

1 | THE CITY OF CRANSTON
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4 **RESOLUTION OF THE CITY COUNCIL**
5 **ESTABLISHING NEW LOCAL SEWER USER DISPOSAL LIMITS**
6
7
8
9

10 NO.
11

12 *Passed:*
13
14
15

16 _____
17 *Anthony J. Lupino, Council President*
18
19

20 **Whereas**, the City’s Sewer Use Ordinance must be revised and updated to
21 establish local user limitations, and
22

23 **Whereas**, the Department of Environmental Management has requested
24 the Council initial approval of such an ordinance,
25

26 **Be It Hereby Resolved** that the Cranston City Council hereby resolves to
27 adopt the following Sewer Use Ordinance updating and revising the current code.
28 The Council understands that the Department of Environmental Management is
29 requesting initial approval from the Council prior to the review process and public
30 comment period. At the expiration of this period this resolution will be passed as
31 an ordinance and be a part of the Cranston Code.
32
33

34 Chapter 13.08 SEWER SERVICE SYSTEM

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163 13.08.010 Acceptance of special law.
164 The provisions of Chapter 750 of the Public Laws of 1 939 as amended, are accepted and
165 amended by the city council.
166 (Prior code § 26-1)
167
168 13.08.020 Reference to state codes.
169 This chapter has taken into consideration the State Building Code, Article 17; and the
170 1975 BOCA Plumbing Code, Article 15. Said codes are herein modified.
171 (Prior code § 26-2)
172
173 13.08.030 Construction and maintenance and special time provision.*
174 Sewer service connections which are owned by the city shall be built, repaired and
175 maintained only by the city under the direction of the director of public works and that
176 portion of a sewer service connection which is not owned by the city shall be built,
177 repaired and maintained by the owner of the connected building in accordance with the
178 provisions of Chapter 22 relative to plumbing.
179 (Prior code § 26-3)
180 * Editor's Note: Chapter 22 of the prior code was not codified during the 2004
181 codification, per city directive.
182
183 13.08.040 Definitions.
184 "ACGIH" means American Conference of Governmental Industrial Hygienists.

185 "Act" means the Federal Water Pollution Control Act, also known as the Clean Water
186 Act as amended, 33 U.S.C. 125 1 et seq., 86 Stat. 816, Pub. L. 92-500, and any
187 amendments thereto; as well as any guidelines, limitations and standards promulgated by
188 the Environmental Protection Agency pursuant to the Act.

189 "Approval authority" means the Rhode Island Department of Environmental
190 Management.

191 "ASTM" means the American Society for Testing and Materials.

192 "Authorized representative of the user" means:

193 1. If the user is a corporation:

194 a. A president, secretary, treasurer, or vice-president of the corporation in charge of a
195 principal business function, or any other person who performs similar policy- or decision-
196 making functions for the corporation, or

197 b. The manager of one or more manufacturing, production, or operating facilities,
198 provided, the manager is authorized to make management decisions which govern the
199 operation of the regulated facility including having the explicit or implicit duty of making
200 major capital investment recommendations, and initiate and direct other comprehensive
201 measures to assure long-term environmental compliance with environmental laws and
202 regulations; can ensure that the necessary systems are established or actions taken to
203 gather complete and accurate information for control mechanism requirements; and
204 where authority to sign documents has been assigned or delegated to the manager in
205 accordance with corporate procedures.

206 2. If the user is a partnership or sole proprietorship: a general partner or proprietor,
207 respectively.

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

211 4. A duly authorized representative of the individual designated in subsection 1, 2, or 3
212 of this definition if: (i) The authorization is made in writing by the individual described in
213 subsections 1, 2, or 3 of this definition; (ii) The authorization specifies either an
214 individual or a position having responsibility for the overall operation of the facility, such
215 as the position of plant manager, operator of a well, or well field superintendent, or a
216 position of equivalent responsibility, or having overall responsibility for environmental
217 matters for the company; and (iii) the written authorization is submitted to the director.

218 "Best management practices" or "BMPs" means schedules of activities, prohibitions of
219 practices, maintenance procedures, and other management practices to implement the
220 prohibitions listed in Title 40 Code of Federal Regulations Parts 403.5(a)(1) and (b).
221 BMPs also include treatment requirements, operating procedures, and practices to control
222 plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw
223 materials storage.

224 "BOD" (denoting biochemical oxygen demand) means the quantity of oxygen utilized in
225 the biochemical oxidation of organic matter under standard laboratory procedure in five
226 days at twenty (20) degrees Celsius expressed in milligrams per liter.

227 "Building drain" means that part of the lowest horizontal piping of a drainage system
228 which receives the discharge from wastewater pipes inside the walls of the building and
229 conveys it to the building lateral, beginning five feet (1.5 meters) outside the inner face of
230 the building wall.

231 "Building inspector" means the building inspector of the city, or his or her authorized
232 deputy, agent or representative.

233 "Building lateral" means the extension from the building drain to the street lateral at the
234 property line or other place of disposal.

235 "Categorical pretreatment standard or categorical standard" means any regulation
236 containing pollutant discharge limits promulgated by EPA in accordance with Sections
237 307(b) and (c) of the Act (33 U.S.C. Section 1317) which apply to a specific category of
238 users and which appear in 40 CFR Chapter 1, Subchapter N, Parts 405--471.

239 "Chemical oxygen demand" (COD) means a measure of the oxygen consuming capacity
240 of inorganic and organic matter present in water or wastewater. It is expressed as the
241 amount of oxygen consumed from a chemical oxidant in a specific test.

242 "Chlorine demand" means the difference between the amount of chlorine added to water
243 or wastewater and the amount of residual chlorine remaining at the end of a specified
244 contact period.

245 "City" means the city of Cranston.

246 "City council" means the city council of the city of Cranston.

247 "Combined sewer" means a sewer receiving both surface runoff and sewage.

248 "Conventional pollutants" means constituents of wastewater as determined by Section
249 304(a)(4) of the Federal Clean Water Act and the regulations there under 40 CFR 401.16,
250 including pollutants classified as biochemical oxygen demand, suspended solids, oil and
251 grease, fecal coliform, and pH.

252 "Developer" means a person who develops a plat of land under an approved final
253 subdivision plat or building permit.

254 "Director" means the director of public works of the city, or his or her authorized deputy,
255 agent or representative.

256 " Dwelling unit" means one or more rooms designed or intended for living purposes and
257 containing sanitary facilities.

258 "Environmental Protection Agency or EPA" means the United States Environmental
259 Protection Agency or, where appropriate, the Regional Water Management Division
260 Director, or other duly authorized official of said agency.

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

265 "Garbage" means solid wastes from the domestic and commercial preparation, cooking
266 and dispensing of food, and from the handling, storage and sale of produce.

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

269 "Hauled waste" means biosolids, grease, remediated groundwater, landfill leachate,
270 commercial wastes and industrial wastes which are readily treatable by the facility's
271 treatment process in conformance with all rules and regulations established by the city,
272 the Rhode Island Department of Environmental Management and United States
273 Environmental Protection Agency. Septage is not a hauled waste.

274 "Industrial user" means any manufacturing/non-manufacturing user of publicly owned
275 treatment works identified in the Standard Industrial Classification Manual, 1987, Office

276 of Management and Budget, as amended and supplemented, under the following
277 divisions:

278 TABLE INSET:

279

1. Division A	Agriculture, Forestry and Fishing
2. Division B	Mining
3. Division C	Construction
4. Division D	Manufacturing
5. Division E	Transportation, Communications, Electric, Gas and Sanitary Services
6. Division F	Wholesale Trade
7. Division G	Retail Trade
8. Division H	Finance, Insurance and Real Estate
9. Division I	Services

280 A user in the divisions listed may be excluded if it is determined that it will introduce
281 primarily segregated domestic wastes or wastes from sanitary conveniences.

282 A user in the divisions listed above may be classified as a non-industry if it is determined
283 by the director that such user does not conduct any manufacturing operations and will
284 introduce strictly domestic wastes to the publicly owned treatment works.

285 "Industrial wastes" means the wastes from industrial manufacturing processes, trade or
286 business as distinct from domestic wastes.

287 "Infectious waste" means any waste which contains pathogens with sufficient virulence
288 and quantity so that exposure to the waste by a susceptible host could result in disease.

289 Under this definition, the normal microflora of the body are not classified as infectious.

290 "Interference" means a discharge, which alone or in conjunction with a discharge or
291 discharges from other sources, inhibits or disrupts the POTW, its treatment process or
292 operations or its sludge processes, use or disposal; and therefore, is cause of a violation of
293 city's NPDES permit or of the prevention of sewage sludge use or disposal in compliance
294 with any of the following statutory/regulatory provisions or permits issued thereunder, or
295 any more stringent state or local regulations: Section 405 of the Act; the Solid Waste
296 Disposal Act, including Title II commonly referred to as the Resource Conservation and
297 Recovery Act (RCRA); any state regulations contained in any state sludge management
298 plan prepared pursuant to subtitle D of the Solid Waste Disposal Act; the Toxic
299 Substances Control Act; and the Marine Protection, Research and Sanctuaries Act.

300 "May" is permissive.

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

304 "Natural outlet" means any outlet into a watercourse, pond, ditch, lake or other body of
305 surface or groundwater.

306 "New source" means any building, structure, facility or installation from which there is or
307 may be a discharge of pollutants, construction of which began after the publication of the
308 proposed sewer use ordinance regulations and Pretreatment Standards pursuant to Section

309 307(c) of the Clean Water Act, which will apply to such source if such standards are
310 promulgated provided certain location and construction criteria pursuant to Title 40 Code
311 of Federal Regulations Part 403.3(k)(1) are met.

312 "Non-conforming material" means any hauled waste or septage delivered by a hauler
313 which does not meet the standards set forth in this chapter or does not comply with all
314 applicable standards found in federal, state or municipal statutes and regulations, and
315 orders or permits of the United States Environmental Protection Agency or Rhode Island
316 Department of Environmental Management. This includes any hazardous waste.

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

320 "Non-conventional pollutants" means those pollutants that are neither listed as priority
321 nor conventional pollutants.

322 "NPDES permit" is the current National Pollutant Discharge Elimination System permit
323 issued to the Cranston wastewater treatment plant pursuant to Section 402 of the Federal
324 Clean Water Act. The term includes any associated program which has been approved by
325 the federal, state or local administrators.

326 "Ordinance" is the city sewer use ordinance.

327 "Pass-through" means a discharge which exits the POTW into waters of the United States
328 in quantities or concentrations which, alone or in conjunction with a discharge or
329 discharges from other sources, is a cause of a violation of any requirement of the
330 POTW's, NPDES or RIPDES permit (including an increase in the magnitude or duration
331 of a violation).

332 "PCBs" means Polychlorinated Biphenyls.

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

337 "pH" means the logarithm of the reciprocal of the weight of hydrogen ions expressed in
338 standard units.

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

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

347 "Pretreatment standards" means prohibited discharge standards, categorical pretreatment
348 standards and local limits.

349 "Priority pollutants" means the pollutants designated as toxic under Section 307(a)(1) of
350 the Federal Clean Water Act, and any more recent designations set forth by the EPA.

351 "Private sewer" means any sewer not owned by the city.

352 "Properly shredded garbage" means the wastes from the preparation, cooking and
353 dispensing of food that have been shredded to such a degree that all particles will be

354 carried freely under the flow conditions normally prevailing in public sewers, with no
355 particle greater than one-half (1/2) inch (1.27 centimeters) in any direction.

356 "Publicly owned treatment works" or "POTW" means a treatment works as defined by
357 Section 212 of the Act (33 U.S.C. Section 1292) which is owned by the city. This
358 definition includes any devices and systems used in the storage, treatment, recycling and
359 reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes
360 sewers pipes and other conveyances only if they convey wastewater to a POTW
361 treatment plant. The term also means the municipality as defined in Section 502(4) of the
362 Act, which has jurisdiction over the indirect discharges to and the discharges from such a
363 treatment works.

364 "Public sewer" means a sewer in which all owners of abutting properties have equal
365 rights, and is controlled by public authority.

366 "Replacement" means expenditures for obtaining and installing equipment, accessories or
367 appurtenances which are necessary during the service life of the treatment works to
368 maintain the capacity and performance for which such works were designed and
369 constructed. The term "operation and maintenance" includes replacement.

370 "Rhode Island Pollutant Discharge Elimination System (RIPDES)" means the Rhode
371 Island system for issuing, modifying, revoking and reissuing, terminating, monitoring and
372 enforcing discharge permits and imposing and enforcing pretreatment requirements
373 pursuant to Title 46, Chapter 12 of the General Laws of Rhode Island and the Clean
374 Water Act.

375 "Sanitary sewer" means a sewer which carries sewage and to which storm, surface and
376 groundwaters are not intentionally admitted.

377 "Septage" means any sewage from pump stations, septic tanks, cesspools, vessels,
378 chemical toilets and campers.

379 "Sewage" See "wastewater."

380 "Sewer" (sometimes referred to as a "sewer collection system") means any pipe or
381 conduit for carrying sewage.

382 "Sewer main" means a pipe or conduit for collecting sewage from the street laterals and
383 carrying it to the wastewater treatment works.

384 "Shall" is mandatory.

385 "Significant industrial user" means:

- 386 1. A user subject to categorical pretreatment standards; or
- 387 2. A user that:
 - 388 a. Discharges an average of twenty-five thousand (25,000) gpd or more of process
389 wastewater to the POTW (excluding sanitary, non-contact cooling, and boiler blowdown
390 wastewater);
 - 391 b. Contributes a process waste stream which makes up five percent or more of the
392 average dry weather hydraulic or organic capacity of the POTW treatment plant; or
 - 393 c. Is designated as such by the city on the basis that it has a reasonable potential for
394 adversely affecting the POTW's operation or for violating any pretreatment standard or
395 requirement.
- 396 3. Upon a finding that a user meeting the criteria in subsection 2 of this definition has no
397 reasonable potential for adversely affecting the operation or for violating any
398 pretreatment standard or requirement, the city may at any time, on its own initiative or in
399 response to a petition received from a user, and in accordance with the procedures in Title

400 40 Code of Federal Regulations Part 403.8(f)(6), determine that such user should not be
401 considered a significant industrial user.

402 4. The city may determine that a user subject to categorical pretreatment standards under
403 Title 40 Code of Federal Regulations Parts 403.6 and Chapter I, Subchapter N is a non-
404 significant categorical industrial user rather than a significant industrial user on a finding
405 that the Industrial User never discharges more than 100 gallons per day (gpd) of total
406 categorical wastewater (excluding sanitary, non-contact cooling and boiler blowdown
407 wastewater, unless specifically included in the pretreatment standard) and the following
408 conditions are met:

409 a. The user, prior to the city's finding, has consistently complied with all applicable
410 categorical pretreatment standards and requirements;

411 b. The user annually submits the certification statement required in Title 40 Code of
412 Federal Regulations Part 403.12(q) together with any additional information necessary to
413 support the certification statement; and

414 c. The user never discharges any untreated concentrated wastewater.

415 "Slug load" or "slug" means any discharge at a flow rate or concentration which would
416 cause a violation of the prohibited discharge standards in Article V, Section 13.08.260 of
417 this chapter.

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

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

424 "Storm water" means any flow occurring during or following any form of natural
425 precipitation, and resulting from such precipitation, including snowmelt.

426 "Street lateral" means the extension from the building lateral to the public sewer main.

427 "Superintendent" means the person designated to supervise the operation of the water
428 pollution control facility of the city, or his or her authorized deputy, agent or
429 representative.

430 "Suspended solids" means solids that either float on the surface of, or are in suspension in
431 water, sewage, or other liquids, and which are removable by laboratory filtering.

432 "TKN" is Total Kjeldahl Nitrogen.

433 "TLV-TWA" denotes threshold limit value-time weighted average, and refers to the time
434 weighted atmospheric fume concentration for a normal eight-hour workday and forty (40)
435 hour work week to which nearly all workers may be repeatedly exposed day after day,
436 without adverse effect.

437 "TSS" is total suspended solids.

438 "Unpolluted water" is water of quality equal to or better than the effluent criteria in effect
439 or water that may not cause violation of receiving water quality standards and may not be
440 benefited by discharge to the sanitary sewers and wastewater treatment facilities
441 provided.

442 "User" means a source of indirect discharge.

443 "User charge" means a charge levied on users of a treatment works for the cost of
444 operation and maintenance of such works.

445 "Wastewater" or "sewage" means the spent water of a community, including human
446 excrement and gray water. From the standpoint of source, it may be a combination of the
447 liquid and water carried domestic and industrial wastes from residences, commercial
448 buildings, industrial plants, and institutions together with any inadvertent groundwater,
449 surface water and stormwater that may be admitted into the sewers.

450 "Wastewater facilities" means the structure, equipment and processes required to collect,
451 carry away and treat domestic and industrial wastes and dispose of the effluent.

452 "Wastewater treatment works" means an arrangement of devices, systems and structures
453 including interceptor sewers, outfall sewers, sewage collection systems, pumping, power
454 and other equipment and the extensions, improvement, remodeling, additions and
455 alterations thereof for treating wastewater, industrial wastes, and sludge. Sometimes used
456 as synonymous with "waste treatment plant" or "wastewater treatment plant" or "water
457 pollution control facility."

458 "Watercourse" means a channel in which a flow of water occurs, either continuously or
459 intermittently.

460 (Prior code § 26-4)

461 (Ord. No. 2009-52, § 1, 9-28-09)

462

463 Article II

464 Regulations Requiring the Use of Public Sewers Where Available

465

466 13.08.050 Unsanitary discharges.

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

470 (Prior code § 26-5)

471

472 13.08.060 Discharge to natural outlets.

473 It shall be unlawful to discharge to any natural outlet within the city, any wastewater or
474 other polluted waters, except where in accordance with subsequent provisions of the
475 ordinance codified in this chapter.

476 (Prior code § 26-6)

477

478 13.08.070 Privy, privy vault, septic tank, etc.

479 It shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool
480 or other facility intended or used for the disposal of wastewater, except as hereinafter
481 provided.

482 (Prior code § 26-7)

483

484 13.08.080 Houses, buildings, properties.

485 The owners of all houses, buildings or properties used for human occupancy,
486 employment, recreation, or other purposes, situated within the city and abutting on any
487 street, alley or right-of-way in which there is now located or may in the future be located
488 a public sanitary sewer of the city, is required, at each owner's expense, to install suitable
489 toilet facilities therein, and to connect such facilities directly with the public sewer in
490 accordance with the requirements of the director or in accordance with the provisions of

491 the ordinance codified in this chapter within thirty (30) days after date of official notice
492 to do so, provided that said public sewer is within one hundred (100) feet (30.5 meters) of
493 the property line. The city may extend a sewer service connection or lateral to the
494 property line when the terminus of a sewer main is within one hundred (100) feet (30.5
495 meters) of said property and said connection is feasible.
496 (Prior code § 26-8)

497

498 13.08.090 Car wash, public laundry, etc.

499 No person shall operate the business of a car wash, public laundry, automatic laundry or
500 laundromat on any lot in the city unless such lot is served by a public sewer system or by
501 a system which reclaims for re-use on the premises at least eighty (80) percent of the
502 water discharged from the washing facilities, except that this section shall not apply to
503 any business which shall have been in operation prior to June, 1978, and shall not apply
504 to any gasoline station with a car wash stand to accommodate the washing of no more
505 than one car at a time.

506 (Prior code § 26-9)

507

508 Article III

509 Regulations and Procedures Regarding Building

510 Sewers--Laterals and Connections

511

512 13.08.100 Sewer system connection permits.

513 No sanitary connection of private property or public property with the public sewer
514 system shall be made until the owner of the land, or his or her duly authorized agent, has
515 submitted an application in writing to the city for permission to make the same, and has
516 been granted such permission.

517 A. There shall be two classes of building sewer permits:

518 1. For residential and commercial service; and

519 2. For service to establishments producing industrial wastes.

520 In either case, the owner or his or her agent shall submit an application on a form
521 furnished by the city. The permit application shall be supplemented by any plans,
522 specifications or other information considered pertinent in the judgement of the city or its
523 duly authorized representative. A permit and inspection fee shall be paid according to
524 current fee schedules and cost estimate format established by the city.

525 B. Upon approval of the application by the city, the city shall authorize the building
526 inspector to issue a permit for such installation to a duly licensed plumber or drain layer.

527 C. Permits (or separate contracts) issued to establishments producing industrial wastes
528 will include, as a minimum, effluent limits, including local and applicable EPA
529 categorical standards as they are promulgated, compliance schedules, monitoring
530 schedules, and general conditions. Industrial user permits may contain other conditions as
531 the city deems necessary or desirable, including, but not limited to, best management
532 practices. The permit conditions are specifically and independently enforceable
533 regardless of whether they are expressly required or set out in this chapter.

534 D. All industrial users shall comply with any and all applicable pretreatment standards
535 and requirements, including but not limited to EPA Categorical Pretreatment Standards
536 [Title 40 Code of Federal Regulations, Chapter I, Subchapter N, Parts 405-471], National

537 Prohibited Discharges (general and specific) [Title 40 Code of Federal Regulations Parts
 538 403.5(a) and (b)] and all requirements of the Federal EPA General Pretreatment
 539 Regulations for Existing and New Sources of Pollution [Title 40 Code of Federal
 540 Regulations Part 403].

541 E. A sewer system connection fee shall be paid upon application for a building permit to
 542 erect structures which will connect directly or indirectly to the public sewer system.
 543 For purpose of the sewer system connection fee, the city is divided into the westerly
 544 sewer system impact area and the easterly sewer system impact area. The westerly sewer
 545 system impact area is the portion of the city that is located west of Interstate Route 295.
 546 The easterly sewer system impact area is that portion of the city that is located east of
 547 Interstate Route 295.

548 TABLE INSET:
 549

The westerly sewer system impact area sewer system connection fees are as follows:	
Single-family dwelling	\$3,000.00
Multi-family dwelling or apartment house or condominium complex	\$750.00 per bedroom and/or den
Rest home or hospital	\$750.00/bed
Hotels, motels, motor inns and dormitories	\$750/room plus per square foot charge for other floor space
Commercial, industrial or restaurant facility	
1 to 10,000 gross square feet	\$0.75/S.F.
10,001 to 20,000 gross square feet	\$0.50/S.F.
20,001 and over gross square feet	\$0.25 S.F.
Minimum fee	\$3,000.00
The easterly sewer system impact area sewer system connection fees are as follows:	
Single-family dwelling	\$1,200.00
Multi-family dwelling or apartment house or condominium complex	\$300.00 per bedroom and or den
Rest home or hospital	\$300.00/bed
Hotels, motels, motor inns and dormitories	\$300 Room plus per square foot charge for other floor space
Commercial, industrial or restaurant facility	
1 to 10,000 gross square feet	\$0.30/S.F.
10,001 to 20,000 gross square feet	\$0.20/S.F.

20,001 and over gross square feet	\$0.10/S.F.
Minimum fee	\$1,200.00

550 An additional sewer connection fee shall be paid on any future additions or expansions to
551 facilities in the above-mentioned categories. The additional fee shall be based on the
552 above schedule in the appropriate category.

553 F. Areas exempt from this chapter are as follows:

554 1. Public buildings;

555 2. Areas zoned M-1 or M-2 prior to January 1, 1983, located west of Route I-295, south
556 of Plainfield Pike and north of Scituate Avenue.

557 (Prior code § 26-22)

558 (Ord. No. 2009-52, § 1, 9-28-09)

559

560 13.08.110 Service connection standards.

561 Sewer service connections from the public sewer to the building drain shall be laid at
562 such depth and gradient and in such location as the city may determine. No sewer service
563 connection shall serve more than one building, except by permission of the city.

564 Submission requirements and design standards for sanitary sewers shall be in accordance
565 with rules and requirements shown the "Specifications for Highways Covering
566 Residential and Industrial Plat Developments" from the city department of public works,
567 latest edition. Annex A--Sewers within these rules addresses specific design requirements
568 for sewer connections and extensions.

569 (Prior code § 26-23)

570

571 13.08.120 Service connection cleaning.

572 If during inspection a building lateral clean out trap cannot be penetrated for lateral
573 inspection or cleaning, the property owner shall replace it with a PVC wye at their
574 expense. If a property owner cleans the building lateral, they shall also immediately clean
575 the street lateral to prevent it from being plugged by debris removed from the building
576 lateral.

577 (Prior code § 26-24)

578

579 13.08.130 Separate and independent building sewers/laterals.

580 A separate and independent building and street lateral shall be provided for every
581 building; except where one building stands at the rear of another on an interior lot and no
582 private sewer is available or can be constructed to the rear building through an adjoining
583 alley, court, yard or driveway, the building lateral from the front building may be
584 extended to the rear building and the whole considered as one building lateral, but the
585 city does not and will not assume any obligation or responsibility for damage caused by
586 or resulting from any such single connection aforementioned. The rights appurtenant to
587 such single connection or extension from a front building to a rear building shall be
588 recorded with each of the respective deeds.

589 (Prior code § 26-25)

590

591 13.08.140 Use of sewer service connections.

592 Private sewers or drains and sewer service connections within the street limits shall not
593 be connected with the public sewerage system unless they are found after investigation
594 by the city to be properly located, laid at suitable gradient, in good condition, with proper
595 and suitable appurtenances, and in every way satisfactory to the city.
596 (Prior code § 26-26)

597

598 13.08.150 Costs.

599 All costs and expense incident to the installation, inspection, and connections of the
600 building drain, building lateral and street lateral, including private sewers or drains, shall
601 be borne by the owner. The city or its authorized representative will provide the owner
602 with a list of approved contractors with whom the owner shall contract for the installation
603 of building laterals and street laterals. The owner shall indemnify the city from any loss
604 or damage that may directly or indirectly be occasioned by the installation of the building
605 lateral and street lateral and shall submit a certificate of insurance.

606 That a revolving loan fund be established to defer costs to connect homes located within
607 the city directly with the public sewer be established in the amount of two hundred
608 thousand dollars (\$200,000.00), effective January 1, 2007.

609 That the following are considered as qualifications for eligibility for receiving a loan:

610 A. Applicant must be the owner of the home seeking to connect with the city sewer
611 system and must reside in said home located within the city of Cranston.

612 B. Applicants' total household income must be one hundred (100) percent of the poverty
613 level as established by the Social Security Administrations for households of equal size.

614 C. Applicant must document number of dependents and monthly personal income.

615 Acceptable proof includes:

- 616 1. Copies of most recent two pay stubs;
- 617 2. W-2 forms for most recent tax year; or
- 618 3. Proof of unemployment qualification.

619 D. Applications are subject to a credit history check administered by the department of
620 finance.

621 E. That interest costs will not be applicable; however, all loans must be repaid within
622 five calendar years in four quarterly installments each year.

623 F. That an administrative fee of fifty dollars (\$50.00) will be applied to each loan.

624 G. That loans will be administered through the department of finance.

625 H. That the department of finance will submit to the city council by March 1, 2007, and
626 annually thereafter, a report on the status of the revolving loan account, to include
627 aggregate number of loans issued, amount in the account, and status of any loans in
628 default. Loans that are in default will be handled as a collection issue in accordance with
629 policy and procedures manual prepared by the administration set forth through the
630 department of finance and approved by the city council.

631 (Ord. 07-25 § 1: prior code § 26-27)

632

633 13.08.160 Extension of sewer system.

634 Any person developing a plat of land in the city shall at his or her own expense install
635 sewer lines and service stubs or wyes in such plat and shall connect the same with the
636 existing sewer system according to city-approved plans where the system is within one
637 thousand (1,000) feet (304.8 meters) of the subdivision. Where the existing sewer system

638 is beyond one thousand (1,000) feet (304.8 meters), or where no city-approved plans are
639 available, each lot shall be designed insofar as feasible to permit the location of an
640 individual sewage disposal system between the building site and the street.

641 Connection to the public sewer system shall be in compliance with the terms and
642 conditions set forth in the following subsections:

643 A. The entire cost of the design, review, installation, testing, and as-built documentation
644 of all sewer mains, manholes and other components of the sewer system to serve any
645 such plat or any part thereof shall be paid by the developer. The term "entire cost" as used
646 herein shall be deemed to mean and include the cost of all engineering services, both
647 preliminary to and during the actual installation of the sewer system, and the costs of all
648 materials, services, labor and supplies for construction and laying out sewers and
649 connecting the same with the sewer system, as-built documentation submission, and any
650 review or inspection costs incurred by the city.

651 B. The developer, before proceeding with the installation of sewer lines in any such plat
652 or any part thereof, shall submit plans and specifications, and all pertinent documentation
653 to the city relative to the proposed construction. If the city approves such plans and
654 specifications, the city shall forward a list of approved sewer contractors to the developer.
655 The developer shall select and submit a qualified contractor with whom he or she
656 proposes to do the work, together with a break-down of items, quantities and unit prices
657 for the project.

658 C. The developer or its designee shall notify the city and its representatives at least five
659 workdays prior to the commencement of any approved new plat related excavation,
660 advising of the name, phone number and address of the developer and the contractor,
661 along with the name and phone number of the contractor's foreman.

662 D. The construction and laying out of all sewer lines pursuant to this section shall be
663 subject to the inspection of the city or its representative. If at any time the city or its
664 representative shall determine that the construction and laying out of such sewer lines is
665 not being performed in accordance with the plans and specifications as approved, he or
666 she shall forthwith notify the developer to this effect in writing, who shall then order the
667 suspension of all further work by and of payments to the contractor until such corrections
668 are made as will produce complete compliance with the plans and specifications.

669 E. All sewer system components will be tested, cleaned and approved prior to issuance
670 of a permit to connect to public sewer system, at the developer's cost. As-built
671 information must be submitted and approved prior to final approval and issuance of a
672 permit to connect.

673 (Prior code § 26-28)

674

675 13.08.170 Sanitary sewer standards.

676 Design standards for sanitary sewers shall be in accordance with rules and requirements
677 shown in Annex A--Sewers of the "Specifications for Highways Covering Residential
678 and Industrial Plat Developments," from the city department of public works, latest
679 edition.

680 (Prior code § 26-29)

681

682 13.08.180 Approval of sewage pumps.

683 Whenever possible, the building drain shall be brought to the building at an elevation
684 below the basement floor. No plumbing fixture shall be installed where the overflow rim
685 is below the next up-stream manhole in the public sewer, except where:

686 A. An approved sewage grinder pump is utilized to pump sewage to the building drain,
687 upon approval of the director. However, the city shall have no responsibility for the
688 installation, operation, and maintenance of said equipment.

689 B. The property owner installs an approved backwater valve on the building drain in
690 accordance with Section 13.08.280 of this chapter.

691 C. Grinder pumps and all appurtenances required for the building drain or lateral shall
692 be installed in accordance with the Annex A--Sewers of the "Specifications for Highways
693 Covering Residential and Industrial Plat Developments," from the city department of
694 public works latest edition, and the local plumbing code. The installation shall be
695 inspected in accordance with local standards, including inspection by the local plumbing
696 inspector.

697 (Prior code § 26-30)

698

699 13.08.190 Backwater valves.

700 Approved backwater valves shall be installed on all new building laterals and drains to
701 mechanically prevent backflow of sewage during flood conditions, upon approval of the
702 director. The property owner shall be responsible for the installation, operation, and
703 maintenance of their backwater valve and any property damage which may consequently
704 occur. Backwater valves shall be installed in accordance with the Annex A--Sewers of
705 the "Specifications for Highways Covering Residential and Industrial Plat
706 Developments," from the city department of public works, latest edition, and the local
707 plumbing code. The quantity of backflow valves necessary for commercial and industrial
708 establishments must be submitted and approved by the director prior to installation.

709 (Prior code § 26-31)

710

711 13.08.200 Notification for inspection.

712 The applicant for the building sewer permit shall notify the building inspector when the
713 building drain and building lateral are ready for inspection, and connection to the street
714 lateral. The installation of the building drain and building lateral and the connection to
715 the street lateral shall be made under the supervision of the building inspector. The
716 contractor installing the building lateral and street lateral shall provide an as-built
717 drawing, acceptable to the building inspector, of the installation with dimensions to locate
718 the cleanout.

719 (Prior code § 26-32)

720

721 13.08.210 Procedure upon discontinuance of use.

722 Whenever any user under this article shall cease operation, notice shall be given to the
723 plumbing inspector and the waste lines employed by such user shall be sealed under the
724 supervisor of the plumbing inspector.

725 (Prior code § 26-33)

726

727 13.08.220 Rules and regulations covering sewer service under unusual conditions.

- 728 A. Where an abutting city or town has installed sewer lines to serve their residents and
729 possibly city residents, and where said sewer flows into the city sewer system, said
730 residents served shall pay the annual sewer assessment fee to help defray the operation
731 and maintenance cost of the water pollution control facilities.
- 732 B. Where an abutting city or town has residents that can be entirely served by the city
733 sewer system, these owners shall be subject to the annual sewer assessment fee.
- 734 C. Where industries are located either in city or in abutting cities and towns and where
735 these industries are to be served by reciprocal agreements, then under these cases
736 agreements must be drawn and approved by the city council.
- 737 D. Where city residents are served by abutting city or town sewer systems. no sewer
738 assessment fee will be levied.
- 739 E. Private sewers and sewers extending into adjacent communities which connect to the
740 city sewer, shall be installed in conformance with the city sewer use ordinance unless
741 otherwise approved by the director.
- 742 F. The city maintains the right to establish individual agreements with industries and
743 other entities for sewer service that may not be in full conformance with the ordinance.
744 Any such individual agreements must be approved by the city council.
745 (Prior code § 26-34)

746

747 Article IV

748 Regulations Relating to the Rate of Discharge 749 and Character of Waters and Wastes Admissible to Public Sewers

750

751 13.08.230 Inadmissible waters.

752 Storm water, groundwater, rain water, street drainage, subsurface drainage or yard
753 drainage shall not be discharged through direct or indirect connections to the public
754 sanitary sewer of the city.

755 (Prior code § 26-36)

756

757 13.08.240 Unpolluted water.

758 Unpolluted water, including, but not limited to cooling water, process water or blow-
759 down from cooling towers or evaporative coolers shall be discharged to such sewers as
760 are specifically designated as storm drains or to a natural outlet upon receiving approval
761 from applicable local, state and federal agencies as required, or into the sewer system
762 upon approval of the director.

763 (Prior code § 26-37)

764

765 13.08.250 Garbage grinder wastes.

766 Waste from garbage grinders shall not be discharged into a public sewer except:

767 A. Wastes generated in preparation of food normally consumed on the premises; or

768 B. Where the user has obtained a permit for the specific use from the director, and
769 agrees to undertake whatever self-monitoring is required to enable the city to equitably
770 determine the charges and fees based on the waste constituents and characteristics.

771 Such grinders must shred the waste to a degree that all particles will be carried freely
772 under normal flow conditions prevailing in the public sewer. Garbage grinders shall not
773 be used for grinding plastic, paper products, inert materials or garden refuse.

774 (Prior code § 26-38)

775

776 13.08.260 Restrictions on kinds of wastes.

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

779 1. Pollutants which create a fire or explosive hazard in the POTW including, but not
780 limited to waste streams with a closed-cup flash point of less than one hundred forty
781 (140) degrees Fahrenheit (sixty (60) degrees Celsius) using test methods specified in 40
782 CFR 261.21.

783 2. Any waters or wastes containing toxic or poisonous solids, liquids or gases in
784 sufficient quantity, either singly or by interaction with other wastes, to injure or interfere
785 with any wastewater treatment process, constitute a hazard to humans or animals, create a
786 public nuisance or create any hazard in the receiving waters of the wastewater facilities.

787 3. Any waters or wastes having a pH lower than 5.5, or having any other corrosive
788 property capable of causing damage or hazard to structures, equipment and personnel of
789 the wastewater facilities.

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

796 5. Wastewaters whose theoretical equilibrium fume concentration exceeds limits of
797 explosivity or fume toxicity based on criteria and procedures for determining
798 flammability, TLV-TWA fume toxicity limits, and combined effects (synergism), as
799 given in latest publications of the ACGIH and where necessary, supplementary scientific
800 information.

801 6. Medical wastes, except as specifically authorized by the director in a discharge
802 permit.

803 B. No person shall discharge or cause to be discharged the following described
804 substances, materials, waters, or wastes if it appears likely in the opinion of the director
805 that such wastes can harm either the sewers, wastewater treatment process, or equipment,
806 have an adverse effect on the receiving stream, or can otherwise endanger life, limb,
807 public property or constitute a nuisance. In forming his or her opinion as the acceptability
808 of these wastes, the director will give consideration to such factors as the quantities of
809 subject wastes in relation to flows and velocities in sewers, materials of construction of
810 the sewers, nature of the wastewater treatment process capacity of the wastewater
811 treatment works, degree of treatability of wastes in the wastewater treatment works, and
812 other pertinent factors. The substances prohibited are:

813 1. Any liquid or vapor having a temperature higher than one hundred fifty (150) degrees
814 Fahrenheit (65.9 degrees Celsius) or contributing to a treatment plant influent
815 temperature above one hundred four (104) degrees Fahrenheit (forty (40) degrees
816 Celsius).

817 2. Any water or waste containing more than one hundred (100) milligrams per liter,
818 (mg/l) of oil or grease of animal or vegetable origin, containing more than twenty-five
819 (25) mg/l of oil or grease of mineral or petroleum origin or containing substances which

820 may solidify or become viscous at temperatures between thirty-two (32) and one hundred
821 fifty (150) degrees Fahrenheit (0 and 65.9 degrees Celsius).

822 3. Any waters or wastes containing strong acid iron pickling wastes, or concentrated
823 plating solutions whether neutralized or not.

824 4. Any waters or wastes containing objectionable or toxic substances, or wastes exerting
825 an excessive chlorine requirement, to such degree that any such discharge exceeds limits
826 established by this chapter at the point of discharge into the public sewer.

827 5. Any waters or wastes containing phenols or other taste or odor producing substances,
828 in such concentrations exceeding limits which may be established by this chapter as
829 necessary, to meet the requirements of state, federal or other public agencies.

830 6. Any radioactive wastes or isotopes of such half-life or concentration as may exceed
831 limits established by this chapter in compliance with applicable state or federal
832 regulations.

833 7. Any waters or wastes having a pH in excess of ~~9.5~~ 10.5.

834 8. Materials which exert or cause:

835 a. Unusual concentrations of inert suspended solids (such as, but not limited to, fuller's
836 earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to,
837 sodium chloride and sodium sulfate).

838 b. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning
839 solutions).

840 c. Unusual BOD, chemical oxygen demand, nitrogen compounds, phosphorus or
841 chlorine requirements in such quantities as to constitute a significant load on the
842 wastewater treatment works.

843 d. Unusual volume of flow or concentration of wastes constituting "slugs" as defined
844 herein.

845 e. Excessive flows containing any of the above listed constituents and or constituents
846 which may cause or contribute to POTW interference.

847 f. Wastewater causing, alone or in conjunction with other sources, the treatment plant's
848 effluent to fail a toxicity test.

849 9. Waters or wastes containing substances which are not amenable to treatment or
850 reduction by the wastewater treatment process employed, or are amenable to treatment
851 only to such degree that the wastewater treatment works effluent cannot meet the
852 requirements of state, federal or other agencies having jurisdiction over discharge to the
853 receiving waters.

854 10. Waters or wastes that may interfere with any of the treatment works or processes of
855 the wastewater collection and treatment system.

856 11. Trucked or hauled wastes, except at discharge points designated by the
857 superintendent in accordance with this chapter.

858 (Prior code § 26-39)

859

860 13.08.270 Requirements to discharge.

861 If any waters or wastes are discharged, or are proposed to be discharged to the public
862 sewers, which waters contain the substances or possess the characteristics enumerated in
863 Section 13.08.260 of this article, and which, in the judgement of the director, may have a
864 deleterious effect upon the wastewater facilities, processes, equipment or receiving

865 waters, or which otherwise create a hazard to life or constitute a public nuisance, the
866 director may:

- 867 A. Reject the wastes;
- 868 B. Require pretreatment to an acceptable condition for discharge to the public sewers;
- 869 C. Require control over the quantities and rates of discharge; and/or
- 870 D. Require payment to cover the added cost of handling and treating the wastes.

871 (Prior code § 26-40)

872 (Ord. No. 2009-52, § 1, 9-28-09)

873

874 13.08.280 Pretreatment or equalization.

875 If the director permits the pretreatment or equalization of waste flows, the design and
876 installation of the plants and equipment shall be subject to the review and approval of the
877 director, and subject to the requirements of all applicable state and federal codes,
878 ordinances and laws.

879 Except where expressly authorized to do so by an applicable pretreatment standard or
880 requirement, no industrial user shall ever increase the use of process water, or in any
881 other way attempt to dilute a discharge as a partial or complete substitute for adequate
882 treatment to achieve compliance with a pretreatment standard or requirement.

883 (Prior code § 26-41)

884

885 13.08.290 Maintenance and operation of facilities.

886 Where pretreatment or flow-equalizing facilities are provided for any waters or wastes,
887 they shall be maintained continuously in satisfactory and effective operation by the owner
888 at his or her expense.

889 (Prior code § 26-42)

890

891 13.08.300 Grease, oil and sand interceptors.

892 Grease, oil and sand interceptors shall be required at all industrial user facilities including
893 restaurants and all other public eating places when they are necessary for the proper
894 handling of liquid wastes containing oil or grease in excessive amounts, or any
895 flammable wastes, sand or other harmful ingredients; except that such interceptors shall
896 not be required for private living quarters or dwelling units. All interceptors shall be of a
897 type and capacity approved by the city and shall be located as to be readily and easily
898 accessible for cleaning and inspection. In maintaining these interceptors, the person
899 generating the wastes shall be responsible for the proper removal and disposal by
900 appropriate means of the captured material and shall retain a maintenance log that
901 includes at a minimum, records of the dates and means of disposal, which are subject to
902 review by the city. Any removal and hauling of the collected materials not performed by
903 generating user's personnel must be performed by currently licensed waste disposal firms.
904 The director of public works shall be responsible for the enforcement of this section.

905 (Ord. 05-17 § 1)

906 (Ord. No. 2009-52, § 1, 9-28-09)

907

908 13.08.310 Maintenance and operation of interceptors.

909 Where grease, oil and sand interceptors are required to be installed, they shall be
910 maintained continuously in satisfactory and effective operation by the owner at his or her
911 expense.

912 (Prior code § 26-44)

913

914 13.08.320 New discharges--Changes in existing discharges.

915 Any person proposing a new discharge into the system or a substantial change in the
916 volume or character of pollutants that are being discharged into the system shall notify
917 the director at least sixty (60) days prior to the proposed change or connection, such
918 notification will not relieve users of liability for any expense, loss or damage to the sewer
919 system, wastewater treatment works or treatment processes. A permit or permit
920 amendment shall be applied for if the director requests submittal of a permit application
921 in response to such notification; or if the proposed discharge or change would change the
922 user classification as defined in this chapter; or violate any existing permit, agreement,
923 discharge limit or other provision of this chapter.

924 (Prior code § 26-45)

925

926 13.08.330 Special agreements or arrangements.

927 No statement contained in this chapter shall be construed as preventing any special
928 agreement or arrangement between the city and any industrial concern whereby an
929 industrial waste of unusual strength or character may be accepted by the city for
930 treatment, subject to payment therefore, by the industrial concern, provided that said
931 agreements do not contravene any requirements of existing federal and state laws and are
932 compatible with any user charge and industrial cost recovery system in effect.

933 Furthermore, no statement contained in this chapter shall be construed as preventing the
934 city from enforcing more stringent requirements of EPA Categorical Pretreatment
935 Standards and Requirements which may be promulgated nor from modifying wastewater
936 discharge limits and requirements to assure compliance with future NPDES or RIPDES
937 permits applied to the city wastewater treatment plant.

938 (Prior code § 26-46)

939

940 13.08.340 Wastewater discharge limits.

941 A. Except as otherwise provided in a written permit issued by the director of public
942 works, no person shall discharge wastewater containing in excess of the allowable
943 discharge concentrations:

944 TABLE INSET:

945

Chemicals	Allowable Discharge Concentrations (mg/l)	Background Concentrations (mg/l)
Arsenic, Total	ND 0.027	<0.010 0.003
Beryllium, Total	ND	<0.002

Cadmium, Total	0.04 <u>0.0077</u>	0.008 <u><0.0009</u>
Chromium, Total	0.40 <u>3.3</u>	0.034 <u>0.05</u>
Copper, Total	1.00 <u>0.71</u>	0.051 <u>0.04</u>
Lead, Total	0.30	0.065 <u>0.0064</u>
Mercury, Total	ND <u>0.0011</u>	<0.0005 <u>0.0001</u>
Nickel, Total	0.70 <u>0.97</u>	0.047 <u>< 0.005</u>
Silver, Total	0.10 <u>0.15</u>	0.019 <u>0.0002</u>
Zinc, Total	1.00 <u>0.89</u>	0.201 <u>0.06</u>
Cyanide, Total	0.30 <u>0.33</u>	0.082 <u><0.010</u>
PCBs, Total	<0.001	<0.001
<u>Total Nitrogen</u> <u>(Ammonia-N + Nitrite-N +</u> <u>Nitrate-N + Organic N)</u>	<u>37</u>	<u>27</u>
<u>Total Phosphorus</u>	<u>8.3</u>	<u>3.58</u>
Total Toxic Organics	2.13	0.009

946 ND denotes not detectable. The above allowable discharge concentrations are considered
947 instantaneous maximum concentrations for each pollutant, that may not be exceeded at
948 any time, regardless of duration of monitoring. These limits apply to all users of the
949 sewer system and treatment works and will be used to determine compliance with all
950 process wastewater discharges at the end-of-pipe following pretreatment, if applicable,
951 and prior to dilution with other waste streams.

952 Total toxic organics shall mean the summation of all quantifiable values equal to or
953 greater than ~~0.01~~0.001 milligrams per liter of toxic organics as compiled in the most
954 recent USEPA List of Priority Pollutants.

955 B. Limits established in this section and Article V, Section 13.08.260 of this chapter,
956 may be modified and the volume and concentration of contributions from users may be
957 subject to more stringent requirements by the director so that the aggregate contribution
958 within the POTW treatment works do not cause odor problems, treatment facility
959 effluent, air emission or sludge discharge in violation of the limits and requirements of
960 applicable federal and state regulations.

961 C. In any instance in which federal and/or state requirements or limitations are more
962 stringent than the limitations set forth in this chapter, said requirements and limitations on
963 discharges shall be met by all users subject to such requirements or limitations.

964 D. Any industrial user which discharges or may discharge industrial wastes in excess of
965 the above background concentrations and/or of characteristics not typical of domestic
966 wastewaters and/or may cause interference or pass through of the POTW is subject to an
967 industrial wastewater discharge permit issued by the city. Such permits shall include, but
968 not be limited to, federal, state and local discharge limits.

969 (Prior code § 26-47)

970 (Ord. No. 2008-47, § 1, 11-24-08)

971

972 Article V

973 Protection from Damage

974

975 13.08.350 Unauthorized construction.

976 No unauthorized person shall uncover, make any connections with or opening into, use,
977 alter or disturb any public sewer or appurtenance thereof without first obtaining a written
978 permit from the city.

979 (Prior code § 26-48)

980

981 13.08.360 Damage to wastewater facilities.

982 No unauthorized person shall maliciously, willfully or negligently break, damage,
983 destroy, uncover, deface or tamper with any structure, appurtenance or equipment which
984 is part of the wastewater facilities. Any person violating this provision shall be subject to
985 immediate arrest under charge of disorderly conduct, and the city may assess a charge
986 against the user for the costs incurred to clean or repair the wastewater facilities and add
987 such charge to the user's sewer service charge.

988 (Prior code § 26-49)

989

990 Article VI

991 Regulations Relating to Monitoring, Sampling and Analyses

992

993 13.08.370 Metered water supply.

994 When charges and fees are based upon the water usage, such charges and fees shall be
995 applied against the total amount of water used from all sources unless, in the opinion of
996 the director, significant portions of water received are not discharged to a public sewer.

997 The total amount of water used from public and private sources will be determined by
998 means of public meters or private meters, installed and maintained at the expense of the
999 user and approved by the director, subject to the direction and control of the department
1000 of public works.

1001 A. Each industry for which estimated charges will exceed one thousand dollars
1002 (\$1,000.00) per year shall install a suitable device for continuously recording the flow
1003 discharged in the city system.

1004 B. In case of industries for which the total annual charge is estimated to be less than one
1005 thousand dollars (\$1,000.00), the volume of flow used in computing charges shall be
1006 based upon metered water consumption.

1007 (Prior code § 26-50)

1008

1009 13.08.380 Metered wastewater volume and metered diversions.

1010 When charges and fees are based upon water usage and where, in the opinion of the
1011 director, a significant portion (more than twenty (20) percent) of the total annual volume
1012 of water received from any metered source does not flow into the public sewer because of
1013 the principal activity of the user or removal by other means, the charges and fees will be
1014 applied against the volume of water discharged from such premises into the public sewer.
1015 Where industries have a private water supply, all or part of which is discharged to the
1016 sewer, the amount of such supply or the part thereof that is discharged to the city system
1017 shall be metered and included in the charges made. Written notification and proof of the
1018 diversion of water must be provided by the user, and approved by the director if the user
1019 is to avoid the application of the charges and fees against the total amount of water used
1020 from all sources. The user shall install a meter of a type and at a location approved by the
1021 director at the user's expense. Such meters shall measure either the amount of sewage
1022 discharged or the amount of water diverted. Such meters shall be maintained at the
1023 expense of the user and be tested for accuracy at the expense of the user on an annual
1024 basis.

1025 (Prior code § 26-51)

1026

1027 13.08.390 Monitoring facility requirements.

1028 Users who propose to discharge, or who in the judgment of the director could discharge
1029 now or in the future, wastewater with constituents and characteristics different from that
1030 produced by a domestic premise may be required to install a monitoring facility.

1031 A. When more than one user can discharge into a common building sewer, the director
1032 may require installation of a separate monitoring facility for each user. When, in the
1033 judgment of the director, there is a significant difference in wastewater constituents and
1034 characteristics produced by different operations of a single user, the director may require
1035 that separate monitoring facilities be installed for each separate discharge. The director
1036 may require that the separate monitoring facilities be outside of the building and that the
1037 user's wastewater be separately piped to the monitoring facility.

1038 B. Monitoring facilities that are required to be installed shall be constructed, operated
1039 and maintained at the user's expense. The purpose of the monitoring facility is to enable
1040 inspection, sampling and flow measurement of wastewaters produced by a user. If
1041 sampling or metering equipment is required by the director, it shall be provided, installed
1042 and operated at the user's expense. In the event that special analyses are required by the
1043 city, the cost of said analyses shall be borne by the user. The monitoring facility will
1044 normally be required to be located on the user's premises outside of the building. The
1045 director may, however, when such a location would be impractical or cause undue
1046 hardship on the user, allow the monitoring facility to be constructed in the public street or
1047 sidewalk area and located so that it will not be obstructed by landscaping or parked
1048 vehicles.

1049 C. If the monitoring facility is inside the user's fence, there shall be accommodations to
1050 allow safe and immediate access for city personnel, such as a gate secured with a city-
1051 operated lock. There shall be ample room in or near such monitoring facility to allow
1052 accurate sampling and compositing of samples for analysis. The entire monitoring facility
1053 and the sampling and measuring equipment shall be maintained at all times in a safe and
1054 proper operating condition by and at the expense of the user.

1055 D. Whether constructed on public or private property, the monitoring facilities shall be
1056 constructed in accordance with the city requirements, construction standards and
1057 specifications.

1058 E. All industries required to monitor their discharge shall keep records for a minimum
1059 of three years, in accordance with Title 40 Code of Federal Regulations Part 403.12(o)
1060 and report the results of such monitoring to the director, as required. Such records shall
1061 be made available upon request by the director to other agencies having jurisdiction over
1062 discharges to the receiving waters.

1063 F. When, in the judgment of the director, an existing user requires a monitoring
1064 facility, the user will be so notified in writing. Construction must be completed within
1065 ninety (90) days following written notification unless a time extension is otherwise
1066 granted by the city.
1067 (Prior code § 26-52)

1068

1069 13.08.400 Inspection of user facilities.

1070 The director may inspect the facilities of any user to ascertain whether the purpose of the
1071 ordinance codified in this chapter is being met and all requirements are being complied
1072 with. Persons or occupants of premises where wastewater is created or discharged shall
1073 allow the director or his or her representative ready access at all reasonable times to all
1074 parts of the premises and to have access to and copy all required records for the purposes
1075 of inspection or sampling or in the performance of any of their duties. The director shall
1076 have the right to set up on the user's property such devices as are necessary to conduct
1077 sampling or metering operations. Where a user has security measures in force which
1078 would require proper identification and clearance before entry into their premises, the
1079 user shall make necessary arrangements with their security guards so that upon
1080 presentation of suitable identification, personnel from the city will be permitted to enter
1081 without delay for the purposes of performing their specific responsibilities.

1082 (Prior code § 26-53)

1083

1084 13.08.410 Measurements, tests and analyses.

1085 All sample collection and preservation and all measurements, tests and analyses of the
1086 characteristics of water and wastes to which reference is made in this chapter shall be
1087 determined in accordance with EPA acceptable methods as published in the latest version
1088 or edition of Title 40, Code of Federal Regulations, Part 136 (and amendments thereto),
1089 and shall be determined at the monitoring facility provided, or upon suitable samples
1090 taken at said monitoring facility. Phenols shall be as analyzed by wet chemistry methods
1091 given in EPA Guidelines and not acid-extractable, semi-volatile phenols.

1092 Each industrial user shall monitor for the requisite parameters according to applicable
1093 pretreatment standards and pretreatment requirements, including permits issued by the
1094 city under the provisions of this chapter or contractual agreements. In cases of conflicting
1095 monitoring requirements, the more stringent thereof shall apply.

1096 Information submitted to the director or the POTW pursuant to any pretreatment
1097 standards and requirements may be claimed as confidential by the submitter. Any such
1098 claim must be asserted at the time of submission in the manner prescribed on the
1099 application form or instructions, or in the case of other submissions, by stamping the
1100 words "Confidential Business Information" on each page containing such information. If

1101 no claim is made at the time of submission, the director may make the information
1102 available to the public without further notice. If a claim is asserted, the information will
1103 be treated in accordance with the procedures in the Title 40, Code of Federal Regulations,
1104 Part 2 (Public Information).

1105 Information and data provided to the director or POTW pursuant to this section which are
1106 effluent data, permits or permit application forms shall be available to the public without
1107 restriction. All other information submitted to the director or POTW shall be available to
1108 the public at least to the extent provided by Title 40, Code of Federal Regulations, Part 2
1109 (Public Information). The forms shall be approved by the director and furnished by the
1110 city.

1111 All industrial user reports required under Title 40, Code of Federal Regulations, 403.12,
1112 including, but not limited to, Self-Monitoring Reports, Demand Monitoring Reports and
1113 reports on compliance with compliance schedules shall include the certification statement
1114 as set forth in Title 40, Code of Federal Regulations, Part 403.6 (a)(2)(ii), and shall be
1115 signed by an authorized company representative in accordance with Title 40, Code of
1116 Federal Regulations, Part 403.12(1).

1117 (Prior code § 26-54)

1118

1119 Article VII

1120 Powers and Authority of Inspectors

1121

1122 13.08.420 Right to enter user facilities.

1123 The director and other duly authorized representatives of the city, bearing proper
1124 credentials and identification, shall be permitted to enter all properties for the purposes of
1125 inspection, observation, measurement, sampling, and testing in accordance with the
1126 provisions of this chapter. The director or his or her representative shall have no authority
1127 to inquire into any processes including metallurgical, chemical, oil, refining, ceramic,
1128 paper or other industries beyond that point having a direct bearing on the kind and source
1129 of discharge to the sewers, waterways or wastewater treatment works.

1130 (Prior code § 26-55)

1131

1132 13.08.430 Right to enter onto easements.

1133 The director and other duly authorized representatives of the city, bearing proper
1134 credentials and identification, shall be permitted to enter all private properties through
1135 which the city holds a duly negotiated easement for the purposes of, but not limited to,
1136 inspection, observation, measurement, sampling, repair and maintenance of any portion
1137 of the wastewater facilities laying within said easement. All entry and subsequent work,
1138 if any, on said easement, shall be done in full accordance with the terms of the duly
1139 negotiated easement pertaining to the private property involved.

1140 (Prior code § 26-56)

1141

1142 13.08.440 Personal injury and/or property damage.

1143 While performing the necessary work on private properties, the director or duly
1144 authorized representatives of the city shall observe all safety rules applicable to the
1145 premises established by the company and the company shall be held harmless for injury
1146 or death to the city employees. The city shall indemnify the company against loss or

1147 damage to its property by city employees and against liability claims and demands for
1148 personal injury or property damage asserted against the company and growing out of the
1149 gauging and sampling operation, except as such may be caused by negligence or failure
1150 of the company to maintain safe conditions as required in Article VII, Section 13.08.480,
1151 paragraph 3.
1152 (Prior code § 26-57)

1153
1154 Article VIII
1155 Enforcement

1156
1157 13.08.450 Accidental discharge.

1158 All users shall notify the director immediately upon accidentally discharging wastes that
1159 could cause problems to the POTW, including any slug loadings, as defined in Section
1160 13.08.040 of this chapter, and or are in violation of this chapter to enable
1161 countermeasures to be taken by the director to minimize damage to the wastewater
1162 facilities, treatment processes and the receiving waters.

1163 A. This notification shall be followed, within five days of the date of occurrence, by a
1164 detailed written statement describing the causes of the accidental discharge and the
1165 measure being taken to prevent future occurrence.

1166 B. Such notification will not relieve users of liability for any expense incurred due to
1167 loss or damage to the public sewer system, wastewater treatment works or treatment
1168 process.

1169 C. In order that employees or users may be informed of city requirements, users shall
1170 make available to their employees copies of this chapter together with such other
1171 wastewater information and notices which may be furnished by the city, from time to
1172 time, directed toward more effective water pollution control. A notice shall be furnished
1173 and permanently posted on the user's bulletin board advising employees of whom to call
1174 in case of an accidental discharge in violation of this chapter.

1175 D. Any direct or indirect connection or entry point for persistent or deleterious wastes to
1176 the user's plumbing or drainage system should be eliminated. Where such action is
1177 impractical or unreasonable, the user shall appropriately label such entry points to warn
1178 against discharge of such wastes in violation of this chapter.

1179 (Prior code § 26-58)

1180

1181 13.08.460 Consent orders.

1182 The director may enter into consent orders, assurances of voluntary compliance or other
1183 similar documents establishing an agreement with any user responsible for
1184 noncompliance. Such documents will include specific actions to be taken by the user to
1185 correct the noncompliance within a time period specified by the document. Such
1186 documents shall have the same force and effect as the compliance orders issued pursuant
1187 to Article IX, Section 13.08.470 of this chapter and shall be judicially enforceable.

1188 (Prior code § 26-59)

1189 (Ord. No. 2009-52, § 1, 9-28-09)

1190

1191 13.08.470 Compliance orders.

1192 When the director finds that a user has violated, or continues to violate, any provision of
1193 this chapter, a wastewater discharge permit, or order issued hereunder, or any other
1194 pretreatment standard or requirement, the director may issue an order to the user
1195 responsible for the discharge directing that the user come into compliance within a
1196 specified time. If the user does not come into compliance within the time provided, sewer
1197 service may be discontinued unless adequate treatment facilities, devices, or other related
1198 appurtenances are installed and properly operated. Compliance orders also may contain
1199 other requirements to address the noncompliance, including additional self-monitoring
1200 and management practices designed to minimize the amount of pollutants discharged to
1201 the sewer. A compliance order may not extend the deadline for compliance established
1202 for a pretreatment standard or requirement, nor does a compliance order relieve the user
1203 of liability for any violation, including any continuing violation. Issuance of a compliance
1204 order shall not be a bar against, or a prerequisite for, taking any other action against the
1205 user.

1206 (Prior code § 26-60)

1207

1208 13.08.480 Cease and desist orders.

1209 When the director finds that a user has violated, or continues to violate, any provision of
1210 this chapter, a wastewater discharge permit, or order issued hereunder, or any other
1211 pretreatment standard or requirement, or that the user's past violations are likely to recur,
1212 the director may issue an order to the user directing it to cease and desist all such
1213 violations and directing the user to:

1214 A. Immediately comply with all requirements;

1215 B. Take such appropriate remedial or preventive action as may be needed to properly
1216 address a continuing or threatened violation, including halting operations and or
1217 terminating the discharge;

1218 C. Issuance of a cease and desist order shall not be a bar against, or a prerequisite for,
1219 taking any other action against the user.

1220 (Prior code § 26-61)

1221

1222 13.08.490 Show cause hearings.

1223 The director may order a user which has violated, or continues to violate, any provision
1224 of this chapter, a wastewater discharge permit, or order issued hereunder, or any other
1225 pretreatment standard or requirement, to appear before the director and show cause why
1226 enforcement action should not be taken. Notice shall be served on the user specifying the
1227 time and place for the meeting. the proposed enforcement action, the reasons for such
1228 action, and a request that the user show cause as to why the proposed enforcement action
1229 should not be taken. The notice of the meeting shall be served personally or by registered
1230 or certified mail (return receipt requested) at least ten (10) days prior to the hearing. Such
1231 notice may be served on any authorized representative of the user. A show cause hearing
1232 shall not be a bar against, or prerequisite for, taking any other action against the user.

1233 (Prior code § 26-62)

1234

1235 13.08.500 Request for reconsideration of actions.

1236 Any user, permit applicant, or permit holder affected by any decision, action or
1237 determination, including cease and desist orders, made by the director, interpreting or

1238 implementing the provisions of this chapter or in any permit issued herein, may file with
1239 the director a written request for reconsideration within ten (10) days of such decision,
1240 action or determination, setting forth in detail the facts supporting the user's request for
1241 reconsideration.

1242 (Prior code § 26-63)

1243

1244 13.08.510 Appeal.

1245 If the ruling made by the director is unsatisfactory to the person requesting
1246 reconsideration, he or she may within ten (10) days after notification of the action, file a
1247 written appeal to the city council. The written appeal shall be heard by the city council
1248 within thirty (30) days from the date of filing. The city council shall make a final ruling
1249 on the appeal within fifteen (15) days of the close of the meeting. The director's decision,
1250 action, or determination shall remain in effect during such period or reconsideration.

1251 (Prior code § 26-64)

1252

1253 13.08.520 Public notification.

1254 In order to comply with the public participation requirements of Title 40, Code of Federal
1255 Regulations, Part 25, in the enforcement of national pretreatment standards, the city shall
1256 provide public notification, at least annually, of industrial users which, during a twelve
1257 (12) month period, are found to be in significant noncompliance as defined by Title 40,
1258 Code of Federal Regulations, Part 403.8 (f)(2)(viii).

1259 (Prior code § 26-65)

1260 (Ord. No. 2009-52, § 1, 9-28-09)

1261

1262 Article IX

1263 Penalties

1264

1265 13.08.530 Violations.

1266 Any person found to be violating any provision of this chapter (except Article V)
1267 including pretreatment standards and pretreatment requirements as may be imposed in
1268 industrial wastewater discharge permits, compliance schedules or other compliance
1269 mechanisms as may be issued by the director shall be served by the city with written
1270 notice stating the nature of the violation. The offender shall, within the period of time
1271 stated in such notice, acknowledge receipt of the notice, and permanently cease all
1272 violations.

1273 (Prior code § 26-66)

1274

1275 13.08.540 Administrative fines.

1276 A. When city finds that a user has violated, or continues to violate, any provision of this
1277 chapter, a wastewater discharge permit, or order issued hereunder, or any other
1278 pretreatment standard or requirement, the city may fine such user in an amount not to
1279 exceed twenty-five thousand dollars (\$25,000.00). Such fines shall be assessed on a per
1280 violation, per day basis. In the case of monthly or other long-term average discharge
1281 limits, fines shall be assessed for each day during the period of violation. The director
1282 may add the costs of preparing administrative enforcement actions, such as notices and

1283 orders, to the fine including the recovery of reasonable attorneys' fees incurred by the city
1284 seeking compliance, penalties or damages.

1285 B. Unpaid charges, fines, and penalties shall, after thirty (30) calendar days, be assessed
1286 an additional penalty of ten (10) percent of the unpaid balance, and interest shall accrue
1287 thereafter at a rate of 1.5 percent per month.

1288 C. A lien against the user's property may be sought for unpaid charges, fines and
1289 penalties.

1290 D. Users desiring to dispute such fines may file a written request in accordance with
1291 Article VIII, Section 13.08.500.

1292 E. An administrative fine shall not be a bar against, or a prerequisite for, taking any
1293 other action against a user.

1294 The city shall have the right to assess users who are found to have avoided user charges
1295 as a result of violation of this chapter.

1296 (Prior code § 26-67)

1297 (Ord. No. 2009-52, § 1, 9-28-09)

1298

1299 13.08.550 Injunctive relief.

1300 When the city finds that a user has violated, or continues to violate, any provision of this
1301 chapter, a wastewater discharge permit, or order issued hereunder, or any other
1302 pretreatment standard or requirement, the city may petition the Providence Superior
1303 Court through the city's attorney for the issuance of a temporary or permanent injunction,
1304 as appropriate, which restrains or compels the specific performance of the wastewater
1305 discharge permit, order, or other requirement imposed by this chapter on activities of the
1306 user. The city may also seek such other action as is appropriate for legal and/or equitable
1307 relief, including a requirement for the user to conduct environmental remediation. A
1308 petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any
1309 other action against a user.

1310 (Prior code § 26-68)

1311

1312 13.08.560 Civil penalties.

1313 A. A user who has violated, or continues to violate, any provision of this chapter, a
1314 wastewater discharge permit, or order issued hereunder, or any other pretreatment
1315 standard or requirement shall be liable to the city for a maximum civil penalty of twenty-
1316 five thousand dollars (\$25,000.00) per violation, per day. In the case of a monthly or
1317 other long-term average discharge limit, penalties shall accrue for each day during the
1318 period of the violation.

1319 B. The city may recover reasonable attorneys' fees, court costs, and other expenses
1320 associated with enforcement activities, including sampling and monitoring expenses, and
1321 the cost of any actual damages incurred by the city.

1322 C. In determining the amount of civil liability, the court shall take into account all
1323 relevant circumstances, including, but not limited to, the extent of harm caused by the
1324 violation, the magnitude and duration of the violation, any economic benefit gained
1325 through the user's violation, corrective actions by the user, the compliance history of the
1326 user, and any other factor as justice requires.

1327 D. Filing a suit for civil penalties shall not be a bar against, or a prerequisite for, taking
1328 any other action against a user.

1329 (Prior code § 26-69)

1330

1331 13.08.570 Criminal prosecution.

1332 A. A user who willfully or negligently violates any provision of this chapter, a
1333 wastewater discharge permit, or order issued hereunder, or any other pretreatment
1334 standard or requirement shall, upon conviction, be guilty of a misdemeanor, punishable
1335 by a fine of not more than twenty-five thousand dollars (\$25,000.00) per violation, per
1336 day, or imprisonment for not more than thirty (30) days, or both.

1337 B. The user who willfully or negligently introduces any substance into the POTW which
1338 causes personal injury or property damage shall, upon conviction, be guilty of a
1339 misdemeanor and be subject to a penalty of at least twenty-five thousand dollars
1340 (\$25,000.00), or imprisonment for not more than thirty (30) days, or both. This penalty
1341 shall be in addition to any other cause of action for personal injury or property damage
1342 available under state law.

1343 C. A user who knowingly makes any false statements, representations, or certifications
1344 in any application, record, report, plan or other documentation filed, or required to be
1345 maintained, pursuant to this chapter, wastewater discharge permit, or order issued
1346 hereunder, or who falsifies, tampers with, or knowingly renders inaccurate any
1347 monitoring device or method required under this chapter shall, upon conviction, be
1348 punished by a fine of not more than twenty-five thousand dollars (\$25,000.00) per
1349 violation, per day, or imprisonment for not more than thirty (30) days, or both.

1350 D. In the event of a second conviction, a user shall be punished by a fine of not more
1351 than twenty-five thousand dollars (\$25,000.00) per violation, per day, or imprisonment
1352 for not more than thirty (30) days, or both.

1353 (Prior code § 26-70)

1354

1355 13.08.580 Liability.

1356 Any person violating any provision of this chapter including pretreatment standards and
1357 pretreatment requirements as may be imposed in industrial wastewater discharge permits,
1358 compliance schedules or other compliance mechanisms as may be issued by the director
1359 shall become liable to the city for any expense, loss or damage occasioned the city by
1360 reason of such violation.

1361 (Prior code § 26-71)

1362

1363 13.08.590 Costs of repairing damage.

1364 When a discharge of wastes causes an obstruction, damage or any other impairment to
1365 the city's wastewater facilities, the city may assess a charge against the user for the work
1366 required to clean or repair the wastewater facilities and add such charge to the user's
1367 sewer service charge.

1368 (Prior code § 26-72)

1369

1370 13.08.600 Falsification of records and instruments.

1371 Any person who knowingly makes any false statements, representations or certifications
1372 in any application, record, report, plan or other documentation filed with the city or
1373 required to be maintained pursuant to this chapter, wastewater discharge permit, or order
1374 issued hereunder, or who falsifies, tampers with, or knowingly renders inaccurate any

1375 monitoring device or method required under this chapter is hereby declared to be in
1376 violation of this chapter and subject to fine, criminal prosecution and punishment of not
1377 more than twenty-five thousand dollars (\$25,000) per violation per day, or imprisonment
1378 for not more than thirty (30) days, or both.

1379
1380 13.08.610 Emergency suspensions.

1381 A. The city may immediately suspend a user's discharge, after informal notice to the
1382 user, whenever such suspension is necessary to stop an actual or threatened discharge
1383 which reasonably appears to present or cause an imminent or substantial endangerment to
1384 the health or welfare of persons. The city may also immediately suspend a user's
1385 discharge, after notice and opportunity to respond, that threatens to interfere with the
1386 operation of POTW, or which presents, or may present, an endangerment to the
1387 environment.

1388 B. Any user notified of a suspension of its discharge shall immediately stop or eliminate
1389 its contribution. In the event of a user's failure to immediately comply voluntarily with
1390 the suspension order, the city may take such steps as deemed necessary, including
1391 immediate severance of the sewer connection, to prevent or minimize damage to the
1392 POTW, its receiving stream, or endangerment to any individuals. The city may allow the
1393 user to recommence its discharge when the user has demonstrated to the satisfaction of
1394 the director that the period of endangerment has passed, unless the termination
1395 proceedings in Section 13.08.630 are initiated against the user.

1396 C. A user that is responsible, in whole or in part, for any discharge presenting imminent
1397 endangerment shall submit a detailed written statement, describing the causes of the
1398 harmful contribution and the measures taken to prevent any future occurrence, to the
1399 director prior to the date of any show cause or termination hearing under Sections
1400 13.08.490 and 13.08.630 of this chapter.

1401 (Prior code § 26-74)

1402

1403 13.08.620 Termination of service.

1404 In order to effect its powers, the city may enter upon private property for the purpose of
1405 inspection and maintenance of sanitary and waste disposal facilities and may terminate
1406 service to property in which a violation of any rule and regulation of this chapter is found
1407 to exist.

1408 (Prior code § 26-75)

1409

1410 13.08.630 Notification of termination of service.

1411 A. Prior to termination of service, however, the city shall notify in writing, the owner
1412 and tenant, if any, of such property that service is intended to be so terminated and
1413 conduct a hearing thereon as here in provided. Such notice shall be mailed to the owner at
1414 the address shown on the city records and a copy shall be delivered to the tenant or
1415 posted conspicuously on the property. The notice shall state the date of proposed
1416 termination of service and the reasons therefore and the date the city shall hold a hearing
1417 upon such intended termination. Such hearing shall not be held less than ten (10) days
1418 subsequent to the giving of the notice as herein required.

1419 B. The written notice and hearing requirements of this section are waived in the event of
1420 an emergency which threatens human health or welfare.

1421 (Prior code § 26-76)

1422

1423 13.08.640 Remedies nonexclusive.

1424 The remedies provided for in this chapter are not exclusive. The director may take any,
1425 all, or any combination of these actions against a noncompliant user. Enforcement of
1426 pretreatment violations will generally be in accordance with the city's enforcement
1427 response plan. However, the director may take other action against any user when the
1428 circumstances warrant. Further, the director is empowered to take more than one
1429 enforcement action against any noncompliant user.

1430 (Prior code § 26-77)

1431

1432 Article X

1433 Sewer Use Charges

1434

1435 13.08.650 Participation.

1436 Under Section 204(b)(1)(A) of the Federal Water Pollution Control Act Amendment of
1437 1972 (PL 92-500), and specifically under the Code of Federal Regulations, 40 CFR Part
1438 35, Subpart E, Sections 35.925-11, 35.935-13 and Appendix B to Subpart E, the city of
1439 Cranston has established a system of user charges to assure that each recipient of waste
1440 treatment services pay its proportionate share of the costs of operation and maintenance
1441 costs. The user charges will be modified at any time to generate sufficient revenue to
1442 offset the cost of treatment plus operation and maintenance provided by the city.

1443 (Prior code § 26-78)

1444

1445 13.08.660 Classification of users.

1446 All users shall be classified by assigning each one to a user classification category
1447 according to the principal wastewater constituents and characteristics for that type of user
1448 as determined by the director. The purpose of such classification is to establish a system
1449 of user charges and fees which will insure an equitable recovery of operation and
1450 maintenance cost. There shall be two classifications, industrial and domestic. Industrial
1451 users are those which discharge greater concentrations of conventional, non-
1452 conventional, or priority pollutants than those found discharged from typical domestic
1453 dischargers. Industrial users shall be monitored according to Article VII of this
1454 chapter to determine their discharge concentrations for classification. All other
1455 dischargers will be domestic users.

1456 (Prior code § 26-79)

1457 (Ord. No. 2009-52, § 1, 9-28-09)

1458

1459 13.08.670 Payments

1460 A. Pursuant to the authority conferred by Section 10 of Chapter 750, of the Public Laws,
1461 1939, as amended by Chapter 1372 of the Public Laws, 1943, and by Chapter 1891 of the
1462 Public Laws, 1947, the following annual charges for the use of the sewerage system of
1463 the city are established, to be paid by every person whose particular sewer entered into
1464 such system at 12:01 a.m., January 1, 2008, and by every person whose particular sewer
1465 enters into such system at 12:01 a.m., January 1, of each year thereafter.

1466 B. The annual charge shall be due and payable on July 15, 2008, and that all annual
1467 charges remaining unpaid at 4:00 p.m. on July 15, 2008, shall carry, until collected, a
1468 penalty at the rate of twelve (12) percent per annum from July 15, 2008, upon said unpaid
1469 annual charge, provided however, that said annual charge may be paid in four
1470 installments, the first installment of twenty-five (25) percent on or before the 15th day of
1471 July A.D. 2008, and the remaining installments as follows: twenty-five (25) percent on or
1472 before the 15th day of October A.D. 2008, twenty-five (25) percent on or before the 15th
1473 day of January A.D. 2009 and twenty-five (25) percent on or before the 15th day of April
1474 A.D. 2009.

1475 C. Each installment of annual charge, if paid on or before the last day of the installment
1476 period successively and in order, shall be free from any charge for interest.

1477 D. If the first installment of any succeeding installment of annual charge for interest, but
1478 the last day of the respective installment period or periods as they occur then the whole
1479 annual charge or remaining unpaid balance of the annual charge, as the case may be, shall
1480 immediately become due and payable and shall carry until collected a penalty at the rate
1481 of twelve (12) percent per annum from July 15, 2008.

1482 E. In the event of nonpayment, as noted herein, there shall be a penalty, which penalty
1483 shall be the same as the tax rate penalty set by ordinance.

1484 F. For any building or premises situated within the city discharging sanitary sewage or
1485 industrial wastes, either directly or indirectly, into such sewerage system shall be charged
1486 the following rates per annum:

1487 1. Dwellings and Apartments.

1488 Single-family: three hundred fifty-four dollars and eleven cents (\$354.11);

1489 Two-family: seven hundred fifteen dollars and seventeen cents (\$715.17);

1490 Three-family: one thousand seventy-two dollars and seventy-five cents (\$1,072.75);

1491 Four-family: one thousand four hundred twenty-six dollars and eighty-six cents

1492 (\$1,426.86);

1493 And three hundred fifty-four dollars and eleven cents (\$354.11) for each and every
1494 additional family unit. Duplex houses that have more than one connection shall be billed
1495 as separate units.

1496 2. Buildings Containing Clubs, Libraries and Hospitals.

1497 One unit: four hundred eighty-three dollars and twenty-three cents (\$483.23);

1498 Two units: nine hundred sixty-six dollars and forty-six cents (\$966.46);

1499 Three units: one thousand four hundred forty-nine dollars and sixty-nine cents

1500 (\$1,449.69);

1501 And four hundred eighty-three dollars and twenty-three cents (\$483.23) for each unit in
1502 excess of three. Each such club, library and hospital and each dwelling or apartment
1503 contained in such building shall be deemed one unit. For purposes of this section, a unit
1504 shall be defined as housing a maximum of two people.

1505 3. Buildings Containing Retail Establishments and Business Offices. Each business
1506 office or retail establishment will be considered one unit. Any such charges shall be fixed
1507 and determined according to the flow at the rate of four thousand three hundred twenty-
1508 nine dollars and sixty-eight cents (\$4,329.68) per million gallons and at a like rate for any
1509 fraction thereof. Subject to the determination of the charges, there shall be charged for
1510 each of the following establishments a minimum charge as follows:

1511 a. Any such retail establishments or business office in which ten (10) or less persons are
1512 regularly employed shall be charged a minimum of four hundred eighty-three dollars and
1513 twenty-three cents (\$483.23).

1514 b. Any such retail establishment or business office in which eleven (11) but not more
1515 than twenty (20) persons are regularly employed shall be charged a minimum of nine
1516 hundred sixty-six dollars and forty-five cents (\$966.45).

1517 c. Any such retail establishment or business office in which twenty-one (21) but not
1518 more than forty-nine (49) persons are regularly employed shall be charged a minimum of
1519 two thousand eight hundred ninety-nine dollars and thirty-three cents (\$2,899.33).

1520 d. Any such retail establishment or business office in which fifty (50) but not more than
1521 one hundred (100) persons are regularly employed shall be charged a minimum of three
1522 thousand eight hundred sixty-five dollars and seventy-seven cents (\$3,865.77).

1523 e. Any such retail establishment or business office in which one hundred and one (101)
1524 but not more than two hundred (200) are regularly employed shall be charged a minimum
1525 of five thousand seven hundred ninety-eight dollars and sixty-six cents (\$5,798.66).

1526 f. Any such retail establishment or business office in which more than two hundred
1527 (200) are regularly employed shall be charged a minimum of seven thousand seven
1528 hundred thirty-one dollars and fifty-four cents (\$7,731.54).

1529 4. Restaurants, Cafes, Club C Licenses, and Automatic Self-Service Laundries. Such
1530 charges shall be fixed and determined according to the flow at the rate of four thousand
1531 three hundred twenty-nine dollars and sixty-eight cents (\$4,329.68) per million gallons
1532 and at a like rate for any fraction thereof. Subject to the determination of the charges,
1533 there shall be charged for each of the following establishments a minimum charge as
1534 follows:

1535 a. Restaurants and cafes having a seating capacity of twenty-five (25) or less shall be
1536 charged a minimum of nine hundred forty-nine dollars and four cents (\$949.04);

1537 b. Restaurants and cafes having a seating capacity of twenty-six (26) but not more than
1538 fifty (50) shall be charged a minimum of one thousand nine hundred seventy-three dollars
1539 and fifty cents (\$1,973.50);

1540 c. Restaurants and cafes having a seating capacity of fifty-one (51) but not more than
1541 one hundred (100) shall be charged a minimum of two thousand nine hundred sixty-seven
1542 dollars and zero cents (\$2,967.00);

1543 d. Restaurants and cafes having a seating capacity of more than one hundred (100) shall
1544 be charged a minimum of three thousand nine hundred fifty dollars and eighty-two cents
1545 (\$3,950.82);

1546 e. Class C liquor establishments shall be charged a minimum of five hundred seventy-
1547 six dollars and zero cents (\$576.00);

1548 f. Automatic self-service laundries per washing unit shall be charged a minimum of two
1549 hundred thirty-three dollars and eighty-eight cents (\$233.88).

1550 5. Buildings Used for Manufacturing or Industrial Operations of Any Kind (Including
1551 Laundries and Dairies). Such charges shall be fixed and determined according to the flow
1552 at the rate four thousand three hundred twenty-nine dollars and sixty-eight cents
1553 (\$4,329.68) per million gallons and at a like rate for any fraction thereof. Subject to the
1554 determination of the charges, there shall be charged for each of the following
1555 establishments a minimum charge as follows:

1556 a. Any such establishment in which ten (10) or less persons are regularly employed shall
1557 be charged a minimum of one thousand two hundred thirty-three dollars and eighteen
1558 cents (\$1,233.18).

1559 b. Any such establishment in which eleven (11) but not more than fifty (50) persons are
1560 regularly employed shall be charged a minimum of two thousand four hundred seventy-
1561 four dollars and ten cents (\$2,474.10).

1562 c. Any such establishment in which more than fifty (50) persons are regularly employed
1563 shall be charged a minimum of four thousand three hundred twenty-nine dollars and
1564 sixty-eight cents (\$4,329.68).

1565 d. For the purpose of this section, each individual business in the building or building
1566 complex shall be considered an independent establishment. For the purpose of assessing
1567 sewer usage fees for a business complex containing several individual businesses having
1568 similar or dissimilar usage classifications, the greater of the calculations between the total
1569 flow of the entire complex and the aggregate minimum fees of all individual businesses
1570 shall prevail. In the case of using the total flow calculation, it shall not be the
1571 responsibility of the city of Cranston to apportion the usage fee for individual businesses
1572 within the complex unless the property owner, at their own expense, installs and
1573 maintains flow meters within each individual business. However, upon request of the
1574 property owner, the city will assist, to the best of its ability, in providing an approximate
1575 apportionment of the total charges for each individual business within the complex.

1576 e. To the above charges shall be added a pretreatment surcharge for all industries
1577 | discharging any priority pollutant at a concentration in excess of the limit background
1578 | concentration given in Section 13.08.340 of this chapter. That surcharge shall be
1579 | calculated by first determining the difference between the industry's permitted
1580 | concentration and the chapter limit background concentration, then multiplying that
1581 | difference times the gallonage of flow (in million gallons) associated with the priority
1582 | pollutant times a conversion factor to determine the annual pound loading of priority
1583 | pollutant, then multiplying that pound loading by a rate in dollars per pound loading
1584 | established by the director for that priority pollutant. The rate for each priority pollutant
1585 | shall be determined annually based on an equitable proportioning, as determined by the
1586 | director, of fifty (50) percent of the actual costs to the city of administering the
1587 | pretreatment program. (The remaining costs of administering the pretreatment program
1588 | will be incorporated in the charges under subsection (F)(5)(a) of this section.) At the
1589 | option of the director (or the building owner if the director does not exercise the option),
1590 | each industry within a building housing more than one industry shall or need not have its
1591 | own flow meter and monitoring facilities for industrial wastewaters. A violation of the
1592 | permit concentration during the billing year shall cause the billing to be based on the
1593 | highest measured concentration in excess of the permit value and an increase in the dollar
1594 | per pound rate for that priority pollutant by a factor of two. That factor will serve the
1595 | purpose of defraying costs of additional monitoring required for industries in violation of
1596 | permit limits. The additional charges resulting from such violation shall be separate from
1597 | and in addition to any fines or penalties levied as a result of such violation. The industry
1598 | shall have the right to appeal to the director for a negotiated price in lieu of such
1599 | additional cost, based on the actual cost to the city of the additional monitoring. Any
1600 | further appeal process shall be in accordance with Section 13.08.480-510 of this chapter.

1601 f. To the above charges, any Industrial user whose discharge contains concentrations of
1602 Biochemical Oxygen Demand (BOD₅) in excess of 350 mg/L or concentrations of Total
1603 Kjeldahl Nitrogen as N (TKN) in excess of 100 mg/L shall be surcharged for the
1604 loadings in excess of the above defined limits for BOD₅ and TKN. Notwithstanding,
1605 surcharges levied under this section does not relieve the User from any fines that may be
1606 imposed under Sections 13.08.540, 13.08.560, and 13.08.570. Notwithstanding,
1607 surcharges levied under this section does not relieve the user of any related discharge
1608 limits as defined under section 13.08.340 or 13.08.260 B.8.C. The surcharge shall be
1609 calculated as:

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1611 TABLE INSET

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CRANSTON COMMERCIAL / INDUSTRIAL USER SURCHARGE

CONVENTIONAL POLLUTANTS

<u>PARAMETER</u>		<u>SURCHARGE LOAD LIMIT (mg/L)</u>	<u>DAILY MAXIMUM DISCHARGE LIMIT (mg/L)</u>
<u>BOD</u>	<u>Biochemical Oxygen Demand</u>	<u>350</u>	<u>mg/L</u>
<u>TKN</u>	<u>Total Kjeldahl Nitrogen as N</u>	<u>100</u>	<u>mg/L</u>
-	-	-	-

The Sewer Surcharge Calculation for TKN

Conventional pollutant levels which exceed their respective surcharge are subject to a surcharge fee. Surcharge fees are calculated using the following formula:

$$FEE = \frac{(Average\ User\ Concentration - Surcharge\ Limit) \times (Annual\ Flow/gal) \times (8.34lb./gal) \times (Rate)}{1,000,000}$$

Rate = \$0.272 / Lb TKN

Rate for TKN is \$0.272/lb.

The Sewer Surcharge Calculation for BOD

Conventional pollutant levels which exceed their respective surcharge are subject to a surcharge fee. Surcharge fees are calculated using the following formula:

$$FEE = \frac{(Average\ User\ Concentration - Surcharge\ Limit) \times (Annual\ Flow/gal) \times (8.34lb./gal) \times (Rate)}{1,000,000}$$

Rate = \$0.051 / Lb BOD****

****NOTE:

Rate for BOD is \$0.051/lb BOD when a TKN surcharge is assessed and \$0.272 / lb BOD when there is no TKN surcharge.

1643
1644
1645

- 1646 6. Charges for the depositing of wastes from cesspool cleaning shall be as follows:
1647 a. For septage collected from Cranston residents, three dollars and eighty-five cents
1648 (\$3.85) for each one hundred (100) gallon capacity of tank truck so deposited, provided,
1649 however, that there shall be a minimum charge of thirty-one dollars and zero cents
1650 (\$31.00) for each deposit. Fee for trailer campers per dumping shall be five dollars and
1651 zero cents (\$5.00).
- 1652 7. Public Buildings. There is established an annual charge of forty dollars and fifty-eight
1653 cents (\$40.58) for each fixture located in buildings owned by the city.
- 1654 8. Charge for Non-Users. An annual charge of one hundred six dollars and thirty cents
1655 (\$106.30) is established, to be paid by every owner of land on which there is located at
1656 12:01 a.m. on January 1, 2007, and one which there is located at 12:01 a.m. on January
1657 1st of each year thereafter, any building used for residential, business or industrial
1658 purposes, which land abuts upon that portion of any street or highway or right-of-way in
1659 which there is then a sewer and the sewerage of which land is not then connected with
1660 such sewer; such charge to be paid in full at the time and place that the first installment of
1661 the regular city taxes is payable. Fees collected under this chapter from non-users will
1662 only be used to recover costs of sewer system capital improvements.
- 1663 9. Sewer Lateral Service Installations. Sewer laterals are installed at the direction of the
1664 Cranston Public Works department from the sewer main line in the street to the property
1665 line. The charge for this installation will be equal to the actual construction costs.
1666 (Ord. 07-24 § 1)
1667 (Ord. No. 2009-6, § 1, 1-26-09)

1668

1669 Article XI

1670 Validity

1671

1672 13.08.680 Conflict.

1673 All ordinance or parts of ordinances in conflict herewith are hereby repealed.

1674 (Prior code § 26-81)

1675

1676 13.08.690 Severability.

1677 If any provision of this chapter or the application to any person or circumstance is held
1678 invalid, the remainder of this chapter or the application of such provisions to other
1679 persons or other circumstances shall not be affected.

1680 (Prior code § 26-82)

1681

1682 Article XII

1683 Disposal of Hauled Wastes

1684

1685 13.08.700 Policy.

1686 As a regional biosolids disposal facility, the Cranston water pollution control facility will
1687 accept biosolids, grease, remediated groundwater, landfill leachate, commercial wastes
1688 and industrial wastes, provided that the waste material is readily treatable by the facility's
1689 treatment process and is in conformance with all rules and regulations established by the
1690 city, the Rhode Island Department of Environmental Management and United States
1691 Environmental Protection Agency. This activity is carried out in conjunction with the city

1692 solids management program. All wastes received must be reviewed and approved by the
1693 superintendent as authorized by RIDEM. No hazardous wastes, toxic wastes, or RCRA
1694 hazardous wastes are acceptable.

1695 (Prior code § 26-83)

1696

1697 13.08.710 Biosolids acceptance.

1698 Biosolids must be approved by RIDEM prior to disposal at the plant. The procedure for
1699 approval of a biosolids is detailed in the standard operating procedure (SOP) No. CRI-
1700 001, receiving of non-city municipal wastewater derived biosolids, as shown in the solids
1701 management program. Approval may at any time be suspended or revoked because of the
1702 violation by the holder thereof of the rules and regulations herein prescribed, or for other
1703 just cause or complaint. Biosolids must at all times meet applicable federal, state and
1704 local regulations and requirements.

1705 (Prior code § 26-84)

1706

1707 13.08.720 Discharge requirements and fees.

1708 The contents of any tank truck containing hauled wastes may be discharged into the water
1709 pollution control facility of the city, subject to the following rules and regulations:

1710 A. The hauler and the hauled waste shall meet all requirements of the city's most current
1711 solids management plan, including standard operating procedure No. CRI-001, receiving
1712 of non-city municipal wastewater derived biosolids, as well as the sewer use ordinance.

1713 B. Any violation of the terms and conditions of the solids management plan or sewer
1714 use ordinance shall be deemed a violation of this chapter and subjects the contractor to all
1715 costs for removal of any non-conforming materials and any costs and damages resulting
1716 therefrom, as well as sanctions under Article IX of this chapter.

1717 C. The city will perform random sampling of the hauled loads as it deems necessary to
1718 determine compliance with the provisions of the solids management plan and sewer use
1719 ordinance.

1720 (Prior code § 26-85)

1721

1722 13.08.730 Hauled waste tank truck requirements.

1723 All tank trucks carrying hauled wastes shall be kept airtight and free from leakage. All
1724 apparatus used in the business shall be kept clean and well painted, and must have the
1725 name of the licensee upon it in plain letters. No tank trucks shall be allowed to stand in
1726 any street except while in use.

1727 (Prior code § 26-86)

1728

1729 13.08.740 Additional requirements.

1730 No statement contained in this article shall be construed to interfere with any additional
1731 requirements that may be imposed by the city or state of Rhode Island and Providence
1732 Plantations Department of Health.

1733 (Prior code § 26-87)

1734

1735 Article XIII

1736 Appendix--Forms

1737
1738 13.08.750 Application for Residential/Commercial Connection with Sewerage System.
1739 **City of Cranston, Rhode Island**
1740 **Application for Residential/Commercial Connection with Sewerage System**
1741 Plat No. _____
1742 No. _____
1743 Lot No. _____
1744 The undersigned, being owner or agent, of the property hereby applies for a permit for
1745 the connection of a sewer service connection for the _____
1746 Old _____
1747 New _____ at No. _____ and St. _____ that the same may be connected with
1748 the _____ (Name of Street) Street common sewer.
1749 Part _____ Sheet _____
1750 The undersigned agrees to strictly conform to the laws and ordinances and instructions
1751 previously given relating to sewers, and to the rules and regulations that are now in force
1752 or may be adopted in relation thereto, and also to the plumbing and drainage laws and
1753 ordinances as far as they relate thereto, and fully aware of penalties that may be invoked.
1754 Date of Application _____
1755 Signature _____
1756 Owner's Mailing Address _____
1757 Date of Application in Sewer Department by _____
1758 Cranston Sewer Division by _____
1759 Approved by _____ Plumbing Inspector
1760 Approved by _____ Owner's Agent/Owner's Attorney
1761
1762 13.08.760 Reserved.
1763 **Editor's note:** Ord. No. 2009-52, § 1, adopted September 28, 2009, repealed §
1764 13.08.760, which pertained to an industrial wastewater discharge application.
1765
1766 13.08.770 Reserved.
1767 **Editor's note:** Ord. No. 2009-52, § 1, adopted September 28, 2009, repealed §
1768 13.08.770, which pertained to a building layout sheet.
1769
1770 13.08.780 Reserved.
1771 **Editor's note:** Ord. No. 2009-52, § 1, adopted September 28, 2009, repealed §
1772 13.08.780, which pertained to a schematic flow diagram.
1773
1774 13.08.790 Reserved.
1775 **Editor's note:** Ord. No. 2009-52, § 1, adopted September 28, 2009, repealed §
1776 13.08.790, which pertained to a wastewater discharge permit.
1777 Article XIV
1778 Sewer Tie-In Loan Fund Regulations
1779
1780 13.08.800 Participation.

1781 In conjunction with Rhode Island Clean Water Finance Agency and Rhode Island
1782 Housing, the city wishes to participate in the sewer tie-in loan fund and abide by all of its
1783 loan policies and procedures.

1784 (Ord. No. 2008-10, § 1, 3-24-08)

1785

1786 13.08.810 Administration.

1787 A. The city adopts the following criteria for the administration of the sewer tie in loan
1788 fund:

1789 1. The maximum amount of the loan shall be ten thousand dollars (\$10,000.00).

1790 2. Only existing dwelling units, owner and non-owner occupied, shall be eligible for
1791 loans. New construction and commercial properties are not eligible.

1792 3. The maximum term of the loan is five years.

1793 4. The city shall place a lien in the amount of the loan on the property until the loan is
1794 fully paid.

1795 5. Funds will only be available for the tie in to the sewer and not for any interior
1796 plumbing or home improvement work.

1797 6. There is no income level requirement for eligibility for a loan however the debt to
1798 income ratio shall not exceed forty-five (45) percent.

1799 7. There is no prepayment penalty.

1800 8. Funds shall be made available after issuance of a certificate of conformance by the
1801 Rhode Island Department of Environmental Management.

1802 9. The sewer tie-in loan program shall be administered pursuant to loan policies and
1803 procedures developed by the Rhode Island Clean Water Finance Agency.

1804 10. The mayor or his designee is authorized to execute any and all documents necessary
1805 to effectuate the terms and intent of this ordinance.

1806 (Ord. No. 2008-10, § 2, 3-24-08)

1807

1808 Chapter 13.12 PRIVATE WASTEWATER DISPOSAL SERVICES

1809 **Sections:**

1810 [13.12.010 Private wastewater disposal.](#)

1811 [13.12.020 Compliance with regulations.](#)

1812 [13.12.030 Minimum standards.](#)

1813 [13.12.040 Permit, inspection, notification.](#)

1814 [13.12.050 Availability of public sewer.](#)

1815 [13.12.060 Operation and maintenance.](#)

1816 [13.12.070 License for removal of septage.](#)

1817 [13.12.080 License application.](#)

1818 [13.12.090 Expiration of license.](#)

1819 [13.12.100 Septage tank truck requirements and hours of cleaning.](#)

1820 [13.12.110 Discharge requirements and fees.](#)

1821 [13.12.120 Additional requirements.](#)

1822

1823 13.12.010 Private wastewater disposal.

1824 Where a public sanitary sewer is not available under the provisions of this chapter, the
1825 building lateral shall be connected to a private wastewater disposal system complying
1826 with the provisions of this chapter.

1827 (Prior code § 26-10)
1828
1829 13.12.020 Compliance with regulations.
1830 The type, capacities, location, and layout of a private wastewater disposal system shall
1831 comply with all rules and regulations of the state of Rhode Island and Providence
1832 Plantations Department of Health and the City. The private wastewater disposal system
1833 shall also comply with rules and regulations shown in this chapter.
1834 (Prior code § 26-11)
1835
1836 13.12.030 Minimum standards.
1837 The "Rules and Regulations Establishing Minimum Standards Relating to Location,
1838 Design, Construction and Maintenance of Individual Sewage Disposal Systems" and
1839 amendments thereto, as adopted by the state of Rhode Island and Providence Plantations
1840 Department of Health, under the authority of Chapter 23-1-17 and 23-1-18(6) of the
1841 General Laws of 1956, as amended, are considered part of this chapter.
1842 (Prior code § 26-12)
1843
1844 13.12.040 Permit, inspection, notification.
1845 A permit for a private sewage disposal system shall not become effective until the
1846 installation is completed to the satisfaction of the building inspector and an authorized
1847 representative of the Rhode Island Department of Health. They shall be allowed to
1848 inspect the work at any stage of construction and, in any event, the applicant for the
1849 permit shall notify the approving authorities when the work is ready for final inspection,
1850 and before any underground portions are covered. Said system shall be covered within
1851 forty-eight (48) hours after inspection and approval.
1852 (Prior code § 26-13)
1853
1854 13.12.050 Availability of public sewer.
1855 Pursuant to the provisions of Section 18 of Chapter 750 of the Public Laws of 1939, the
1856 director is authorized to order any abutting owner or occupant of land upon any street in
1857 which there is a sewer or in which a sewer may hereafter be constructed, to connect
1858 within thirty (30) days after notification the drainage and sewerage of such land with such
1859 sewer, and to order any such owner or occupant to fill up and destroy within thirty (30)
1860 days after notification any cesspool, privy vault, drain or other arrangement on such land
1861 for the reception of drainage or sewerage.
1862 (Prior code § 26-14)
1863
1864 13.12.060 Operation and maintenance.
1865 The owner shall, at all times, operate and maintain all the private wastewater disposal
1866 facilities on his or her private property in a sanitary condition as is satisfactory to the
1867 building inspector, at no expense to the city. No person shall deposit, nor allow to be
1868 deposited in their disposal facilities swill, rubbish, or solid refuse matter other than fecal
1869 matter.
1870 (Prior code § 26-15)
1871
1872 13.12.070 License for removal of septage.

1873 No person shall engage in the business of removing the contents of privy vaults,
1874 cesspools and septic tanks, herein referred to as "septage," or remove the contents of
1875 privy vaults, cesspools or septic tanks or transport through the streets within the city the
1876 contents of any privy vaults or cesspools, or carry night soil or other sewage, without first
1877 obtaining a license from the safety services and licenses committee of the city council;
1878 but nothing in this rule shall be construed as forbidding the owner of a privy vault,
1879 cesspool or septic tank from removing the contents therefrom; providing a permit be first
1880 obtained from the city. This license shall also apply to any person desiring to discharge
1881 the contents of any such septage tank truck into the city wastewater treatment works.
1882 (Prior code § 26-16)

1883
1884 13.12.080 License application.

1885 Applicants requesting a license for removing, transporting, and discharging septage in the
1886 city shall be required to submit a septage truck license application to the superintendent
1887 for review and approval. The requirements for the application, including a fee of fifty
1888 dollars (\$50.00), are detailed in the standard operating procedure No. CRI-002, receiving
1889 of septage, shown in the city solids management program, as it pertains to septage
1890 transporting, removal and disposal. If acceptable, the superintendent will process the
1891 application, and forward the approved application and required fee to the city for issuing
1892 the license. The applicant may commence with transporting and discharging septage
1893 waste upon receiving a license and decal from the city.
1894 (Prior code § 26-17)

1895
1896 13.12.090 Expiration of license.

1897 The license for removing, transporting and discharging septage in the city shall be
1898 effective for one year, starting on March 30th of each year. A one-year license extension
1899 can be granted by the city upon submission and approval of a renewal application,
1900 including a fifty dollar fee (\$50.00), submitted two weeks prior the March 30th expiration
1901 date. The city may at any time suspend or revoke any such permit because of the
1902 violation by the holder thereof of the rules and regulations herein prescribed, or for other
1903 just cause or complaint.
1904 (Prior code § 26-18)

1905
1906 13.12.100 Septage tank truck requirements and hours of cleaning.

1907 All tank trucks hauling septage shall be kept airtight and free from leakage. All apparatus
1908 used in the business shall be kept clean and well painted, and must have the name of the
1909 licensee upon it in plain letters, and must be approved by the director. No tank trucks
1910 shall be allowed to stand in any street except while in use. No privy vault or cesspool
1911 shall be cleaned within the hours of sunset and sunrise, except as directed by the director
1912 of public works.
1913 (Prior code § 26-19)

1914
1915 13.12.110 Discharge requirements and fees.

1916 The contents of any septage tank truck, licensed as aforesaid, containing domestic sewage
1917 or septage may be discharged into the wastewater treatment works of the city, subject to
1918 the rules and regulations stipulated in the standard operating procedures. Any violation of

1919 the terms and conditions herein shall be deemed a violation of this chapter and subjects
1920 the permittee to all costs for removal of any nonconforming materials and any costs and
1921 damages resulting therefrom, as well as sanctions under this title. Any recreational
1922 vehicle registered in the city may discharge into the wastewater treatment works. The
1923 rules and regulations for recreational vehicles are shown in the standard operating
1924 procedure No. CRI-002, receiving of septage. Charges for the depositing of septage shall
1925 be established by the city, as shown in this title.
1926 (Prior code § 26-20)

1927

1928 13.12.120 Additional requirements.

1929 No statement contained in this chapter shall be construed to interfere with any additional
1930 requirements that may be imposed by the city or state of Rhode Island and Providence
1931 Plantations Department of Health.

1932

1933

1934 Sponsored by Councilman Navarro

1935

1936 Referred to Public Works Committee March 17, 2011