

TITLE V: PUBLIC WORKS

Chapter

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CHAPTER 50: SOLID WASTE

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§ 50.01 DEFINITIONS.

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

GARBAGE. Includes all refuse, animal, fruit and other vegetable matter, all tin cans, glassware and crockery in which any such matter has been put up or stored, and all rags, waste paper, floor sweepings and other combustible refuse, except building material, scraps and tree trimmings.
(‘82 Code, Art. G-II, § 1)

§ 50.02 PROMPT REMOVAL OF GARBAGE REQUIRED.

No garbage that has become decayed or that shall otherwise be a menace to health or cleanliness shall be allowed to remain in any dwelling house, hotel, boarding house, safe, restaurant, lunch stand, fruit stand, meat market, store, or other building or on any premises a longer time than shall be reasonably necessary to remove and deposit the same in a can or cans as hereinafter provided in this chapter.

(‘82 Code, Art. G-II, § 2) Penalty, see § 10.99

§ 50.03 CONTAINERS.

The occupant of every building, premises, or place where garbage does or may exist, shall provide himself with a garbage can made of substantial galvanized iron or other non-rusting metal in which he shall deposit all garbage existing at the place occupied by him. Such can shall be provided with handles or bales and with a tight-fitting cover made of the same material as the can. All garbage cans shall be watertight. They shall be of a size that can be conveniently handled by the garbage collector, not to exceed in holding capacity more than 25 gallons. All garbage cans shall be placed in such a place that can be conveniently reached by the garbage collector. No garbage can shall be placed, kept or left on any street, alley, or public way for any purpose whatsoever. All garbage cans shall be kept reasonably clean by the use of lye or other effective cleaner.

('82 Code, Art. G-II, § 3) Penalty, see § 10.99

§ 50.04 GARBAGE TO BE DRAINED PRIOR TO DISPOSAL.

All wet garbage shall have the liquid drained off and shall be wrapped in paper, or other combustible material before it is placed in the garbage can, thus preventing smell and the breeding of flies in the summer and freezing and adhesion to the can in winter.

('82 Code, Art. G-II, § 4) Penalty, see § 10.99

§ 50.05 DISCARDING WASTE ONTO PUBLIC OR PRIVATE PROPERTY PROHIBITED.

No person shall throw, place, or deposit any garbage in any street, alley, public place, or private property within the city limits, except in garbage cans or garbage vehicles as provided in this chapter.

('82 Code, Art. G-II, § 5) Penalty, see § 10.99

§ 50.06 TRANSPORTATION OF WASTE BY PRIVATE PERSONS.

No person or persons shall collect, handle, haul, or transport on any of the streets, alleys, public ways or places of the town, any garbage without first having procured a permit therefor from the Town Clerk.

('82 Code, Art. G-II, § 6) Penalty, see § 10.99

§ 50.07 PLACEMENT SCHEDULE.

Garbage cans or similar containers containing garbage and trash for removal shall be placed on the premises from which the same are to be removed at or before 7:00 a.m. on the day scheduled for removal.

('82 Code, Art. G-II, § 7)

§ 50.08 DEAD ANIMALS.

Dead animals will be removed by the town at any time.
('82 Code, Art. G-II, § 8)

CHAPTER 51: WATER

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GENERAL PROVISIONS

§ 51.01 BOARD OF COMMISSIONERS TO REGULATE WATER SYSTEM.

The Water System of the town shall be under the control of, and the duty of prescribing and enforcing a full compliance with all the rules and regulations governing all connections with the public sewer and water system shall be vested in, the Board of Commissioners or its authorized agent. ('82 Code, Art. E-I, § 1)

§ 51.02 PERMIT REQUIRED FOR CONNECTION TO WATER SYSTEM.

No person, firm, or corporation shall connect with the water system of the Town of Broadway until they shall have made application for permission to so connect in writing to the Town Clerk, and

this application shall be made before any part of the drainage system of the house or other connection shall have been laid or constructed and said application shall be accompanied with a plan or drawing showing the location of the building and the entire proposed connection from the public sewerage line through the building to its terminus, showing the location of all the fixtures, traps, ventilating pipes, and the like, and shall state name of the street and name of the person, firm, or corporation.

('82 Code, Art. E-I, § 2) Penalty, see § 10.99

§ 51.03 SEPARATE CONNECTIONS REQUIRED.

Each individual business or residential building or structure shall install a separate water and sewer connection.

('82 Code, Art. E-I, § 3) Penalty, see § 10.99

§ 51.04 WATER RATES.

Water rates and water connection charges shall be determined from time to time by the Board which shall be kept on file in the office of the Town Clerk.

('82 Code, Art. E-I, § 5)

§ 51.05 USAGE OF WATER FROM PUBLIC FAUCETS AND HYDRANTS RESTRICTED TO CITY PERSONNEL.

(A) No consumer will be allowed to supply or sell water to other persons, families or corporations, nor shall any person take or carry away water from any hydrant, watering trough, or public fountain.

(B) The fire hydrants are for the use of the Fire Department for fighting fires, and are not to be used by any unauthorized person for any purpose, without permission from the Board.

('82 Code, Art. E-I, § 4) Penalty, see § 10.99

§ 51.06 TAMPERING WITH LINES PROHIBITED.

No person shall touch, tamper, or in any manner manipulate or turn the cut-offs on the water mains forming a part of the Water System of the town, nor shall any person tamper with or harm in any manner whatsoever any water line, main, or any appurtenance thereto. No person shall throw or deposit any material or substance in any water line that will in any manner obstruct such line.

('82 Code, Art. E-I, § 6) Penalty, see § 10.99

§ 51.07 PRIVATE WATER SUPPLY REGULATED.

(A) It shall be unlawful for any person, firm, or corporation to furnish, supply, or provide, for gain or profit, any water from a private well or pumps in or to any dwelling house, boarding house, inn, hotel, cafe, or other commercial establishment, or any room or rooms of the same, when said dwelling house or any room or rooms therein are rented, or offered for rent to the public, or when said boarding house, inn, hotel, cafe, or other commercial establishment is open to or used by the public, unless and until an analysis of the water from such private well or pump shall have first been submitted to and approved by the Town Clerk.

(B) The water analysis referred to in division (A) of this section shall be made by or under the direction of the County Board of Health or the Department of Public Health of the State of North Carolina.

(C) If the said water analysis bears the approval of either of the authorities referred to in division (B) of this section, the Town Clerk shall approve the same by endorsing thereon the word "approved" and affixing thereto his signature as Town Clerk. If, however, the said analysis shows that the said water is contaminated and unfit for human consumption, the Town Clerk shall not approve said analysis, but shall deliver said analysis to the Mayor and Board of Commissioners of the Town of Broadway, which said Board may disapprove said analysis and return the same to its owner.

('82 Code, Art. E-I, § 7) Penalty, see § 10.99

§ 51.08 WATER SUPERINTENDENT.

The Board of Commissioners may select some competent person to supervise under its general control the entire water and sewer system of the town. The Board may from time to time prescribe the duties and responsibilities of the Superintendent. The Superintendent, or his assistant, shall, at all reasonable hours, have free access to all premises for the purpose of examining hydrants, fixtures or connections on which town water pressure is maintained.

('82 Code, Art. E-I, § 8)

§ 51.09 WORK ON LINES TO BE PERFORMED BY AUTHORIZED PERSONNEL.

All work on the water and sewer system and all connections or disconnections thereto shall be performed by the authorized employees of the town or their representatives, or plumbers approved by the town. All work shall be performed in accordance with the state plumbing code and such amendments thereto that the Board of Commissioners may from time to time adopt.

('82 Code, Art. E-I, § 9) Penalty, see § 10.99

*MAIN EXTENSIONS***§ 51.25 EXTENDING MAINS; ASSESSMENTS FOR COSTS.**

(A) Water main extensions will be made by assessments of the cost thereof against the property owners to be benefited thereby in conformity with G.S. Chapter 160A, Article 10, as amended. In the event it is necessary or desirable to lay a water main larger than an eight-inch main, the town will bear the cost of the difference between the size of main required and an eight-inch water main.

(B) Lots at the intersection of a street, except lots in a subdivision which are assessed on a per lot basis as authorized by G.S. Chapter 160A, Article 10, as amended, shall be assessed as follows:

(1) If water mains are installed simultaneously on both streets on which the lot abuts, assessment of the cost of installation shall be based upon the entire frontage on one street plus the frontage on the other street in excess of 150 feet.

(2) If such lot is already served by water mains in a street on which the lot abuts and a like main is installed in the other abutting street, the cost of such new installation shall be assessed against the lot to the extent that such frontage abutting the new installation exceeds 150 feet.

(3) If water service is installed in a street abutting a corner lot, and such service is not a duplicating service, and the method of assessment used is the street frontage method, the assessment shall not exceed the number of feet of the shortest side of said lot abutting the street. Upon installation of a duplicating service to said lot, an exemption as specified in division (B)(2) above shall be credited against the longest side of said lot abutting on the public street.

(C) Where one or more water lines traverse a lot or tract of land and the method of assessment used is the abutting footage on the improvement, the abutting footage for which lot, tract, or parcel assessed according to the assessment roll shall not exceed the straight line distance between the beginning point and the ending point of said line or lines, provided that upon the installation of a duplicating service to a traversed lot or tract of land, an exemption of 150 feet shall be allowed for the duplicating service whether it is installed separately or simultaneously with the original service.

(D) A lot not on the corner abutting two streets which has a water service in one street shall not be liable for an assessment for duplicating service in the other street or streets if the subdivision of such lot or sale of any part thereof for an additional building site or sites is prohibited by the zoning or subdivisions standard provisions of this chapter or restrictive covenants running for a period of not less than five years from the date of the assessment for each installation.

(E) The term "lot" as used in this section is defined as a parcel of land without regard to whether or not shown on any subdivision map as separate lots and without regard to how or when acquired, except that when an assessment is made on a per lot basis in a subdivision, the term "lot" shall apply

to each separate subdivided lot, provided, however, that when a lot in a subdivision is already served by a water line and the lots in the subdivision are assessed on a per lot basis, the lot so served shall not be assessed a greater amount than the amount which would be assessed against the lot on a linear foot basis after giving credit for the exemptions contained in this section.

(F) The Board of Commissioners shall determine which method of assessment authorized by G.S. § 160A-218, as amended, would be most equitable to be used in an assessment roll.

WATER SHORTAGE RESPONSE PLAN

§ 51.30 ADOPTION BY REFERENCE.

The town's Water Shortage Response Plan is hereby adopted by reference and incorporated as part of this code of ordinances as fully as if set out at length herein.
(Ord. passed 4-26-10)

CHAPTER 52: SEWERS

Section

General Provisions

- 52.01 Connection to sewer system; septic tanks
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- 52.03 Sewer tap charges
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- 52.16 Hindering entry and inspections by authorities
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- 52.22 Maintenance of interceptors and equipment; owner responsible for cost
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- 52.35 Extending mains; assessments for costs

Fats, Oils and Grease Program

- 52.40 Fats, oils and grease control

GENERAL PROVISIONS**§ 52.01 CONNECTION TO SEWER SYSTEM; SEPTIC TANKS.**

Every person owning a dwelling, building, or other structure which is used for human habitation or occupancy within the town, situated on a lot or parcel of land which abuts or adjoins a street or other public way, along which is located a sanitary sewer shall connect such building, dwelling or structure to the sewer system of the town, provided, however, that a connection shall not be required to the system unless the lot or parcel of land on which the dwelling, building, or structure is situated is accessible within 300 feet of the sewer system, and provided, further, that no person shall be required to cross the private property of any other person to make such connection. Where connections are required all toilets, sinks, and other plumbing fixtures shall be installed, arranged, or rearranged to drain into the sanitary sewer. Properties which are not accessible to the sewer system for the reason they are more than 300 feet therefrom shall install septic tanks or other facilities as provided for by ordinance of the town.

(Ord. passed 9-4-84)

§ 52.02 DISCHARGE OF SEWAGE INTO STREETS DECLARED NUISANCE; ABATEMENT BY CONNECTION.

(A) The discharge of water, sewage, refuse or other waste by any person from any improved property that is used for a residence or business within the corporate limits of the town into the streets, alleys, or public ways or private premises in the town is hereby declared a health hazard and a public nuisance, and the same may be abated in the same manner as other public nuisances are abated. After notice thereof by the Town Clerk, Building Inspector, or Chief of Police, the person shall immediately correct such condition.

(B) Where such a public nuisance or health hazard exists as described in division (A) of this section, the town may require any owner of improved property within the corporate limits of the town to connect with said system, as required by § 52.01, all water closets, bathtubs, lavatories, sinks, commodes, or drains so that their contents may be made to empty into such sewer and fix charges for such connection, provided that notice of 60 days shall be given the property owner or occupant before the connection shall be required.

(Ord. passed 9-4-84) Penalty, see § 10.99

§ 52.03 SEWER TAP CHARGES.

(A) The Board of Commissioners shall establish sewer charges from time to time. A schedule of current fees is available for public inspection in the office of the Town Clerk.

(B) Charges for sewer services over four inches shall be determined by the Superintendent of Utilities and shall be based upon actual costs.

(C) Fees for installation of services when the property owner furnishes all materials, makes all installations and connections, and the town furnishes and sets the water meter shall be as follows:

(1) Cost to purchase and set meter;

(2) Acreage fees determined to nearest one-tenth acre.

(Ord. passed 9-4-84)

§ 52.04 ORDINANCES NOT AFFECTED.

Nothing in this chapter shall affect any ordinance establishing charges for the installation of water inside and outside the town limits or establishing charges for water renewals, and all such ordinances are hereby recognized as continuing in full force and effect.

(Ord. passed 9-4-84)

INDUSTRIAL WASTE

§ 52.15 DEFINITIONS.

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

B.O.D. (DENOTING FIVE-DAY BIOCHEMICAL OXYGEN DEMAND). The quantity of oxygen utilized in the biochemical oxidation of organic matter as measured by standard laboratory methods in five days at 20° Centigrade as set out herein, expressed in mg/l.

C.O.D. (DENOTING CHEMICAL OXYGEN DEMAND). The quantity of equivalent oxygen utilized in the chemical oxidation of organic matter as measured by standard laboratory methods, as set out herein, expressed in mg/l.

COLOR. The true color due to substances in solution which cause any variation in the hue of the receiving stream.

DOMESTIC SEWAGE. Water-carried waste from bathrooms, toilet rooms, kitchens, and home laundries.

EXCESSIVE RADIATION DOSE. A dose of radiation in excess of the maximum dose.

GARBAGE (PROPERLY SHREDED). Solid wastes from the preparation, cooking and dispensing of food that has been shredded to such degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than ½-inch in any dimension.

I.O.D. or IMMEDIATE OXYGEN DEMAND. The quantity of oxygen utilized by an industrial waste in excess of that normally attributable to sewage as measured by using standard laboratory methods, as set out herein, expressed in mg/l.

INDUSTRIAL WASTES. The water-carried wastes from industrial, institutional and commercial processes and operations as distinct from domestic sewage.

MAXIMUM PERMISSIBLE DOSE (OF RADIATION). A dose of radiation to any part of the body, internal or external or both, that in the light of present knowledge, is not expected to cause appreciable bodily injury to a person at any time during his lifetime.

mg/l (MILLIGRAMS PER LITER). Parts per million by weight.

PERSON. Any individual, business entity, partnership, corporation, governmental agency or political subdivision.

pH. The logarithm (base 10) of the reciprocal of the hydrogen ion concentration, and indicates the degree of acidity or alkalinity of a substance. A pH value of 7.0 is neutral, above 7.0 is alkaline and below 7.0 acid.

PUBLIC SEWER. A sanitary or storm sewer which is controlled by the town and in which all owners of abutting properties have equal rights.

RECEIVING STREAM. A body of water, stream, or watercourse receiving the discharge waters from the waste treatment plant or formed by the waters discharged from the waste treatment plant.

SANITARY SEWER. A sewer which carries sewage or industrial wastes.

SEWAGE. A combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments.

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

SEWER. A pipe or conduit for carrying sewage.

SHALL. Mandatory; **MAY** is permissive.

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

SUPERINTENDENT. The Superintendent of Utilities of the town.

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

TOWN. The Town of Broadway.

USER. Any person utilizing the town sewage works for discharge of waste; and any person using a lot, parcel of land, building, or other premises connected to and discharging sewage, industrial wastewater, or other liquid into the sanitary sewage system of the town, and who pays, or who is or would be legally responsible for the payment of utility rates or charges made against said premises upon its connection to the water distribution system of the town.

WASTE TREATMENT PLANT. Any arrangement of devices and structures for treating and disposing of sewage.
(Ord. passed 9-4-84)

§ 52.16 HINDERING ENTRY AND INSPECTIONS BY AUTHORITIES.

(A) No user shall prohibit the Superintendent or any duly authorized employee of the Utilities Department from entering any property when the purpose of such entry is the carrying out of inspections, observations, measurements, samplings, and testings necessary for the proper enforcement of this subchapter.

(B) All tests and analyses of the characteristics of waters and wastes to which reference is made in this subchapter shall be made in accordance with the procedure given in the latest edition of *Standard Methods for the Examination of Water and Wastewater*, published by the American Public Health Association, or in accordance with procedures acceptable to North Carolina and federal authorities. Such tests and analyses shall be determined at the control manhole provided for in § 52.23 or at the point of discharge of any waters or wastes at the site of their origin on the premises of any person discharging such wastes into the sanitary sewer.

(Ord. passed 9-4-84) Penalty, see § 10.99

§ 52.17 MEASUREMENT AND FLOW.

(A) The volume of flow used in determining the applicant's total discharge of industrial wastes shall be based:

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(1) Upon metered water consumption as shown in the records of meter readings maintained by the town Utilities Department. In the event that a person discharging wastes into the sanitary sewers produces evidence to the Superintendent that more than 10% of the total annual volume of water used for all purposes does not reach the sanitary sewer, then an estimated percent of total water consumption to be used in determining industrial waste discharge may be agreed upon between the Superintendent and the person discharging such industrial wastes into the sanitary sewers.

(2) At the individual discharger's option, upon other flow-measuring devices, which measure the actual volume of wastewaters discharged to the sewer. Such devices shall be accessibly and safely located, and the measuring system shall be installed in accordance with plans approved by the Superintendent. The metering system shall be provided by the owner at his expense and shall be maintained in continuous and satisfactory operation by the owner at his expense.

(B) When any person discharging wastes into the sanitary sewers procures all or any part of his water supply from sources other than the town Utilities Department at his expense water meters of a type approved by the Superintendent for the purposes of determining the proper volume of waste discharged to such sewers.

(Ord. passed 9-4-84)

§ 52.18 DETERMINATION OF CHARACTER AND CONCENTRATIONS OF WASTES.

(A) The industrial waste of each person discharging into sanitary sewers shall be subject to periodic inspection by authorized personnel. A determination of character and concentration of such wastes shall be made quarterly or more often as deemed necessary by the Superintendent or his authorized personnel. Such inspection and tests shall be made immediately after any process change which may affect the quantity or quality of the wastes discharged.

(B) Samples shall be collected by authorized personnel in a manner satisfactory to the approving authority so as to be representative of the character and concentration of the waste under operational conditions. Laboratory methods used in the examination of such waste shall be those set forth in standard methods, referred to in § 52.16 above, a copy of which is on file with the Town Clerk for inspection by the public.

(Ord. passed 9-4-84)

§ 52.19 DISCHARGE OF INDUSTRIAL WASTES; PERMISSION REQUIRED.

(A) Any person who shall hereafter desire to discharge any industrial or otherwise prohibited wastes into the town's sanitary sewers or who shall discharge such wastes, shall, before making any such discharge, first apply to the Superintendent for permission to do so.

(B) The Superintendent shall grant such permission when evidence is submitted by the applicant that the discharge of wastes into the public sewers will comply with the requirements of this subchapter. Disputes over the sufficiency of such evidence shall go to the Board of Commissioners.

(C) Applicants shall provide, at their own expense, such preliminary handling as may be necessary to control the quantities and rates of discharge of such wastes over a 24-hour period. Plans, specifications, and any other pertinent information relating to proposed preliminary treatment of handling facilities shall be submitted for the approval of the Superintendent, and no construction of such facilities shall be commenced until such approval is obtained in writing.

(D) However, the approval of such plans by the Superintendent will in no way relieve such persons of the responsibility for modifying the facility once constructed as necessary to produce an effluent acceptable to the Superintendent under the terms of this subchapter.

(Ord. passed 9-4-84) Penalty, see § 10.99

§ 52.20 DISCHARGES RESTRICTED; PRETREATMENT OF CERTAIN WASTES REQUIRED.

(A) No person shall discharge or deposit, either directly or indirectly, any of the following materials into any sanitary sewer of the town except those pretreated pursuant to division (B) herein or discharged pursuant to approved applications as provided in § 52.19:

- (1) Industrial wastes.
- (2) Any clothing, rags, textile remnants or wastes, cloth, scraps, except fibers of scrap that will pass through a ¼-inch mesh screen or its equivalent in screening ability.
- (3) Any liquid or vapor having a temperature higher than 150° Fahrenheit.
- (4) Any water or waste which may contain more than 100 mg/l of fat, oil, or grease.
- (5) Any gasoline, kerosene, benzene, naphtha, fuel oil, motor oil, or other flammable or explosive liquid, solid, or gas.
- (6) Any garbage that has not been properly shredded.
- (7) Any solid or viscous substance including but not being limited to: ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, tar, plastics, wood, paunch manure and animal viscera, parts, feathers or hair, lime slurry, lime residues, slops, whole blood, fleshings, chemical residues, paint residues, bulk solids in an amount, concentration, or proximity to other discharges which is capable, alone or in combination with any other substance, of obstructing or causing an obstruction to the flow in sewers or of any other interference with the proper operation of sewage works.

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- (8) Any water, waste, or other medium in which the suspended solids exceed 300 mg/l.
- (9) Any water, waste, or other medium in which the five-day B.O.D. exceeds 300 mg/l.
- (10) Any water, waste or other medium in which the C.O.D. exceeds 600 mg/l.
- (11) Any water, waste, or other medium in which the I.O.D. exceeds 5.0 mg/l.
- (12) Any water, waste, or other medium having a stabilized pH lower than 5.5 or higher than 9.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
- (13) Any water, waste, or other medium containing any heavy metal, including but not being limited to: chromium, zinc, nickel, or copper, in or capable of being reduced to, an ionic or chemically active state in any amount, concentration, or proximity to any other discharge which is measurable by means of the procedures referred to in § 52.16.
- (14) Any water, waste, or other medium containing any poisonous substance, including but not being limited to cyanide.
- (15) Any water, waste, or other medium containing any toxic, poisonous, or other substance in sufficient quantities or concentrations to interfere with the biological processes used in waste treatment works or to pass through the waste treatment works and harm or cause any harm, under any conditions, to any persons, livestock, or aquatic life utilizing the receiving stream.
- (16) Any noxious, malodorous, or other gas or substance in any amount, concentration, or proximity to any other discharge capable, alone or in combination with any other substance, of creating a public nuisance.
- (17) Any radioactive materials in a solid state or in a solution which can be removed by physical or chemical means and can be disposed of in solid forms.
- (18) Any radioactive materials in soluble ion form in sufficient quantities to create a health or life hazard under any conditions, to sewage works, personnel, or the biological life in the waste treatment plant or receiving stream.
- (19) Any materials which form excessive amounts of scum that may interfere with the operation of the waste treatment works or cause undue additional labor in connection with its operation.
- (20) Any water, waste, or other medium containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the waste treatment plant.

(21) Any water, waste, or other medium containing dyes or other color of such character and in such quantity as to prevent removal by biological processes and which require special chemical treatment.

(22) Any water, waste, or other medium which in concentration of any given constituent or in any quantity of flow exceeds, for any period of duration longer than 15 minutes more than five times the average 24-hour concentration or flows during normal operation.

(B) All persons generating wastes described in division (A) of this section above, shall pretreat or otherwise dispose of it so as to make the waste discharged to the public sewer acceptable under the standards established in this subchapter, except as provided in § 52.21.

(C) No person shall discharge or cause to be discharged any storm water, ground water, roof run-off, subsurface drainage, cooling water, or unpolluted industrial or commercial process water into any sanitary sewer.

(Ord. passed 9-4-84) Penalty, see § 10.99

§ 52.21 APPROVAL OF ABNORMAL DISCHARGES; SURCHARGE IMPOSED.

(A) With the written approval of the Superintendent, wastes having the following characteristics may be admitted into the town's sanitary sewers upon the payment of an additional charge:

(1) Those having a B.O.D. greater than 300 mg/l.

(2) Those containing suspended solids of more than 300 mg/l.

(3) Those having the characteristics prohibited by § 52.20, but susceptible to treatment at any extra cost.

(B) When industrial wastes, with the concentration of B.O.D. and suspended solids exceeding the 300 mg/l limit hereinabove prescribed, or other, temporarily permitted wastes are discharged into the town's sewers, a monthly surcharge shall be imposed upon the responsible industrial or other user. The surcharge shall be based upon the excess pounds of B.O.D. and suspended solids contained in the user's sewage flow. Such excess shall be calculated as the difference between the actual five-day B.O.D. and suspended solids concentrations found by the Utilities Department, and the permissible, 300 mg/l limits, all based upon the user's water flow as measured by the procedure described in § 52.17 above.

(C) The surcharge shall be imposed in addition to the normal sewer service charge.

(D) The amount of the surcharge per pound shall be that established by the town and shall be based upon total projected costs for treating excess industrial waste. Projected costs shall be based upon actual costs experienced during the preceding fiscal year.

(Ord. passed 9-4-84)

§ 52.22 MAINTENANCE OF INTERCEPTORS AND EQUIPMENT; OWNER RESPONSIBLE FOR COST.

(A) Applicants shall provide grease, oil, and sand interceptors when, in the opinion of the Superintendent, they are necessary for the proper handling of liquid wastes containing grease, flammable substances, sand, or other such ingredients, except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be maintained by the owner at his expense in continuous and efficient operation at all times.

(B) When a user provides preliminary treatment or holding facilities or when they are required by the Superintendent, for any purpose, their owner shall maintain them, at his expense, in continuous efficient and satisfactory operation at all times.

(Ord. passed 9-4-84) Penalty, see § 10.99

§ 52.23 CONTROL MANHOLE TO BE CONSTRUCTED.

Any person discharging industrial wastes into the public sewers may be required to construct and maintain a suitable control or inspection manhole either downstream from any treatment, storage, or other approved works, or, if pretreatment works are not required, at the point where the wastes enter the public sewers. Such manhole shall be located so as to be readily accessible and shall be constructed in a manner approved by the Superintendent to facilitate any inspection or measuring which may be necessary for the proper sampling and/or control of the waste discharged.

(Ord. passed 9-4-84) Penalty, see § 10.99

§ 52.24 CHANGES IN DISCHARGE TO BE REPORTED TO SUPERINTENDENT.

Notice by the user shall be given to the town and the town's Superintendent in advance, or at the earliest possible time, when normal operations of the industry will be interrupted for 24 hours or longer, when wastes will not be available for discharge, or when a change of process is contemplated which will alter demands on the municipal treatment facilities.

(Ord. passed 9-4-84) Penalty, see § 10.99

§ 52.25 VIOLATIONS; UNLAWFUL DISCHARGES; TAMPERING WITH SYSTEM.

(A) If any user shall discharge any prohibited material into the sanitary sewers without first

applying for and receiving permission from the Superintendent under the standards prescribed in this subchapter or shall violate the terms of such permission, the Town Clerk shall upon 24 hours' notice, if such person is using the town's sewer system, cause the termination of such person's connection with the town system. The connection shall be resumed thereafter only at such person's expense and only with the approval of the Superintendent based upon a satisfactory rectification of all past violations of this subchapter and an assurance that no future violations will take place.

(B) It shall be unlawful for any person to violate any provision of this code relating to the pretreatment, disposition, or discharge of wastes; and each violation thereof, and each day on which there is a failure to comply with the terms of said provision, shall be a distinct and separate offense and punishable as such.

(C) It shall be unlawful for any person maliciously or willfully to damage, destroy, uncover, deface, or tamper with any equipment or materials belonging to the town and used or intended to be used, for the purposes of making measurements, tests, examinations, or repairs to the sewer system of the town. Violators shall be guilty of a misdemeanor and shall be punished as provided by law.
(Ord. passed 9-4-84) Penalty, see § 10.99

MAIN EXTENSIONS

§ 52.35 EXTENDING MAINS; ASSESSMENTS FOR COSTS.

(A) Sewer main extensions will be made by assessments of the cost thereof against the property owners to be benefited thereby in conformity with G.S. Chapter 160A, Article 10, as amended. In the event it is necessary or desirable to lay a sewer main larger than an eight-inch main, the town will bear the cost of the difference between the size of main required and an eight-inch sewer main.

(B) Lots at the intersection of a street, except lots in a subdivision which are assessed on a per lot basis as authorized by G.S. Chapter 160A, Article 10, as amended, shall be assessed as follows:

(1) If sewer mains are installed simultaneously on both streets on which the lot abuts, assessment of the cost of installation shall be based upon the entire frontage on one street plus the frontage on the other street in excess of 150 feet.

(2) If such lot is already served by sewer mains in a street on which the lot abuts and a like main is installed in the other abutting street, the cost of such new installation shall be assessed against the lot to the extent that such frontage abutting the new installation exceeds 150 feet.

(3) If sewer service is installed in a street abutting a corner lot, and such service is not a duplicating service, and the method of assessment used is the street frontage method, the assessment shall not exceed the number of feet of the shortest side of said lot abutting the street. Upon installation

of a duplicating service to said lot, an exemption as specified in division (B)(2) above shall be credited against the longest side of said lot abutting on the public street.

(C) Where one or more sewer lines traverse a lot or tract of land and the method of assessment used is the abutting footage on the improvement, the abutting footage for which lot, tract, or parcel assessed according to the assessment roll shall not exceed the straight line distance between the beginning point and the ending point of said line or lines, provided that upon the installation of a duplicating service to a traversed lot or tract of land, an exemption of 150 feet shall be allowed for the duplicating service whether it is installed separately or simultaneously with the original service.

(D) A lot not on the corner abutting two streets which has a sewer service in one street shall not be liable for an assessment for duplicating service in the other street or streets if the subdivision of such lot or sale of any part thereof for an additional building site or sites is prohibited by the zoning or subdivisions standard provisions of this chapter or restrictive covenants running for a period of not less than five years from the date of the assessment for each installation.

(E) The term "lot" as used in this section is defined as a parcel of land without regard to whether or not shown on any subdivision map as separate lots and without regard to how or when acquired, except that when an assessment is made on a per lot basis in a subdivision, the term "lot" shall apply to each separate subdivided lot, provided, however, that when a lot in a subdivision is already served by a sewer line and the lots in the subdivision are assessed on a per lot basis, the lot so served shall not be assessed a greater amount than the amount which would be assessed against the lot on a linear foot basis after giving credit for the exemptions contained in this section.

(F) The Board of Commissioners shall determine which method of assessment authorized by G.S. § 160A-218, as amended, would be most equitable to be used in an assessment roll.
(Ord. passed 9-4-84)

FATS, OILS, AND GREASE PROGRAM

§ 52.40 FATS, OILS AND GREASE CONTROL.

(A) *Purpose.* This section is intended to aid in the prevention of sanitary sewer blockages and obstructions caused by the introduction, discharge, and contribution of fats, oils, greases, grease complexes, scum, sludge and other organic polar compounds into the town's wastewater collection system or publicly-owned treatment works by commercial, industrial, institutional and all other non-residential activities.

(B) *Definitions.* For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

COMMERCIAL ESTABLISHMENT and **INDUSTRIAL ESTABLISHMENT**. Any user that has the potential to use, contribute to or otherwise impact the town's wastewater collection system or POTW. Such establishments include, but are not limited to, maintenance facilities, repair facilities and equipment cleaning facilities.

COOKING ESTABLISHMENT. Any person primarily engaged in the activities of cooking, preparing, serving, or otherwise making available for human consumption any form of foodstuff, and which uses one or more of the following cooking or preparation methods in connection with such activities: cooking or preparation by frying (all methods), baking (all methods), grilling, sauteing, rotisserie cooking, broiling (all methods), boiling, blanching, roasting, toasting, poaching, or any type of cooking preparation that produces a hot non-potable product in or on a receptacle that requires washing, rinsing or other form of cleaning. Such establishments include, but are not limited to, restaurants, cafeterias, extended care facilities, school cafeterias (public and private), and daycare facilities where meals for more than six children are prepared, served or other made available for human consumption.

GREASE. All greases, grease complexes, fats, oils, scum, sludges, and all other organic polar compounds derived from animal and/or plant sources that contain multiple carbon chain triglyceride molecules. Such substances are detectable and measurable using analytical procedures established in 40 CFR 136.

GREASE TRAP or **GREASE INTERCEPTOR**. A device for separating and retaining waterborne greases before the wastewater which contains such grease exits the grease trap or interceptor into the town's wastewater collection system or POTW. The grease trap or interceptor also collects settleable solids generated by or incidental to commercial, industrial and food preparation.

NON-COOKING ESTABLISHMENT. Any person primarily engaged in the rendering or preparation of pre-cooked foodstuffs that do not require or involve any form of cooking. Such establishments include, but are not limited to, establishments that are primarily engaged in the rendering preparation of cold dairy and frozen foodstuffs. These businesses are encouraged to explore methods of exemption and alternate compliance status.

PERSON. Any actual person, corporation, partnership, unincorporated association, and any governmental entity or political subdivision and departments and agencies thereof.

TOWN. The town of Broadway, North Carolina, and its utility service area.

USER. Any person primarily engaged in any commercial, industrial, institutional or other non-residential activity who introduces, contributes or discharges (or causes or permits the introduction, contribution or discharge of) wastewater into the town's wastewater collection system or POTW, including but not limited to any person who introduces, contributes, or discharges wastewater into the wastewater collection system of POTW through any mobile source.

WASTEWATER. Any substance introduced, contributed to, or discharged into the town's wastewater collection system or publicly owned treatment works ("POTW").

(C) *Grease trap and interceptor installation, maintenance, record-keeping and removal.*

(1) No later than one year after the adoption of this section, all cooking establishments shall install grease traps or interceptors designed to limit the introduction, contribution and discharge of greases into the town's wastewater collection system or POTW. Grease traps and interceptors with appropriate sampling or inspection points shall be installed at the user's expense whenever any user operates a commercial, industrial, or institutional cooking establishment. Grease traps and interceptors must have a minimum capacity of 500 gallons or more as required to affect a grease concentration maximum of 100 mg/l.

(2) Alternative methods of compliance may be approved by the town if the user demonstrates that compliance with this chapter is impossible or impractical at the time of the adoption of this chapter. However, any such proposed alternative method of compliance will be required to meet the performance criteria specified in division (C)(1) of this section, and the user must adequately demonstrate to the satisfaction of the town that the proposed alternative method will satisfy those performance criteria. In addition, any such alternative method must be cleaned at a more frequent interval than is required of grease traps and interceptors. Prior to approval of any such proposed alternative method of compliance, documentation of the proposed method's actual performance criteria must be submitted to the town's designated Enforcement Official or Public Utilities Director for review and approval.

(3) Grease traps and interceptors may also be required in other facilities, as deemed necessary by the town's designated Enforcement Official or Public Utilities Director.

(4) Upon the written approval of the town's designated Enforcement Official or Public Utilities Director, non-cooking establishments may be exempted from the requirements of this chapter after an inspection of the subject premises and submission of adequate supporting documentation, as deemed necessary in the sole and absolute discretion of the town's designated Enforcement Official or Public Utilities Director. At a minimum, such supporting documentation shall include: blueprints of the subject premises, a full and detailed description of the operations and activities at the subject premises, and a full and detailed list of all potential sources of grease at the subject premises.

(5) Users shall empty and service grease traps and interceptors to comply with the performance criteria in division (C)(1) of this section as often as necessary. The town may require a specific schedule if deemed necessary by the town's designated Enforcement Official or Public Utilities Director. Under-the-counter types of grease traps and interceptors shall be cleaned at least daily and shall comply with the performance criteria in division (C) of this section. There shall be no reintroduction of wastewater back into the grease trap or interceptor unless and until said wastewater has been proven to contain 100 mg/l or less of grease. Under no circumstances shall the sludge or scum layer be reintroduced or discharged into the town's wastewater collection system or POTW.

(6) Users shall supply:

(a) An adequate sampling point downstream of the grease trap or interceptor, prior to mixing with other sanitary flows; and

(b) An accessible entry into each chamber of the grease trap or interceptor. The minimum requirement for the sampling point shall be a four inch vertical clean out. The town shall have the right to inspect at any time and without prior notice.

(7) Users shall retain detailed records on-site for a minimum of three years reflecting all maintenance carried out pursuant to this chapter. At a minimum, such records shall contain the following information: date of service, name of the employee involved, and a receipt reflecting all services rendered by the waste hauler providing the service.

(8) Users are required to keep the grease trap or interceptor free of inorganic solids such as grit, towels, gloves, cigarettes, eating utensils, etc., which would clog or settle in the trap or interceptor, thereby reducing the effective volume or capacity of the trap or interceptor and the interceptor should be free of any sanitary sewer flows, thereby reducing the effective volume or capacity of the trap or interceptor.

(9) Users shall not introduce or discharge any sanitary wastewater into the grease trap or interceptor.

(10) Users are required to ensure that all waste material removed from grease traps and interceptors is disposed of in a manner that complies with all federal, state, and local statutes, rules, regulations, policies and ordinances.

(11) The Director reserves the right to waive these requirements, based on review of all relevant information regarding grease interceptor/trap performance, facility site and building plan review and to require repairs to, or modification of replacement of such grease interceptors/traps.

(D) *Enforcement.*

(1) Except as provided herein, for a period of one year following the adoption of this chapter, no enforcement actions will be taken under this section for failure to achieve the performance criteria specified in division (C) of this section. If, during such period: (i) an obstruction of any of the town's sanitary sewer main(s) occurs and causes a sewer overflow, spill, leak or other event with any environmental impact, and (ii) such overflow spill, leak or other event may be attributed in part or in whole to a particular user, then the town will seek enforcement action under the sewer use ordinance. For purposes of this section, an overflow, spill, leak or other event shall be deemed to have an environmental impact when (i) such overflow or other event involves an amount of wastewater equal to or in excess of 1,000 gallons, or (ii) any amount of wastewater reaches beyond any body of surface water.

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(2) Thereafter:

<i>Violation</i>	<i>Enforcement Action</i>
First failure to submit documentation	Warning
First failure to conduct required cleaning	Warning
Failure to submit documentation	Fine of \$50/event
Failure to conduct cleaning	Fine of \$200/event
Exceed 100 mg/l FOG limit	Fine of \$200/event
Failure to pay fines	Disconnection of water and sewer services

(Ord. passed 3-23-15)