

## CHAPTER 16

### WATER AND SEWER

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## **ARTICLE A**

### **WATER DEPARTMENT**

#### **Section 16.1 Creation; Purpose**

A water department is created and established for the Village of Folsom. The department is responsible for the management, maintenance, care and operation of the water supply and distribution system of the Village.

#### **Section 16.2 Administration**

Subject to the general control and direction of the mayor and the board, the department shall be administered by the superintendent who shall manage the municipal water works and shall perform all acts necessary for the prudent, efficient and economical management of the Village water supply and distribution system.

#### **Section 16.3 Through Section 16.10**

Reserved

## **ARTICLE B**

### **WATER REGULATIONS, POLICIES AND RATES**

#### **Section 16.11 Turning on Water**

(a) No water from the Village water supply shall be turned on for service, into any premises by any person but the superintendent or some person authorized by him to perform this service.

(b) Where water has been cut off or disconnected for nonpayment of a bill, temporarily disconnected at the request of a customer or for other reasons, there shall be a charge for reconnection of \$10.00 during normal working hours and \$10.00 at all other times. This charge shall be added to the utility bill.

#### **Section 16.12 Application**

Application to have water turned on shall be made in writing to the clerk.

#### **Section 16.13 Deposit**

A deposit of a sum to be determined by the board shall be made with each application, this sum to be retained, to insure payment of all bills. When service to the applicant is

discontinued permanently this deposit, less any amount still due for water service, shall be refunded without interest.

#### **Section 16.14 Plumbing**

No water shall be turned on for service in premises in which the plumbing does not comply with the code, provided, that water may be turned on for construction work in unfinished buildings, subject to the code.

#### **Section 16.15 Service Installation; Fee; Resale; Tampering**

(a) No water shall be resold or distributed by the recipient thereof from the Village to any premises other than that for which application has been made, except in case of emergency.

(b) It shall be unlawful for any unauthorized person to tamper with or alter any part of the municipal waterworks or supply system, or any meter.

(c) The following minimum amount shall be paid by all types of users to the Village for each new installation of water.

(1) Water installation fee, \$250.00 minimum.

(d) The above fees are minimum only and they are the fees for normal water connections. In the event the installation of water involved other expenses in excess of ordinary installation then such fee shall be charged as may be determined by the Mayor and Aldermen.

(e) Subject to the provisions hereof, fees for water services are due on the first of each month and payable by the tenth of said month.

(f) The failure of a customer to pay water charges duly imposed shall result in the automatic imposition of the following penalties:

(1) Nonpayment within ten days from the due date will be subject to a penalty of ten percent of the delinquent account.

(2) Nonpayment within thirty days from the due date will result in the water being shut off from the customer's property.

(3) Meters will be read on or about the fifteenth of each month.

#### **Section 16.16 Service Pipes**

(a) All service pipes from the mains to the premises served shall be installed by, and at the cost of, the owner of the

property to be served or the applicant for the service. The installation shall be under the inspection of the Maintenance Supervisor.

(b) All repairs for service pipes and plumbing systems of buildings shall be made by and at the expense of the owners of the premises served. The municipality may in case of an emergency, repair any service pipes and if this is done the cost of repair work shall be repaid by the owner of the premises served.

(c) Excavations for installing or repairing service pipes shall be made in compliance with the code provisions relating to making excavations in streets. Provided, that it shall be unlawful to place any service pipe in the same excavation with, or directly over, any drain pipe or sewer pipe.

#### **Section 16.17 Meters**

(a) All premises using the municipal water supply must be equipped with an adequate water meter furnished by the municipality but paid for by the consumer; provided, that water service may be supplied at a flat rate of charge until a meter may be installed. Before any premises are occupied a water meter may be installed as required or application made for water service at the flat rate of charge until the meter can be installed or no water shall be furnished to the premises.

(b) Meters shall be installed in a location that will be easy of access.

(c) The Maintenance Supervisor shall read or cause to be read every water meter used in the Village at such times as are necessary that the bills may be sent out at the proper time.

(d) Any municipal water meter shall be tested upon complaint of the consumer.

(e) A meter deposit of \$40.00 shall be paid prior to service installation for noncommercial customers. If the premises to be served are owned and occupied by the applicant, the deposit shall be \$40.00.

(f) If any meter is turned on by persons not authorized by the Village, the meter will be removed and there will be a \$250.00 charge for re-instatement of services.

#### **Section 16.18 Rates**

The water rates to all water suppliers and to all water customers or users of the municipal water system shall be as follows:

(a) For each water connection, regardless of size of the water connection, there shall be a charge of \$5.00 per month for each water consumer or each tap.

(b) Where any existing consumer is presently charged under a meter rate, the water rate for meter customers is:

(1) Residential:

\$5.00 for 1st 2000 gallons  
\$2.00 per 1000 for next 3000 gallons  
\$1.00 per 1000 for next 5000 gallons  
\$0.75 per 1000 for all over 10,000 gallons

(2) Commercial:

\$16.00 for 1st 10,000 gallons  
\$0.75 per 1000 for all over 10,000 gallons

(c) The minimum monthly rate shall be \$5.00.

(d) Bills for water used shall be dated and sent out at the times directed by the mayor.

(e) During the construction of any building and before any water is installed the contractor constructing the building may be permitted to use the water supply by making application and paying the flat fee prescribed by the board.

(f) The water supply may be shut off from any premises for which the water bill remains unpaid for a period of 30 days after the bill is rendered and mailed. When shut off, water shall not be turned on except upon the payment of the fee specified in Section 16.11(b).

(g) Charges for water shall be a lien upon the premises. If the consumer of water whose bill is unpaid is not the owner of the premises, and the clerk has notice of this, then notice shall be mailed to the owner of the premises, if his address is known to the clerk, whenever a bill remains unpaid for a period of 40 days after it has been rendered.

(h) Property subject to a lien for unpaid water charges shall be sold for nonpayment, and the proceeds of sale shall be applied to pay the charges, after deducting costs, as in the case of the foreclosure of statutory liens. Foreclosure shall be by bill in equity in the name of the Village. The Village attorney is authorized and directed to institute proceedings, in the name of the Village, in any court having jurisdiction over these matters, against any property for which a water bill has remained unpaid 30 days after it has been rendered.

**Section 16.19 Turning off Water**

It is unlawful for any unauthorized person to turn off any water flowing in any main or pipe line owned or operated by the Village unless the person shall have first obtained the permission of the Mayor and Board or its designee.

**Section 16.20 Water Users Agreement**

Each person desiring to become a user of water service provided by the Village of Folsom shall first be required to enter into a water users agreement with the Village of Folsom.

**Section 16.21 Combined Billing**

All water and sewer charges shall be billed on one bill. Any payment less than full payment shall be applied pro-rata to the sewerage and water, so that less than full payment will result in a delinquency for all charges.

**Section 16.22 Through Section 16.30**

Reserved

**ARTICLE C**

**SEWERAGE DISTRICT**

**Section 16.31 Established**

As authorized by law, there hereby is created a sewerage District within the territorial limits of the Village of Folsom.

**Section 16.32 Boundaries**

The Sewerage District shall embrace the territory included within the territorial limits of the Village of Folsom.

**Section 16.33 User Charges**

The mayor and board, is authorized from time to time, by resolution, to establish reasonable user charges for connection to the sewerage lines of Sewerage District and for the inspection of the connections, and to provide for the collection of charges.

(1) For users whose water consumption is metered, the monthly sewer charge for each connection shall be \$4.75 plus \$0.60 per 1000 gallons

(2) For users whose water consumption is not metered, the monthly sewer charge for each connection shall be \$10.00.

### **Section 16.34 District is a Political Subdivision**

The Sewerage District shall be a political subdivision of the State of Louisiana pursuant to law, and the district shall have and possess the powers, authority, rights and privileges incident to the creation, maintenance and operation of such a political subdivision, especially the authority, power, right and privilege of levying and collecting annual tax for the maintenance of the district as provided by law.

### **Section 16.35 through Section 16.40**

Reserved

## **ARTICLE D**

### **SEWERAGE REGULATIONS**

#### **Section 16.41 Definitions**

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

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

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

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

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

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

(f) "Industrial Wastes" shall mean the liquid wastes from industrial manufacturing processes, trade, or business as distinct from sanitary sewage.

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

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

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

(j) "Properly Shredded Garbage" shall mean the wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch (1.27 centimeters) in any dimension.

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

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

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

(m) "Sewage Treatment Plant" shall mean any arrangement of devices and structures used for treating sewage.

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

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

(q) "Shall" is mandatory, "May" is permissive.

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

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

(t) "Superintendent" shall mean the Superintendent of Sewage Works and/or of Water Pollution Control of the Village of Folsom, or his authorized deputy, agent, or representative.

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

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

#### **Section 16.42 Use Of Public Sewers Required**

(a) It shall be unlawful for any user to place, deposit, or permit to be deposited in any unsanitary manner of public or private property within the Village of Folsom, or in any area under the jurisdiction of said Village, any human or animal excrement, garbage, or other objectionable waste.

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

(c) Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.

(d) The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the Village and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary or combined sewer of the Village, is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this ordinance, within ninety (90) days after date of official notice to do so, provided that said public sewer is within three hundred (300) feet (91.4 meters) of the property line.

#### **Section 16.43 Private Sewage Disposal**

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

#### **Section 16.44 Building Sewers and Connections**

(a) No unauthorized user shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Superintendent.

(b) There shall be two (2) classes of building sewer permits:

- (1) For residential and commercial services, and
- (2) for service to establishments producing industrial wastes.

In either case, the owner or his agent shall make application on a special form furnished by the Village. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Superintendent. A permit and inspection fee of \$5.00 for a residential or commercial building sewer permit and \$10.00 for an industrial building sewer permit shall be paid to the Village at the time the application is filed.

(c) All costs and expense incidental to the installation and connection of the building sewer shall be born by the owner. The owner shall indemnify the Village from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

(d) A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

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

(f) The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of the buildings and plumbing code or other applicable rules and regulations of the Village. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. Manual of Practice No. 9 shall apply.

(g) Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

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

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

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

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

#### **Section 16.45 Use of the Public Sewers**

(a) No user shall discharge or cause to be discharged any stormwater, surface water, ground water, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.

(b) Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the Louisiana Department of Health and Human Resource Administration. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Louisiana Department of Health and Human Resource Administration, to a storm sewer, or natural outlet.

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

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

(2) Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or

interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant.

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

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

(5) Any waters or wastes containing pollutants in concentrations in excess of the following:

<u>Pollutant</u>	<u>Maximum Concentration</u> <u>(mg/l)</u>
<b>Inorganic Pollutants:</b>	
Ammonia	480
Arsenic	0.05
Barium	5
Borate (Boron)	1
Cadmium	0.02
Calcium	2500
Chromium (Hexavalent)	2
Chromium (Trivalent)	2
Copper	1.0
Cyanide	1
Iron	1000
Lead	0.1
Manganese	1
Mercury	0.005
Nickel	1
Selenium	0.02
Silver	0.1
Sulfate	500
Sulfide	10
Tin	1
Zinc	5
<b>Organic Pollutants:</b>	
Phenol	200
Trinitrotoluene (TNT)	20
EDTA	25
Macconol	200
Ceepryn	100
Benzidine	500

(6) Any waters or wastes containing heavy metal and toxic material including, but not limited to, the following materials:

Antimony	Cobalt	Rhenium	Herbicides
Beryllium	Molybdenum	Strontium	Fungicides
Bismuth	Pesticides	Tellurium	Uranyl ion

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

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

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

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

(4) Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.

(5) Any waters or wastes containing iron, chromium, copper, zinc, cyanide, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Superintendent and/or the Division of Sanitary Engineering, Louisiana Department of Public Health, for such materials.

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

(7) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Superintendent in compliance with applicable State or Federal regulations.

(8) Any waters or wastes having a pH in excess of 9.5.

(9) Materials which exert or cause:

(a) Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).

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

(c) Unusual BOD (above 240 mg/l), chemical oxygen demand, or chlorine requirement in such quantities as to constitute a significant load on the sewage treatment works.

(d) Unusual volume of flow or concentration of wastes constituting "slugs" and defined herein.

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

(11) Waters or wastes containing suspended solids in excess of 200 mg/l.

(e) If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 15.45(d), and which in the judgment of the Superintendent, and/or the Division of Sanitary Engineering, Louisiana Department of Public Health, may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Superintendent may:

(1) Reject the wastes,

(2) Require pretreatment to an acceptable condition for discharge to the public sewers,

(3) Require control over the quantities and rates of discharge, and/or

(4) Require payment to cover the added cost of handling and treating the wastes not covered by the existing taxes or sewer charges under the provisions of Section 16.45(j). If the Superintendent permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Superintendent, and the Louisiana Department of Health and Human Resource Administration, and subject to the requirements of all applicable codes, ordinances, and laws.

(f) Grease, oil, and sand interceptors shall be provided when, in the opinion of the superintendent, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Superintendent, and shall be located as to be readily and easily accessible for cleaning and inspection.

(g) Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

(h) When required by the Superintendent, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Superintendent. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

(i) All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards of life, limb, and property. (The particle analyses involved will determine whether a twenty-four (24) hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24 hour composites of all outfalls whereas pH's are determined from periodic grab samples.)

(j) No statement contained in this article shall be construed as preventing any special agreement or arrangement between the Village and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Village for treatment, subject to payment therefore, by the industrial concern.

(k) No discharger shall increase the use of potable or process water in any way, nor mix separate waste streams for the purpose of diluting a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the standards set forth in this Regulation.

(l) Every user who discharges sanitary sewage, industrial wastes, water or other liquids other than normal sewage shall be charged and shall pay a surcharge in addition to the charge for normal sewage, in accordance with the following surcharge schedule. Surcharges shall be determined in accordance with the following formula:

$$s = .00834 \{ \$0.09 \text{ (vs) (BOD-240)} + \$0.09 \text{ (vs) (SS-200)} \}$$

where:

s = Surcharge in dollars monthly, in addition to normal monthly sewer users charge

vs = Sewage volume in thousand gallons per month = 80% of metered water use per month for metered customers or 17,455 gallons per month for non-metered customers.

.00834 = Conversion factor for pounds per thousand gallons

BOD = Biochemical Oxygen Demand

SS = Suspended Solids

#### **Section 16.46 Protection from Damage**

No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenances, or equipment which is a part of the sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

#### **Section 16.47 Powers and Authority of Inspectors**

(a) The Superintendent and other duly authorized employees of the Village bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with provisions of this ordinance. The Superintendent or his representatives shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper, or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

(b) While performing the necessary work on private properties referred to in Section 16.47(a) the Superintendent or duly authorized employees of the Village shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the Village employees and the Village shall indemnify the company against loss or damage to its property by Village employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Section 16.45(h).

(c) The Superintendent and other duly authorized employees of the Village bearing proper credentials and identification shall be permitted to enter all private properties through which the Village holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

#### **Section 16.48 Penalties**

(a) Any user found to be violating any provision of this ordinances except Section 16.46 shall be served by the Village with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

(b) Any user who shall continue any violation beyond the time limit provided for in Section 16.48(a) shall be guilty of a misdemeanor, and on conviction thereof shall be fined in the amount not exceeding \$100.00 for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

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

Editorial Note: The basic statutory authority for municipally operated waterworks is L.R.S. 33:401(23). There is authority to contract, purchase, maintain, and lease municipal waterworks.

Condemnation for rights-of-way is provided both within and outside the corporate limits, as waterworks may be constructed outside the corporate limits. The municipality may prescribe the rates at which water will be supplied. Sewerage districts are provided by L.R.S. 33:3911 and 3951, the latter reference applies to municipalities of less than 1,000 population. L.R.S. 33:3913 directs that the governing authority of the municipality shall also fulfill that function as to sewerage districts. The powers granted to a district are enumerated at L.R.S. 33:3912. General authority to operate a sewer system is given to municipalities by L.R.S. 33:401(21). More specific guidance is at L.R.S. 33:4001-4004. Such matters as financing, rate charges, connection charges, compelling connection, and prohibition of privy vaults are addressed. The ordinance included in Article D is a model that is recommended by federal and state health and environmental protection agencies.