

THE CITY OF CRANSTON

**ORDINANCE OF THE CITY COUNCIL**  
IN AMENDMENT OF TITLE 13 OF THE CODE OF THE CITY OF CRANSTON,  
2005, ENTITLED "PUBLIC SERVICES"  
(Sewer Service System and Private Wastewater Disposal)

No.

*Passed:*

\_\_\_\_\_  
Anthony J. Lupino, Council President

*Approved:*

\_\_\_\_\_  
Allan W. Fung, Mayor

*It is ordained by the City Council of the City of Cranston as follows:*

**Section 1.** Title 13, Chapter 8 entitled Sewer Service System is hereby amended by deleting the existing chapter in its entirety and substituting the attached.

**Section 2.** Title 13, Chapter 12 entitled "Wastewater Disposal Services is hereby amended by deleting the existing chapter in its entirety and substituting the attached.

And by adding thereto the following:

**Section 3.** This Ordinance shall take effect upon its final adoption.

Positive Endorsement  
reasons)

Negative Endorsement (attach

\_\_\_\_\_  
Christopher Rawson, Solicitor      Date

\_\_\_\_\_  
Christopher Rawson, Solicitor      Date

Sponsored by Mayor Fung

Referred to City Council August 27, 2012

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172	<a href="#">13.08.810 Administration.</a>
173	
174	Article I
175	General
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177	13.08.010 Acceptance of special law.
178	The provisions of Chapter 750 of the Public Laws of 1 939 as amended, are accepted and
179	amended by the city council.
180	(Prior code § 26-1)
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186 13.08.020 Reference to state codes.

187 This chapter has taken into consideration the State Building Code, Article 17; and the

188 1975 BOCA Plumbing Code, Article 15. Said codes are herein modified.

189 (Prior code § 26-2)

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191 13.08.030 Construction and maintenance and special time provision.\*

192 Sewer service connections which are owned by the city shall be built, repaired and  
193 maintained only by the city under the direction of the director of public works and that  
194 portion of a sewer service connection which is not owned by the city shall be built,  
195 repaired and maintained by the owner of the connected building in accordance with the  
196 provisions of Chapter 22 relative to plumbing.

197 (Prior code § 26-3)

198 \* Editor's Note: Chapter 22 of the prior code was not codified during the 2004  
199 codification, per city directive.

200

201 13.08.040 Definitions.

202 "ACGIH" means American Conference of Governmental Industrial Hygienists.

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

207 "Approval authority" means the Rhode Island Department of Environmental  
208 Management.

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

210 "Authorized representative of the user" means:

211 1. If the user is a corporation:

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

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

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

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

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231 4. A duly authorized representative of the individual designated in subsection 1, 2, or 3  
232 of this definition if: (i) The authorization is made in writing by the individual described in  
233 subsections 1, 2, or 3 of this definition; (ii) The authorization specifies either an  
234 individual or a position having responsibility for the overall operation of the facility, such  
235 as the position of plant manager, operator of a well, or well field superintendent, or a  
236 position of equivalent responsibility, or having overall responsibility for environmental  
237 matters for the company; and (iii) the written authorization is submitted to the director.  
238 "Best management practices" or "BMPs" means schedules of activities, prohibitions of  
239 practices, maintenance procedures, and other management practices to implement the  
240 prohibitions listed in Title 40 Code of Federal Regulations Parts 403.5(a)(1) and (b).  
241 BMPs also include treatment requirements, operating procedures, and practices to control  
242 plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw  
243 materials storage.  
244 "BOD" (denoting biochemical oxygen demand) means the quantity of oxygen utilized in  
245 the biochemical oxidation of organic matter under standard laboratory procedure in five  
246 days at twenty (20) degrees Celsius expressed in milligrams per liter.  
247 "Building drain" means that part of the lowest horizontal piping of a drainage system  
248 which receives the discharge from wastewater pipes inside the walls of the building and  
249 conveys it to the building lateral, beginning five feet (1.5 meters) outside the inner face of  
250 the building wall.  
251 "Building inspector" means the building inspector of the city, or his or her authorized  
252 deputy, agent or representative.  
253 "Building lateral" means the extension from the building drain to the street lateral at the  
254 property line or other place of disposal.  
255 "CBOD" (denoting carbonaceous biochemical oxygen demand) means the quantity of  
256 oxygen utilized in the biochemical oxidation of organic matter in which the contribution  
257 from nitrogeneous bacteria has been suppressed. Tha analysis is performed under  
258 standard laboratory procedure in five days at twenty (20) degrees Celsius expressed in  
259 milligrams per liter.  
260 "Categorical pretreatment standard or categorical standard" means any regulation  
261 containing pollutant discharge limits promulgated by EPA in accordance with Sections  
262 307(b) and (c) of the Act (33 U.S.C. Section 1317) which apply to a specific category of  
263 users and which appear in 40 CFR Chapter 1, Subchapter N, Parts 405--471.  
264 "Chemical oxygen demand" (COD) means a measure of the oxygen consuming capacity  
265 of inorganic and organic matter present in water or wastewater. It is expressed as the  
266 amount of oxygen consumed from a chemical oxidant in a specific test.  
267 "Chlorine demand" means the difference between the amount of chlorine added to water  
268 or wastewater and the amount of residual chlorine remaining at the end of a specified  
269 contact period.  
270 "City" means the city of Cranston.  
271 "City council" means the city council of the city of Cranston.  
272 "Combined sewer" means a sewer receiving both surface runoff and sewage.  
273 "Conventional pollutants" means constituents of wastewater as determined by Section  
274 304(a)(4) of the Federal Clean Water Act and the regulations there under 40 CFR 401.16,  
275 including pollutants classified as biochemical oxygen demand, suspended solids, oil and  
276 grease, fecal coliform, and pH.

277 "Developer" means a person who develops a plat of land under an approved final  
 278 subdivision plat or building permit.  
 279 "Director" means the director of public works of the city, or his or her authorized deputy,  
 280 agent or representative.  
 281 "Dwelling unit" means one or more rooms designed or intended for living purposes and  
 282 containing sanitary facilities.  
 283 "Environmental Protection Agency or EPA" means the United States Environmental  
 284 Protection Agency or, where appropriate, the Regional Water Management Division  
 285 Director, or other duly authorized official of said agency.  
 286 "Existing source" means any source of discharge, the construction or operation of which  
 287 commenced prior to the publication by EPA of proposed categorical pretreatment  
 288 standards, which will be applicable to such source if the standard is thereafter  
 289 promulgated in accordance with Section 307 of the Act.  
 290 "Garbage" means solid wastes from the domestic and commercial preparation, cooking  
 291 and dispensing of food, and from the handling, storage and sale of produce.  
 292 "Grab sample" means a sample which is taken from a waste stream without regard to the  
 293 flow in the waste stream and over a period of time not to exceed fifteen (15) minutes.  
 294 "Hauled waste" means biosolids, grease, remediated groundwater, landfill leachate,  
 295 commercial wastes and industrial wastes which are readily treatable by the facility's  
 296 treatment process in conformance with all rules and regulations established by the city,  
 297 the Rhode Island Department of Environmental Management and United States  
 298 Environmental Protection Agency. Septage is not a hauled waste.  
 299 "Industrial user" means any manufacturing/non-manufacturing user of publicly owned  
 300 treatment works identified in the Standard Industrial Classification Manual, 1987, Office  
 301 of Management and Budget, as amended and supplemented, under the following  
 302 divisions:  
 303 TABLE INSET:  
 304

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

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309 A user in the divisions listed may be excluded if it is determined that it will introduce  
310 primarily segregated domestic wastes or wastes from sanitary conveniences.  
311 A user in the divisions listed above may be classified as a non-industry if it is determined  
312 by the director that such user does not conduct any manufacturing operations and will  
313 introduce strictly domestic wastes to the publicly owned treatment works.  
314 "Industrial wastes" means the wastes from industrial manufacturing processes, trade or  
315 business as distinct from domestic wastes.  
316 "Infectious waste" means any waste which contains pathogens with sufficient virulence  
317 and quantity so that exposure to the waste by a susceptible host could result in disease.  
318 Under this definition, the normal microflora of the body are not classified as infectious.  
319 "Interference" means a discharge, which alone or in conjunction with a discharge or  
320 discharges from other sources, inhibits or disrupts the POTW, its treatment process or  
321 operations or its sludge processes, use or disposal; and therefore, is cause of a violation of  
322 city's NPDES permit or of the prevention of sewage sludge use or disposal in compliance  
323 with any of the following statutory/regulatory provisions or permits issued thereunder, or  
324 any more stringent state or local regulations: Section 405 of the Act; the Solid Waste  
325 Disposal Act, including Title II commonly referred to as the Resource Conservation and  
326 Recovery Act (RCRA); any state regulations contained in any state sludge management  
327 plan prepared pursuant to subtitle D of the Solid Waste Disposal Act; the Toxic  
328 Substances Control Act; and the Marine Protection, Research and Sanctuaries Act.  
329 "May" is permissive.  
330 "Medical waste" means isolation wastes, infectious agents, human blood and blood  
331 products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes,  
332 potentially contaminated laboratory wastes and dialysis wastes.  
333 "Natural outlet" means any outlet into a watercourse, pond, ditch, lake or other body of  
334 surface or groundwater.  
335 "New source" means any building, structure, facility or installation from which there is or  
336 may be a discharge of pollutants, construction of which began after the publication of the  
337 proposed sewer use ordinance regulations and Pretreatment Standards pursuant to Section  
338 307(c) of the Clean Water Act, which will apply to such source if such standards are  
339 promulgated provided certain location and construction criteria pursuant to Title 40 Code  
340 of Federal Regulations Part 403.3(k)(1) are met.  
341 "Non-conforming material" means any hauled waste or septage delivered by a hauler  
342 which does not meet the standards set forth in this chapter or does not comply with all  
343 applicable standards found in federal, state or municipal statutes and regulations, and  
344 orders or permits of the United States Environmental Protection Agency or Rhode Island  
345 Department of Environmental Management. This includes any hazardous waste.  
346 "Non-contact cooling water" means water used for cooling which does not come into  
347 direct contact with any raw material, intermediate product, waste product or finished  
348 product.  
349 "Non-conventional pollutants" means those pollutants that are neither listed as priority  
350 nor conventional pollutants.  
351 "NPDES permit" is the current National Pollutant Discharge Elimination System permit  
352 issued to the Cranston wastewater treatment plant pursuant to Section 402 of the Federal  
353 Clean Water Act. The term includes any associated program which has been approved by  
354 the federal, state or local administrators.



355 "Ordinance" is the city sewer use ordinance.  
356 "Pass-through" means a discharge which exits the POTW into waters of the United States  
357 in quantities or concentrations which, alone or in conjunction with a discharge or  
358 discharges from other sources, is a cause of a violation of any requirement of the  
359 POTW's, NPDES or RIPDES permit (including an increase in the magnitude or duration  
360 of a violation).  
361 "PCBs" means Polychlorinated Biphenyls.  
362 "Person" means any individual, partnership, copartnership, firm, company, corporation,  
363 association, joint stock company, trust, estate, governmental entity or any other legal  
364 entity; or their legal representatives, agents, or assigns. This definition includes all  
365 federal, state and local governmental entities.  
366 "pH" means the logarithm of the reciprocal of the weight of hydrogen ions expressed in  
367 standard units.  
368 "Pretreatment" means the reduction of the amount of pollutants, the elimination of  
369 pollutants, or the alteration of the nature of pollutant properties in wastewater prior to, or  
370 in lieu of, introducing such pollutants into the POTW. This reduction or alteration can be  
371 obtained by physical, chemical, or biological processes; by process changes; or by other  
372 means, except by diluting the concentration of the pollutants unless allowed by an  
373 applicable pretreatment standard.  
374 "Pretreatment requirements" means any substantive or procedural requirement related to  
375 pretreatment imposed on a user, other than a pretreatment standard.  
376 "Pretreatment standards" means prohibited discharge standards, categorical pretreatment  
377 standards and local limits.  
378 "Priority pollutants" means the pollutants designated as toxic under Section 307(a)(1) of  
379 the Federal Clean Water Act, and any more recent designations set forth by the EPA.  
380 "Private sewer" means any sewer not owned by the city.  
381 "Properly shredded garbage" means the wastes from the preparation, cooking and  
382 dispensing of food that have been shredded to such a degree that all particles will be  
383 carried freely under the flow conditions normally prevailing in public sewers, with no  
384 particle greater than one-half (1/2) inch (1.27 centimeters) in any direction.  
385 "Publicly owned treatment works" or "POTW" means a treatment works as defined by  
386 Section 212 of the Act (33 U.S.C. Section 1292) which is owned by the city. This  
387 definition includes any devices and systems used in the storage, treatment, recycling and  
388 reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes  
389 sewers pipes and other conveyances only if they convey wastewater to a POTW  
390 treatment plant. The term also means the municipality as defined in Section 502(4) of the  
391 Act, which has jurisdiction over the indirect discharges to and the discharges from such a  
392 treatment works.  
393 "Public sewer" means a sewer in which all owners of abutting properties have equal  
394 rights, and is controlled by public authority.  
395 "Replacement" means expenditures for obtaining and installing equipment, accessories or  
396 appurtenances which are necessary during the service life of the treatment works to  
397 maintain the capacity and performance for which such works were designed and  
398 constructed. The term "operation and maintenance" includes replacement.  
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401 "Rhode Island Pollutant Discharge Elimination System (RIPDES)" means the Rhode  
402 Island system for issuing, modifying, revoking and reissuing, terminating, monitoring and  
403 enforcing discharge permits and imposing and enforcing pretreatment requirements  
404 pursuant to Title 46, Chapter 12 of the General Laws of Rhode Island and the Clean  
405 Water Act.

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

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

410 "Sewage" See "wastewater."

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

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

415 "Shall" is mandatory.

416 "Significant industrial user" means:

- 417 1. A user subject to categorical pretreatment standards; or
- 418 2. A user that:
  - 419 a. Discharges an average of twenty-five thousand (25,000) gpd or more of process  
420 wastewater to the POTW (excluding sanitary, non-contact cooling, and boiler blowdown  
421 wastewater);
  - 422 b. Contributes a process waste stream which makes up five percent or more of the  
423 average dry weather hydraulic or organic capacity of the POTW treatment plant; or
  - 424 c. Is designated as such by the city on the basis that it has a reasonable potential for  
425 adversely affecting the POTW's operation or for violating any pretreatment standard or  
426 requirement.
- 427 3. Upon a finding that a user meeting the criteria in subsection 2 of this definition has no  
428 reasonable potential for adversely affecting the operation or for violating any  
429 pretreatment standard or requirement, the city may at any time, on its own initiative or in  
430 response to a petition received from a user, and in accordance with the procedures in Title  
431 40 Code of Federal Regulations Part 403.8(f)(6), determine that such user should not be  
432 considered a significant industrial user.
- 433 4. The city may determine that a user subject to categorical pretreatment standards under  
434 Title 40 Code of Federal Regulations Parts 403.6 and Chapter I, Subchapter N is a non-  
435 significant categorical industrial user rather than a significant industrial user on a finding  
436 that the Industrial User never discharges more than 100 gallons per day (gpd) of total  
437 categorical wastewater (excluding sanitary, non-contact cooling and boiler blowdown  
438 wastewater, unless specifically included in the pretreatment standard) and the following  
439 conditions are met:
  - 440 a. The user, prior to the city's finding, has consistently complied with all applicable  
441 categorical pretreatment standards and requirements;
  - 442 b. The user annually submits the certification statement required in Title 40 Code of  
443 Federal Regulations Part 403.12(q) together with any additional information necessary to  
444 support the certification statement; and

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447 c. The user never discharges any untreated concentrated wastewater.  
448 "Slug load" or "slug" means any discharge at a flow rate or concentration which would  
449 cause a violation of the prohibited discharge standards in Article V, Section 13.08.260 of  
450 this chapter.  
451 "Standard Industrial Classification (SIC) Code" means a classification pursuant to the  
452 Standard Industrial Classification Manual issued by the United States Office of  
453 Management and Budget.  
454 "Storm drain" (sometimes termed "storm sewer") means a sewer which carries storm and  
455 surface waters and drainage, but excludes sewage and industrial wastes, other than  
456 unpolluted cooling water.  
457 "Storm water" means any flow occurring during or following any form of natural  
458 precipitation, and resulting from such precipitation, including snowmelt.  
459 "Street lateral" means the extension from the building lateral to the public sewer main.  
460 "Superintendent" means the person designated to supervise the operation of the water  
461 pollution control facility of the city, or his or her authorized deputy, agent or  
462 representative.  
463 "Suspended solids" means solids that either float on the surface of, or are in suspension in  
464 water, sewage, or other liquids, and which are removable by laboratory filtering.  
465 "TKN" is Total Kjeldahl Nitrogen.  
466 "TLV-TWA" denotes threshold limit value-time weighted average, and refers to the time  
467 weighted atmospheric fume concentration for a normal eight-hour workday and forty (40)  
468 hour work week to which nearly all workers may be repeatedly exposed day after day,  
469 without adverse effect.  
470 "TSS" is total suspended solids.  
471 "Unpolluted water" is water of quality equal to or better than the effluent criteria in effect  
472 or water that may not cause violation of receiving water quality standards and may not be  
473 benefited by discharge to the sanitary sewers and wastewater treatment facilities  
474 provided.  
475 "User" means a source of indirect discharge.  
476 "User charge" means a charge levied on users of a treatment works for the cost of  
477 operation and maintenance of such works.  
478 "Wastewater" or "sewage" means the spent water of a community, including human  
479 excrement and gray water. From the standpoint of source, it may be a combination of the  
480 liquid and water carried domestic and industrial wastes from residences, commercial  
481 buildings, industrial plants, and institutions together with any inadvertent groundwater,  
482 surface water and stormwater that may be admitted into the sewers.  
483 "Wastewater facilities" means the structure, equipment and processes required to collect,  
484 carry away and treat domestic and industrial wastes and dispose of the effluent.  
485 "Wastewater treatment works" means an arrangement of devices, systems and structures  
486 including interceptor sewers, outfall sewers, sewage collection systems, pumping, power  
487 and other equipment and the extensions, improvement, remodeling, additions and  
488 alterations thereof for treating wastewater, industrial wastes, and sludge. Sometimes used  
489 as synonymous with "waste treatment plant" or "wastewater treatment plant" or "water  
490 pollution control facility."  
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493 "Watercourse" means a channel in which a flow of water occurs, either continuously or  
494 intermittently.

495 (Prior code § 26-4)

496 (Ord. No. 2009-52, § 1, 9-28-09)

497

498 Article II

499 Regulations Requiring the Use of Public Sewers Where Available

500

501 13.08.050 Unsanitary discharges.

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

505 (Prior code § 26-5)

506

507 13.08.060 Discharge to natural outlets.

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

511 (Prior code § 26-6)

512

513 13.08.070 Privy, privy vault, septic tank, etc.

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

517 (Prior code § 26-7)

518

519 13.08.080 Houses, buildings, properties.

520 The owners of all houses, buildings or properties used for human occupancy,  
521 employment, recreation, or other purposes, situated within the city and abutting on any  
522 street, alley or right-of-way in which there is now located or may in the future be located  
523 a public sanitary sewer of the city, is required, at each owner's expense, to install suitable  
524 toilet facilities therein, and to connect such facilities directly with the public sewer in  
525 accordance with the requirements of the director or in accordance with the provisions of  
526 the ordinance codified in this chapter within thirty (30) days after date of official notice  
527 to do so, provided that said public sewer is within one hundred (100) feet (30.5 meters) of  
528 the property line. The city may extend a sewer service connection or lateral to the  
529 property line when the terminus of a sewer main is within one hundred (100) feet (30.5  
530 meters) of said property and said connection is feasible.

531 (Prior code § 26-8)

532

533 13.08.090 Car wash, public laundry, etc.

534 No person shall operate the business of a car wash, public laundry, automatic laundry or  
535 laundromat on any lot in the city unless such lot is served by a public sewer system or by  
536 a system which reclaims for re-use on the premises at least eighty (80) percent of the  
537 water discharged from the washing facilities, except that this section shall not apply to  
538

539 any business which shall have been in operation prior to June, 1978, and shall not apply  
540 to any gasoline station with a car wash stand to accommodate the washing of no more  
541 than one car at a time.

542 (Prior code § 26-9)

543

### 544 Article III

## 545 Regulations and Procedures Regarding Building

### 546 Sewers--Laterals and Connections

547

#### 548 13.08.100 Sewer system connection permits.

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

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

554 1. For residential and commercial service; and

555 2. For service to establishments producing industrial wastes.

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

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

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

570 D. All industrial users shall comply with any and all applicable pretreatment standards  
571 and requirements, including but not limited to EPA Categorical Pretreatment Standards  
572 [Title 40 Code of Federal Regulations, Chapter I, Subchapter N, Parts 405-471], National  
573 Prohibited Discharges (general and specific) [Title 40 Code of Federal Regulations Parts  
574 403.5(a) and (b)] and all requirements of the Federal EPA General Pretreatment  
575 Regulations for Existing and New Sources of Pollution [Title 40 Code of Federal  
576 Regulations Part 403].

577 E. A sewer system connection fee shall be paid upon application for a building permit to  
578 erect structures which will connect directly or indirectly to the public sewer system.  
579 For purpose of the sewer system connection fee, the city is divided into the westerly  
580 sewer system impact area and the easterly sewer system impact area. The westerly sewer  
581 system impact area is the portion of the city that is located west of Interstate Route 295.  
582 The easterly sewer system impact area is that portion of the city that is located east of  
583 Interstate Route 295.

584

## 585 TABLE INSET:

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

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

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

- 590 1. Public buildings;
- 591 2. Areas zoned M-1 or M-2 prior to January 1, 1983, located west of Route I-295, south  
592 of Plainfield Pike and north of Scituate Avenue.

593 (Prior code § 26-22)

594 (Ord. No. 2009-52, § 1, 9-28-09)

595 13.08.110 Service connection standards.

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

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

604 (Prior code § 26-23)

605

606 13.08.120 Service connection cleaning.

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

612 (Prior code § 26-24)

613

614 13.08.130 Separate and independent building sewers/laterals.

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

624 (Prior code § 26-25)

625

626 13.08.140 Use of sewer service connections.

627 Private sewers or drains and sewer service connections within the street limits shall not  
628 be connected with the public sewerage system unless they are found after investigation  
629 by the city to be properly located, laid at suitable gradient, in good condition, with proper  
630 and suitable appurtenances, and in every way satisfactory to the city.

631 (Prior code § 26-26)

632

633 13.08.150 Costs.

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

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

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

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

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

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

650 Acceptable proof includes:

651 1. Copies of most recent two pay stubs;

652 2. W-2 forms for most recent tax year; or

653 3. Proof of unemployment qualification.

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

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

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

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

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

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

667

668 13.08.160 Extension of sewer system.

669 Any person developing a plat of land in the city shall at his or her own expense install  
670 sewer lines and service stubs or wyes in such plat and shall connect the same with the  
671 existing sewer system according to city-approved plans where the system is within one  
672 thousand (1,000) feet (304.8 meters) of the subdivision. Where the existing sewer system  
673 is beyond one thousand (1,000) feet (304.8 meters), or where no city-approved plans are  
674 available, each lot shall be designed insofar as feasible to permit the location of an  
675 individual sewage disposal system between the building site and the street.

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

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

686



687

688

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

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

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

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

711 (Prior code § 26-28)

712

713 13.08.170 Sanitary sewer standards.

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

718 (Prior code § 26-29)

719

720 13.08.180 Approval of sewage pumps.

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

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

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

729 C. Grinder pumps and all appurtenances required for the building drain or lateral shall  
730 be installed in accordance with the Annex A--Sewers of the "Specifications for Highways  
731 Covering Residential and Industrial Plat Developments," from the city department of  
732

733 public works latest edition, and the local plumbing code. The installation shall be  
734 inspected in accordance with local standards, including inspection by the local plumbing  
735 inspector.

736 (Prior code § 26-30)

737

738 13.08.190 Backwater valves.

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

748 (Prior code § 26-31)

749

750 13.08.200 Notification for inspection.

751 The applicant for the building sewer permit shall notify the building inspector when the  
752 building drain and building lateral are ready for inspection, and connection to the street  
753 lateral. The installation of the building drain and building lateral and the connection to  
754 the street lateral shall be made under the supervision of the building inspector. The  
755 contractor installing the building lateral and street lateral shall provide an as-built  
756 drawing, acceptable to the building inspector, of the installation with dimensions to locate  
757 the cleanout.

758 (Prior code § 26-32)

759

760 13.08.210 Procedure upon discontinuance of use.

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

764 (Prior code § 26-33)

765

766 13.08.220 Rules and regulations covering sewer service under unusual conditions.

767 A. Where an abutting city or town has installed sewer lines to serve their residents and  
768 possibly city residents, and where said sewer flows into the city sewer system, said  
769 residents served shall pay the annual sewer assessment fee to help defray the operation  
770 and maintenance cost of the water pollution control facilities.

771 B. Where an abutting city or town has residents that can be entirely served by the city  
772 sewer system, these owners shall be subject to the annual sewer assessment fee.

773 C. Where industries are located either in city or in abutting cities and towns and where  
774 these industries are to be served by reciprocal agreements, then under these cases  
775 agreements must be drawn and approved by the city council.

776 D. Where city residents are served by abutting city or town sewer systems. no sewer  
777 assessment fee will be levied.

778 E. Private sewers and sewers extending into adjacent communities which connect to the  
779 city sewer, shall be installed in conformance with the city sewer use ordinance unless  
780 otherwise approved by the director.

781 F. The city maintains the right to establish individual agreements with industries and  
782 other entities for sewer service that may not be in full conformance with the ordinance.  
783 Any such individual agreements must be approved by the city council.  
784 (Prior code § 26-34)

785

#### 786 Article IV

#### 787 Regulations Relating to the Rate of Discharge 788 and Character of Waters and Wastes Admissible to Public Sewers

789

##### 790 13.08.230 Inadmissible waters.

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

794 (Prior code § 26-36)

795

##### 796 13.08.240 Unpolluted water.

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

802 (Prior code § 26-37)

803

##### 804 13.08.250 Garbage grinder wastes.

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

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

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

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

813 (Prior code § 26-38)

814

##### 815 13.08.260 Restrictions on kinds of wastes.

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

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

822

823

- 824 2. Any waters or wastes containing toxic or poisonous solids, liquids or gases in  
825 sufficient quantity, either singly or by interaction with other wastes, to injure or interfere  
826 with any wastewater treatment process, constitute a hazard to humans or animals, create a  
827 public nuisance or create any hazard in the receiving waters of the wastewater facilities.
- 828 3. Any waters or wastes having a pH lower than 5.5, or having any other corrosive  
829 property capable of causing damage or hazard to structures, equipment and personnel of  
830 the wastewater facilities.
- 831 4. Solid or viscous substances in quantities or of such size capable of causing  
832 obstruction to the flow in sewers, or other interference with the proper operation of the  
833 wastewater facilities such as, but not limited to, hypodermic needles, ash, ashes, cinders,  
834 sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground  
835 garbage, whole blood, paunch manure, hair and fleshings, entrails, paper dishes and cups,  
836 milk containers, etc., either whole or ground by garbage grinders.
- 837 5. Wastewaters whose theoretical equilibrium fume concentration exceeds limits of  
838 explosivity or fume toxicity based on criteria and procedures for determining  
839 flammability, TLV-TWA fume toxicity limits, and combined effects (synergism), as  
840 given in latest publications of the ACGIH and where necessary, supplementary scientific  
841 information.
- 842 6. Medical wastes, except as specifically authorized by the director in a discharge  
843 permit.
- 844 B. No person shall discharge or cause to be discharged the following described  
845 substances, materials, waters, or wastes if it appears likely in the opinion of the director  
846 that such wastes can harm either the sewers, wastewater treatment process, or equipment,  
847 have an adverse effect on the receiving stream, or can otherwise endanger life, limb,  
848 public property or constitute a nuisance. In forming his or her opinion as the acceptability  
849 of these wastes, the director will give consideration to such factors as the quantities of  
850 subject wastes in relation to flows and velocities in sewers, materials of construction of  
851 the sewers, nature of the wastewater treatment process capacity of the wastewater  
852 treatment works, degree of treatability of wastes in the wastewater treatment works, and  
853 other pertinent factors. The substances prohibited are:
- 854 1. Any liquid or vapor having a temperature higher than one hundred fifty (150) degrees  
855 Fahrenheit (65.9 degrees Celsius) or contributing to a treatment plant influent  
856 temperature above one hundred four (104) degrees Fahrenheit (forty (40) degrees  
857 Celsius).
- 858 2. Any water or waste containing more than one hundred (100) milligrams per liter,  
859 (mg/l) of oil or grease of animal or vegetable origin, containing more than twenty-five  
860 (25) mg/l of oil or grease of mineral or petroleum origin or containing substances which  
861 may solidify or become viscous at temperatures between thirty-two (32) and one hundred  
862 fifty (150) degrees Fahrenheit (0 and 65.9 degrees Celsius).
- 863 3. Any waters or wastes containing strong acid iron pickling wastes, or concentrated  
864 plating solutions whether neutralized or not.
- 865 4. Any waters or wastes containing objectionable or toxic substances, or wastes exerting  
866 an excessive chlorine requirement, to such degree that any such discharge exceeds limits  
867 established by this chapter at the point of discharge into the public sewer.

- 868 5. Any waters or wastes containing phenols or other taste or odor producing substances,  
869 in such concentrations exceeding limits which may be established by this chapter as  
870 necessary, to meet the requirements of state, federal or other public agencies.
- 871 6. Any radioactive wastes or isotopes of such half-life or concentration as may exceed  
872 limits established by this chapter in compliance with applicable state or federal  
873 regulations.
- 874 7. Any waters or wastes having a pH in excess of ~~9.5~~ 10.5.
- 875 8. Materials which exert or cause:
- 876 a. Unusual concentrations of inert suspended solids (such as, but not limited to, fuller's  
877 earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to,  
878 sodium chloride and sodium sulfate).
- 879 b. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning  
880 solutions).
- 881 c. Unusual BOD, CBOD, chemical oxygen demand, nitrogen compounds, phosphorus  
882 or chlorine requirements in such quantities as to constitute a significant load on the  
883 wastewater treatment works.
- 884 d. Unusual volume of flow or concentration of wastes constituting "slugs" as defined  
885 herein.
- 886 e. Excessive flows containing any of the above listed constituents and or constituents  
887 which may cause or contribute to POTW interference.
- 888 f. Wastewater causing, alone or in conjunction with other sources, the treatment plant's  
889 effluent to fail a toxicity test.
- 890 9. Waters or wastes containing substances which are not amenable to treatment or  
891 reduction by the wastewater treatment process employed, or are amenable to treatment  
892 only to such degree that the wastewater treatment works effluent cannot meet the  
893 requirements of state, federal or other agencies having jurisdiction over discharge to the  
894 receiving waters.
- 895 10. Waters or wastes that may interfere with any of the treatment works or processes of  
896 the wastewater collection and treatment system.
- 897 11. Trucked or hauled wastes, except at discharge points designated by the  
898 superintendent in accordance with this chapter.  
899 (Prior code § 26-39)  
900
- 901 13.08.270 Requirements to discharge.  
902 If any waters or wastes are discharged, or are proposed to be discharged to the public  
903 sewers, which waters contain the substances or possess the characteristics enumerated in  
904 Section 13.08.260 of this article, and which, in the judgement of the director, may have a  
905 deleterious effect upon the wastewater facilities, processes, equipment or receiving  
906 waters, or which otherwise create a hazard to life or constitute a public nuisance, the  
907 director may:
- 908 A. Reject the wastes;  
909 B. Require pretreatment to an acceptable condition for discharge to the public sewers;  
910 C. Require control over the quantities and rates of discharge; and/or  
911 D. Require payment to cover the added cost of handling and treating the wastes.  
912 (Prior code § 26-40)  
913 (Ord. No. 2009-52, § 1, 9-28-09)

914

915 13.08.280 Pretreatment or equalization.

916 If the director permits the pretreatment or equalization of waste flows, the design and  
917 installation of the plants and equipment shall be subject to the review and approval of the  
918 director, and subject to the requirements of all applicable state and federal codes,  
919 ordinances and laws.

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

924 (Prior code § 26-41)

925

926 13.08.290 Maintenance and operation of facilities.

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

930 (Prior code § 26-42)

931

932 13.08.300 Grease, oil and sand interceptors.

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

946 (Ord. 05-17 § 1)

947 (Ord. No. 2009-52, § 1, 9-28-09)

948

949 13.08.310 Maintenance and operation of interceptors.

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

953 (Prior code § 26-44)

954

955 13.08.320 New discharges--Changes in existing discharges.

956 Any person proposing a new discharge into the system or a substantial change in the  
957 volume or character of pollutants that are being discharged into the system shall notify  
958 the director at least sixty (60) days prior to the proposed change or connection, such

959

960  
 961 notification will not relieve users of liability for any expense, loss or damage to the sewer  
 962 system, wastewater treatment works or treatment processes. A permit or permit  
 963 amendment shall be applied for if the director requests submittal of a permit application  
 964 in response to such notification; or if the proposed discharge or change would change the  
 965 user classification as defined in this chapter; or violate any existing permit, agreement,  
 966 discharge limit or other provision of this chapter.

967 (Prior code § 26-45)

968

969 13.08.330 Special agreements or arrangements.

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

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

981 (Prior code § 26-46)

982

983 13.08.340 Wastewater discharge limits.

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

987

Chemicals	Allowable Discharge Concentrations (mg/l) <del>except where noted</del>	Background Concentrations (mg/l)
Arsenic, Total	<del>ND</del> <u>0.022</u>	<del>&lt;0.010</del> <u>0.003</u>
Cadmium, Total <del>Beryllium, Total</del>	<u>0.0063</u> <del>ND</del>	<u>&lt;0.0009</u> <del>&lt;0.002</del>
<u>5-Day Carbonaceous Biochemical Oxygen Demand (CBOD<sub>5</sub>)</u>	<u>1,198 lbs/day<sup>1</sup></u> <u>334 lbs/day<sup>2</sup></u> <u>50 lbs/day<sup>3</sup></u> <u>25 lbs/day<sup>4</sup></u> (monthly average)	<u>230 mg/L</u>
<del>Cadmium, Total</del>	<del>0.04</del>	<del>0.008</del>
Chromium, Total	<del>0.40</del> <u>2.6</u>	<del>0.034</del> <u>0.05</u>

Copper, Total	<del>1.00</del> <u>0.57</u>	<del>0.051</del> <u>0.04</u>
Lead, Total	<u>0.30</u>	<del>0.065</del> <u>0.0064</u>
Mercury, Total	<del>ND</del> <u>0.0009</u>	<del>&lt;0.0005</del> <u>0.0001</u>
Nickel, Total	<del>0.70</del> <u>0.77</u>	<del>0.047</del> <u>&lt; 0.005</u>
Silver, Total	<del>0.10</del> <u>0.12</u>	<del>0.019</del> <u>0.0002</u>
Zinc, Total	<del>1.00</del> <u>0.71</u>	<del>0.201</del> <u>0.06</u>
Cyanide, Total	<del>0.30</del> <u>0.26</u>	<del>0.082</del> <u>&lt;0.010</u>
PCBs, Total	<u>&lt;0.001</u>	<u>&lt;0.001</u>
<u>Total Nitrogen</u> <u>(Ammonia-N + Nitrite-N +</u> <u>Nitrate-N + Organic N)</u>	<u>50</u>	<u>27</u>
<u>Total Phosphorus</u>	<u>7.3</u>	<u>3.58</u>
Total Toxic Organics	<u>2.13</u>	<u>0.009</u>

988 <sup>1</sup> Applicable to Significant Industrial Users (SIU) in SIC categories of 7213, 7218, 2086, and  
989 4953.

990 <sup>2</sup> Applicable to SIUs in all food processing industries EXCEPT, SIU's classified under SIC  
991 code 2086.

992 <sup>3</sup> Applicable to SIUs having SIC category of 4911.

993 <sup>4</sup> Applicable to SIUs having SICs other than 7213, 7218, 2086, 4953, 4911 and not in a food  
994 processing industry.



995 | ~~ND denotes not detectable.~~ The above allowable discharge concentrations (with  
 996 | exception to CBOD<sub>5</sub>) are considered instantaneous maximum concentrations for each  
 997 | pollutant, that may not be exceeded at any time, regardless of duration of monitoring.  
 998 | These limits unless otherwise noted apply to all users of the sewer system and treatment  
 999 | works and will be used to determine compliance with all process wastewater discharges  
 1000 | at the end-of-pipe following pretreatment, if applicable, and prior to dilution with other  
 1001 | waste streams.

1002 | Total toxic organics shall mean the summation of all quantifiable values equal to or  
 1003 | greater than 0.010.001 milligrams per liter of toxic organics as compiled in the most  
 1004 | recent USEPA List of Priority Pollutants.  
 1005 |

1006 | B. Limits established in this section and Article V, Section 13.08.260 of this chapter,  
 1007 | may be modified and the volume and concentration of contributions from users may be  
 1008 | subject to more stringent requirements by the director so that the aggregate contribution  
 1009 | within the POTW treatment works do not cause odor problems, treatment facility  
 1010 | effluent, air emission or sludge discharge in violation of the limits and requirements of  
 1011 | applicable federal and state regulations.

1012 | C. In any instance in which federal and/or state requirements or limitations are more  
 1013 | stringent than the limitations set forth in this chapter, said requirements and limitations on  
 1014 | discharges shall be met by all users subject to such requirements or limitations.

1015 | D. Any industrial user which discharges or may discharge industrial wastes in excess of  
 1016 | the above background concentrations and/or of characteristics not typical of domestic  
 1017 |

1018 |  
 1019 |  
 1020 | wastewaters and/or may cause interference or pass through of the POTW is subject to an  
 1021 | industrial wastewater discharge permit issued by the city. Such permits shall include, but  
 1022 | not be limited to, federal, state and local discharge limits.

1023 | (Prior code § 26-47)

1024 | (Ord. No. 2008-47, § 1, 11-24-08)

1025 |

1026 | Article V

1027 | Protection from Damage

1028 |

1029 | 13.08.350 Unauthorized construction.

1030 | No unauthorized person shall uncover, make any connections with or opening into, use,  
 1031 | alter or disturb any public sewer or appurtenance thereof without first obtaining a written  
 1032 | permit from the city.

1033 | (Prior code § 26-48)

1034 |

1035 | 13.08.360 Damage to wastewater facilities.

1036 | No unauthorized person shall maliciously, willfully or negligently break, damage,  
 1037 | destroy, uncover, deface or tamper with any structure, appurtenance or equipment which  
 1038 | is part of the wastewater facilities. Any person violating this provision shall be subject to  
 1039 | immediate arrest under charge of disorderly conduct, and the city may assess a charge

1040 against the user for the costs incurred to clean or repair the wastewater facilities and add  
1041 such charge to the user's sewer service charge.

1042 (Prior code § 26-49)

1043

1044 Article VI

1045 Regulations Relating to Monitoring, Sampling and Analyses

1046

1047 13.08.370 Metered water supply.

1048 When charges and fees are based upon the water usage, such charges and fees shall be  
1049 applied against the total amount of water used from all sources unless, in the opinion of  
1050 the director, significant portions of water received are not discharged to a public sewer.

1051 The total amount of water used from public and private sources will be determined by  
1052 means of public meters or private meters, installed and maintained at the expense of the  
1053 user and approved by the director, subject to the direction and control of the department  
1054 of public works.

1055 A. Each industry for which estimated charges will exceed one thousand dollars  
1056 (\$1,000.00) per year shall install a suitable device for continuously recording the flow  
1057 discharged in the city system.

1058 B. In case of industries for which the total annual charge is estimated to be less than one  
1059 thousand dollars (\$1,000.00), the volume of flow used in computing charges shall be  
1060 based upon metered water consumption.

1061 (Prior code § 26-50)

1062

1063

1064

1065

1066 13.08.380 Metered wastewater volume and metered diversions.

1067 When charges and fees are based upon water usage and where, in the opinion of the  
1068 director, a significant portion (more than twenty (20) percent) of the total annual volume  
1069 of water received from any metered source does not flow into the public sewer because of  
1070 the principal activity of the user or removal by other means, the charges and fees will be  
1071 applied against the volume of water discharged from such premises into the public sewer.

1072 Where industries have a private water supply, all or part of which is discharged to the  
1073 sewer, the amount of such supply or the part thereof that is discharged to the city system  
1074 shall be metered and included in the charges made. Written notification and proof of the  
1075 diversion of water must be provided by the user, and approved by the director if the user  
1076 is to avoid the application of the charges and fees against the total amount of water used  
1077 from all sources. The user shall install a meter of a type and at a location approved by the  
1078 director at the user's expense. Such meters shall measure either the amount of sewage  
1079 discharged or the amount of water diverted. Such meters shall be maintained at the  
1080 expense of the user and be tested for accuracy at the expense of the user on an annual  
1081 basis.

1082 (Prior code § 26-51)

1083

1084 13.08.390 Monitoring facility requirements.

1085 Users who propose to discharge, or who in the judgment of the director could discharge  
1086 now or in the future, wastewater with constituents and characteristics different from that  
1087 produced by a domestic premise may be required to install a monitoring facility.

1088 A. When more than one user can discharge into a common building sewer, the director  
1089 may require installation of a separate monitoring facility for each user. When, in the  
1090 judgment of the director, there is a significant difference in wastewater constituents and  
1091 characteristics produced by different operations of a single user, the director may require  
1092 that separate monitoring facilities be installed for each separate discharge. The director  
1093 may require that the separate monitoring facilities be outside of the building and that the  
1094 user's wastewater be separately piped to the monitoring facility.

1095 B. Monitoring facilities that are required to be installed shall be constructed, operated  
1096 and maintained at the user's expense. The purpose of the monitoring facility is to enable  
1097 inspection, sampling and flow measurement of wastewaters produced by a user. If  
1098 sampling or metering equipment is required by the director, it shall be provided, installed  
1099 and operated at the user's expense. In the event that special analyses are required by the  
1100 city, the cost of said analyses shall be borne by the user. The monitoring facility will  
1101 normally be required to be located on the user's premises outside of the building. The  
1102 director may, however, when such a location would be impractical or cause undue  
1103 hardship on the user, allow the monitoring facility to be constructed in the public street or  
1104 sidewalk area and located so that it will not be obstructed by landscaping or parked  
1105 vehicles.

1106 C. If the monitoring facility is inside the user's fence, there shall be accommodations to  
1107 allow safe and immediate access for city personnel, such as a gate secured with a city-  
1108 operated lock. There shall be ample room in or near such monitoring facility to allow  
1109

1110  
1111

1112 accurate sampling and compositing of samples for analysis. The entire monitoring facility  
1113 and the sampling and measuring equipment shall be maintained at all times in a safe and  
1114 proper operating condition by and at the expense of the user.

1115 D. Whether constructed on public or private property, the monitoring facilities shall be  
1116 constructed in accordance with the city requirements, construction standards and  
1117 specifications.

1118 E. All industries required to monitor their discharge shall keep records for a minimum  
1119 of three years, in accordance with Title 40 Code of Federal Regulations Part 403.12(o)  
1120 and report the results of such monitoring to the director, as required. Such records shall  
1121 be made available upon request by the director to other agencies having jurisdiction over  
1122 discharges to the receiving waters.

1123 F. When, in the judgement of the director, an existing user requires a monitoring  
1124 facility, the user will be so notified in writing. Construction must be completed within  
1125 ninety (90) days following written notification unless a time extension is otherwise  
1126 granted by the city.

1127 (Prior code § 26-52)

1128

1129 13.08.400 Inspection of user facilities.

1130 The director may inspect the facilities of any user to ascertain whether the purpose of the  
1131 ordinance codified in this chapter is being met and all requirements are being complied  
1132 with. Persons or occupants of premises where wastewater is created or discharged shall  
1133 allow the director or his or her representative ready access at all reasonable times to all  
1134 parts of the premises and to have access to and copy all required records for the purposes  
1135 of inspection or sampling or in the performance of any of their duties. The director shall  
1136 have the right to set up on the user's property such devices as are necessary to conduct  
1137 sampling or metering operations. Where a user has security measures in force which  
1138 would require proper identification and clearance before entry into their premises, the  
1139 user shall make necessary arrangements with their security guards so that upon  
1140 presentation of suitable identification, personnel from the city will be permitted to enter  
1141 without delay for the purposes of performing their specific responsibilities.  
1142 (Prior code § 26-53)

1143

1144 13.08.410 Measurements, tests and analyses.

1145 All sample collection and preservation and all measurements, tests and analyses of the  
1146 characteristics of water and wastes to which reference is made in this chapter shall be  
1147 determined in accordance with EPA acceptable methods as published in the latest version  
1148 or edition of Title 40, Code of Federal Regulations, Part 136 (and amendments thereto),  
1149 and shall be determined at the monitoring facility provided, or upon suitable samples  
1150 taken at said monitoring facility. Phenols shall be as analyzed by wet chemistry methods  
1151 given in EPA Guidelines and not acid-extractable, semi-volatile phenols.

1152 Each industrial user shall monitor for the requisite parameters according to applicable  
1153 pretreatment standards and pretreatment requirements, including permits issued by the  
1154 city under the provisions of this chapter or contractual agreements. In cases of conflicting  
1155 monitoring requirements, the more stringent thereof shall apply.

1156 Information submitted to the director or the POTW pursuant to any pretreatment  
1157 standards and requirements may be claimed as confidential by the submitter. Any such  
1158 claim must be asserted at the time of submission in the manner prescribed on the  
1159 application form or instructions, or in the case of other submissions, by stamping the  
1160 words "Confidential Business Information" on each page containing such information. If  
1161 no claim is made at the time of submission, the director may make the information  
1162 available to the public without further notice. If a claim is asserted, the information will  
1163 be treated in accordance with the procedures in the Title 40, Code of Federal Regulations,  
1164 Part 2 (Public Information).

1165 Information and data provided to the director or POTW pursuant to this section which are  
1166 effluent data, permits or permit application forms shall be available to the public without  
1167 restriction. All other information submitted to the director or POTW shall be available to  
1168 the public at least to the extent provided by Title 40, Code of Federal Regulations, Part 2  
1169 (Public Information). The forms shall be approved by the director and furnished by the  
1170 city.

1171 All industrial user reports required under Title 40, Code of Federal Regulations, 403.12,  
1172 including, but not limited to, Self-Monitoring Reports, Demand Monitoring Reports and  
1173 reports on compliance with compliance schedules shall include the certification statement  
1174 as set forth in Title 40, Code of Federal Regulations, Part 403.6 (a)(2)(ii), and shall be

1175 signed by an authorized company representative in accordance with Title 40, Code of  
1176 Federal Regulations, Part 403.12(1).  
1177 (Prior code § 26-54)  
1178  
1179 Article VII  
1180 Powers and Authority of Inspectors  
1181  
1182 13.08.420 Right to enter user facilities.  
1183 The director and other duly authorized representatives of the city, bearing proper  
1184 credentials and identification, shall be permitted to enter all properties for the purposes of  
1185 inspection, observation, measurement, sampling, and testing in accordance with the  
1186 provisions of this chapter. The director or his or her representative shall have no authority  
1187 to inquire into any processes including metallurgical, chemical, oil, refining, ceramic,  
1188 paper or other industries beyond that point having a direct bearing on the kind and source  
1189 of discharge to the sewers, waterways or wastewater treatment works.  
1190 (Prior code § 26-55)  
1191  
1192 13.08.430 Right to enter onto easements.  
1193 The director and other duly authorized representatives of the city, bearing proper  
1194 credentials and identification, shall be permitted to enter all private properties through  
1195 which the city holds a duly negotiated easement for the purposes of, but not limited to,  
1196 inspection, observation, measurement, sampling, repair and maintenance of any portion  
1197 of the wastewater facilities laying within said easement. All entry and subsequent work,  
1198 if any, on said easement, shall be done in full accordance with the terms of the duly  
1199 negotiated easement pertaining to the private property involved.  
1200 (Prior code § 26-56)  
1201  
1202 13.08.440 Personal injury and/or property damage.  
1203 While performing the necessary work on private properties, the director or duly  
1204 authorized representatives of the city shall observe all safety rules applicable to the  
1205 premises established by the company and the company shall be held harmless for injury  
1206 or death to the city employees. The city shall indemnify the company against loss or  
1207 damage to its property by city employees and against liability claims and demands for  
1208 personal injury or property damage asserted against the company and growing out of the  
1209 gauging and sampling operation, except as such may be caused by negligence or failure  
1210 of the company to maintain safe conditions as required in Article VII, Section 13.08.480,  
1211 paragraph 3.  
1212 (Prior code § 26-57)  
1213  
1214 Article VIII  
1215 Enforcement  
1216  
1217 13.08.450 Accidental discharge.  
1218 All users shall notify the director immediately upon accidentally discharging wastes that  
1219 could cause problems to the POTW, including any slug loadings, as defined in Section  
1220 13.08.040 of this chapter, and or are in violation of this chapter to enable

1221 countermeasures to be taken by the director to minimize damage to the wastewater  
1222 facilities, treatment processes and the receiving waters.  
1223 A. This notification shall be followed, within five days of the date of occurrence, by a  
1224 detailed written statement describing the causes of the accidental discharge and the  
1225 measure being taken to prevent future occurrence.  
1226 B. Such notification will not relieve users of liability for any expense incurred due to  
1227 loss or damage to the public sewer system, wastewater treatment works or treatment  
1228 process.  
1229 C. In order that employees or users may be informed of city requirements, users shall  
1230 make available to their employees copies of this chapter together with such other  
1231 wastewater information and notices which may be furnished by the city, from time to  
1232 time, directed toward more effective water pollution control. A notice shall be furnished  
1233 and permanently posted on the user's bulletin board advising employees of whom to call  
1234 in case of an accidental discharge in violation of this chapter.  
1235 D. Any direct or indirect connection or entry point for persistent or deleterious wastes to  
1236 the user's plumbing or drainage system should be eliminated. Where such action is  
1237 impractical or unreasonable, the user shall appropriately label such entry points to warn  
1238 against discharge of such wastes in violation of this chapter.  
1239 (Prior code § 26-58)

1240  
1241 13.08.460 Consent orders.  
1242 The director may enter into consent orders, assurances of voluntary compliance or other  
1243 similar documents establishing an agreement with any user responsible for  
1244 noncompliance. Such documents will include specific actions to be taken by the user to  
1245  
1246  
1247 correct the noncompliance within a time period specified by the document. Such  
1248 documents shall have the same force and effect as the compliance orders issued pursuant  
1249 to Article IX, Section 13.08.470 of this chapter and shall be judicially enforceable.  
1250 (Prior code § 26-59)  
1251 (Ord. No. 2009-52, § 1, 9-28-09)

1252  
1253 13.08.470 Compliance orders.  
1254 When the director finds that a user has violated, or continues to violate, any provision of  
1255 this chapter, a wastewater discharge permit, or order issued hereunder, or any other  
1256 pretreatment standard or requirement, the director may issue an order to the user  
1257 responsible for the discharge directing that the user come into compliance within a  
1258 specified time. If the user does not come into compliance within the time provided, sewer  
1259 service may be discontinued unless adequate treatment facilities, devices, or other related  
1260 appurtenances are installed and properly operated. Compliance orders also may contain  
1261 other requirements to address the noncompliance, including additional self-monitoring  
1262 and management practices designed to minimize the amount of pollutants discharged to  
1263 the sewer. A compliance order may not extend the deadline for compliance established  
1264 for a pretreatment standard or requirement, nor does a compliance order relieve the user  
1265 of liability for any violation, including any continuing violation. Issuance of a compliance

1266 order shall not be a bar against, or a prerequisite for, taking any other action against the  
1267 user.

1268 (Prior code § 26-60)

1269

1270 13.08.480 Cease and desist orders.

1271 When the director finds that a user has violated, or continues to violate, any provision of  
1272 this chapter, a wastewater discharge permit, or order issued hereunder, or any other  
1273 pretreatment standard or requirement, or that the user's past violations are likely to recur,  
1274 the director may issue an order to the user directing it to cease and desist all such  
1275 violations and directing the user to:

1276 A. Immediately comply with all requirements;

1277 B. Take such appropriate remedial or preventive action as may be needed to properly  
1278 address a continuing or threatened violation, including halting operations and or  
1279 terminating the discharge;

1280 C. Issuance of a cease and desist order shall not be a bar against, or a prerequisite for,  
1281 taking any other action against the user.

1282 (Prior code § 26-61)

1283

1284 13.08.490 Show cause hearings.

1285 The director may order a user which has violated, or continues to violate, any provision  
1286 of this chapter, a wastewater discharge permit, or order issued hereunder, or any other  
1287 pretreatment standard or requirement, to appear before the director and show cause why  
1288 enforcement action should not be taken. Notice shall be served on the user specifying the  
1289 time and place for the meeting. the proposed enforcement action, the reasons for such  
1290 action, and a request that the user show cause as to why the proposed enforcement action  
1291 should not be taken. The notice of the meeting shall be served personally or by registered  
1292

1293 or certified mail (return receipt requested) at least ten (10) days prior to the hearing. Such  
1294 notice may be served on any authorized representative of the user. A show cause hearing  
1295 shall not be a bar against, or prerequisite for, taking any other action against the user.

1296 (Prior code § 26-62)

1297

1298 13.08.500 Request for reconsideration of actions.

1299 Any user, permit applicant, or permit holder affected by any decision, action or  
1300 determination, including cease and desist orders, made by the director, interpreting or  
1301 implementing the provisions of this chapter or in any permit issued herein, may file with  
1302 the director a written request for reconsideration within ten (10) days of such decision,  
1303 action or determination, setting forth in detail the facts supporting the user's request for  
1304 reconsideration.

1305 (Prior code § 26-63)

1306

1307 13.08.510 Appeal.

1308 If the ruling made by the director is unsatisfactory to the person requesting  
1309 reconsideration, he or she may within ten (10) days after notification of the action, file a  
1310 written appeal to the city council. The written appeal shall be heard by the city council  
1311 within thirty (30) days from the date of filing. The city council shall make a final ruling

1312 on the appeal within fifteen (15) days of the close of the meeting. The director's decision,  
1313 action, or determination shall remain in effect during such period or reconsideration.  
1314 (Prior code § 26-64)

1315

1316 13.08.520 Public notification.

1317 In order to comply with the public participation requirements of Title 40, Code of Federal  
1318 Regulations, Part 25, in the enforcement of national pretreatment standards, the city shall  
1319 provide public notification, at least annually, of industrial users which, during a twelve  
1320 (12) month period, are found to be in significant noncompliance as defined by Title 40,  
1321 Code of Federal Regulations, Part 403.8 (f)(2)(viii).

1322 (Prior code § 26-65)

1323 (Ord. No. 2009-52, § 1, 9-28-09)

1324

1325 Article IX

1326 Penalties

1327

1328 13.08.530 Violations.

1329 Any person found to be violating any provision of this chapter (except Article V)  
1330 including pretreatment standards and pretreatment requirements as may be imposed in  
1331 industrial wastewater discharge permits, compliance schedules or other compliance  
1332 mechanisms as may be issued by the director shall be served by the city with written  
1333 notice stating the nature of the violation. The offender shall, within the period of time  
1334 stated in such notice, acknowledge receipt of the notice, and permanently cease all  
1335 violations.

1336 (Prior code § 26-66)

1337

1338

1339 13.08.540 Administrative fines.

1340 A. When city finds that a user has violated, or continues to violate, any provision of this  
1341 chapter, a wastewater discharge permit, or order issued hereunder, or any other  
1342 pretreatment standard or requirement, the city may fine such user in an amount not to  
1343 exceed twenty-five thousand dollars (\$25,000.00). Such fines shall be assessed on a per  
1344 violation, per day basis. In the case of monthly or other long-term average discharge  
1345 limits, fines shall be assessed for each day during the period of violation. The director  
1346 may add the costs of preparing administrative enforcement actions, such as notices and  
1347 orders, to the fine including the recovery of reasonable attorneys' fees incurred by the city  
1348 seeking compliance, penalties or damages.

1349 B. Unpaid charges, fines, and penalties shall, after thirty (30) calendar days, be assessed  
1350 an additional penalty of ten (10) percent of the unpaid balance, and interest shall accrue  
1351 thereafter at a rate of 1.5 percent per month.

1352 C. A lien against the user's property may be sought for unpaid charges, fines and  
1353 penalties.

1354 D. Users desiring to dispute such fines may file a written request in accordance with  
1355 Article VIII, Section 13.08.500.

1356 E. An administrative fine shall not be a bar against, or a prerequisite for, taking any  
1357 other action against a user.



1358 The city shall have the right to assess users who are found to have avoided user charges  
1359 as a result of violation of this chapter.

1360 (Prior code § 26-67)

1361 (Ord. No. 2009-52, § 1, 9-28-09)

1362

1363 13.08.550 Injunctive relief.

1364 When the city finds that a user has violated, or continues to violate, any provision of this  
1365 chapter, a wastewater discharge permit, or order issued hereunder, or any other  
1366 pretreatment standard or requirement, the city may petition the Providence Superior  
1367 Court through the city's attorney for the issuance of a temporary or permanent injunction,  
1368 as appropriate, which restrains or compels the specific performance of the wastewater  
1369 discharge permit, order, or other requirement imposed by this chapter on activities of the  
1370 user. The city may also seek such other action as is appropriate for legal and/or equitable  
1371 relief, including a requirement for the user to conduct environmental remediation. A  
1372 petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any  
1373 other action against a user.

1374 (Prior code § 26-68)

1375

1376 13.08.560 Civil penalties.

1377 A. A user who has violated, or continues to violate, any provision of this chapter, a  
1378 wastewater discharge permit, or order issued hereunder, or any other pretreatment  
1379 standard or requirement shall be liable to the city for a maximum civil penalty of twenty-  
1380 five thousand dollars (\$25,000.00) per violation, per day. In the case of a monthly or  
1381 other long-term average discharge limit, penalties shall accrue for each day during the  
1382 period of the violation.

1383 B. The city may recover reasonable attorneys' fees, court costs, and other expenses  
1384 associated with enforcement activities, including sampling and monitoring expenses, and  
1385 the cost of any actual damages incurred by the city.

1386 C. In determining the amount of civil liability, the court shall take into account all  
1387 relevant circumstances, including, but not limited to, the extent of harm caused by the  
1388 violation, the magnitude and duration of the violation, any economic benefit gained  
1389 through the user's violation, corrective actions by the user, the compliance history of the  
1390 user, and any other factor as justice requires.

1391 D. Filing a suit for civil penalties shall not be a bar against, or a prerequisite for, taking  
1392 any other action against a user.

1393 (Prior code § 26-69)

1394

1395 13.08.570 Criminal prosecution.

1396 A. A user who willfully or negligently violates any provision of this chapter, a  
1397 wastewater discharge permit, or order issued hereunder, or any other pretreatment  
1398 standard or requirement shall, upon conviction, be guilty of a misdemeanor, punishable  
1399 by a fine of not more than twenty-five thousand dollars (\$25,000.00) per violation, per  
1400 day, or imprisonment for not more than thirty (30) days, or both.

1401 B. The user who willfully or negligently introduces any substance into the POTW which  
1402 causes personal injury or property damage shall, upon conviction, be guilty of a  
1403 misdemeanor and be subject to a penalty of at least twenty-five thousand dollars

1404 (\$25,000.00), or imprisonment for not more than thirty (30) days, or both. This penalty  
1405 shall be in addition to any other cause of action for personal injury or property damage  
1406 available under state law.

1407 C. A user who knowingly makes any false statements, representations, or certifications  
1408 in any application, record, report, plan or other documentation filed, or required to be  
1409 maintained, pursuant to this chapter, wastewater discharge permit, or order issued  
1410 hereunder, or who falsifies, tampers with, or knowingly renders inaccurate any  
1411 monitoring device or method required under this chapter shall, upon conviction, be  
1412 punished by a fine of not more than twenty-five thousand dollars (\$25,000.00) per  
1413 violation, per day, or imprisonment for not more than thirty (30) days, or both.

1414 D. In the event of a second conviction, a user shall be punished by a fine of not more  
1415 than twenty-five thousand dollars (\$25,000.00) per violation, per day, or imprisonment  
1416 for not more than thirty (30) days, or both.

1417 (Prior code § 26-70)

1418

1419 13.08.580 Liability.

1420 Any person violating any provision of this chapter including pretreatment standards and  
1421 pretreatment requirements as may be imposed in industrial wastewater discharge permits,  
1422 compliance schedules or other compliance mechanisms as may be issued by the director  
1423 shall become liable to the city for any expense, loss or damage occasioned the city by  
1424 reason of such violation.

1425 (Prior code § 26-71)

1426

1427

1428

1429 13.08.590 Costs of repairing damage.

1430 When a discharge of wastes causes an obstruction, damage or any other impairment to  
1431 the city's wastewater facilities, the city may assess a charge against the user for the work  
1432 required to clean or repair the wastewater facilities and add such charge to the user's  
1433 sewer service charge.

1434 (Prior code § 26-72)

1435

1436 13.08.600 Falsification of records and instruments.

1437 Any person who knowingly makes any false statements, representations or certifications  
1438 in any application, record, report, plan or other documentation filed with the city or  
1439 required to be maintained pursuant to this chapter, wastewater discharge permit, or order  
1440 issued hereunder, or who falsifies, tampers with, or knowingly renders inaccurate any  
1441 monitoring device or method required under this chapter is hereby declared to be in  
1442 violation of this chapter and subject to fine, criminal prosecution and punishment of not  
1443 more than twenty-five thousand dollars (\$25,000) per violation per day, or imprisonment  
1444 for not more than thirty (30) days, or both.

1445

1446 13.08.610 Emergency suspensions.

1447 A. The city may immediately suspend a user's discharge, after informal notice to the  
1448 user, whenever such suspension is necessary to stop an actual or threatened discharge  
1449 which reasonably appears to present or cause an imminent or substantial endangerment to

1450 the health or welfare of persons. The city may also immediately suspend a user's  
1451 discharge, after notice and opportunity to respond, that threatens to interfere with the  
1452 operation of POTW, or which presents, or may present, an endangerment to the  
1453 environment.

1454 B. Any user notified of a suspension of its discharge shall immediately stop or eliminate  
1455 its contribution. In the event of a user's failure to immediately comply voluntarily with  
1456 the suspension order, the city may take such steps as deemed necessary, including  
1457 immediate severance of the sewer connection, to prevent or minimize damage to the  
1458 POTW, its receiving stream, or endangerment to any individuals. The city may allow the  
1459 user to recommence its discharge when the user has demonstrated to the satisfaction of  
1460 the director that the period of endangerment has passed, unless the termination  
1461 proceedings in Section 13.08.630 are initiated against the user.

1462 C. A user that is responsible, in whole or in part, for any discharge presenting imminent  
1463 endangerment shall submit a detailed written statement, describing the causes of the  
1464 harmful contribution and the measures taken to prevent any future occurrence, to the  
1465 director prior to the date of any show cause or termination hearing under Sections  
1466 13.08.490 and 13.08.630 of this chapter.

1467 (Prior code § 26-74)

1468

1469 13.08.620 Termination of service.

1470 In order to effect its powers, the city may enter upon private property for the purpose of  
1471 inspection and maintenance of sanitary and waste disposal facilities and may terminate  
1472 service to property in which a violation of any rule and regulation of this chapter is found  
1473 to exist.

1474 (Prior code § 26-75)

1475

1476 13.08.630 Notification of termination of service.

1477 A. Prior to termination of service, however, the city shall notify in writing, the owner  
1478 and tenant, if any, of such property that service is intended to be so terminated and  
1479 conduct a hearing thereon as here in provided. Such notice shall be mailed to the owner at  
1480 the address shown on the city records and a copy shall be delivered to the tenant or  
1481 posted conspicuously on the property. The notice shall state the date of proposed  
1482 termination of service and the reasons therefore and the date the city shall hold a hearing  
1483 upon such intended termination. Such hearing shall not be held less than ten (10) days  
1484 subsequent to the giving of the notice as herein required.

1485 B. The written notice and hearing requirements of this section are waived in the event of  
1486 an emergency which threatens human health or welfare.

1487 (Prior code § 26-76)

1488

1489 13.08.640 Remedies nonexclusive.

1490 The remedies provided for in this chapter are not exclusive. The director may take any,  
1491 all, or any combination of these actions against a noncompliant user. Enforcement of  
1492 pretreatment violations will generally be in accordance with the city's enforcement  
1493 response plan. However, the director may take other action against any user when the  
1494 circumstances warrant. Further, the director is empowered to take more than one  
1495 enforcement action against any noncompliant user.

1496 (Prior code § 26-77)

1497

1498 Article X

1499 Sewer Use Charges

1500

1501 13.08.650 Participation.

1502 Under Section 204(b)(1)(A) of the Federal Water Pollution Control Act Amendment of  
1503 1972 (PL 92-500), and specifically under the Code of Federal Regulations, 40 CFR Part  
1504 35, Subpart E, Sections 35.925-11, 35.935-13 and Appendix B to Subpart E, the city of  
1505 Cranston has established a system of user charges to assure that each recipient of waste  
1506 treatment services pay its proportionate share of the costs of operation and maintenance  
1507 costs. The user charges will be modified at any time to generate sufficient revenue to  
1508 offset the cost of treatment plus operation and maintenance provided by the city.

1509 (Prior code § 26-78)

1510

1511 13.08.660 Classification of users.

1512 All users shall be classified by assigning each one to a user classification category  
1513 according to the principal wastewater constituents and characteristics for that type of user  
1514 as determined by the director. The purpose of such classification is to establish a system  
1515 of user charges and fees which will insure an equitable recovery of operation and  
1516 maintenance cost. There shall be two classifications, industrial and domestic. Industrial  
1517 users are those which discharge greater concentrations of conventional, non-  
1518 conventional, or priority pollutants than those found discharged from typical domestic

1519

1520 | dischargers. Industrial users shall be monitored according to Article VI of this chapter to  
1521 determine their discharge concentrations for classification. All other dischargers will be  
1522 domestic users.

1523 (Prior code § 26-79)

1524 (Ord. No. 2009-52, § 1, 9-28-09)

1525

1526 13.08.670 Payments

1527 A. Pursuant to the authority conferred by Section 10 of Chapter 750, of the Public Laws,  
1528 1939, as amended by Chapter 1372 of the Public Laws, 1943, and by Chapter 1891 of the  
1529 Public Laws, 1947, the following annual charges for the use of the sewerage system of  
1530 the city are established, to be paid by every person whose particular sewer entered into  
1531 such system at 12:01 a.m., January 1, 2012, and by every person whose particular sewer  
1532 enters into such system at 12:01 a.m., January 1, of each year thereafter.

1533 B. The annual charge shall be due and payable on July 16, 2012, and that all annual  
1534 charges remaining unpaid at 4:00 p.m. on July 16, 2012, shall carry, until collected, a  
1535 penalty at the rate of twelve (12) percent per annum from July 16, 2012, upon said unpaid  
1536 annual charge, provided however, that said annual charge may be paid in four  
1537 installments, the first installment of twenty-five (25) percent on or before the 16th day of  
1538 July A.D. 2012, and the remaining installments as follows: twenty-five (25) percent on or  
1539 before the 15th day of October A.D. 2012, twenty-five (25) percent on or before the 15th  
1540 day of January A.D. 2013 and twenty-five (25) percent on or before the 15th day of April  
1541 A.D. 2013.

1542 C. Each installment of annual charge, if paid on or before the last day of the installment  
1543 period successively and in order, shall be free from any charge for interest.

1544 D. If the first installment of any succeeding installment of annual charge is not paid by  
1545 the last day of the respective installment period or periods as they occur, then the whole  
1546 annual charge or remaining unpaid balance of the annual charge, as the case may be, shall  
1547 immediately become due and payable and shall carry until collected a penalty at the rate  
1548 of twelve (12) percent per annum from July 16, 2012.

1549 E. In the event of nonpayment, as noted herein, there shall be a penalty, of which shall  
1550 be the same as the tax rate penalty set by ordinance.

1551 F. For any building or premises situated within the city discharging sanitary sewage or  
1552 industrial wastes, either directly or indirectly, into such sewerage system shall be charged  
1553 the following rates per annum:

1554  
1555 ~~\*\*G. For any building or premises situated outside the City of Cranston discharging  
1556 sanitary sewage or industrial wastes, either directly or indirectly, into such sewerage  
1557 system, and where no formal inter-jurisdictional agreement exists, shall be charged a  
1558 twenty-five percent (25%) administrative fee per annum in addition to the following rates  
1559 per annum:~~

1560 **1. Dwellings and Apartments.**

1561 Single-family: \$384.90

1562 Two-family: \$777.34

1563 Three-family: \$1,166.01

1564 Four-family: \$1,550.90

1565 And three hundred eighty-four dollars and ninety cents (\$384.90) for each and every  
1566 additional family unit. Duplex houses that have more than one connection shall be billed  
1567 as separate units.

1568

1569

1570

1571

1572 **2. Buildings Containing Clubs, Libraries and Hospitals.**

1573 One unit: \$525.24

1574 Two units: \$1,050.48

1575 Three units: \$1,575.72

1576 And five hundred and twenty-five dollars and twenty-four cents (\$525.24) for each unit  
1577 in excess of three. Each such club, library and hospital and each dwelling or apartment  
1578 contained in such building shall be deemed one unit. For purposes of this section, a unit  
1579 shall be defined as housing a maximum of two people.

1580 **3. Buildings Containing Retail Establishments and Business Offices.**

1581 Each business office or retail establishment will be considered one unit. Any such  
1582 charges shall be fixed and determined according to the flow at the rate of four thousand  
1583 seven hundred and six dollars and nine cents (\$4,706.09) per million gallons and at a like  
1584 rate for any fraction thereof. Subject to the determination of the charges, there shall be  
1585 charged for each of the following establishments a minimum charge as follows:

1586

- 1587 a. Any such retail establishment or business office in which ten (10) or less persons are  
 1588 regularly employed shall be charged a minimum of five hundred and twenty-five dollars  
 1589 | and twenty-four cents (\$525.24).  
 1590
- 1591 b. Any such retail establishment or business office in which eleven (11) but not more  
 1592 than twenty (20) persons are regularly employed shall be charged a minimum of one  
 1593 | thousand fifty dollars and forty seven cents (\$1,050.47).  
 1594
- 1595 c. Any such retail establishment or business office in which twenty-one (21) but not  
 1596 more than forty-nine (49) persons are regularly employed shall be charged a minimum  
 1597 | of three thousand one hundred and fifty-one dollars and thirty-nine cents (\$3,151.39).  
 1598
- 1599 d. Any such retail establishment or business office in which fifty (50) but not more than  
 1600 one hundred (100) persons are regularly employed shall be charged a minimum of four  
 1601 | thousand two hundred and one dollars and eighty-five cents (\$4,201.85).  
 1602
- 1603 e. Any such retail establishment or business office in which one hundred and one (101)  
 1604 but not more than two hundred (200) are regularly employed shall be charged a minimum  
 1605 | of six thousand three hundred and two dollars and seventy-eight cents (\$6,302.78).  
 1606
- 1607 f. Any such retail establishment or business office in which more than two hundred  
 1608 (200) are regularly employed shall be charged a minimum of eight thousand four hundred  
 1609 | and three dollars and seventy cents (\$8,403.70).  
 1610
- 1611 **4. Restaurants, Cafes, Club C Licenses, and Automatic Self-Service Laundries.**  
 1612 Such charges shall be fixed and determined according to the flow at the rate of four  
 1613 thousand seven hundred and six dollars and nine cents (\$4,706.09) per million gallons  
 1614 and at a like rate for any fraction thereof. Subject to the determination of the charges,  
 1615 there shall be charged for each of the following establishments a minimum charge as  
 1616 | follows:  
 1617
- 1618 a. Restaurants and cafes having a seating capacity of twenty-five (25) or less shall be  
 1619 | charged a minimum of one thousand thirty-one dollars and fifty-four cents (\$1,031.54);  
 1620
- 1621 b. Restaurants and cafes having a seating capacity of twenty-six (26) but not more than  
 1622 fifty (50) shall be charged a minimum of two thousand one hundred and forty-five dollars  
 1623 | and eight cents (\$2,145.08);  
 1624
- 1625 c. Restaurants and cafes having a seating capacity of fifty-one (51) but not more than  
 1626 one hundred (100) shall be charged a minimum of three thousand two hundred and  
 1627 | twenty-four dollars and ninety-four cents (\$3,224.94);  
 1628
- 1629 d. Restaurants and cafes having a seating capacity of more than one hundred (100) shall  
 1630 be charged a minimum of four thousand two hundred and ninety-four dollars and twenty-  
 1631 | nine cents (\$4,294.29);  
 1632

1633 e. Class C liquor establishments shall be charged a minimum of six hundred twenty-six  
1634 | dollars and eight cents (\$626.08);

1635  
1636 f. Automatic self-service laundries per washing unit shall be charged a minimum of two  
1637 | hundred fifty-four dollars and twenty-one cents (\$254.21).

1638  
1639 **5. Buildings Used for Manufacturing or Industrial Operations of Any Kind**  
1640 | **(Including Laundries and Dairies).**

1641 Such charges shall be fixed and determined according to the flow at the rate four  
1642 thousand seven hundred and six dollars and nine cents (\$4,706.09) per million gallons  
1643 and at a like rate for any fraction thereof. Subject to the determination of the charges,  
1644 there shall be charged for each of the following establishments a minimum charge as  
1645 follows:

1646 a. Any such establishment in which ten (10) or less persons are regularly employed shall  
1647 be charged a minimum of one thousand three hundred and forty dollars and thirty-nine  
1648 | cents (\$1,340.39).

1649  
1650 b. Any such establishment in which eleven (11) but not more than fifty (50) persons are  
1651 regularly employed shall be charged a minimum of two thousand six hundred eighty-nine  
1652 | dollars and nineteen cents (\$2,689.19).

1653  
1654 c. Any such establishment in which more than fifty (50) persons are regularly employed  
1655 shall be charged a minimum of four thousand seven hundred and six dollars and nine  
1656 | cents (\$4,706.09).

1657  
1658 d. For the purpose of this section, each individual business in the building or building  
1659 complex shall be considered an independent establishment. For the purpose of assessing  
1660 sewer usage fees for a business complex containing several individual businesses having  
1661 similar or dissimilar usage classifications, the greater of the calculations between the total  
1662

1663 flow of the entire complex and the aggregate minimum fees of all individual businesses  
1664 shall prevail. In the case of using the total flow calculation, it shall not be the  
1665 responsibility of the city of Cranston to apportion the usage fee for individual businesses  
1666 within the complex unless the property owner, at their own expense, installs and  
1667 maintains flow meters within each individual business. However, upon request of the  
1668 property owner, the city will assist, to the best of its ability, in providing an approximate  
1669 | apportionment of the total charges for each individual business within the complex.

1670  
1671 e. To the above charges shall be added a pretreatment surcharge for all industries  
1672 discharging any priority pollutant at a concentration in excess of the background  
1673 concentration given in Section 13.08.340 of this chapter. That surcharge shall be  
1674 calculated by first determining the difference between the industry's permitted  
1675 concentration and the background concentration, then multiplying that difference times  
1676 the gallonage of flow (in million gallons) associated with the priority pollutant times a  
1677 conversion factor to determine the annual pound loading of priority pollutant, then  
1678 multiplying that pound loading by a rate in dollars per pound loading established by the

1679 director for that priority pollutant. The rate for each priority pollutant shall be determined  
 1680 annually based on an equitable proportioning, as determined by the director, of fifty (50)  
 1681 percent of the actual costs to the city of administering the pretreatment program. (The  
 1682 remaining costs of administering the pretreatment program will be incorporated in the  
 1683 charges under subsection (F)(5)(a) of this section.) At the option of the director (or the  
 1684 building owner if the director does not exercise the option), each industry within a  
 1685 building housing more than one industry shall or need not have its own flow meter and  
 1686 monitoring facilities for industrial wastewaters. A violation of the permit concentration  
 1687 during the billing year shall cause the billing to be based on the highest measured  
 1688 concentration in excess of the permit value and an increase in the dollar per pound rate  
 1689 for that priority pollutant by a factor of two. That factor will serve the purpose of  
 1690 defraying costs of additional monitoring required for industries in violation of permit  
 1691 limits. The additional charges resulting from such violation shall be separate from and in  
 1692 addition to any fines or penalties levied as a result of such violation. The industry shall  
 1693 have the right to appeal to the director for a negotiated price in lieu of such additional  
 1694 cost, based on the actual cost to the city of the additional monitoring. Any further appeal  
 1695 process shall be in accordance with Section 13.08.480-510 of this chapter.

1696 f. To the above charges, any Industrial user/non-domestic User whose discharge contains  
 1697 concentrations of Biochemical Oxygen Demand (CBOD<sub>5</sub>) in excess of 230 mg/L or  
 1698 concentrations of Total Nitrogen as N (TN) in excess of 40 mg/L shall be surcharged for  
 1699 the loadings in excess of the above defined limits for CBOD<sub>5</sub> and TN. Notwithstanding,  
 1700 surcharges levied under this section does not relieve the User from any fines that may be  
 1701 imposed under Sections 13.08.540, 13.08.560, and 13.08.570. Notwithstanding,  
 1702 surcharges levied under this section does not relieve the user of any related discharge  
 1703 limits as defined under section 13.08.340 or 13.08.260 B.8.C. The surcharge shall be  
 1704 calculated as:

1705  
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 1707  
 1708  
 1709

<u>CITY OF CRANSTON, RI</u>		<u>MUNICIPAL</u>
<u>CODE, TITLE 13 CHAPTER 13.08, ENTITLED 13.008.670 F.5.f.</u> <u>CRANSTON COMMERCIAL / INDUSTRIAL USER SURCHARGE</u>		
<u>CONVENTIONAL POLLUTANTS</u>		
<u>PARAMETER</u>		<u>SURCHARGE</u> <u>LOAD LIMIT</u> <u>(mg/L)</u>
<u>CBOD<sub>5</sub></u>	<u>Carbonaceous Biochemical Oxygen Demand</u>	<u>230</u>
<u>TN</u>	<u>Total Nitrogen as N</u>	<u>27</u>
<u>Conventional pollutant levels which exceed their respective surcharge concentrations are subject to a surcharge fee.</u>		



Surcharge fees are calculated using the following formulas:

**The Sewer Surcharge Calculation for TN**

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

Rate = \$1.016 / Lb TN

**The Sewer Surcharge Calculation for CBOD**

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

Rate = \$0.045 / Lb CBOD\*\*\*\*

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\*\*G. For any building or premises situated outside the City of Cranston discharging sanitary sewage or industrial wastes, either directly or indirectly, into such sewerage system, and where no formal inter-jurisdictional agreement exists, shall be charged a twenty-five percent (25%) administrative fee per annum in addition to ~~the following~~ rates applicable rates per annum as determined from Section 13.08.670.5. of this Article.:

**6. Septage Disposal:**

Fees, billing, and collection of fees for septage disposal shall be administered by the authorized representative of the City.

**7. Public Buildings.**

\*Any building or premise owned by the City of Cranston shall be free from any charge for usage.

**8. Charge for Non-Users.**

An annual charge of one hundred and fifteen dollars and fifty-four cents (\$115.54) is established, to be paid by every owner of land on which there is located at 12:01 a.m. on January 1, 2012, and one which there is located at 12:01 a.m. on January 1st of each year thereafter, any building used for residential, business or industrial purposes, which land abuts upon that portion of any street or highway or right-of-way in which there is then a sewer and the sewerage of which land is not then connected with such sewer; such charge to be paid in full at the time and place that the first installment of the regular city taxes is payable. Fees collected under this chapter from non-users will only be used to recover costs of sewer system capital improvements.

**9. Sewer Lateral Service Installations.**

Sewer laterals are installed at the direction of the Cranston Public Works department from the sewer main line in the street to the property line. The charge for this installation will be equal to the actual construction costs.  
(Ord. 05-61 § 1)

1742 (Ord. 05-24 § 1)

1743

1744 | **10. Sewer Usage Fee Adjustment.**

1745 A. It is the responsibility of each residential, commercial, or industrial user to verify the  
1746 accuracy of the information on the billing statement for the Sewer Usage Fee. If the  
1747 billing statement is viewed as inaccurate, the user may request a review for fee  
1748 adjustment or cancellation.

1749

1750 B. The request for adjustment shall be made in writing no later than October 15<sup>th</sup> of the  
1751 year the bill was issued. If the City of Cranston is not in receipt of the request for  
1752 adjustment by said date, the City of Cranston will not consider the request for adjustment  
1753 for the bill in question. Sewer adjustment issues shall include the following categories:

1754

1755 • A request for adjustment that is related to a Sewer Usage Fee or statement error;

1756

1757 • A change in sewer classification, confirmed by the assessor or by inspection;

1758

1759 • Residential, commercial, or industrial sewer service termination due to fire,  
1760 demolition of a structure or other loss of “certificate of occupancy”; and/or

1761

1762 • Lack of sewer service to the building.

1763

1764 C. All classifications for Sewer Usage Fees are based on building use as of January 1 of  
1765 each year. Classification changes and loss of certificate of occupancy that occur after  
1766 January 1 will not qualify for a Sewer Usage Fee adjustment for that year’s bill, but will  
1767 be applied towards the following year’s bill.

1768

1769 D. The City of Cranston on its own initiative, may adjust clerical errors in the Sewer  
1770 Usage Fee. If the correction results in a decrease to the Sewer Usage Fee, and if the error  
1771 is detected before October 15 of the billing year, then the Sewer Usage Fee may be

1772

1773 adjusted for that year. If the correction is an increase to the Sewer Usage Fee, the City of  
1774 Cranston may assess the user the full Sewer Usage Fee that would have been due but for  
1775 the error. The City of Cranston will notify the user of this adjustment and the cause for  
1776 the adjustment. If the Sewer Usage Fee was in error due to the user’s violation of the  
1777 ordinance, charges that would have been due but for the violation shall be assessed by the  
1778 City of Cranston. In either case, a separate supplemental Sewer Usage Fee bill will be  
1779 mailed reflecting the additional charge.

1780

1781 E. Sewer Usage Fee adjustment requests shall be processed using a form provided for  
1782 this purpose. This form shall be signed and dated by the property owner and included  
1783 with a copy of the Sewer Usage Fee bill in contention and any other pertinent information  
1784 or documents supporting an adjustment. All forms and documents shall be submitted to:

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1786

1787

**City of Cranston  
Department of Public Works**

**869 Park Avenue  
Cranston, RI 02910  
Attention: Director**

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F. A written decision will be made by the Director to approve or deny the adjustment within 30 days from the receipt of completed request, unless further information is required. All written decisions by the Director shall be final upon issuance of such written decision, but shall be subject to appeal to Public Works Committee pursuant to Section 13.08.510 of the City of Cranston Codified Ordinance, including decisions on adjustment requests that were not filed within the time periods set forth in Subsection B above.

G. The Director shall prepare a report summarizing the number of Sewer Usage Fee adjustment requests, the number of requests approved and the reasons for such approvals, and such other information as he or she deems appropriate. Such report shall be delivered to the Public Works Committee by September 1 of each year for the prior fiscal year.

Article XI  
Validity

13.08.680 Conflict.

All ordinance or parts of ordinances in conflict herewith are hereby repealed.  
(Prior code § 26-81)

13.08.690 Severability.

If any provision of this chapter or the application to any person or circumstance is held invalid, the remainder of this chapter or the application of such provisions to other persons or other circumstances shall not be affected.  
(Prior code § 26-82)

Article XII

Disposal of Hauled Wastes

13.08.700 Policy.

As a regional biosolids disposal facility, the Cranston water pollution control facility will accept biosolids, grease, remediated groundwater, landfill leachate, commercial wastes and industrial wastes, provided that the waste material is readily treatable by the facility's treatment process and is in conformance with all rules and regulations established by the city, the Rhode Island Department of Environmental Management and United States Environmental Protection Agency. This activity is carried out in conjunction with the city solids management program. All wastes received must be reviewed and approved by the superintendent as authorized by RIDEM. No hazardous wastes, toxic wastes, or RCRA hazardous wastes are acceptable.  
(Prior code § 26-83)

13.08.710 Biosolids acceptance.

1834 Biosolids must be approved by RIDEM prior to disposal at the plant. The procedure for  
 1835 approval of a biosolids is detailed in the standard operating procedure (SOP) No. CRI-  
 1836 001, receiving of non-city municipal wastewater derived biosolids, as shown in the solids  
 1837 management program. Approval may at any time be suspended or revoked because of the  
 1838 violation by the holder thereof of the rules and regulations herein prescribed, or for other  
 1839 just cause or complaint. Biosolids must at all times meet applicable federal, state and  
 1840 local regulations and requirements.

1841 (Prior code § 26-84)

1842

1843 13.08.720 Discharge requirements and fees.

1844 The contents of any tank truck containing hauled wastes may be discharged into the water  
 1845 pollution control facility of the city, subject to the following rules and regulations:

1846 A. The hauler and the hauled waste shall meet all requirements of the city's most current  
 1847 solids management plan, including standard operating procedure No. CRI-001, receiving  
 1848 of non-city municipal wastewater derived biosolids, as well as the sewer use ordinance.

1849 B. Any violation of the terms and conditions of the solids management plan or sewer  
 1850 use ordinance shall be deemed a violation of this chapter and subjects the contractor to all  
 1851 costs for removal of any non-conforming materials and any costs and damages resulting  
 1852 therefrom, as well as sanctions under Article IX of this chapter.

1853 C. The city will perform random sampling of the hauled loads as it deems necessary to  
 1854 determine compliance with the provisions of the solids management plan and sewer use  
 1855 ordinance.

1856 (Prior code § 26-85)

1857

1858 13.08.730 Hauled waste tank truck requirements.

1859 All tank trucks carrying hauled wastes shall be kept airtight and free from leakage. All  
 1860 apparatus used in the business shall be kept clean and well painted, and must have the  
 1861 name of the licensee upon it in plain letters. No tank trucks shall be allowed to stand in  
 1862 any street except while in use.

1863 (Prior code § 26-86)

1864 13.08.740 Additional requirements.

1865 No statement contained in this article shall be construed to interfere with any additional  
 1866 requirements that may be imposed by the city or state of Rhode Island and Providence  
 1867 Plantations Department of Health.

1868 (Prior code § 26-87)

1869

1870 Article XIII

1871 Appendix--Forms

1872

1873 13.08.750 Application for Residential/Commercial Connection with Sewerage System.

1874 **City of Cranston, Rhode Island**

1875 **Application for Residential/Commercial Connection with Sewerage System**

1876 Plat No. \_\_\_\_\_

1877 No. \_\_\_\_\_

1878 Lot No. \_\_\_\_\_

1879 The undersigned, being owner or agent, of the property hereby applies for a permit for  
1880 the connection of a sewer service connection for the \_\_\_\_\_  
1881 Old \_\_\_\_\_  
1882 New \_\_\_\_\_ at No. \_\_\_\_\_ and St. \_\_\_\_\_ that the same may be connected with  
1883 the \_\_\_\_\_ (Name of Street) Street common sewer.  
1884 Part \_\_\_\_\_ Sheet \_\_\_\_\_  
1885 The undersigned agrees to strictly conform to the laws and ordinances and instructions  
1886 previously given relating to sewers, and to the rules and regulations that are now in force  
1887 or may be adopted in relation thereto, and also to the plumbing and drainage laws and  
1888 ordinances as far as they relate thereto, and fully aware of penalties that may be invoked.  
1889 Date of Application \_\_\_\_\_  
1890 Signature \_\_\_\_\_  
1891 Owner's Mailing Address \_\_\_\_\_  
1892 Date of Application in Sewer Department by \_\_\_\_\_  
1893 Cranston Sewer Division by \_\_\_\_\_  
1894 Approved by \_\_\_\_\_ Plumbing Inspector  
1895 Approved by \_\_\_\_\_ Owner's Agent/Owner's Attorney  
1896  
1897 13.08.760 Reserved.  
1898 **Editor's note:** Ord. No. 2009-52, § 1, adopted September 28, 2009, repealed §  
1899 13.08.760, which pertained to an industrial wastewater discharge application.  
1900  
1901 13.08.770 Reserved.  
1902 **Editor's note:** Ord. No. 2009-52, § 1, adopted September 28, 2009, repealed §  
1903 13.08.770, which pertained to a building layout sheet.  
1904  
1905 13.08.780 Reserved.  
1906 **Editor's note:** Ord. No. 2009-52, § 1, adopted September 28, 2009, repealed §  
1907 13.08.780, which pertained to a schematic flow diagram.  
1908  
1909  
1910 13.08.790 Reserved.  
1911 **Editor's note:** Ord. No. 2009-52, § 1, adopted September 28, 2009, repealed §  
1912 13.08.790, which pertained to a wastewater discharge permit.  
1913 Article XIV  
1914 Sewer Tie-In Loan Fund Regulations  
1915  
1916 13.08.800 Participation.  
1917 In conjunction with Rhode Island Clean Water Finance Agency and Rhode Island  
1918 Housing, the city wishes to participate in the sewer tie-in loan fund and abide by all of its  
1919 loan policies and procedures.  
1920 (Ord. No. 2008-10, § 1, 3-24-08)  
1921  
1922 13.08.810 Administration.  
1923 A. The city adopts the following criteria for the administration of the sewer tie in loan  
1924 fund:

- 1925 1. The maximum amount of the loan shall be ten thousand dollars (\$10,000.00).  
 1926 2. Only existing dwelling units, owner and non-owner occupied, shall be eligible for  
 1927 loans. New construction and commercial properties are not eligible.  
 1928 3. The maximum term of the loan is five years.  
 1929 4. The city shall place a lien in the amount of the loan on the property until the loan is  
 1930 fully paid.  
 1931 5. Funds will only be available for the tie in to the sewer and not for any interior  
 1932 plumbing or home improvement work.  
 1933 6. There is no income level requirement for eligibility for a loan however the debt to  
 1934 income ratio shall not exceed forty-five (45) percent.  
 1935 7. There is no prepayment penalty.  
 1936 8. Funds shall be made available after issuance of a certificate of conformance by the  
 1937 Rhode Island Department of Environmental Management.  
 1938 9. The sewer tie-in loan program shall be administered pursuant to loan policies and  
 1939 procedures developed by the Rhode Island Clean Water Finance Agency.  
 1940 10. The mayor or his designee is authorized to execute any and all documents necessary  
 1941 to effectuate the terms and intent of this ordinance.  
 1942 (Ord. No. 2008-10, § 2, 3-24-08)  
 1943

#### 1944 Chapter 13.12 PRIVATE WASTEWATER DISPOSAL SERVICES

##### 1945 **Sections:**

- 1946 [13.12.010 Private wastewater disposal.](#)  
 1947 [13.12.020 Compliance with regulations.](#)  
 1948 [13.12.030 Minimum standards.](#)  
 1949 [13.12.040 Permit, inspection, notification.](#)  
 1950 [13.12.050 Availability of public sewer.](#)  
 1951 [13.12.060 Operation and maintenance.](#)  
 1952 [13.12.070 License for removal of septage.](#)  
 1953 [13.12.080 License application.](#)  
 1954 [13.12.90 Expiration of license.](#)  
 1955  
 1956 [13.12.100 Septage tank truck requirements and hours of cleaning.](#)  
 1957 [13.12.110 Discharge requirements and fees.](#)  
 1958 [13.12.120 Additional requirements.](#)  
 1959

- 1960 13.12.010 Private wastewater disposal.  
 1961 Where a public sanitary sewer is not available under the provisions of this chapter, the  
 1962 building lateral shall be connected to a private wastewater disposal system complying  
 1963 with the provisions of this chapter.  
 1964 (Prior code § 26-10)  
 1965  
 1966 13.12.020 Compliance with regulations.  
 1967 The type, capacities, location, and layout of a private wastewater disposal system shall  
 1968 comply with all rules and regulations of the state of Rhode Island and Providence  
 1969 Plantations Department of Health and the City. The private wastewater disposal system  
 1970 shall also comply with rules and regulations shown in this chapter.

- 1971 (Prior code § 26-11)  
 1972  
 1973 13.12.030 Minimum standards.  
 1974 The "Rules and Regulations Establishing Minimum Standards Relating to Location,  
 1975 Design, Construction and Maintenance of Individual Sewage Disposal Systems" and  
 1976 amendments thereto, as adopted by the state of Rhode Island and Providence Plantations  
 1977 Department of Health, under the authority of Chapter 23-1-17 and 23-1-18(6) of the  
 1978 General Laws of 1956, as amended, are considered part of this chapter.  
 1979 (Prior code § 26-12)  
 1980  
 1981 13.12.040 Permit, inspection, notification.  
 1982 A permit for a private sewage disposal system shall not become effective until the  
 1983 installation is completed to the satisfaction of the building inspector and an authorized  
 1984 representative of the Rhode Island Department of Health. They shall be allowed to  
 1985 inspect the work at any stage of construction and, in any event, the applicant for the  
 1986 permit shall notify the approving authorities when the work is ready for final inspection,  
 1987 and before any underground portions are covered. Said system shall be covered within  
 1988 forty-eight (48) hours after inspection and approval.  
 1989 (Prior code § 26-13)  
 1990  
 1991 13.12.050 Availability of public sewer.  
 1992 Pursuant to the provisions of Section 18 of Chapter 750 of the Public Laws of 1939, the  
 1993 director is authorized to order any abutting owner or occupant of land upon any street in  
 1994 which there is a sewer or in which a sewer may hereafter be constructed, to connect  
 1995 within thirty (30) days after notification the drainage and sewerage of such land with such  
 1996 sewer, and to order any such owner or occupant to fill up and destroy within thirty (30)  
 1997 days after notification any cesspool, privy vault, drain or other arrangement on such land  
 1998 for the reception of drainage or sewerage.  
 1999 (Prior code § 26-14)  
 2000  
 2001  
 2002 13.12.060 Operation and maintenance.  
 2003 The owner shall, at all times, operate and maintain all the private wastewater disposal  
 2004 facilities on his or her private property in a sanitary condition as is satisfactory to the  
 2005 building inspector, at no expense to the city. No person shall deposit, nor allow to be  
 2006 deposited in their disposal facilities swill, rubbish, or solid refuse matter other than fecal  
 2007 matter.  
 2008 (Prior code § 26-15)  
 2009  
 2010 13.12.070 License for removal of septage.  
 2011 No person shall engage in the business of removing the contents of privy vaults,  
 2012 cesspools and septic tanks, herein referred to as "septage," or remove the contents of  
 2013 privy vaults, cesspools or septic tanks or transport through the streets within the city the  
 2014 contents of any privy vaults or cesspools, or carry night soil or other sewage, without first  
 2015 obtaining a license from the safety services and licenses committee of the city council;  
 2016 but nothing in this rule shall be construed as forbidding the owner of a privy vault,

2017 cesspool or septic tank from removing the contents therefrom; providing a permit be first  
2018 obtained from the city. This license shall also apply to any person desiring to discharge  
2019 the contents of any such septage tank truck into the city wastewater treatment works.  
2020 (Prior code § 26-16)

2021

2022 13.12.080 License application.

2023 Applicants requesting a license for removing, transporting, and discharging septage in the  
2024 city shall be required to submit a septage truck license application to the superintendent  
2025 for review and approval. The requirements for the application, including a fee of fifty  
2026 dollars (\$50.00), are detailed in the standard operating procedure No. CRI-002, receiving  
2027 of septage, shown in the city solids management program, as it pertains to septage  
2028 transporting, removal and disposal. If acceptable, the superintendent will process the  
2029 application, and forward the approved application and required fee to the city for issuing  
2030 the license. The applicant may commence with transporting and discharging septage  
2031 waste upon receiving a license and decal from the city.

2032 (Prior code § 26-17)

2033

2034 13.12.090 Expiration of license.

2035 The license for removing, transporting and discharging septage in the city shall be  
2036 effective for one year, starting on March 30th of each year. A one-year license extension  
2037 can be granted by the city upon submission and approval of a renewal application,  
2038 including a fifty dollar fee (\$50.00), submitted two weeks prior the March 30th expiration  
2039 date. The city may at any time suspend or revoke any such permit because of the  
2040 violation by the holder thereof of the rules and regulations herein prescribed, or for other  
2041 just cause or complaint.

2042 (Prior code § 26-18)

2043

2044

2045

2046

2047 13.12.100 Septage tank truck requirements and hours of cleaning.

2048 All tank trucks hauling septage shall be kept airtight and free from leakage. All apparatus  
2049 used in the business shall be kept clean and well painted, and must have the name of the  
2050 licensee upon it in plain letters, and must be approved by the director. No tank trucks  
2051 shall be allowed to stand in any street except while in use. No privy vault or cesspool  
2052 shall be cleaned within the hours of sunset and sunrise, except as directed by the director  
2053 of public works.

2054 (Prior code § 26-19)

2055

2056 13.12.110 Discharge requirements and fees.

2057 The contents of any septage tank truck, licensed as aforesaid, containing domestic sewage  
2058 or septage may be discharged into the wastewater treatment works of the city, subject to  
2059 the rules and regulations stipulated in the standard operating procedures. Any violation of  
2060 the terms and conditions herein shall be deemed a violation of this chapter and subjects  
2061 the permittee to all costs for removal of any nonconforming materials and any costs and  
2062 damages resulting therefrom, as well as sanctions under this title. Any recreational



2063 vehicle registered in the city may discharge into the wastewater treatment works. The  
2064 rules and regulations for recreational vehicles are shown in the standard operating  
2065 procedure No. CRI-002, receiving of septage. Charges for the depositing of septage shall  
2066 be established by the city, as shown in this title.

2067 (Prior code § 26-20)

2068

2069 13.12.120 Additional requirements.

2070 No statement contained in this chapter shall be construed to interfere with any additional  
2071 requirements that may be imposed by the city or state of Rhode Island and Providence  
2072 Plantations Department of Health.

2073