

## ORDINANCE NO. 84-11

AN ORDINANCE AMENDING TITLE 13 OF THE CODE OF THE CITY OF BELLE MEADE BY ADDING THERETO A CHAPTER 3 ESTABLISHING NEW CRITERIA FOR USE BY INDUSTRIES OF THE PUBLICLY OWNED TREATMENT WORKS OF THE CITY OF BELLE MEADE, TENNESSEE

BE IT ORDAINED BY THE CITY OF BELLE MEADE AS FOLLOWS:

TITLE 13

CHAPTER

1. Sewers
2. Supplementary Sewer Regulations
3. Criteria for use by Industries of the Publicly Owned Treatment Works

CHAPTER 1

SEWERS

SECTION

- 13-101. Application and scope.
- 13-102. Definitions.
- 13-103. Obtaining service.
- 13-104. Application and contract for service.
- 13-105. Connection charges.
- 13-106. Schedule of rates.
- 13-107. Multiple services through a single meter.
- 13-108. Billing.
- 13-109. Discontinuance or refusal of service.
- 13-110. Reconnection charge.
- 13-111. Termination of service by customer.
- 13-112. Access to customers' premises.
- 13-113. Inspections.
- 13-114. Customer's responsibility for system's property.
- 13-115. Customer's responsibility for violation.
- 13-116. Interruption of service.

13-101. Application and scope. The provisions of this chapter are a part of all contracts for receiving sewer service from the municipality and shall apply whether the service is based

upon contract, agreement, signed application, or otherwise.

13-102. Definitions. (1) "Customer" means any person, firm, or corporation who receives sewer service from the municipality under either an express or implied contract.

(2) "Household" means any two (2) or more persons living together as a family group.

(3) "Service line" shall consist of the pipe line extending from any sewer main of the municipality to private property, the service line shall be construed to include the pipe line extending from the municipality's sewer main to and including the grinder pump.

(4) "Dwelling" means any single structure, with auxiliary buildings, occupied by one or more persons or households for residential purposes.

(5) "Premise" means any structure or group of structures operated as a single residence, provided, however, the term "premise" shall not include more than one (1) dwelling.

13-103. Obtaining service. A formal application for either original or additional service must be made and be approved by the municipality before connection or grinder pump installation orders will be issued and work performed.

13-104. Application and contract for service. Each prospective customer desiring sewer service will be required to sign a standard form of contract before service is supplied. If, for any reason, a customer, after signing a contract for service, does not take such service by reason of not occupying the premises or otherwise, he shall reimburse the municipality for the expense incurred by reason of its endeavor to furnish said service.

The receipt of a prospective customer's application for service, regardless of whether or not accompanied by a deposit, shall not obligate the municipality to render the service applied for. If the service applied for cannot be supplied in accordance with the provisions of this chapter and general practice, the liability of the municipality to the

applicant shall be limited to the return of any deposit made by such applicant.

13-105. Connection charges. Service lines will be laid by the municipality from its mains to the property line at the expense of the applicant for service. The location of such lines will be determined by the municipality.

Before a new sewer service line will be laid by the municipality, the applicant shall make a deposit equal to the estimated cost of the installation, and pay the tap charge set by the municipality by resolution.

This deposit shall be used to pay the cost of laying such new service line and appurtenant equipment. If such cost exceeds the amount of the deposit, the applicant shall pay to the municipality the amount of such excess cost when billed therefor. If such cost is less than the amount of the deposit, the amount by which the deposit exceeds such cost shall be refunded to the applicant.

When a service line is completed, the municipality shall be responsible for the maintenance and upkeep of such service line from the main to and including the grinder pump and such portion of the service line shall belong to the municipality. That portion of the gravity service line beyond the property line, in the case of gravity sewers shall belong to and be the responsibility of the customer.

13-106. Schedule of rates. All sewer service shall be furnished under such rate schedules as the municipality may from time to time adopt by appropriate ordinance or resolution.

13-107. Multiple services through a single meter. No customer shall supply sewer service to more than one dwelling or premise from a single service line without first obtaining the written permission of the municipality.

Where the municipality allows more than one dwelling or premise to be served through a single service line, the amount of water used by all the dwellings and premises served through a single service line and meter shall be allocated to each separate dwelling

or premise served. The sewer charges for each such dwelling or premise thus served shall be computed just as if each such dwelling or premise had received through a separately metered service the amount of water so allocated to it, such computation to be made at the municipality's applicable sewer rates schedule, including the provisions as to minimum bills. The separate charges for each dwelling or premise served through a single service line and meter shall then be added together, and the sum thereof shall be billed to the customer in whose name the service is supplied.

13-108. Billing. Bills for residential sewer service will be rendered monthly by the Metropolitan Government of Nashville and Davidson County, Tennessee.

Both charges shall be collected as a unit. Water and sewer service may be discontinued for nonpayment of the combined bill.

Water and sewer bills must be paid on or before the discount date shown thereon to obtain the net rate, otherwise the gross rate shall apply. Failure to receive a bill will not release a customer from payment obligation, nor extend the discount date.

The municipality shall not be liable for any damages resulting from discontinuing service under the provisions of this section, even though payment of the bill is made at any time on the day that service is actually discontinued.

If a meter fails to register properly, or if a meter is removed to be tested or repaired, or if water is received other than through a meter, the municipality reserves the right to render an estimated bill based on the best information available.

13-109. Discontinuance or refusal of service. The municipality shall have the right to discontinue sewer service or to refuse to connect service for a violation of, or a failure to comply with, any of the following:

- (1) These rules and regulations.
- (2) The customer's application for service.
- (3) The customer's contract for service.

Such right to discontinue service shall apply to all service received through a single connection or service, even though more than one (1) customer or tenant is furnished service therefrom, and even though the delinquency or violation is limited to only one such customer or tenant.

Discontinuance of service by the municipality for any cause stated in these rules and regulations shall not release the customer from liability for service already received or from liability for payments that thereafter become due under other provisions of the customer's contract.

No service shall be discontinued unless the customer is given reasonable notice in advance of such impending action and the reason therefor. The customer shall also be notified of his right to a hearing prior to such disconnection if he disputed the reason therefor and requests such hearing by the date specified in the notice. When a hearing is requested, the customer shall have the right to have a representative at such hearing and shall be entitled to testify and to present witnesses on his behalf. Also, when such hearing has been requested, the customer's service shall not be terminated until a final decision is reached by the hearing officer and the customer is notified of that decision.

13-110. Reconnection charge. Whenever service has been discontinued as provided for above, a reconnection charge of fifty dollars (\$50.00) shall be collected by the municipality before service is restored.

13-111. Termination of service by customer. Customers who have fulfilled their contract terms and wish to discontinue service must give at least three (3) days written notice to that effect unless the contract specifies otherwise. Notice to discontinue service prior to the expiration of a contract term will not relieve the customer from any minimum or guaranteed payment under such contract or applicable rate schedule.

When service is being furnished to an occupant or premises under a contract not in the occupant's name, the municipality

reserves the right to impose the following conditions on the right of the customer to discontinue service under such a contract:

(1) Written notice of the customer's desire for such service to be discontinued may be required; and the municipality shall have the right to continue such service for a period of not to exceed ten (10) days after receipt of such written notice, during which time the customer shall be responsible for all charges for such service. If the municipality should continue service after such ten (10) day period subsequent to the receipt of the customer's written notice to discontinue service, the customer shall not be responsible for charges for any service furnished after the expiration of such ten (10) day period.

(2) During such ten (10) day period, or thereafter, the occupant of premises to which service has been ordered discontinued by a customer other than such occupant, may be allowed by the municipality to enter into a contract for service in the occupant's own name upon the occupant's complying with these rules and regulations with respect to a new application for service.

13-112. Access to customers' premises. The municipality's identified representatives and employees shall be granted access to all customers' premises at all reasonable times for the purpose of reading meters, for testing, inspecting, repairing, removing, and replacing all equipment belonging to the municipality, and for inspecting customers' plumbing and premises generally in order to secure compliance with these rules and regulations.

13-113. Inspections. The municipality shall have the right, but shall not be obligated, to inspect any installation or plumbing system before sewer service is furnished or at any later time. The municipality reserves the right to refuse service or to discontinue service to any premises not meeting standards fixed by municipal ordinances regulating building and plumbing, or not in accordance with any special contract, these rules and regulations, or other requirements of the municipality.

Any failure to inspect or reject a customer's

installation or plumbing system shall not render the municipality liable or responsible for any loss or damage which might have been avoided had such inspection or rejection been made.

13-114. Customer's responsibility for system's property.

Except as herein elsewhere expressly provided, all service connections, and other equipment furnished by or for the municipality shall be and remain the property of the municipality. Each customer shall provide space for and exercise proper care to protect the property of the municipality on his premises. In the event of loss or damage to such property arising from the neglect of a customer to care for it properly, the cost of necessary repairs or replacements shall be paid by the customer.

13-115. Customer's responsibility for violations.

Where the municipality furnishes sewer service to a customer, such customer shall be responsible for all violations of these rules and regulations which occur on the premises so served. Personal participation by the customer in any such violations shall not be necessary to impose such personal responsibility on him.

13-116. Interruption of service. The municipality will endeavor to furnish continuous sewer service, but does not guarantee to the customer continuous service. The municipality shall not be liable for any damages for any interruption of service whatsoever.

CHAPTER 2

SUPPLEMENTARY SEWER REGULATIONS

SECTION

- 13-201. Definitions.
- 13-202. Use of public sewers required.
- 13-203. Private sewage disposal.
- 13-204. Building sewers and connections.
- 13-205. Use of public sewers.
- 13-206. Protection from damage.

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13-207. Powers and authority of inspectors.

13-208. Violations.

13-201. Definitions. Unless the context specifically indicates otherwise, the meaning of terms used in this chapter shall be as follows:

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

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

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

(4) "Combined sewer" shall mean a sewer receiving both surface runoff and sewage.

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

(6) "Natural outlet" shall mean any outlet into a watercourse, pond, ditch, lake, or other body of surface or groundwater.

(7) "Person" shall mean any individual, firm, company, association, society, corporation, or group.

(8) "pH" shall mean the logarithm of the reciprocal of the weight of hydrogen-ions in grams per liter of solution.

(9) "Properly shredded garbage" shall mean the wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2)



inch (1.27 centimeters) in any dimension.

(10) "Public sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and controlled by public authority.

(11) "Sanitary sewer" shall mean a sewer which carries sewage and to which storm, surface, and groundwaters are not intentionally admitted.

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

(13) "Sewage treatment plant" shall mean any arrangement of devices and structures used for treating sewage.

(14) "Sewage works" shall mean all facilities for collecting, pumping, treating, and disposing of sewage.

(15) "Sewer" shall mean a pipe or conduit for carrying sewage.

(16) "Shall" is mandatory; "may" is permissive.

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

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

(19) "City Manager" shall mean the superintendent of sewage works and/or of water pollution control of the municipality, or his authorized deputy, agent, or representative.

(20) "Suspended solids" shall mean solids that are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.

(21) "Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

13-202. Use of public sewers required. (1) 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 municipality, or in any area under its jurisdiction, any human or animal excrement, garbage, or other objectionable waste.

(2) It shall be unlawful to discharge to any natural outlet within the municipality, or in any area under its jurisdiction, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this chapter.

(3) 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.

(4) The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the municipality and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary or combined sewer of the municipality, is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this chapter, within ninety (90) days after date of official notice to do so.

12-203. Private sewage disposal. The disposal of sewage by means other than the use of the sanitary sewage system shall be in accordance with local and state laws. The disposal of sewage by private disposal systems shall be permissible only in those instances where service from the sanitary sewage system is not available.

13-204. Building sewers and connections. (1) No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit

from the City Manager.

(2) There shall be two classes of building sewer permits for residential service, one for pressure sewers, and one for gravity sewers. The owner or his agent shall make application on a special form furnished by the municipality. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the City Manager.

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

(4) A separate and independent building sewer shall be provided for every building except that 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, courtyard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

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

(6) The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench shall all conform to the requirements of the building code or other applicable rules and regulations of the municipality. In the absence of code provisions or in amplification 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.

(7) Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravityflow to the public sewer, sanitary sewage carried by such

building drain shall be lifted by an approved means and discharged to the building sewer.

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

(9) The connection of the building sewer into the public sewer shall conform to the requirements of the building codes or other applicable rules and regulations of the municipality, or the procedures set forth in appropriate specifications of the A.S.T.M. and the W.P.C.F. Manual of Practice No. 9. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the City Manager before installation.

(10) The applicant for the building sewer permit shall notify the City Manager when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the superintendent or his representative.

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

13.205. Use of the public sewers. (1) No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, or uncontaminated cooling water.

(2) No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

(a) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.

(b) Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, to constitute a hazard to humans or animals, to create a public nuisance, or to create any hazard in the receiving waters of the sewage treatment plant.

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

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

(3) No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the City Manager that such wastes can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the City Manager will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, and other pertinent factors. The substances prohibited are:

(a) Any liquid or vapor having a temperature higher than one hundred fifty (150°) F (65°C).

(b) Any water or waste containing fats, wax,

grease, or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred (150°) F (0 and 65°C).

(c) Any waters or wastes containing iron, chromium, copper, zinc, cyanide, and similar objectionable or toxic substances; or wastes exerting an excessive chloride requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the City Manager and/or the Division of Water Management, Tennessee Department of Public Health, for such materials.

(d) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the City Manager.

(e) Any waters or wastes containing phenols or other taste- or odor-producing substances in such concentrations exceeding limits which may be established by the City Manager as necessary, after treatment of the composite sewage, to meet the requirements of the state, federal, or other public agencies or jurisdiction for such discharge to the receiving waters.

(f) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the City Manager in compliance with applicable state or federal regulations.

(g) Any water or wastes having a pH in excess of 9.5.

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

(i) Waters or wastes containing suspended solids in excess of 300 mg/l.

(4) If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in subsection (3) of this section, and which are in the judgment of the City Manager and/or the Division of Water Management, Tennessee Department of Public Health, may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the City Manager may:

- (a) Reject the wastes,
- (b) Require pretreatment to an acceptable condition for discharge to the public sewers,
- (c) Require control over the quantities and rates of discharge, and/or
- (d) Require payment to cover the added costs of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of subsection (10) of this section.

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

(5) All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made

in this chapter 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 upon suitable samples taken. The particular analysis involved will determine whether a twenty-four (24) hour composite of all outfalls of a premise is appropriate or whether a grab sample of samples should be taken. Normally, but not always, BOD and suspended solids analysis are obtained from 24-hour composites of all outfalls whereas pH's are determined from periodic grab samples.

13-206. Protection 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 charge of disorderly conduct.

13-207. Powers and authority of inspectors. (1) The City Manager and other duly authorized employees of the municipality bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this chapter.

(2) While performing the necessary work on private properties referred to in subsection (1) of this section, the City Manager or duly authorized employees of the municipality shall observe all safety rules applicable to the premises.

(3) The City Manager and other duly authorized employees of the municipality bearing proper credentials and identification shall be permitted to enter all private properties through which the municipality holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement. All entries 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.

13-208. Violations. (1) Any person found to be violating any provision of this chapter except section 13-206 shall be served by the municipality with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

(2) Any person who shall continue any violation beyond the time limit provided for in subsection (1) of this section shall be guilty of a misdemeanor, and on conviction thereof shall be fined under the general penalty clause for this municipality code of ordinances.

(3) Any person violating any of the provisions of this chapter shall become liable to the municipality for any expense, loss, or damage occasioned the municipality by reason of such violation.

### CHAPTER 3

#### NEW CRITERIA FOR USE BY INDUSTRIES OF THE PUBLICLY OWNED TREATMENT WORKS OF THE CITY OF BELLE MEADE, TENNESSEE

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#### SECTION

- 13-301. Definitions.
- 13-302. Purpose and Policy.
- 13-303. Prohibitions and Limitations on Discharge Into the Publicly Owned Treatment Works.
- 13-304. Wastewater Discharge Permits.
- 13-305. Inspections Monitoring and Dangerous Discharge Notification.
- 13-306. City Manager.
- 13-307. City of Belle Meade Hearing Authority.
- 13-308. Enforcement and Abatement.

WHEREAS, the Federal Water Pollution Control Act Amendments of 1972, P. S. 92-500 (hereinafter referred to as the "Act") have

resulted in a program of cleaning up our Nation's waters; and

WHEREAS, the 1977 Tennessee General Assembly passed the Tennessee Water Quality Control Act (Tennessee Code Annotated, Sections 70-324 through 70-342) that mandates necessary action be taken by all wastewater dischargers to protect the waters of the State; and

WHEREAS, the City of Belle Meade has already made and shall continue to make a substantial financial investment in its wastewater treatment system to achieve the goals of the Act; and

WHEREAS, the City of Belle Meade seeks to provide for the use of its wastewater treatment system by industries served without damage to the physical facilities, without impairing of their normal functioning of collecting, treating, and discharging domestic wastewater, and without the discharge by the Metropolitan Government's wastewater treatment system of pollutants which would violate the discharge allowed under its National Pollutant Discharge Elimination System (NPDES) permit and the applicable rules of all governmental authorities with jurisdiction over such discharges.

BE IT ENACTED BY THE COMMISSION OF THE CITY OF BELLE MEADE:

SECTION 13-301 DEFINITIONS

(a) For purposes of this Chapter, the following phrases and words shall have the meaning assigned below, except in those instances where the content clearly indicates a different meaning:

(1) 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.

(2) Approval Authority means the State Director in an NPDES State with an approved State pretreatment program and the Administrator of the EPA in a non-NPDES State or NPDES State without an approved State pretreatment program.

(3) Authority - Belle Meade City Commission, also referred to Hearing Authority

(4) Authorized Representative of Industrial User.

An authorized representative of an industrial user may be: (1) A principal executive officer of at least the level of vice president, if the industrial user is a corporation; (2) A general partner or

proprietor if the industrial user is a corporation; (2) A general partner or proprietor if the industrial user is a partnership or proprietorship, respectively; (3) A duly authorized representative of the individual designated above if such representative is responsible for the overall operation of the facility from which the indirect discharge originates.

(5) Building Sewer. A sewer conveying wastewater from the premises of a user to a community sewer.

(6) Categorical Standards. National Pretreatment Standards.

(7) City Manager. The superintendent of sewage works and/or of water pollution control of the municipality, or his authorized deputy, agent, or representative.

(8) Community Sewer. Any sewer containing wastewater from more than one premise.

(9) Compatible pollutant. Biochemical oxygen demand, chemical oxygen demand, suspended solids, pH and fecal coliform bacteria, oil and grease; plus any additional pollutants identified in the publicly-owned treatment work's NPDES permit, for which the publicly-owned treatment works is designed to treat such pollutants and in fact does remove such pollutants to a substantial degree.

(10) Control Authority. The term "control authority" shall refer to the "Approval Authority," defined hereinabove or the City Manager of the City of Belle Meade.

(11) Direct Discharge. The discharge of treated or untreated wastewater directly to the waters of the State of Tennessee.

(12) Domestic Sewage. Wastewater or sewage having the same general characteristics as that originating in placed used exclusively as a single family residence.

(13) Environmental Protection Agency, or "EPA" means the Environmental Protection Agency, an agency of the United States, or where appropriate, the term may also be used as a designation for the Administrator or other duly authorized official of said agency.

(14) Grab Sample. A sample which is taken from a waste stream on a one-time basis with no regard to the flow in the waste

stream and without consideration of time.

(15) Holding tank waste. Any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump tank trucks.

(16) Incompatible pollutant. All pollutants other than compatible pollutants as defined in Subparagraph 8 of this section.

(17) Indirect Discharge means the discharge or the introduction of non-domestic pollutants from any source regulated under Section 307(b) or (c) of the Act, (33 U.S.C. 1317), into the POTW (including holding tank waste discharged into the system) for treatment before direct discharge to the waters of the State.

(18) Industrial User means a source of indirect discharge which does not constitute a "discharge of pollutants" under regulations issued pursuant to Section 402 of the Act. This term shall also include all dischargers of wastes having characteristics other than those of "domestic sewage" as defined in Paragraph (12) herein.

(19) Interference means inhibition or disruption of the sewer system, treatment processes or operations or which contributes to a violation of any requirement of Metro's NPDES Permit. This term includes prevention of sewage sludge use or disposal by the POTW in accordance with Section 405 of the Act (33 U.S.C. 1345) or any criteria, guide lines, or regulations developed pursuant to the Solid Waste Disposal Act (SWDA), the Clean Air Act, or more stringent state criteria (including those contained in any State sludge management plan prepared pursuant to Title IV of SWDA) applicable to the method of disposal or use employed by the POTW.

(20) Mass emission rate. The weight of material discharged to the community sewer system during a given time interval. Unless otherwise specified, the mass emission rate shall mean pounds per day of the particular constituent or combination of constituents.

(21) Maximum concentration. The maximum amount of a specified pollutant in a volume of water or wastewater.

(22) Metro. Metropolitan Government of Nashville and Davidson County, Tennessee.

(23) National Pretreatment Standard or Pretreatment Standard means any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307 (b) and (c) of the Act (33 U.S.C. 1347) which applies to Industrial Users.

(24) New Source. Any source, the construction of which is commenced after the publication of proposed regulations prescribing Section 307 (c) (33 U.S.C. 1317) categorical pretreatment standard which will be applicable to such source, if such standard is thereafter promulgated within 120 days of proposal in the Federal Register. Where the standard is promulgated later than 120 days after proposal, a new source means any source, the construction of which is commenced after the date of promulgation of the standard.

(25) National Pollutant Discharge Elimination System or NPDES Permit. A permit issued to a POTW pursuant to Section 402 of the Act (33 U.S.C. 1342).

(26) Person. 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. The masculine gender shall include the feminine, the singular shall include the plural where indicated by the context.

(27) Pollution. The man-made or man-induced alteration of the chemical, physical, biological, and radiological integrity of water.

(28) Premises. A parcel of real estate or portion thereof including any improvements thereon which is determined by the City Manager to be a single user for purposes of receiving, using, and paying for services.

(29) Pretreatment. The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration can be obtained by physical, chemical, or biological processes, process changes, or by other means, except as prohibited by 40 C.F.R., Section 403.6(d).

(30) Pretreatment Requirements. Any substantive or procedural requirement related to pretreatment, other than a National Pretreatment Standard imposed on an industrial user.

(31) Publicly owned treatment works or POTW. A treatment works as defined by Section 212 of the Act (33 U.S.C. 1292), which is owned in this instance by the City of Belle Meade. This definition includes any sewers that convey wastewater to such a treatment works, but does not include pipes, sewers or other conveyances not connected to a facility providing treatment. The term also means the City of Belle Meade, a municipality, as defined in Section 502 (4) of the Act (33 U.S.C. 1362), which has jurisdiction over the indirect discharges to and the discharges from such a treatment works.

(32) Reclaimed water. Water which, as a result of treatment of waste, is suitable for direct beneficial uses or a controlled use that would not occur otherwise.

(33) Standard Industrial Classification. A classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1972.

(34) Toxic pollutant. Any pollutant or combination of pollutants listed as toxic in regulations promulgated by the Administrator of the Environmental Protection Agency under the provisions of 33 U.S.C. 1317.

(35) Treatment works. Any devices and systems used in the storage, treatment, recycling, and reclamation of domestic sewage or industrial wastes of a liquid nature including interceptor sewers, outfall sewers, sewage collection systems, pumping, power, and other equipment and appurtenances; extensions, improvements,

remodeling, additions and alternations thereof; elements essential to provide a reliable recycled supply such as standby treatment units and clearwell facilities; and any works, including land, that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment; and including combined storm water and sanitary sewer systems.

(36) Twenty-four hour, flow proportional composite sample. A sample consisting of several effluent portions collected during a twenty-four (24) hour period in which the portions of sample are proportionate to the flow and combined to form a representative sample.

(37) Unpolluted water. Water to which no constituent has been added, either intentionally or accidentally, which would render such water unacceptable to the State of Tennessee or the Environmental Protection Agency having jurisdiction thereof for disposal to storm or natural drainage, or directly to surface waters.

(38) User. Any person, firm, corporation or governmental entity that discharges, causes or permits the discharge of wastewater into a community sewer.

(39) Waste. Includes sewage and any and all other waste substances, liquid, solid, gaseous or radioactive, associated with human habitation, or of human or animal origin, or from any producing, manufacturing or processing operation of whatever nature, including such waste placed within containers of whatever nature prior to, and for purposes of, disposal.

(40) Wastewater. Waste and water, whether treated or untreated, discharged into or permitted to enter a community sewer.

(41) Wastewater constituents and characteristics. The individual chemical, physical, bacteriological and radiological parameters, including volume and flow rate and such other parameters that serve to define, classify or measure the contents, quality,

quantity and strength of wastewater.

(42) Waters of the State of Tennessee. Any water, surface or underground, within the boundaries of the State.

(b) The following abbreviations shall have the following meanings.

- (1) BOD - Biochemical oxygen demand.
- (2) CFR - Code of Federal Regulations.
- (3) COD - Chemical oxygen demands.
- (4) EPA - Environmental Protection Agency.
- (5) GPM - Good Management Practices.
- (6) l - Liter.
- (7) MBAS - Methylene-blue-active substances.
- (8) mg- Milligrams.
- (9) mg/l - Milligrams per liter.
- (10) NPDES - National Pollutant Discharge Elimination System.
- (11) POTW - Publicly owned treatment works.
- (12) SIC - Standard Industrial Classification.
- (13) SWDA - Solid Waste Disposal Act, 42 U.S.C. 6901, et. seq.
- (14) USC - United States Code.

(c) Terms not otherwise defined herein, if questioned, shall be as adopted in the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association, the American Water Works Association, and the Water Pollution Control Federation.

#### SECTION 13-302. PURPOSE AND POLICY

The purpose of this Chapter is to set uniform requirements for Industrial Users of the City of Belle Meade wastewater collection system and treatment works to enable Belle Meade to comply with the provisions of the Clean Water Act and other applicable federal laws and regulations, Tennessee's Water Quality Control Act and other applicable state laws and regulations, and to provide for the public health and welfare by regulating the quality of wastewater discharged into the Belle Meade wastewater collection system and treatment works. This Chapter provides a means for determining



wastewater volumes, constituents, and characteristics, the setting of charges and fees, and the issuance of permits to certain users. This Chapter establishes effluent limitations and other discharge criteria and provides that certain users shall pretreat waste to prevent the introduction of pollutants into the publicly owned treatment works including the collection and transmission system, (hereinafter referred to as POTW) which may interfere with the operation of the POTW or contaminate the sewage sludge; and to prevent the introduction of pollutants into the POTW which may pass through the treatment works into the receiving waters or the atmosphere, or otherwise be incompatible with the treatment works; and to improve opportunities to recycle and reclaim wastewaters and sludges resulting from wastewater treatment. This Chapter provides measures for the enforcement of its provisions and abatement of violations thereof. This ordinance establishes a "Hearing Authority" and establishes its duties and establishes the duties of the City Manager of the City of Belle Meade to ensure that the provisions of this Ordinance are administered fairly and equitably to all users.

SECTION 13-303. PROHIBITIONS AND LIMITATIONS ON DISCHARGE INTO THE  
PUBLICLY OWNED TREATMENT WORKS

(a) Purpose and Policy.

This section establishes limitations and prohibitions on the quantity and quality of wastewater which may be lawfully discharged into the publicly owned treatment works. Pretreatment of some wastewater discharge will be required to achieve the goals established by this Chapter and the Clean Water Act. The specified limitation set forth in paragraph 1 hereof, and other prohibitions and limitations of this article, are subject to change to enable Belle Meade to provide efficient wastewater treatment to protect the public health and the environment, and to enable Belle Meade to meet requirements contained in the NPDES permit held by the Metropolitan Government of Nashville and Davidson County. The Hearing Authority

shall review said limitations from time to time to ensure that they are sufficient to protect the operation of the treatment works, that they are sufficient to enable the treatment works to comply with NPDES permit, and that they are sufficient to provide for a cost effective means of operating the treatment works, and that they are sufficient to protect the public health and the environment. The Authority shall recommend changes or modifications to the City Manager as necessary.

(b) Prohibited Pollutants.

No person shall introduce into the publicly owned treatment works any of the following pollutants which acting either along or in conjunction with other substances present in the POTW interfere with the operation of the POTW as follows:

(1) Pollutants which could create a fire or explosion hazard in the POTW;

(2) Pollutants which cause corrosive structural damage to the POTW, but in no case discharges with a pH lower than 5.5 or higher than 10.0;

(3) Solid or viscous pollutants in amounts which cause obstruction to the flow of the sewers, or other interference with the operation of or which cause injury to the POTW, including waxy or other materials which tend to coat and clog a sewer line or other appurtenances thereto;

(4) Any pollutant, including oxygen demanding pollutants (BOD, etc.), released in a discharge of such volume or strength as to cause interference in the POTW:

(5) Heat in amount which will inhibit biological activity in the POTW resulting in interference, but in no case heat in such quantities that the temperature at the treatment works influent exceeds 40° Centigrade (104° Fahrenheit). Unless a higher temperature is allowed in the user's wastewater discharge permit, no user shall discharge into any sewer line or other appurtenance of the POTW wastewater with a temperature exceeding 65.5° Centigrade (150° Fahrenheit).

The aforesaid pollutants represent a general description of harmful or dangerous conditions, and are in addition to such specific pollutants as may be identified and added from time to time to paragraphs (l) and (m) of this Chapter or the Industrial User's Permit.

(c) Wastewater Constituent Evaluation.

The wastewater of every Industrial User shall be evaluated upon the following criteria:

(1) Wastewater containing any element or compound which is not adequately removed by the treatment works which is known to be an environmental hazard;

(2) Wastewater causing a discoloration or any other condition in the quality of Belle Meade's treatment works' effluent such that receiving water quality requirements established by law cannot be met;

(3) Wastewater causing conditions at or near Belle Meade's treatment works which violate any statute, any rule, or regulation, or any public agency of this State or the United States;

(4) Wastewater containing any element or compound known to act as a lacrimator, known to cause nausea, or known to cause odors constituting a public nuisance;

(5) Wastewater causing interference with the effluent or any other product of the treatment process, residues, sludges, or scums causing them to be unsuitable for reclamation and reuse or causing interference with the reclamation process;

(6) Wastewater having constituents and concentrations in excess of those listed in Section 13-303 (l) or cause a violation of the limits in 13-303(m).

The City Manager shall recommend and the Hearing Authority shall approve reasonable limitations or prohibitions in the wastewater discharge permit of any user that discharges wastewater violating any of the above criteria as shall be reasonable to achieve the

purpose and policies of this Chapter.

(d) National Pretreatment Standards.

Certain Industrial Users are now or hereafter shall become subject to National Pretreatment Standards promulgated by the Environmental Protection Agency specifying quantities or concentrations of pollutants or pollutant properties which may be discharged into the POTW. All Industrial Users subject to a National Pretreatment Standard shall comply with all requirements of such standard, and shall also comply with any additional or more stringent limitations contained in this Chapter or in their permit. Compliance with National Pretreatment Standards for existing sources subject to such standards or for existing sources which hereafter become subject to such standards shall be within three (3) years following promulgation of the standards unless a shorter compliance time is specified in the standard. Compliance with National Pretreatment Standards for new sources shall be required upon promulgation of the standard. Except where expressly authorized by an applicable National Pretreatment Standard, no Industrial User shall increase the use of process water or in any way attempt to dilute a discharge as a partial or complete substitution for adequate treatment to achieve compliance with such standard.

(e) Prohibitions on Storm Drainage and Ground Water

Storm water, ground water, rain water, street drainage, roof top drainage, basement drainage, sub-surface drainage, or yard drainage, if unpolluted shall not be discharged through direct or indirect connections to a community sewer unless a storm sewer or other reasonable alternative for removal of such drainage does not exist, and then only when such discharge is permitted by the user's wastewater discharge permit and the appropriate fee is paid for the volume thereof.

(f) Unpolluted Water.

Unpolluted water, including, but not limited to cooling water or process water, shall not be discharged through direct or indirect

connections to a community sewer except on the same conditions as provided in paragraph (e) hereinabove.

(g) Limitation on Radioactive Waste.

No person shall discharge or permit to be discharged any radioactive waste into a community sewer except:

(1) When the person is authorized to use radioactive materials by the Tennessee Department of Public Health or the Nuclear Regulatory Commission;

(2) When the waste is discharged in strict conformity with applicable laws and regulations of the aforementioned agencies, or any other agency having jurisdiction; and

(3) When a copy of permits received from said regulatory agencies have been filed with the City Manager.

(h) Limitations on the Use of Garbage Grinders.

Waste from garbage grinders shall not be discharged into a community sewer except where generated in preparation of food consumed on the premises, and then only where applicable fees therefore are paid. Such grinders must shred the waste to a degree that all particles will be carried freely under normal flow conditions prevailing in the community sewers. Garbage grinders shall not be used for the grinding of plastic, paper products, inert materials, or garden refuse.

(i) Limitations on Point of Discharge.

No person shall discharge any substance directly into a manhole or other opening in a community sewer other than through an approved building sewer, unless he shall have been issued a temporary permit by the City Manager. The City Manager shall incorporate in such temporary permits such conditions as he deems reasonably necessary to ensure compliance with the provisions of this Chapter and the user shall be required to pay applicable charges and fees therefore.

(j) Septic Tank Pumping, Hauling, and Discharge.

No person owning vacuum or "cess pool" pump tracks or other

liquid waste transport trucks shall/directly or indirectly discharge such sewage into the POTW, unless such person shall first have applied for and received a Truck Discharge Operation Permit from the City Manager or his designated representative. All applicants for a Truck Discharge Operation Permit shall complete such forms as required by the City Manager, pay appropriate fees, and agree in writing to abide by the provisions of this Chapter and any special conditions or regulations established by the City Manager. The owners of such vehicles shall affix and display the permit number on the side of each vehicle used for such purposes. Such permits shall be valid for a period of one (1) year from the date of issuance, provided that such permits shall be subject to revocation by the City Manager for violation of any provision of this Chapter or reasonable regulation established by the City Manager. Such permits shall be limited to the discharge of domestic sewage waste containing no industrial waste. The City Manager shall designate the locations and times where such trucks may be discharged, and may refuse to accept any truckload of waste in his absolute discretion where it appears that the waste could interfere with the effective operation of the treatment works or any sewer line or appurtenance thereto. The owner of a Truck Discharge Operation Permit shall provide manifest to the POTW that states the source of the domestic waste they wish to discharge, the volume of wastewater from each source, and whether any industrial waste is included in the wastewater. The owner of the Truck Discharge Operation Permit shall purchase a bond sufficient to cover his potential liability for violating his permit.

(k) Other Holding Tank Waste

No person shall discharge any other holding tank waste into the POTW unless he shall have applied for and have been issued a permit by the City Manager. Unless otherwise allowed under the terms and conditions of the permit, a separate permit must be secured for each separate discharge. The permit shall state the specific

location of discharge, the time of day the discharge is to occur, the volume of the discharge, and shall limit the wastewater constituents and characteristics of the discharge. Such user shall pay any applicable charges or fees therefor, and shall comply with the conditions of the permit issued by the City Manager. Provided, however, no permit will be required to discharge domestic waste from a recreational vehicle holding tank provided such discharge is made into an approved facility designed to receive such waste.

(1) Limitations on Wastewater Strength.

No industrial user shall discharge wastewater in excess of the concentration set forth in the table below unless: the wastewater discharge permit of the user provides as a special permit condition a higher interim concentration level in conjunction with a requirement that the user construct a pretreatment facility or institute changes in operation and maintenance procedures to reduce to concentration of pollutants to levels not exceeding the standards set forth in the table with a fixed period of time.

Parameter	Maximum Concentration mg/l (24 Hour Flow) Proportional Composite Sample	Maximum Instantaneous Concentration mg/l (Grab Sample)
Ammonia Nitrogen	30	60
Biochemical Oxygen Demand	300	600
Chemical Oxygen Demand	500	1,000
Suspended Solids	325	650
Arsenic (As)	1.0	2.0
Cadmium (Cd)	1.0	2.0
Chlorinated Hydrocarbons	50	100
Chromium- Total (Cr)	5.0	10.0
Chromium- Hexavalent (Cr+6)	0.05	0.10
Copper (Cu)	5.0	10.0
Cyanide (CN)	2.0	4.0
Lead (Pb)	1.5	3.0
Mercury (Hb)	0.1	0.2
Nickle (Ni)	5.0	10.0
Selenium (Se)	1.0	2.0
Silver (Ag)	5.0	10.0

Zinc (Zn)	5.0	10.0
Oil & Grease (Freon Extractable)	50.0	100.0

(m) Criteria to Protect the Treatment Plant Influent.

The City Manager shall monitor the treatment works influent for each parameter in the following table. The Industrial User shall be subject to the reporting and monitoring requirements set forth in Section 13-304 and 13-305 as to these parameters. In the event that the influent at the treatment works reaches or exceeds the levels established by said table, the City Manager shall initiate technical studies to determine the cause of the influent violation, and shall initiate such remedial measures as are necessary, including but not limited to the establishment of new or revised pretreatment levels for these parameters. The City Manager may also change any of these criteria in the event the POTW effluent standards are changed or in the event changes are deemed advisable for effective operation of the POTW.

Parameter	Maximum Concentration mg/l (24 Hour Flow Composite Sample)
Ammonia Nitrogen	30.0
Arsenic (As)	0.10
Boron (B)	2.0
Cadmium (Cd)	0.01
Chromium - total (Cr)	1.5
Copper (Cu)	0.05
Cyanide (CN)	0.10
Iron (Fe)	5.00
Lead (Pb)	0.10
Manganese (Mn)	10
Mercury (Hg)	0.1
Nickle (Ni)	0.3
Phenols	4
Silver (Ag)	5
Zinc (Zn)	1.3
Chlorinated Hydrocarbons	5.0
BOD	300
COD	500
Suspended Solids	325

(n) Pretreatment Requirements.

Users of the POTW shall design, construct, operate, and maintain



wastewater pretreatment facilities whenever necessary to reduce the user's wastewater constituency to achieve compliance with the limitations in wastewater strength or prohibition set forth in paragraphs (b), (c), and (l) of this Section, to meet applicable National Pretreatment Standards, or to meet any other wastewater conditions or limitations contained in the User's Wastewater Discharge Permit.

(o) Plans and Specifications.

Plans, specifications, and operating procedures for such wastewater pretreatment facilities shall be prepared by a registered engineer, and shall be submitted to the City Manager for review in accordance with accepted engineering practices. The City Manager shall review said plans within 45 days and shall recommend to the user any appropriate changes. Prior to beginning construction of said pretreatment facility, the user shall also secure such building, plumbing, or other permits that may be required by local, State, or Federal authorities. The user shall construct said pretreatment facility within the time provided in the user's wastewater discharge permit. Following completion of construction, the user shall provide the City Manager with "as built" drawings to be maintained by the City Manager.

(p) Prevention of Accidental Discharges.

All Industrial Users shall provide such facilities and institute such procedures as are reasonably necessary to prevent or minimize the potential for accidental discharge into the POTW of waste regulated by this Chapter from liquid or raw material storage areas, from truck and rail car loading and unloading areas, from in-plant transfer or processing and materials handling area, and from diked areas or holding ponds of any waste regulated by this Chapter. The

wastewater discharge permit of any user who has a history of significant leaks, spills, or other accidental discharge of waste regulated by this Chapter shall be subject on a case-by-case basis to a special permit condition or requirement for the construction of facilities or establishment of procedures which will prevent or minimize the potential for such accidental discharge. Plans, specifications, and operating procedures for such special conditions shall be developed by the user and submitted to the City Manager for review under the provisions of paragraph (o) of this Section.

#### SECTION 13-304. WASTEWATER DISCHARGE PERMITS

##### PART I. PERMITS, DISCHARGE REPORTS, AND ADMINISTRATION

###### (a) Application and Permit Requirements for Industrial Users.

All Industrial Users of the POTW prior to discharging non-domestic waste into the POTW shall apply for and obtain a wastewater discharge permit in the manner hereinafter set forth. All original applications shall be accompanied by a report containing the information specified in subparagraph (b) hereof. All original applications shall also include a site plan, floor plan, mechanical and plumbing plans with sufficient detail to show all sewers and appurtenances on the user's premises by size, location, and elevation; and the user shall submit the City Manager revised plans whenever alterations or additions to the user's premises affect said plans.

###### (b) Report Requirements.

The report required by paragraph (a) above of other provisions of this Chapter for all Industrial Users shall contain in units and and terms appropriate for evaluation of the information listed in Subparagraphs (1) through (5) below. Industrial Users subject to National Pretreatment Standards shall submit to the City Manager a report which contains the information listed in subparagraphs (1) through (7) below:

- (1) the name and address of the Industrial User;
- (2) the location of such Industrial User;
- (3) the nature, average rate of production and Standard Industrial Classification of the operation(s) carried out by such Industrial User;
- (4) the average and maximum flow of the discharge from such Industrial User to the POTW, in gallons per day;
- (5) the nature and concentration of pollutants in the discharge from each regulated process from such Industrial User and identification of any applicable Pretreatment Standards and Requirements. The concentration shall be reported as a maximum or average level as provided for in the applicable Pretreatment Standard. If an equivalent concentration limit has been calculated in accordance with any Pretreatment Standard, this adjusted concentration limit shall also be submitted to the City Manager for approval;
- (6) a statement, reviewed by an authorized representative of the Industrial User (as defined in 13-300) and certified by a qualified professional, who shall be approved in writing by Belle Meade, indicating whether Pretreatment Standards are being met on a consistent basis, and, if not, whether additional operation and maintenance procedures or additional pretreatment is required for the Industrial User to meet the Pretreatment Standards and Requirements; and
- (7) If additional pretreatment or operation and maintenance procedure will be required to meet the Pretreatment Standards, then the report shall contain the shortest schedule by which the Industrial User will provide such additional pretreatment. The completion date in this schedule for pollutants assigned

National Pretreatment Standards shall not be later than the completion date established for the applicable National Pretreatment Standard.

For purposes of this paragraph when the context so indicates the phrase "Pretreatment Standard" shall include either a National Pretreatment Standard or a pretreatment standard imposed as a result of the User's discharging any incompatible pollutant regulated by Section 13-303 hereof. For purpose of this paragraph the term "pollutant" shall include any pollutant identified in a National Pretreatment Standard or any incompatible pollutant identified in Section 13-303 hereof.

(c) Incomplete Applications.

The City Manager will act only on applications that are accompanied by a report which contains all the information required in paragraph (b) above. Persons who have filed incomplete applications will be notified by the City Manager that the application is deficient and the nature of such deficiency and will be given thirty (30) days to correct the deficiency. If the deficiency is not corrected within thirty (30) days or within such extended period as allowed by the City Manager, the City Manager shall submit the application for a permit to the Authority with a recommendation that it be denied and notify the applicant in writing of such action.

(d) Evaluation of Applications.

Upon receipt of complete applications, the City Manager shall review and evaluate the applications and shall propose such special permit conditions as he deems advisable. All wastewater discharge permits shall be expressly subject to all the provisions of this Chapter and all other applicable Ordinances, laws, and regulations. The City Manager may also propose that the wastewater discharge

permit be subject to one or more special conditions in regard to any of the following:

- (1) Pretreatment requirements;
  - (2) The average and maximum wastewater constituents and characteristics;
  - (3) Limits on rate and time of discharge or requirements for flow regulations and equalization;
  - (4) Requirements for installation of inspection and sampling facilities;
  - (5) Specifications for monitoring programs which may include sampling locations, frequency and method of sampling, number, types and standards for tests and reporting schedules;
  - (6) Requirements for submission of technical reports or discharge reports;
  - (7) Requirements for maintaining records relating to wastewater discharge;
  - (8) Mean and maximum emission rates, or other appropriate limits when incompatible pollutants (as set forth in Section 13-303) are proposed or present in the user's wastewater discharge;
  - (9) Other conditions as deemed appropriate by the City Manager to ensure compliance with this Chapter or other applicable ordinance, law, or regulations;
  - (10) Requirements for the installation of facilities to prevent and control accidental discharge or "spills" at the user's premises;
  - (11) The unit charge or schedule of charges and fees for the wastewater to be discharged to a community sewer.
- (e) Applicant to be Notified of Proposed Permit Conditions; Right to Object.

- (1) Upon completion of his evaluation, the City Manager shall notify the applicant of any special permit conditions which he proposed be included in the wastewater discharge permit;
- (2) The application shall have forty-five (45) days from and after the date of the City Manager's recommendations for special permit conditions to review same and file written objections with the City Manager in regard to any special permit conditions recommended by the City Manager. The City Manager or his representative may, but shall not be required, to schedule a meeting with applicant's authorized representative within fifteen (15) days following receipt of the applicant's objections, and attempt to resolve disputed issues concerning special permit conditions;
- (3) If applicant files no objection to special permit conditions proposed by the City Manager, or a subsequent agreement is reached concerning same, the City Manager shall issue a wastewater discharge permit to applicant with such special conditions incorporated therein. Otherwise, the City Manager shall submit the disputed matters to the Authority for resolution as hereinafter provided.

(f) Authority to Establish Permit Conditions; Hearing.

- (1) In the event the City Manager cannot issue a wastewater discharge permit pursuant to paragraph (e) above, the City Manager shall submit to the Authority his proposed permit conditions and the applicant's written objections thereto at the next regularly scheduled meeting of the Authority;
- (2) The Authority shall schedule a hearing within ninety (90) days following the meeting referred to hereinabove unless such time be extended for just cause shown to resolve any

disputed matters relevant to such permit;

(3) The City Manager shall notify the applicant of the date, time, place, and purpose of the hearing scheduled by the Authority. The applicant shall have the right to participate in such hearing and present any relevant evidence to the Authority concerning proposed special permit conditions or other matters being considered by the Authority;

(4) Following such hearing or such additional hearings as shall be deemed necessary and advisable by the Authority, the Authority shall establish such special permit conditions as it deems advisable to ensure the applicant's compliance with this Chapter or other applicable law or regulation and direct the City Manager to issue a wastewater discharge permit to the applicant accordingly.

(g) Compliance Schedule and Reporting Requirements.

The following conditions shall apply to the schedule required by paragraphs (b), (d), or (f) of this Section:

(1) Any Industrial User subject to Pretreatment Standard, after commencement of the discharge into the POTW, shall submit to the City Manager during the months of June and December, unless required more frequently in the Pretreatment Standard or by the City Manager, a report indicating the nature and concentration, of pollutants in the effluent which are limited by such Pretreatment Standards. In addition, this report shall include a record of all daily flows which during the reporting period exceeded the average daily flow reported in paragraph (b) 4 of this section. At the discretion of the City Manager, as applicable, and in consideration of such factors as local high or low flow rates, holidays, budget cycles, etc., may agree to alter the months during which the above reports are to be submitted. The City Manager may impose mass limitations on Industrial Users which are using dilution to meet

applicable Pretreatment Standards or Requirements or in other cases where the imposition of mass limitations are appropriate. In such cases, the report required by Subparagraph (1) of this paragraph shall indicate the mass of pollutants regulated by Pretreatment Standards in the effluent of the Industrial User.

(2) The Industrial User shall notify the POTW immediately by telephone of any slug loading, as defined by Section 13-302 by the Industrial User.

(3) The reports required in this section contain the results of sampling and analysis of the discharge, including the flow and the nature and concentration, or production and mass limits where requested by the City Manager, of pollutants contained therein which are limited by the applicable Pretreatment Standards. The frequency of monitoring shall be prescribed in the applicable pretreatment standard. All analyses shall be performed in accordance with procedures established by the Environmental Protection Agency under the provisions of Section 304 (h) of the Act (33 U.S.C. 1314 (h) and contained in 40 C.F.R. Part 136 and amendments thereto or with any other test procedures approved by the Environmental Protection Agency or the City Manager. Sampling shall be performed in accordance with the techniques approved by the Environmental Protection Agency, or the City Manager, and only by persons or companies approved by the City Manager.

(h) Maintenance of Records.

Any Industrial User subject to the reporting requirements established in this section shall maintain records of all information resulting from any monitoring activities required by this section. Such records shall include for all samples:

- (1) The date, exact place, method, and time of sampling and the names of the persons taking the samples;



- (2) The dates analyses were performed;
- (3) Who performed the analyses;
- (4) The analytical techniques/methods used; and
- (5) The results of such analyses.

(i) Any Industrial User subject to the reporting requirement established in this section shall be required to retain for a minimum of four (4) years any records of monitoring activities and results (whether or not such monitoring activities are required by this section) and shall make such records available for inspection and copying by the City Manager, or the Environmental Protection Agency. This period of retention shall be extended during the course of any unresolved litigation regarding the Industrial User or when requested by the City Manager, the Director of the Metropolitan Water and Sewerage Services, or the Environmental Protection Agency.

(j) Duration of the Permits.

Wastewater discharge permits shall be issued for a period of three (3) years. Provided that original permits may be issued for a period between two (2) and three (3) years for the administrative convenience of the City Manager so as to stagger the renewal dates of the permits. A user must apply in writing for a renewal permit within the period of time not more than ninety (90) days and not less than thirty (30) days prior to expiration of the current permit. Provided further that limitations or conditions of a permit are subject to modification or change due to changes in applicable water quality standards, changes in other applicable law or regulation, or for other just cause, users shall be notified of any proposed changes in their permit by the City Manager at least thirty (30) days prior to the effective date of the change. Any change or new condition in a permit shall include a provision for a reasonable

time schedule for compliance. The user may appeal the decision of the City Manager in regard to any changed permit conditions as otherwise provided in this Chapter.

(k) Transfer of a Permit.

Wastewater discharge permits are issued to a specific user for a specific operation. A wastewater discharge permit shall not be reassigned or transferred or sold to a new owner, new user, or for different premises, unless approved by the City Manager.

(l) Revocation of Permit.

Any permit issued under the provisions of this Chapter is subject to be modified, suspended, or revoked in whole or in part during its term for cause including but not limited to, the following:

- (1) Violation of any terms or conditions of the wastewater discharge permit or other applicable law or regulations;
- (2) Obtaining of a permit by misrepresentation or failure to disclose fully all relevant facts; or
- (3) A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge.

SECTION 13-305. INSPECTIONS MONITORING AND DANGEROUS DISCHARGE NOTIFICATION

PART I. INSPECTIONS MONITORING AND ENTRY

(a) Whenever required to carry out the objective of this Chapter, including but not limited to (1) developing or assisting in the development of any effluent limitation, or other limitation, prohibition, or effluent standard, pretreatment standard, standard of performance, or permit condition under this Chapter; (2) determining whether any person is in violation of any such effluent limitation, or other limitation, prohibition or effluent standard, pretreatment standard, standard of performance, or permit condition; (3) any requirement established under this section:

- (A) The City Manager shall require any industrial user to
- (i) establish and maintain such records, (ii) make such reports, (iii) install, use, and maintain such monitoring equipment or methods (including where appropriate, biological monitoring methods), (iv) sample such effluents (in accordance with such methods, at such locations, at such intervals, and in such manner as the City Manager shall prescribe), and (v) provide such other information as he may reasonably require; and,
- (B) The City Manager or his authorized representative, upon presentation of his credentials -
- (i) shall have a right of entry to, upon, or through any premises in which an effluent source is located or in which any records required to be maintained under clause (A) of this subsection are located, and
  - (ii) may at reasonable times have access to and copy any records, inspect any monitoring equipment or method required under clause (A), and sample any effluents which the owner or operator of such source is required to sample under such clause.
- (b) Any records, reports or information obtained under this section (1) shall, (1) in the case of effluent data, be related to any applicable effluent limitations, toxic, pretreatment, or permit condition, and (2) shall be available to the public, except that upon a showing satisfactory to the City Manager by any person that records, reports, or information, or particular part thereof (other than effluent data), to which the City Manager has access under this section, if made public would divulge methods

or processes entitled to protection as trade secrets of such person, the City Manager shall consider such record, report, or information may be disclosed to officers, employees, or authorized representatives of the Metropolitan Government or the State of Tennessee or the United States concerned with carrying out the provisions of the Clean Water Act or when relevant in any proceeding under this Chapter or other applicable laws.

- (c) Specific requirements under the provisions of paragraph (a) (A) of this Section shall be established by the City Manager or the Authority as applicable, for each Industrial user and such requirements shall be included as a condition of the user's wastewater discharge permit. The nature or degree of any requirement under this provision shall depend upon the nature of the user's discharge, the impact of the discharge on the POTW, the volume of water discharged, and the technical feasibility of and economic reasonableness of any such requirement imposed. The user shall be required to design any necessary facility, and to submit detailed design plans and operating procedures to the City Manager for review in accordance with accepted engineering practices. The City Manager shall review said plans within 45 days and shall recommend to the use any change he deems appropriate.
- (d) Upon approval of plans as specified in paragraph (c), the user shall secure building, electrical, plumbing or other permits as may be required by local, State or Federal authorities and proceed to construct any necessary facility and establish such operating procedures as are required within the time provided in the user's Wastewater Discharge Permit.

(e) In the event any user denies the City Manager or his authorized representative of the right of entry, to or upon the user's premises, for purposes of inspection, sampling effluents, or inspecting and copying records or performing such other duties as shall be imposed upon him by this section, the City Manager shall seek a warrant or use such other legal procedures as shall be advisable and reasonably necessary to discharge his duties under this section.

PART II. DANGEROUS DISCHARGE NOTIFICATION REQUIREMENTS.

(a) Telephone Notification

Any person causing or suffering any discharge whether accidental or not, which presents or may present an imminent or substantial endangerment to the health and welfare of persons, to the environment, or which is likely to cause interference with the POTW, shall notify the City Manager immediately by telephone. In the absence of the City Manager, notification shall be given to the employee then in charge of the treatment works.

(b) Written Report.

Within five (5) days following such occurrence, the user shall provide the City Manager with a detailed written report describing the cause of the dangerous discharge and measures to be taken by the user to prevent similar future 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, fish kills, or any other damage to person or property; not shall such notification relieve the user of any fines, civil penalties, or other liability which may be imposed by this chapter or other applicable law.

(c) Notice to Employees.

A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees whom to call in

the event of a dangerous discharge. Employers shall ensure that all employees who may cause or suffer such dangerous discharge to occur are advised of the emergency notification procedure.

SECTION 13-306. CITY MANAGER

(a) City Manager and Staff.

The City Manager and his staff shall be responsible for the administration of all section of this Chapter.

(b) Authority of City Manager.

The City Manager shall have the authority to enforce all sections of this Chapter. He shall be responsible and have the authority to operate the various treatment works. He shall be responsible for the preparation of operating budgets and recommendations concerning activities within his responsibility and authority.

(c) Records.

The City Manager shall keep in his office all applications required under this Chapter, a complete record thereof, including a record of all wastewater discharge permits. He shall also maintain the minutes and other records of the Hearing Authority.

(d) City Manager to Assist Belle Meade Hearing Authority.

The City Manager shall attend all meetings of the Hearing Authority or whenever it is necessary for him to be absent he shall send a designated representative, and shall make such reports to and assist said Authority in the administration of this Chapter.

(e) The City Manager shall notify Industrial Users identified in 40 C.F.R. 403.8(f) (2) and (i) of any applicable pretreatment standards or other applicable requirements promulgated by the Environmental Protection Agency under the provisions of Section 204(b) of the Act (33 U.S.C. 1284), Section 405 of the Act (33 U.S.C. 1345), or under the provisions of Sections 3001 (42 U.S.C. 6921), 3004 (42 U.S.C. 6924) or 4004 (42 U.S.C. 6944) of the Solid

Waste Disposal Act. Failure of the City Manager to so notify Industrial Users shall not relieve said users from the responsibility of complying with said requirements.

(f) The City Manager shall comply with all applicable public participation requirements of Section 101(e) of the Act (33 U.S.C. 1251(e)) and 40 C.F.R. Part 105 in the enforcement of National Pretreatment Standards. The City Manager shall at least annually provide public notification, in the largest daily newspaper published in Nashville of Industrial Users during the previous twelve (12) months which at least once were not in compliance with the applicable Pretreatment Standards or other pretreatment requirements. The notification shall summarize enforcement action taken by the control authorities during the same twelve (12) months. An Industrial User shall be deemed to be in compliance with applicable Pretreatment Standards or other pretreatment requirements if he has completed applicable increments of progress under the provisions of any compliance schedule in the user's wastewater discharge permit or if the user has been granted an exception under the provisions of Section 13-304 Part II.

SECTION 13-307. CITY OF BELLE MEADE HEARING AUTHORITY.

PART I. COMPOSITION, PROVISIONS, AND DUTIES

(a) Established.

There is hereby established an Authority to be known as the "City of Belle Meade Hearing Authority".

(b) Hearing Authority

1. Composition

Ex-officio Membership - The following representatives shall constitute the ex-officio membership of the Hearing Authority and shall serve a continuous term:

1. Mayor of the City of Belle Meade
2. Members of the City Commission

### 3. City Manager of Belle Meade

#### (c) General Duties of the Authority.

In addition to any other duty or responsibility otherwise conferred upon the board by this Chapter, the Authority shall have the duty and power as follows:

1. To determine such issues of law and fact as are necessary to perform this duty;
2. To hold hearings upon appeals from orders or actions of the City Manager as may be provided under any provisions of this Chapter;
3. To hold hearings relating to the suspension, revocation, or modification of a wastewater discharge permit as it is provided in this Chapter and issue appropriate orders relating thereto;
4. To hold such other hearing relating to any aspect or matter in the administration of this Chapter and to make such determinations and issue such orders as may be necessary to effectuate the purposes of this Chapter;
5. The Authority acting through its chairmen shall have the power to issue subpoenas requiring attendance and testimony of witnesses and the production of documentary evidence relevant to any matter properly heard by the Authority;
6. The Chairman or vice chairman or chairman shall be authorized to administer oaths to those persons giving testimony before the Authority;
7. The Authority shall hold regular meetings, normally one per calendar month, and such special meetings as the Board may find necessary;
8. Three (3) members of the Authority shall constitute a quorum, but a lesser number may adjourn the meeting from day to day.



## PART II. ADJUDICATORY HEARING PROCEDURES

(a) The Hearing Authority shall schedule an adjudicatory hearing to resolve disputed questions of fact and law whenever provided by any provision of this Chapter.

(b) At any such hearing, all testimony presented shall be under oath or upon solemn affirmation in lieu of oath. The Authority shall make a record of such hearing, but the same need not be a verbatim record. Any party coming before the Authority shall have the right to have said hearing recorded stenographically, but in such event the record need not be transcribed unless any party seeks judicial review of the order or action of the Authority by common law writ of certiorari, and in such event the parties seeking such judicial review shall pay for the transcription and provide the Authority with the original of the transcript so that it may be certified to the Court.

(c) The Chairman may issue subpoenas requiring attendance and testimony of witnesses or the production of evidence, or both. A request for issuance of a subpoena shall be made by lodging with the Chairman at least ten (10) days prior to the scheduled hearing date a written request for a subpoena setting forth the name and address of the party to be subpoenaed, and identifying any evidence to be produced. Upon endorsement of a subpoena by the Chairman, the same shall be delivered to the Chief of Police for service by any police officer of Belle Meade. If the witness does not reside in Belle Meade, the Chairman shall issue a written request that the witness attend the hearing.

(d) Upon agreement of all parties, the testimony of any person may be taken by deposition or written interrogatories. Unless otherwise agreed, the deposition shall be taken in a manner consistent with Rules 26-33 of the Tennessee Rules of Civil Procedure, with the

Chairman to rule on such matters as would require a ruling by the court under said rules.

(e) The party at such hearing bearing the affirmative burden of proof shall first call his witnesses, to be followed by witnesses called by other parties, to be followed by any witnesses which the Authority may desire to call. Rebuttal witnesses shall be called in the same order. The Chairman shall rule on any evidentiary questions arising during such hearing, and shall make such other rulings as shall be necessary or advisable to facilitate an orderly hearing subject to approval of the Authority. The Authority, the City Manager or his representative, and all parties shall have the right to examine any witness. The Authority shall not be bound by or limited to rules of evidence applicable to legal proceedings.

(f) Any person aggrieved by any order or determination of the City Manager may appeal said order or determination reviewed by the Authority under the provisions of this Section. A written notice of appeal shall be filed with the City Manager and with the Chairman, and said notice shall set forth with particularity the action or inaction of the City Manager complained of and the relief being sought by the person filing said appeal. A special meeting of the Authority may be called by the Chairman upon the filing of such appeal, and the Authority may in its discretion suspend the operation of the order or determination of the City Manager appealed from until such time as the Authority has acted upon the appeal.

(g) The Vice-Chairman shall possess all the authority delegated to the Chairman by this section when acting in his absence or in his stead.

(h) Any person aggrieved by any final order of determination of the Authority hereunder shall have judicial review by common law

writ of certiorari.

SECTION 13-308. ENFORCEMENT, ABATEMENT, AND PENALTIES FOR VIOLATION OF PERMITS.

PART I. ENFORCEMENT AND ABATEMENT

(a) Public Nuisance

Discharge of wastewater in any manner in violation of this Chapter, or of any condition of a wastewater discharge permit is hereby declared a public nuisance and shall be corrected or abated as provided herein.

(b) City Manager to Notify User of Violation.

Whenever the City Manager determines or has reasonable cause to believe that a discharge of wastewater has occurred in violation of the provisions of this Chapter, the user's wastewater discharge permit, or any other applicable law or regulation, he shall notify the user of such violation. Failure of the City Manager to provide notice to the user shall not in any way relieve the user from any consequences of a wrongful or illegal discharge.

(c) Conciliation Meetings.

The City Manager may, but shall not be required, to invite representatives of the user to a conciliation meeting to discuss the violation and methods of correcting the cause of the violation. Such additional meetings as the City Manager and the user deem advisable may be held to resolve the problem. If the user and the City Manager can agree to appropriate remedial and preventative measures, they shall commit such agreement to writing with provisions for a reasonable compliance schedule and the same shall be incorporated as a supplemental condition of the user's wastewater discharge permit. If an agreement is not reached through the conciliation process within sixty (60) days, the City Manager shall institute such other actions as he deems advisable to ensure the user's compliance with

the provisions of this Chapter or other law or regulation.

(d) Show Cause Hearing.

The City Manager may issue a show cause notice to the user directing the user to appear before the Belle Meade Hearing Authority at a specified date and time to show cause why the user's wastewater discharge permit should not be modified, suspended, or revoked for causing or suffering violation of this Chapter, or other applicable law or regulation, or conditions in the wastewater discharge permit of the user. If the City Manager seeks to modify the user's wastewater discharge permit to establish wastewater strength limitations or other control techniques to prevent future violations, he shall notify the user of the general nature of the recommendations he shall make to the Authority. If the City Manager seeks to suspend or revoke the user's wastewater discharge permit, he shall notify the user of the nature of the violation for which revocation or suspension is sought with sufficient specificity as to the character of the violation and the dates at which such violation occurred to enable the user to prepare his defense. Such notice shall be mailed to the user by certified mail, return receipt requested, or shall be personally delivered to the user at least twenty (20) days prior to the scheduled hearing date.

(e) Citation to City Court.

The City Manager may cite the user to the General Sessions Court of Davidson County for violation of any provision of this Chapter or other ordinance. A violation of any condition of the user's wastewater discharge permit shall be deemed to be a violation of this Chapter.

(f) Injunctive Relief.

Upon resolution of the Belle Meade Hearing Authority approving same, the City Manager shall in the name of Belle Meade file in Circuit

or Chancery Court of Davidson County, Tennessee, or such other courts as may have jurisdiction, a suit seeking the issuance of an injunction, damages, or other appropriate relief to enforce the provisions of this Chapter or other applicable law or regulation. Suit may be brought to recover any and all damages suffered by Belle Meade as a result of any action or inaction of any user or other person who causes or suffers damage to occur to the POTW or for any other expense, loss or damage of any kind of nature suffered by Belle Meade.

(g) Assessment of Damages to Users.

When a discharge of waste causes an obstruction, damage, or any other impairment to the facilities, or any expense of whatever character or nature to Belle Meade, the City Manager shall assess the expenses incurred by Belle Meade to clear the obstruction, repair damage to the facility, and any other expenses or damages incurred by Belle Meade. The City Manager shall file a claim with the user or any other person causing or suffering said damages to incur seeking reimbursement for any and all expenses or damages suffered by Belle Meade. If the claim is ignored or denied, the City Manager shall notify Belle Meade's Attorney to take such measures as shall be appropriate to recover for any expense or other damages suffered by Belle Meade.

(h) City Manager May Petition for Federal or State Enforcement.

In addition to other remedies for enforcement provided herein, the City Manager may petition the State of Tennessee or the United States, Environmental Protection Agency, as appropriate to exercise such methods or remedies as shall be available to such government entities to seek criminal or civil penalties, injunctive relief, or such other remedies as may be provided by applicable federal or state laws to ensure compliance by industrial users of applicable

pretreatment standards, to prevent the introduction of toxic pollutants or other regulated pollutants into the POTW, or to prevent such other water pollution as may be regulated by state or federal law.

(i) Emergency Termination of Service.

In the event of an actual or threatened discharge to the POTW of any pollutant which in the opinion of the City Manager presents or may present an imminent and substantial endangerment to the health or welfare of persons, the environment, or cause interference with the POTW, the City Manager or in his absence the person then in charge of the treatment works shall immediately notify the Mayor of Belle Meade of the nature of the emergency. The City Manager shall also attempt to notify the Industrial User or other person causing the emergency and request their assistance in abating same. Following consultation with the aforementioned officials of Belle Meade or in their absence such elected officials of Belle Meade as may be available, the City Manager shall temporarily terminate the service of such user or users as are necessary to abate the condition when such action appears reasonably necessary. Such service shall be restored by the City Manager as soon as the emergency situation has been abated or corrected.

(j) The City Manager shall report to the Authority his intent to institute any action under the provisions of subsections (e), (f), and (h) hereof and seek the advice of the Authority in regard thereto, unless he shall determine that immediate action is advisable.

PART II. PENALTIES

(a) Any person who violates any provision of this Chapter including but not limited to the following violations:

- (1) Violates an effluent standard or limitation;

- (2) Violates the terms or conditions of a wastewater discharge permit;
- (3) Fails to complete a filing or report requirement;
- (4) Fails to perform or properly report any required monitoring;
- (5) Violated a final order or determination of the Belle Meade Hearing Authority or the City Manager; or
- (6) Fails to pay any established sewer service charge or industrial cost recovery charge;

shall be guilty of a misdemeanor and, upon conviction, is punishable by a fine in an amount not to exceed Fifty Dollars (\$50.00).

(b) Each separate violation shall constitute a separate offense and upon conviction, each day of violation shall constitute a separate offense.

Elizabeth C. Proctor  
MAYOR ELIZABETH C. PROCTOR

Passed on First Reading:  
June 9, 1984

Robert T. Coleman  
VICE MAYOR ROBERT COLEMAN

Passed on Second Reading:  
June 13, 1984

Ted Bennett  
COMMISSIONER TED BENNETT

Passed on Third Reading and  
Adopted:  
June 16, 1984

Joan B. Coode  
CITY RECORDER JOAN B. COODE