction of non-domestic pollutants into the POTW from any source regulated under Section 307(b), (c), or (d) of the Act.

"Industrial user" or "user" means a source of indirect discharge.

"Instantaneous maximum allowable discharge limit" means the maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composited sample collected, independent of the industrial flow rate and the duration of the sampling.

"Interference" means a discharge, which alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the POTW, its treatment processes or operations or its sludge processes, use or disposal, or significantly increases operations and maintenance costs; or is a cause of a violation of the City of Dewey's NPDES/OPDES permit or of the prevention of sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued thereunder, or any more stringent state or local regulations: Section 405 of the Act; the Solid Waste Disposal Act, including Title II, commonly referred to as the Resource Conservation and Recovery Act (RCRA); any state regulations contained in any state sludge management plan prepared pursuant to Subtitle D of the Solid Waste Disposal Act; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act.

"Medical waste" means isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.

"New source" means:

(1)

Any building, structure, facility, or installation from which there is (or may be) a discharge of pollutants, the discharge and/or construction of which commenced after the publication of proposed pretreatment standards under Section 307(c) of the Act which will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that:

a.

The building, structure, facility, or installation is constructed at a site at which no other source is located; or

b.

The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or

c.

The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source, should be considered.

(2)

Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility, or installation meeting the criteria of subsection (1)b. or c. above but otherwise alters, replaces, or adds to existing process or production equipment.

(3)

Construction of a new source as defined under this paragraph has commenced if the owner or operator has:

a.

Begun, or caused to begin, as part of a continuous on-site construction program:

1.

Any placement, assembly, or installation of facilities or equipment; or

2.

Significant site work including, but not limited to, start of footings or foundation; or

b.

Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

"Noncontact cooling water" means water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

"Pass-through" means a discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of violation of any requirement of the City of Dewey's NPDES/OPDES permit, including an increase in the magnitude or duration of a violation.

"Person" means any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity; or their legal representatives, agents, or assigns. This definition includes all federal, state, and local governmental entities.

"pH" means a measure of the acidity or alkalinity of a solution expressed in standard units. pH shall mean the negative logarithm (base 10) of the concentration of hydrogen ions in a solution.

"Pollutant" means 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, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor).

"Pretreatment" means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to, or in lieu of, introducing such pollutants into the POTW. This reduction or alteration can be obtained by physical, chemical, or biological processes; by process changes; or by other means, except by diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard.

"Pretreatment requirements" means any substantive or procedural requirement related to pretreatment imposed on a user, other than a pretreatment standard.

"Pretreatment standards" or "standards" means pretreatment standards shall mean prohibited discharge standards, categorical pretreatment standards, and local limits.

"Process wastewater" means any water which, during manufacturing or processing, comes into direct contact with or results from the production of or use of any raw material, intermediate product, finished product, byproduct, or waste product.

"Prohibited discharge standards" or "Prohibited discharges" means absolute prohibitions against the discharge of certain substances; these prohibitions appear in section 17-408.4.

"Publicly owned treatment works" or "POTW" means a "treatment works," as defined by Section 212 of the Act (33 U.S.C. §1292) which is owned by the City of Dewey. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of liquid nature and any conveyances which convey wastewater to a treatment plant.

"Reasonable hours", for the purpose of inspection and sampling, includes any time the user is operating any process that results in wastewater or any time the user is discharging to the POTW.

"Septic tank waste" means any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.

"Shall" is herein defined as mandatory. "May" is discretionary or permissive.

"Sanitary sewage," or "sewage" means human excrement and gray water (household showers, dishwashing operations, etc.).

"Significant industrial user" means:

- (1) A user subject to categorical pretreatment standards; or
- (2) A user that:
 - a. Discharges an average of twenty-five thousand (25,000) gpd or more of process wastewater to the POTW (excluding sanitary sewage, noncontact cooling, and boiler blowdown wastewater);
 - b. Contributes a process waste stream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
 - c. Is designated as such by the City of Dewey on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.
- (3) Upon a finding that a user meeting the criteria in subsection (2) has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the City of Dewey may at any time, on its own initiative or in response to a petition received from a user, and in accordance with procedures in 40 CFR 403.8(f)(6), determine that such user should not be considered a significant industrial user.

"Slug load" or "slug" means any discharge at a flow rate or concentration which could cause a violation of the prohibited discharge standards in section 17-408.4. or any discharge of a non-routine, episodic nature, including, but not limited to, an accidental spill or a non-customary batch discharge.

"Standard Industrial Classification (SIC) Code" means a classification pursuant to the Standard Industrial Classification Manual issued by the United States Office of Management and Budget.

"Stormwater" means any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snow melt.

"Suspended solids" 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.

"Tenant responsibility" means where an owner of property leases premises to any other person as a tenant under any rental or lease agreement, if either the owner or the tenant is an industrial user, either or both may be held responsible for compliance with the provisions of this division.

"Toxic pollutant" means one (1) of the pollutants, or combinations of those pollutants, listed as toxic in regulations promulgated by the EPA under provision of Section 307 (33 U.S.C. § 1317) of the Act.

"Treatment plant effluent" means any discharge of pollutants from the POTW into the waters of the State.

"User" or "industrial user" means a source of indirect discharge.

"Wastewater" means liquid and water-carried industrial wastes and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW.

"Wastewater treatment plant" or "treatment plant" means that portion of the POTW which is designed to provide treatment of municipal sewage and industrial waste.

"Use of the singular" shall be construed to include the plural and the plural shall include the singular as indicated by the context of its use.

• **Sec. 17-408.1. - Abbreviations.**

The following abbreviations, when used in this division, shall have the designated meanings:

· BOD	Biochemical Oxygen Demand
· CFR	Code of Federal Regulations
· COD	Chemical Oxygen Demand
· EPA	U.S. Environmental Protection Agency
· gpd	gallons per day
· L	Liter
· mg/L	milligrams per liter
· NPDES	National Pollutant Discharge Elimination System

· O&M	Operations and Maintenance
· POTW	Publicly Owned Treatment Works
· RCRA	Resource Conservation and Recovery Act
· SIC	Standard Industrial Classification
· TSS	Total Suspended Solids
· U.S.C.	United States Code
· ODEQ	Oklahoma Department of Environmental Quality
· OPDES	Oklahoma Pollutant Discharge Elimination System

- **Sec. 17-408.2. - Purpose and policy.**

This division sets forth uniform requirements for users of the publicly owned treatment works for the City of Dewey and enables the city to comply with all applicable state and federal laws, including the Clean Water Act (33 United States Code § 1251 et seq.) and the General Pretreatment Regulations (40 Code of Federal Regulations Part 403). The objectives of this division are:

(1)

To prevent the introduction of pollutants into the publicly owned treatment works that will interfere with its operation;

(2)

To prevent the introduction of pollutants into the publicly owned treatment works that will pass through the publicly owned treatment works, inadequately treated, into receiving waters, or otherwise be incompatible with the publicly owned treatment works;

(3)

To protect both publicly owned treatment works personnel who may be affected by wastewater and sludge in the course of their employment and the general public;

(4)

To promote reuse and recycling of wastewater and sludge from the publicly owned treatment works;

(5)

To enable the City of Dewey to comply with its National Pollutant Discharge Elimination System Permit conditions, sludge management plan, and any other federal or state laws pertaining to publicly owned treatment works.

This division shall apply to all users of the publicly owned treatment works. The division authorizes the issuance of wastewater discharge permits; provides for monitoring, compliance, and enforcement activities; establishes administrative review procedures; requires user reporting; and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

- **Sec. 17-408.3. - Administration.**

Except as otherwise provided herein, the director of water utilities shall administer, implement, and enforce the provisions of this division. Any powers granted to or duties imposed upon the director of water utilities may be delegated by the director of water utilities.

- **Subdivision B. - Sewer Use Requirements**

- **Sec. 17-408.4. - Prohibited discharge standards.**

(a)

General prohibitions. No user shall introduce or cause to be introduced into the 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 standards or requirements. The City of Dewey adopts, unless otherwise specified or conflicts arise in other portions of this document, limits as specified under "Water Quality Criteria", Table G-3, EPA Guidance Manual on the Development and Implementation of Local Discharge Limitations Under the Pretreatment Program, December, 1987.

(b)

Specific prohibitions. No user shall introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:

(1)

Pollutants which create a fire or explosive hazard in the POTW, including, but not limited to, wastestreams with a closed-cup flashpoint of less than one hundred forty (140)°F (sixty (60)°C) using the test methods specified in 40 CFR 261.21;

- (2) Wastewater having a pH less than 5.0, or otherwise causing corrosive structural damage to the POTW or equipment. Wastewater having a pH greater than 12.5 is considered hazardous under 40 CFR 261.22 and its discharge to the collection system is expressly prohibited.
- (3) Solid or viscous substances in amounts which will cause obstruction of the flow in the POTW resulting in interference but in no case solids too large to pass through a three-fourths inch ($\frac{3}{4}$ ") in dimension. Prohibited materials include, but are not limited to, animal guts, hide or hair; straw, grass clippings, woods, plastic, mud, glass grinding or polishing wastes.
- (4) Pollutants, including oxygen-demanding pollutants (BOD, COD, etc.), released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause interference with the POTW;
- (5) Wastewater having a temperature greater than one hundred forty (140)^oF (sixty (60)^oC), or which will inhibit biological activity in the treatment plant resulting in interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed one hundred four (104)^oF (forty (40)^oC);
- (6) Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin, in amounts that will cause interference or pass-through;
- (7) Pollutants which 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;
- (8) Trucked or hauled pollutants, except at discharge points designated by the director of water utilities in accordance with this division;
- (9) Noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair;
- (10) Wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent, thereby violating Dewey's NPDES/OPDES permit;
- (11) Wastewater containing any radioactive wastes or isotopes except in compliance with applicable state or federal regulations;
- (12) Stormwater, surface water, groundwater, artesian well water, roof runoff, subsurface drainage, condensate, noncontact cooling water, and unpolluted wastewater, unless specifically authorized by the city or director of water utilities;
- (13) Sludge, screenings, or other residues from the pretreatment of industrial wastes;