

STATE OF GEORGIA
HENRY COUNTY
CITY OF STOCKBRIDGE

ORDINANCE NO. OR20-477

AN ORDINANCE TO AMEND TITLE 6 OF THE STOCKBRIDGE MUNICIPAL CODE; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the governing authority of the City of Stockbridge is the Mayor and Council thereof;

WHEREAS, the governing authority of the City of Stockbridge, Georgia desires to adopt a revised ordinance pertaining certain municipal utilities; and,

WHEREAS, the health, safety, and welfare of the citizens of Stockbridge, Georgia, will be positively impacted by the adoption of this Ordinance.

NOW THEREFORE, THE COUNCIL OF THE CITY OF STOCKBRIDGE HEREBY ORDAINS:

Section 1. That Title 6 of the Stockbridge Municipal Code is hereby deleted in its entirety and replaced with the provisions attached hereto as Exhibit A, provided however, that the existing Chapter 6.25 of said Title shall remain in full force and effect.

Section 2. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 3. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 4. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 5. Penalties in effect for violations of the City of Stockbridge at the time of the effective date of this Ordinance shall be and are hereby made applicable to this Ordinance and shall remain in full force and effect.

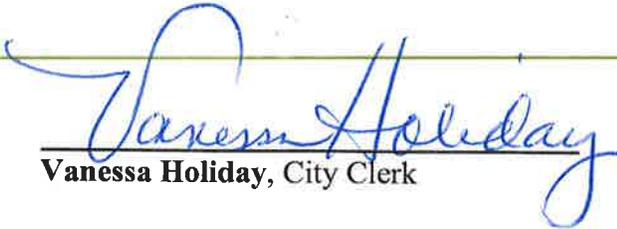
Section 6. The effective date of this Ordinance shall be the date of its enactment.

ORDAINED this 10th day of February, 2020.

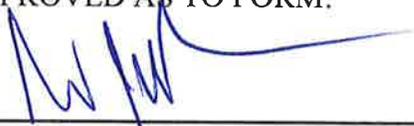
CITY OF STOCKBRIDGE, GEORGIA


Anthony S. Ford, Mayor

ATTEST:


Vanessa Holiday, City Clerk

APPROVED AS TO FORM:


Michael Williams, City Attorney

Date Presented to Mayor: 02-13-2020

Date Received from Mayor: 02-13-2020

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Title 6 – MUNICIPAL UTILITIES

Chapter 6.04 – GENERAL PROVISIONS

ARTICLE I. – WATER

DIVISION 1. – GENERALLY

6.04.010. - Digging, drilling or boring well for water.

No property owner, occupant, tenant or lessee will be allowed to dig, bore or drill wells within the city limits, where city water is available, for the purpose of obtaining water for residential, commercial or industrial purposes.

6.04.020. - Connection to water system required.

The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes situated within the city and abutting on any street, alley or right-of-way in which there is located a city water main is required at their expense to connect such facilities to the water system in accordance with the provisions of this Article, within ninety (90) days after date of official notice to do so, provided a city water main is within two-hundred (200') feet of the property lines.

6.04.030. – Auxiliary residential water system.

- (a) It shall be the policy of the city not to furnish water service where the user has in operation a well. In order to be received as a customer and entitled to receive water from the city's water system, all applicants must offer proof that any private wells located on their property are not physically connected to the water mains of the city's water system; and all applicants, by becoming customers of the city, covenant and agree that, so long as they continue to be customers of the city, they will not permit the connection of any private wells on their property to the city's water system. This is not intended to prohibit the use of private wells for sprinkler systems, lawn watering, etc., provided the well is not connected in any manner to the same system as the city's water system. If it is discovered that the customer is connected to the city's water system and a private source, the user shall be notified of the requirement to cease the use of domestic water from the private source and use only city water, or the city water meter will be disconnected and service will no longer be available for standby use. In case of disconnection of water service pursuant to this Section, sewer service will also be terminated.
- (b) Each commercial or industrial sewer customer who uses a source of supply other than city water shall be required to install a meter on the private source of water, the meter to be accessible to city meter readers; and the sewer rate shall be based upon the meter readings made by the city.

6.04.040. - How service obtained; charges.

Persons desiring water service to any property where the facilities of the city's water distribution system are available shall apply for such service in the city and make such payment as shall be prescribed by the mayor and council.

6.04.050. - Permit for water meters.

The city will issue a work order for installing the water tap and meter; and the city shall provide such water taps and meters within a reasonable period of time, at a prescribed location, provided the property owner to be served is on a street on which the city has a sufficient water main. If after the initial installation the meter and/or meter box is to be relocated, raised, lowered, repaired or altered in any way (other than from normal wear and tear), the property owner or customer shall be responsible and pay the city the total cost of placing the meter or meter box back into service. Any cost incurred by the city shall be billed through the utility billing department if the plumbing installation on the premises has been completed. A property owner, customer or contractor shall not be able to obtain any other permit for water meters should any statement for cost of repairs, alteration or other work on any meter be outstanding in the name of the customer, property owner or contractor.

6.04.060. - Owners to keep agreement with city.

The application for water service shall constitute an agreement on the property owner's part to abide by any and all rules for the use and operation of the meter as set out in this Division. Furthermore, the application for water service shall grant to the city the right to enter upon the property of consumers at all hours for the purpose of installing or removing city property, inspecting piping, reading and testing meters or for any other purpose in connection with either the water service and its facilities or the sewer service and its facilities.

6.04-.070. - Installation, etc., of meters— Generally.

It shall be in the authority and discretion of the City of Stockbridge to require meters of such style and character as it may approve, to be put, at any time, in the service pipes of commercial businesses, multi-family buildings, hospitals, hotels, public buildings, other establishments, etc., at the expense of the party for whose use they are applied, and if furnished in any case by the City of Stockbridge, the cost of such meter shall be collected from the party using the same before the use of water is permitted. The care and repair of meters shall be at the expense of parties using the same.

6.04.080. - One meter to each place.

~~Each residence or place of business must be provided by property owners with its individual meter.~~

6.04.090. - Water meters on private property in group developments.

The owner or user may be allowed to place the water meter on private property and beyond the city's right-of-way in large master meter developments or complexes and shopping centers where it is not feasible to place a meter at the right-of-way provided the location and the plans have been approved, easements acquired and accepted by the city engineer and/or water superintendent. When approval is given, all meters shall be purchased through the city and the meter and box shall remain the property of the city. Repairs to the system between the right-of-way or the water valve which designates the end of the city's system and the curb stop of the meter shall be at the city's expense because the city owns this section. The specifications for materials and construction for all lines between the right-of-way or valve which designates the end of the city's system and the curb stop of the meter shall be according to the City of Stockbridge's *Minimum Development Standards Manual*.

6.04.100. - City's responsibilities and liabilities.

- A. The city shall run a service line from its water main to the property line where the water main exists or is to be constructed and run immediately adjacent and parallel to the property to be served. No service charge, other than the connection fee referred to in Section 6.04.360, will be made for a meter.
- B. The city has the following additional responsibilities and duties:
 - 1. The city may make connections to service other properties not adjacent to its water mains upon payment of such reasonable costs for the extension of its water mains as may be required to render such service;
 - 2. The city may install its meter at or near the property line or at the city's option, on the consumer's property within three (3') feet of the property line;
 - 3. The city reserves the right to refuse service unless the consumer's lines or piping are installed in such a manner as to prevent cross-connections or backflow as defined by the City's Cross Connection Control Program, current edition, incorporated by reference;
 - 4. Under normal conditions the consumer will be notified of any anticipated interruptions of service by the city.
- C. The city shall not be held liable for any property or personal damage caused by the action of turning on or off any water service and/or water main.

6.04.110. - Consumer's responsibilities and liabilities.

- A. Water furnished by the city shall be used for consumption by the consumer, members of his household and employees only. The consumer shall not sell water to any other person or permit any other person to use said water. Water shall not be used for irrigation, fire protection, nor other purposes, except when water is available in sufficient quantity without interfering with the regular domestic consumption in the area served. Disregard of this rule shall be sufficient cause for refusal and/or discontinuance of service.
- B. The consumer has the following additional responsibilities and duties:
 - 1. Where the meter or meter box is placed on the premises of a consumer, a suitable place shall ~~be provided by the consumer therefor, which is unobstructed and accessible at all times to the meter reader;~~
 - 2. The consumer shall furnish and maintain a private cutoff valve on the consumer's side of the meter;
 - 3. The consumer's piping and apparatus shall be installed and maintained by the consumer at the consumer's expense and shall meet the requirements of the International Plumbing Code and other ordinances of the City of Stockbridge relative to plumbing.
- C. Allocation of Water Services. The city shall have the right from time to time, if necessary, to allocate water to the consumer under specific rules and regulations in effect now or that may later be adopted by the Henry County Water Authority, the State of Georgia Department of Natural Resources-Environmental Protection Division (EPD), or other governmental entities vested with jurisdiction to promulgate rules governing the use of water in the city.
 - 1. When it becomes necessary to impose bans, restrictions, or curtailments of water usage, the Henry County Water Authority shall have the authority to do so and to name those restrictions and the time and duration of said restrictions as defined by priority in the Water Conservation Plan and the Drought Contingency Plan (as updated in September, 1995) of the Henry County Water Authority. The city shall be responsible for widely publicizing said restrictions.
 - 2. Any consumer, person, firm or corporation who uses water in violation of the restrictions imposed by the city shall be guilty of a misdemeanor and shall be tried in the City of Stockbridge Municipal Court, and if found guilty, shall be punished as provided in Section 1.04.080. Each day that a violation is committed under this Chapter shall be considered a separate offense.
 - 3. The City of Stockbridge Municipal Court shall have jurisdiction to hear, try and dispose of citations that are issued for said violations. This citation shall be issued by the city or any individual or entity designated by the city to act on its behalf, including representatives of the county or Henry County Water Authority. Said citation(s) shall require the appearance of the violator in the City of Stockbridge Municipal Court to answer said charge or charges.

6.04.120. - Who may renew services, move curb stops, etc.

No person other than the City of Stockbridge Water Department employees shall renew any city side service or move any curb stop or meter, or meter box, except by written permission of the water superintendent.

6.04.130. – Use of pipes previously run to the curb.

In putting in a customer side water service, no plumber will be permitted to make use of pipe previously run to the meter which does not conform to rules existing at the time such service is to be used, but before making such connections, the plumber or owner shall first (1st) get the water department either to reject or consent to such connection. If rejected, the owner will be required to have it changed at his expense, and if an entirely new service shall be put in, the old one shall be disconnected at the main at the expense of the owner before water is turned on to the new service. Customer side water services are private with maintenance, repair and replacement being the responsibility of the property owner. Customer side water services begin at the outlet side of the water meter and extend to their ~~termination within the residences of business. These customer side services include all pipes, backflows,~~ hydrants and appurtenances.

6.04.140. – Compliance with plumbing code, etc.

Water will not be introduced into any premises where fixtures do not meet the requirements of the International Plumbing code and other ordinances of the City of Stockbridge relative to plumbing or where inspection fees have not been paid.

6.04.150. - Extending pipes.

It shall be unlawful for any person to extend any existing private service pipes or any other means of conveying water to any other residence or place of business than that of those to which it is connected without the consent of the city.

6.04.160. – Who may tap mains and pipes, run service lines, etc.

Water mains and pipes shall be tapped, and necessary curb stop, meter and meter boxes set by the City of Stockbridge Water Department employees and by no other person whatsoever. Any person not a water department employee and without a permit from the City of Stockbridge, who so taps, sets, or tampers with any water main or pipe, or permits such activities to take place on property owned or rented by him, or uses water obtained from such unauthorized connections, or supplies water through such unauthorized connections, shall be punished as provided herein.

6.04.170. – Notice of leaking fixtures.

Notice of leaking fixtures shall be sent to the property owner or his agent, where the address of such owner or agent is known. Otherwise, notice shall be sent to the tenant who shall be instructed by the owner or agent to give him notice personally of any such leaking fixture.

6.04.180. – Water obtained through false pretenses.

If water has been supplied to any premises, and afterwards it shall be found that false representation has been made by such applicant, or that water is being used in or upon the premises for purposes not set forth in the application made for water supply to the premises, the water shall be shut off, and shall remain shut off, until all unauthorized use of water has been stopped, and any sum of money determined due for the use thereof has been paid to the City of Stockbridge.

6.04.190. - Removing, etc., meters, valves and other appurtenances of utilities.

It shall be unlawful for any unauthorized person to remove, alter, tamper with or in any way interfere or intermeddle with any of the wells, basins, water mains, pipes, plugs, meters, valves, curb stops or other appurtenances owned by the City of Stockbridge unless explicitly authorized by the Water Superintendent and actions are performed under his direction.

6.04.200. – Unauthorized turning on or off of water, tampering with meters.

It shall be unlawful for any person other than duly authorized employees of the City of Stockbridge Water Department to turn on or turn off water, or tamper with meters or curb stops, without permission.

6.04.210. – Unauthorized usage penalties.

A. Tampering with water meters

Where the water has been cut off due to non- payment but is being received through tampering with the water meter, a nonrefundable fee as set forth in the schedule of fees shall be paid to the city in connection with the placement of a locking device on the water meter. This fee will be in addition to any other fee previously assessed.

B. Tampering with locked device

Where a locking device placed on a water meter has been broken or otherwise made ineffective, a nonrefundable fee as set forth in the schedule of fees will be charged to the account in addition to any other fee previously assessed.

C. Unauthorized meter or a straight line

Where a water meter has been removed and water is being obtained through an unauthorized meter or "straight line," a nonrefundable fee as set forth in the schedule of fees will be charged to the account in addition to any other fee previously assessed. In addition to the above penalties, the responsible party may be cited and required to appear in the City of Stockbridge Municipal Court to answer said charge or charges.

6.04.220. – Covering tops of meter boxes.

It shall be unlawful for any person to willfully, maliciously or carelessly cover the tops of meter boxes belonging to the water department with dirt, rocks or debris, so as to hide such meter boxes from view or render same difficult of access.

6.04.230. – Duty of customers to service pipes and fixtures.

All persons receiving City of Stockbridge water shall keep their own service pipes and all fixtures connected therewith in good repair, leak free, and protected from frost, at their own expense.

6.04.240. – Liability of plumbers not properly replacing curb stop box or injuring property.

Should any plumber, in making an attachment, or in shutting off or in turning on water, not properly replace the curb stop box, or should they in any manner injure the property of the water department, or

property owner, he shall pay the sum of such damage, and upon refusal to pay same, he shall be refused any plumbing permit until such bill is paid.

6.04.250. - Permitting waste of water.

Any water customer who shall let the water from his hydrant or other fixtures run to waste or any other person who shall cause a waste of water from the water department shall be punished as provided in herein. Any water customer who permits such waste to exist, after being cited, shall also be liable to have the water shut off upon twenty-four (24) hours' notice, until the proper repairs have been made at such tenant's expense. ~~Where the water supply is shut off as herein provided, the water shall not again be turned on until all water bills and the cost of shutting off and turning on the water shall have been paid.~~

6.04.260. - Refusal to admit water department personnel to make inspections.

It shall be unlawful for any person to refuse to admit the authorized employees of the water department to his premises for inspection of water supply or appliances.

6.04.270. - Installation of water services prior to paving streets.

The owners of all vacant lots or lots without water services abutting on a street of the City of Stockbridge which is to be paved shall be given thirty (30) days' written notice by the city's engineer and/or public works director that such street is to be paved. Within such thirty (30) day period the property owners shall have installed all water services required to serve their property, and if they shall fail to do so the city may:

- (a) Do all work required to serve such properties without thereafter causing a cut to be made in the pavement and charge the cost thereof to the property owner and enforce the same by lien upon such property and execution to be issued thereon; or
- (b) Refuse to cut such pavement to install such water services and connections for a period of five (5) years from the date of the completion of the pavement except in extreme cases of emergency.

6.04.280. – Use of water from fire hydrant for purposes other than fire extinguishment.

Any person desiring to use water from any fire hydrant for any purpose except for the extinguishment of fires shall make application for the use of water from such fire hydrant to the utility billing department. All water so used shall be supplied through a portable meter.

6.04.290. - Change in location of fire hydrant, etc.

If it becomes necessary to change the location of any fire hydrant or other fixture of the water system at the request and for the convenience of a property owner or tenant, the cost of labor and material, plus twenty (20%) percent, shall be charged for such work; provided, that the change or removal has the approval of the City of Stockbridge and has been applied for in writing.

6.04.300. - Penalty.

Any person or persons failing to comply with the lawful provisions hereof or doing any act prohibited hereby or failing to do any act mandated hereby shall be guilty of an offense, and upon trial as a misdemeanor and conviction shall be subject to the penalties provided in Section 1.04.080.

DIVISION 2. - WATER REGULATIONS AND CONNECTION CHARGES

6.04.310. - Rate schedules and increases.

- A. Effective January 1, 2016, the mayor and council shall by resolution fix rates for which water and sewer services shall be furnished for all purposes within the area served by the city's water and sewer systems.
- B. If the Henry County Water Authority adopts an ordinance setting forth automatic increases in water and sewer rates, the city's water and sewer rates shall be increased by the equivalent percentage.

6.04.320. - Deposit of funds.

All money received by the city under the provisions of this Division shall be deposited separately from the other funds of the city and shall be designated as the water and sewer deposit fund and all refunds that are made under the provisions of this Chapter shall be drawn out of this fund and no other. The money of this fund shall be used for no other purpose except to make refunds to tenants or property owners; except the money may be used in the payment of water bills owed by the depositor; and in the latter case, the city shall withdraw such amount from this fund as to pay the overdue water bill of any tenant or property owner who is liable for such water bill.

6.04.330. - Liability of property owner.

- A. Each owner of property shall be liable and responsible for the full payment of all water and/or sewer services furnished to their property. The charges to be made for services rendered shall be made against the owners, occupants, tenants or lessees of the buildings or premises receiving the services from the city.
- B. In addition to the right of termination of water and/or sewer services as provided herein, if enforcement of payment is necessary, the costs of such enforcement, including attorney's fees, shall be the expense of the firm, corporation, owner or lessee liable for the payment of water and/or sewer services and collection may be made by process or procedures of law now available or which may hereafter be available, expressly including the right to cause a fi fa to be issued, levied and collected against the person, firm or corporation who incurred the charges.
- C. Pursuant to the Official Code of Georgia Annotated Section 36-60-17, no lien shall be imposed against real property to secure unpaid charges for water and/or sewer services furnished unless the owner of such real property is the person who incurred the charges. Payment of unpaid charges, with any additional penalty, will be required of Tenants before service will be provided at any future location.

6.04.340. - Application for water service—Security deposit.

- A. The consumer shall make application for water and sewer service in person at the city hall pursuant to the following:
 1. All consumers who rent or lease property in the city must pay a security deposit as set forth in the schedule of fees at the time of application for water and sewer service.

2. Service shall not be refused to the owner, occupant or lessee of a single or multifamily residential property because of indebtedness to the city of a previous owner, occupant or lessee provided that water has been furnished through a separate water meter for each residential unit.
- B. The city will waive the deposit requirement if the new customer provides proof of ownership of the property to which service is provided. The city refunds deposits when a final bill is requested, and all charges are paid.
- C. The customer or a designee must be present at the water and/or sewer service location and sign ~~the work order at the time of water connection.~~
- D. If water and sewer service applications and/or deposits are received after four (4:00) p.m., the service will be connected on the next business day before twelve (12:00) p.m. (noon).

6.04.350. - Payment of charges prerequisite to making connections, etc.

No connection or tap shall be made, or water or sewer service installed until proper payment of charges has been made and deposited with the utility billing department. Such deposit or payment shall include all water connection charges, sewer connection charges and plumbing fees, the intention of this Section being that all charges of whatsoever nature shall be paid before any of the work above set out is done, unless the house to be served cannot be served by a sewer main, in which case no charge shall be made for sewer connection but all other charges as set out shall be paid. Water connections shall not be made until proper payment is made for sewer connection where the sewer is available.

6.04.360. - Collection of connection fees.

Each customer subscribing for the use of the water service of the city shall pay a nonrefundable connection fee which shall consist of the total of a water system impact fee plus the cost to the city of installing the water meter. The water system impact fee schedule shall be as set forth in the schedule of fees.

All water meters shall be obtained from the city and shall be installed by the city and shall remain the property of the city. The developer of a proposed subdivision shall provide every lot with water and sanitary sewage services of adequate size. Also, where water and sewer mains are in the street, but no services are to the proposed lots, the developer shall have the services installed. Also, where water and sewer facilities are available through extensions, the developer shall provide services for every lot. The city shall install water meters on these services at the rates set forth in the schedule of fees and charges on file in the office of the city clerk.

On existing lots of record, where water and sewer mains exist in the street, but no services are on the lot, the city shall install a separate water or sewer service on each lot at the rates set forth in the schedule of fees and charges on file in the office of the city clerk for city-installed services.

All fees for connection to the water system and to the sewer system shall be paid as a prerequisite for approval of the connection to the water or sewer system. The following shall control the collection of the fees:

- A. The city may accept a deposit reflecting the estimated cost of installing the water meter or connecting the user to sewer, pending final determination of actual costs after the work has been completed.
- B. Impact Fee Schedule. Fees paid on the basis of the impact fee schedule incorporated by reference, to which the direct cost of connection has been added, shall constitute full and complete payment and shall be deemed to be in compliance with this Section.
- C. Appeals. The city manager or their designee shall have the authority to interpret this Section and the calculation of appropriate connection fees, including both impact fees and direct connection costs to the city. ~~Any aggrieved applicant for connection to the water or sewer system may appeal the decision of the city manager to the mayor and council, whose determination shall be final.~~

6.04.370. – Meters.

All water furnished by the city to consumers or owners, including water for fire protection, shall be furnished and dispensed by the use of standard water meters to be applied and installed under the supervision of the city and to be paid for by the consumer or the person who shall request the installation of the meter; and the meter shall be paid for at the time of installation; and the amount to be charged to the consumer having water furnished by the city shall be determined by the reading of each meter by a designated agent or employee of the city.

6.04.380. - Meter reading—Billing and collection of charges.

All water meters in the city registering the consumption of water furnished by the city shall be read at least once per month, or at other frequencies as desired by the City, and the consumer or property owner shall pay monthly upon notice being furnished by the city as to the amount of water consumed during the preceding month.

- A. Bills to customers for water and sewer service shall be mailed out on such day or days of each month as may be determined as desirable by the city. Bills shall be paid at the city hall and a failure to receive bills or notices shall not prevent such bills from becoming delinquent nor relieve the consumer from payment of same.
- B. The failure of water and/or sewer users to pay charges duly imposed shall result in the automatic imposition of the following penalties:
 1. All bills shall be due on or before the tenth (10th) day of the month following the issuance thereof;
 2. Nonpayment within ten (10) days from the due date will be subject to a penalty of ten (10%) percent of the delinquent account;
 3. Any check issued to the city in payment of water and/or sewer services that is returned for any reason by the bank upon which it is drawn shall result in the city assessing a thirty-five (\$35.00) dollars return check charge. The charge shall be added to customer's and/or property owner's bill and shall be paid before water service is reinstated.

6.04.390. - Discontinuance of service.

- A. When water and sewer service is discontinued and all bills paid, the security deposit shall be refunded to the consumer by the city. Upon discontinuance of service for nonpayment of bills, the

security deposit will be applied by the city toward settlement of the account. Any balance will be refunded to the consumer; however, if the security deposit is insufficient to cover the bill, the city may proceed to collect the balance as provided in Section 6.04.320.

- B. Service disconnected for nonpayment of bills, in accordance with 6.04.410 of this document, will be restored only if the bills are paid in full and a security deposit has been paid together with a reconnection of service charge for each meter reconnected. The security deposit and reconnection charge shall be fixed from time to time by the mayor and council.
- C. The city reserves the right to discontinue its service without notice for the following additional reasons:
 - 1. To prevent fraud or abuse;
 - 2. Consumer's willful disregard of the city's rules;
 - 3. Emergency repairs;
 - 4. Insufficiency of water supply due to circumstances beyond the city's control;
 - 5. Legal processes;
 - 6. Direction of public authorities; or
 - 7. Strike, riot, fire, flood, unavoidable accident.

6.04.400. - Discontinuance or change of service—Notice to city by consumer.

Not less than three (3) days' notice must be given in person or in writing at the city hall to discontinue water and sewer service. Not less than three (3) days' notice must be given in person or in writing at the city hall of the change of ownership, lessee or occupant of any property in the city. The owner of the property shall be responsible for the collecting and paying of any past due water and/or sewer bills incurred by the party from which he purchased the property. Failure to pay any past due water and/or sewer bills shall result in the new owner being liable for paying said bills. The owner of the property shall be responsible for the collection and payment of any water and/or sewer bills due the city from his lessee or occupant of his property. Failure to collect and pay any water and/or sewer bills shall result in the owner of the property being liable for the payment of said bills.

6.04.410. - Termination of service—Condition and procedures.

- A. Each bill for water and sewer services shall have printed thereon the following notice:

If you disagree with the amount shown under "TOTAL AMOUNT DUE," you have the right to appeal the billing by requesting a hearing before the city manager or their designee at city hall. If you desire a hearing, you must request the same in writing addressed to the city manager within five (5) days of the date of the bill. If you are dissatisfied with the city manager's ruling, you have ten (10) days from the date of the hearing to file and obtain an Order from the Superior Court of Henry County enjoining the right of the city to terminate water services. If the "ENTIRE BALANCE" and all penalties are not paid by the 20th of the month or within five (5) days of the completion of the appeal process, all water service will be terminated until the account has been paid in full. If water service is terminated, a reconnection fee of fifty (\$50.00) dollars will be charged. This is the only notice you will receive concerning termination of water services.

- B. If the customer and/or property owner fails to pay the "ENTIRE BALANCE" shown on the bill together with penalties prior to the hearing or if the customer and/or property owner fails to appear at the hearing set forth in the notice, such failure shall be deemed a violation of this Section.
- C. Upon the discovery of a violation described in Section 6.04.410 (B), the city manager shall be authorized to terminate the water and/or sewer service to the property owned, occupied or controlled by the customer and/or property owner who has committed such violation. Termination shall be authorized as of the date specified in the notice.
- ~~D. If water service is terminated a nonrefundable reconnection fee as set forth in the schedule of fees shall be paid to the city. Said reconnection fee is collected for the purpose of defraying the costs incurred by the city for handling delinquent accounts as well as terminating and reestablishing service.~~
- E. Service shall not be restored until all charges and penalties arising under this Section are paid in full. If the water service is disconnected, all fees must be paid in full at city hall before four (4:00) p.m. in order for water service to be restored on the same day. When payments are received after four (4:00) p.m., water service will be reconnected on the next business day before twelve (12:00) p.m. (noon).
- F. The customer or property owner must be present at the water and/or sewer service location and sign the work order at the time of reconnection pursuant to this Section.

6.04.420. - Cutting water off when residence is vacated.

When any person moves from a residence within the city, the water at such residence shall immediately be cut off.

6.04.430. - Means of collection.

If for any reason any water and/or sewer bill remains unpaid after it becomes due and is not promptly paid upon demand, the city shall pursue collections through a collection agency.

6.04.440. - Complaints and adjustments—Meter testing.

- A. If the consumer believes his bill to be in error, he shall present his claim, in person, at the city hall before the bill becomes delinquent. Such claim, if made after the bill has become delinquent, shall not be effective in preventing discontinuance of service as heretofore provided. The consumer may pay such bill under protest and said payment shall not prejudice his claim.
- B. Settlement of claims and adjustments of bills are subject to the following additional provisions:
 1. The city will make a special water- meter reading at the request of the consumer for a fee as fixed from time to time by the mayor and council; provided, however, that if such special reading discloses that the meter was overread, no charge will be made.
 2. Water meters will be tested at the request of the consumer upon payment to the city of the actual costs of making the test; provided, however, that if the meter is found to over-register beyond AWWA/Manufacturer's tolerance of the correct volume, no charge will be made.

3. If the seal of a meter is broken by other than the city's representative or if the meter fails to register correctly or is stopped for any cause, the consumer shall pay for an estimated volume of water based on the average consumption from the three previous months.

6.04.450. - Damaging, destroying, equipment, etc.

- A. No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, uncover or tamper with any meters, automated meter reading system (AMR), AMR telephone cables, connections, lines, pumping stations, purification plants, wells, equipment and all appurtenances to each structure named above which are a part of the city's water and sewer system.
- B. No contractor or individual shall commence any blasting, digging, construction, excavating or other related operations on the roads, streets and easements that are located within the city limits or that are owned, operated or managed by the city without first contacting the city and the Utilities Protection Center, Inc. to ascertain the location of the city's underground utilities facilities.
- C. Any person who damages the city's utilities and/or utilities facilities shall be responsible for all costs of repair, loss of income and other damages incurred by the city. In the event that the city is required to institute legal proceedings to collect any costs, loss and/or damage, the person shall also pay all legal fees and expenses incurred by the city in the collection of said costs, loss and/or damage.

6.04.460. - Remedies cumulative.

The remedies provided in this Division for the collection of water bills in the city shall be cumulative of the remedies provided by law and not in exclusion thereof.

DIVISION 2. - OPERATIONAL POLICIES AND PROCEDURES

WATER SUPPLY SYSTEMS

6.04.470. - Purpose.

- A. The purpose of this Section is to address the minimum requirements for design and construction of public water systems.
- B. The authority for discretionary provisions for design and construction of water systems shall vest with the city engineer and/or water superintendent.
- C. This Chapter is subject to periodic revision to meet changing requirements for materials, environmental regulations, etc. At the beginning of a project the user should verify that he has the latest edition.
- D. This document is intended to convey the general design and construction requirements for a typical project. It also lists general requirements relating to inspection, testing and acceptance of facilities. It is not intended as a substitute for site-specific engineering and construction techniques. A more specific list of requirements related to construction, inspection, testing and acceptance may be found in the City of Stockbridge *Minimum Development Standards Manual*.

6.04.480. – Separate water or sewer service.

Water and/or sewer service shall not be rendered separately unless the mayor and council find that the denial of one (1) service because of the inaccessibility of the other would create a health hazard or undue hardship and by a majority vote in a regularly scheduled meeting allows the rendering of separate service. If such an exception is granted, all of the other provisions of this Article shall still be in effect.

6.16.490. – Tampering with water system.

No unauthorized person shall uncover, make any connection with or opening into, use, alter, or disturb any public water system or appurtenance thereof without first obtaining a written permit from the city.

6.04.500. – General policy and requirements.

- A. Developers of new residential or commercial developments must request from the city prior to beginning construction a statement of utility availability which shall be valid for one (1) year from the date of issuance.
- B. Water systems shall be designed in accordance with the densities and intensities reflected in the long-range future land use plan and map of the adopted City of Stockbridge Comprehensive Plan.
- C. The approximate location and character of proposed public water facilities shall correspond with the existing and proposed water system map, as amended.
- D. Water systems shall be designed for the estimated future population from all contributing points under consideration. The estimated future population shall be based on the adopted comprehensive plan and/or the existing zoning of the land to be served, whichever is greater.
- E. Except as provided below, all future buildings within the city's corporate limits that are to be utilized for human occupancy or any other use such as commercial or industrial purposes that requires water facilities shall be connected to the public water system.
- F. Water connections. All water service connections from the meter to the building, are regulated by the International Plumbing Code adopted by the city and shall be privately maintained.
- G. Water supply interconnections. There shall be no physical connections between a drinking water supply and a sanitary or storm sewer, or appurtenance thereof. All facilities furnished with a public drinking water supply will have no physical connection with private wells or other private water supply systems, or any other source of contamination.
- H. Minimum main size. It shall be unlawful for the city or any committee thereof to accept as a part of the water system of the City of Stockbridge any subdivision having water mains running through such subdivision that are less than six (6") inches in diameter; including water mains installed in dead-end roads or streets, also known as cul-de-sacs.

6.04.510. - Standard drawings.

Installation of fire hydrants, water valves, valve boxes, meters, long side services water lines, etc. shall be made in accordance with the City of Stockbridge *Minimum Development Standards Manual*.

6.04.520. - Material and construction specifications.

The specifications for materials and construction of all water mains, water services, sewer mains, sewer services, casings, bores, fire hydrants, valves, concrete work, etc. shall be the City of Stockbridge *Minimum Development Standards Manual* as adopted and approved by the city. This shall include lines on public property as well as private unmetered fire lines and lines on private property in accordance with section 6.04.090 up to the water meter. ~~The specifications for plumbing materials on private property beginning at the outlet of the water meter shall be according to the International Plumbing Code as adopted and approved by the city.~~

6.04.530. – Water service area.

- A. It is the intent of the mayor and council to provide water service in accordance with the adopted Service Delivery Strategy on a self-sustaining basis to any and/or all users within the corporate limits of the city. It is not the intent to add new water users outside of the corporate limits of the city. Service will be supplied to anyone requesting it, provided the service will be feasible financially and insofar as possible self-sustaining. In cases where economic feasibility is a factor, the city shall have the final decision as to whether or not service will be provided. In determining feasibility, the city will consider the cost of construction as well as the cost of maintenance both before and after the extended system is fully utilized.
- B. When a property owner requests water service to property not within the corporate limits of the city, at the discretion of the city, the owner will be required to:
 - 1. Petition for annexation (if the property is contiguous to the existing limits of the city) prior to commencement of construction of water mains; or
 - 2. Execute a restrictive covenant consenting to annexation of such property into the city when the property becomes contiguous.
 - 3. When such property is not contiguous and execution of the covenant is required, the owner will also be required to submit a certificate of title to the city attorney's office to verify ownership of the property. The covenant will be recorded in the property records at the county courthouse and will stipulate that if the property becomes contiguous in the future and the property owner refuses to petition for annexation, the city will have the authority to terminate water services.
 - 4. Construction of water mains will not begin until the requirements of this policy are met, which shall be indicated by authorization of the mayor and council.
- C. In order to accomplish the intent of this section, the city shall develop a master plan for water mains, which shall be used as the guide for extensions to allow orderly growth of the system and development of the land within the city as well as in the areas surrounding the city as annexation occurs.

6.04.540. - Extensions to water system—Easements required.

- A. When extension of the water system is outside of public R/W. Extensions to the water system shall be made only when the consumer shall grant or convey or shall cause to be granted or conveyed to the city a permanent easement of right-of-way across any property traversed by the water lines.
- B. All easements shall allow adequate room to construct the water line and appurtenances. Permanent easements shall be centered on the water line a minimum of twenty (20') feet wide; except that when the depth of the water line exceeds ten (10') feet the required easement width shall increase such that the easement width is at least twice the depth from ~~the ground surface to bottom of the pipe.~~
- C. To provide for maximum utilization of public water systems, appropriate easements shall be provided to adjacent properties for access to, or extension of, said utilities as directed by City. Such easements shall be dedicated to the City of Stockbridge.
- D. It shall be the responsibility of the developer to obtain any off-site easements required to connect the project to existing public water system. Easements will be conveyed to the City of Stockbridge for all facilities that are to be conveyed to the city. Final plans shall not be approved until all necessary off-site easements have been submitted, approved and recorded.

6.04.550. - Financing extensions generally.

It is the general philosophy of the city that water extensions will be made only when they are paid for totally or partially by the user or where the extension proves financially attractive. Specifically, extensions will be made to various classes of users and facilities as outlined in this Section. All extensions shall be sized in accordance with the city's master water plans and/or as recommended by the city engineer and water superintendent. If the city's master plan or city officials require a water main larger than is required to meet the needs of the proposed user, the proposed user may request participation by the city for payment of the difference in cost of the main needed by the user and the main required by the city to serve the area. The user's engineer shall calculate the needs of the user based on proposed land use. Water demand factors for the various land use categories shall be according to accepted engineering standards and peaking factors shall be according to *Ten State Standards*. Water demand shall include domestic use and total fire flows with a remaining residual of twenty (20) psi. The user must provide at least an eight (8") inch main before the city will consider participation in oversizing costs. The mayor and council shall have the final decision as to whether service will be granted and reserves the right to approval of any participation agreement.

6.04.560. - Rebates and paybacks.

There will be no rebates or paybacks to developers or owners for extending water service lines to property lines exclusive of those instances where the city has existing contracts to the contrary.

6.04.570. - Service to existing individual residential and businesses.

Existing single residents and businesses in the city served by wells may request service from the city. The city shall have the service installed provided the user shall pay in advance the full cost of the main and

the service to the property line. The city may consider participation in oversized water and sewer mains as described in section 6.04.550.

6.04.580. - Service to groups of existing residences or businesses.

A group of existing residences or businesses in an area near a major water transmission main may petition the city for service and the mayor and council may cause the system to be installed and assess the total cost of all water mains and services to the property benefited, whether the owner chooses to connect to the system or not.

6.04.590. – Service to undeveloped areas.

In order to promote growth and development in an area of the city, the mayor and council may cause major water transmission mains and treatment facilities to be installed and assess the total cost for materials and construction of the system to all properties benefited. The assessment shall be paid to the city prior to connection to the system and shall be in addition to impact fees and the cost of any lines required to connect the individual users.

6.04.600. – Individual undeveloped lots.

Any person desiring service to an existing single undeveloped lot of record shall provide the required main extension and individual service to connect to the main except that the city may participate in required oversizing as provided in section 6.04.550.

6.04.610. – Subdivisions.

All water mains within subdivisions shall be provided by the subdivision's developer. All lines to connect to existing water transmission mains shall be provided by the subdivision's developer, except that the city may participate in required oversizing as provided in section 6.04.550. The definition of subdivision shall be the same as that in the city's subdivision regulations and shall include all classes of users, including residential, commercial and industrial classifications.

6.04.620. – Plan submittal.

A. General

All projects which involve connection to the City's public utility system shall have detailed construction plans prepared by a registered professional engineer licensed in the State of Georgia or a design professional who meets state licensure requirements applicable to the profession or practice he is engaged in.

(1) Water flow test. A water flow test shall be performed on the existing water line to determine the adequacy of the existing water supply line for the project. The test shall consist of a fire hydrant flow test and a twenty-four (24) hour pressure test. The developer is responsible for performing the water flow test under city's observation (developer must compensate city for observation).

(2) Test information shall consist of:

a. Static pressure and flow in gallons per minute (gpm).

- b. Residual pressure and flow in gpm.
 - c. Available flow at highest point in the development in gpm with residual pressure of twenty (20) psi.
 - d. Twenty-four (24) hour pressure chart.
- (3) An adequate supply of water for the proposed project shall be available prior to final approval of the plans. Flow tests shall be valid for one (1) year.
- (4) ~~All projects that have flow test results with static pressure less than thirty-five (35) psi~~ will require a special design study to be accomplished by the developer's engineer and submitted to the city for approval to ensure no problems are encountered during peak demands.

B. Preliminary Plan Review

Preliminary plans will be prepared and submitted to the water department for review as described in these development regulations. Questions relating to availability of sanitary sewers and proposed location of connection should be resolved at this stage before proceeding with final planning. A submittal for preliminary plan review must include all land to be developed even though the land is to be developed in several phases or units and include projected water and sewer demands. Availability determinations will be made for the total project.

C. Final Plan Review

All final plans for water system extensions shall be prepared in accordance with the requirements described in these development regulations, the City of Stockbridge *Minimum Development Standards Manual* and as requested in regulations promulgated by the Georgia Environmental Protection Division (EPD). The developer shall be responsible for submitting all necessary plans and other data to EPD for required approvals and for obtaining other permits, such as GDOT, railroad, etc. Plan approval is valid for 1-year. Developer is responsible for paying all permit fees.

D. Plan Elements

In addition to the information to be provided in these development regulations, the following information shall be provided on all site development plans:

- (1) All proposed water lines and the location and size of all valves, fittings, air relief valves, meters, service lines, discharge lines, blow-off chambers and other appurtenances.

6.04.630. – As-built drawings.

- A. All as-built or record drawings must be submitted in a digital computer file format, as well as with paper copies, with specifications as follows and submitted to the City of Stockbridge Water Department for acceptance.

Acceptable formats for digital as-builts include:

AutoCAD .dwg or .dxf files AND PDF

ESRI GIS "shape" files

ESRI GIS "geodatabase" files

- B. As-builts must include all data regarding the project including but not limited to water, sewer, stormwater and parcel data. This data needs to be submitted on separate layers and/or files under the aforementioned names. Detention ponds, pipe sizes, types, elevations, and inverts must be shown including impervious areas.
- C. GUIDELINES FOR PREPARATION OF AS-BUILTS:
- (a) As-built drawings will be the same format as the original construction plans.
 - (b) Road names, addresses and lot numbers should be on plans.
 - (c) "As-Builts" or "Record Drawing" is to be stamped in large clear print on plans.
 - (d) Sheet should be no larger than 22" × 34".
 - (e) Mains including size, manufacturer and material type should be shown.
 - (f) Service and meter locations should be shown.
 - (g) Fire hydrants, gate valves, air release valves should be shown with manufacturer information.
 - (h) Plan of fire meters or detector meters should be shown if applicable.

6.04.640. – Construction inspections.

- A. Responsibility for inspection. The developer's contractor will be responsible for the quality, accuracy and workmanship of his completed work. In addition, the developer shall employ a qualified professional (this shall normally be the same design professional who prepared the plans for the work) to review the quality of work as required during construction and to oversee the various specified tests and inspections.
- B. City personnel will visit the job site on a periodic basis and make spot checks, as they deem appropriate. The city shall have the right to review and inspect all construction and may reject any work that does not meet quality control standards. The developer shall notify the city at least 48 hours before observations are needed.
- C. Project access. Authorized representatives of the city, which may include employees, city engineering consultant, state or federal agencies shall have access to the site for inspection at all times.
- D. The developer, contractor(s) and the developer's professional responsible for inspection will be required to attend a pre-construction conference with the city. At the pre-construction

conference, the contractor will submit to the city, in writing, the date they proposed to begin construction. The contractor shall provide notification by phone any time the work is to be vacated and will provide notice by phone prior to resuming work.

- E. The developer's professional shall request the final inspection and provide at least 48-hours' notice.
- F. The city inspector may have informal verbal communications with the contractor's foreman or superintendent at any time during construction. The city inspector will not direct the actions of the contractor's workmen except in a situation that threatens public health.
- G. Concealed work. The city inspector may direct the contractor to notify the city and receive inspection approval prior to concealing certain work such as valves, tees, fire hydrants, pipe bedding, thrust blocking, lot services or other appurtenances or may direct contractor to uncover, if necessary.
- H. Minimum inspection. The following minimum inspections and tests will be performed and certified by the professional employed by the developer to perform quality control checking on the construction work:
 - 1. *Horizontal location.* Horizontal location of the mains shall be checked by measuring distance from the back-of-curb to the main. Main sizes, valve, hydrant, service location and thrust blocking shall be checked.
 - 2. *Compaction of backfill.* Compaction testing shall be required for mains constructed in paved areas or where pavement is planned. A minimum of two (2) tests at each road crossing shall be conducted at varying depths. If any of these tests show failing results, then the failing backfill will be removed, re-compacted and re-tested and one (1) additional area will be tested as well.
 - 3. *Observation.* Pressure and disinfection tests shall be observed until each test is passed.

6.04.650. – Interruption of water supply during construction.

A minimum of twenty-four (24) hours advance notice shall be given to any occupied building served by a water line that is required to be shut off. Occupants shall be informed of the date, time of cutoff and the duration of stoppage in person or by installation of hang tags. Failure to do so will make the contractor liable for any damages reported to the city. For outages affecting several customers, seventy-hour (72) advance notice shall be provided to the City of Stockbridge Water Department to facilitate coordination with local news media.

6.04.660. – Clean up.

Prior to requesting the final inspection, the contractor shall do the following:

- 1. Prior to requesting the "completion of water main construction" inspection, the contractor shall remove and dispose of in an acceptable manner all shipping timbers, shipping bands, spacers, excess materials, broken material, crates, boxes and any other material brought to the job site.

2. Any work areas, within the public right-of-way or on private property outside of the development, that were damaged by the water main construction shall be repaired or replaced with the same kind of material as existed prior to the damage occurring. All easement areas shall be completely cleared of trees, stumps and other debris and left in a condition such that the easement can be maintained by bush-hog equipment.
3. All shoulders, ditches, culverts and other areas disturbed by the water main construction shall be brought to the proper grades and left smooth in appearance.
4. ~~A uniform stand of grass for erosion protection, as defined in the *Manual for Erosion and Sediment Control in Georgia*, is required over all disturbed areas construction easements and water main easements prior to the city's acceptance of the water main.~~
5. Streets, sidewalks, landscaping and other public and private property disturbed in the course of the work shall be restored as near to original condition as possible or better in a manner satisfactory to the city.
6. Trenches shall be kept free of water by pumping or well pointing, as determined by the contractor. No structure shall be built, or pipe shall be laid, in water. All water pumped, bailed, or otherwise removed from the trench or other excavation shall be conveyed in a proper manner to a suitable place of discharge. Such discharge shall not cause injury to public health, property, work completed, work in progress or to any street surface, or cause any interference with the use of it by the public.
7. All excavations shall be adequately guarded with barricades and lights in compliance with all OSHA and Georgia DOT requirements so as to protect the public and workers from hazard.
8. Install concrete collars to grade around all valve boxes outside paved areas.
9. Ensure that all fire hydrants are set to grade and that all valves have been located and are fully open.

6.04.670. – Maintenance and payment bond.

The developer shall post a maintenance bond, letter of credit or cashier's check in an amount equal to 20% of the cost of the work or \$1,500, whichever is greater, in accordance with the City of Stockbridge's *Minimum Development Standards Manual*, on the facility for a two (2) year period after completion and conditional acceptance of the facility by the city. In addition, the developer shall post a payment bond on the facility for all subcontractor and material supplier work.

6.04.680. - Maintenance until final acceptance.

It shall be the developer's obligation to provide all maintenance for a two (2) year period after acceptance of the project by the city. At the end of the two (2) year maintenance period the city shall inspect the water system. Upon correction by the developer of all deficiencies noted by the city, the city will accept the water system for maintenance.

The City will complete all requirements for Utility Locates in accordance with O.C.G.A. 25-9. In no way does the City's performance of Utility Locates imply ownership of the facilities or responsibility for

maintenance and correction of failure or deficiencies for the duration of the maintenance period through final acceptance.

6.04.690. – Final inspections and conditional acceptance.

- A. The developer's professional responsible for inspection of construction will provide the city with a certified statement after he completes his inspection, testing and submittal of inspection reports, as-built drawings and easements. This statement must certify that all specified inspections and tests have been made and successfully passed, and that the work has been completed in substantial accordance with the approved plans and specifications. After receipt of this statement, the city will schedule a final inspection. A representative of the developer's professional and the contractor will be present during this final inspection. This final inspection will generally include spot checks of hydrants, valves and other appurtenances and a complete overview of the project. All valves shall be operated and tested against to ensure all valves are in the fully open position.
- B. Once all discrepancies are corrected, the city will issue a letter certifying conditional acceptance of the water system. This letter shall commence the start of the twenty-four (24) month warranty period, which is required of the contractor.
- C. On projects having phased development, this letter will allow the developer to apply for a permit for the next phase of development.
- D. At the end of twenty-four (24) months, the subdivision inspection team will reinspect the entire development. When all discrepancies have been corrected, the city will issue an acceptance letter and will begin perpetual maintenance and operation of the water system.

6.04.700. – Ownership of system.

The city shall retain ownership of the water system up to and including the curb stop and water meter. The water meter shall be placed at the right-of-way, and no meter shall be located on private property except as authorized under section 6.04.090. The city's ownership of the water system shall extend to the user's property line (right-of-way). The city will repair and maintain only that portion of the system which it owns. Replacement, repairs or defects beyond the limits outlined in this Section shall be at the sole expense of the user.

ARTICLE III. – CROSS CONNECTION CONTROL AND BACKFLOW PREVENTION

All connections to the City of Stockbridge's Public Water System shall meet the requirements outlined in the City's Cross Connection Control Program, incorporated into this document by reference.

ARTICLE IV. – WATER CONSERVATION AND DROUGHT MANAGEMENT

6.08.120. – Goals and objectives.

In furtherance of the State's policy to conserve water resources and demand management goals, the city, as a permitted water system operator, adopts the following goals and objectives:

- (a) To assure that first priority is given to providing water for human consumption and sanitation; all other purposes shall be secondary;

- (b) To control the rate of growth in overall water use so as to maximize the use of existing and planned water supply sources available to the city and its customers;
- (c) To implement best management standards for controlling water loss in order to achieve the state's recommended standards;
- (d) To reduce the upward trend of seasonal peak day demands that drive the costly expansion of water treatment, storage and transmission facilities; and
- ~~(e) To provide an orderly process for reducing system-wide demands during periods of drought or other emergency water shortages.~~

6.08.130. – Year-round water conservation practices.

- (a) All city water system users are encouraged to exercise voluntary water conservation practices at all times of the year, regardless of drought conditions, water shortage or emergency condition. The city may periodically provide informational guidance and conservation tips to its users.
- (b) All newly installed or substantially improved irrigation systems which use city water system water shall be equipped with automatic timers with rain or soil moisture sensors that activate to prevent operation of those systems while rain is falling and/or when soil moisture is adequate.
- (c) Persons may irrigate outdoors daily for purposes of planting, growing, managing, or maintaining ground cover, trees, shrubs, or other plants only between the hours of 4:00 p.m. and 10:00 a.m.; provided, however, there shall be no limitations placed on the following outdoor water use activities:
 - (1) Commercial agricultural operations as defined in O.C.G.A. § 1-3-3;
 - (2) Capture and reuse of cooling system condensate or stormwater in compliance with applicable state guidelines;
 - (3) Reuse of gray water in compliance with O.C.G.A. § 31-3-5.2 and applicable local board of health regulations adopted pursuant thereto;
 - (4) Use of reclaimed wastewater by a designated user from a system permitted by the Environmental Protection Division to reclaim wastewater;
 - (5) Irrigation of personal food gardens;
 - (6) Irrigation of new and replanted plant, seed, or turf in landscapes, golf courses or sports turf fields during installation and for a period of thirty (30) days immediately following the date of installation;
 - (7) Drip irrigation or irrigation using soaker hoses;
 - (8) Hand watering with a hose with automatic cutoff or from a handheld container;
 - (9) Use of water withdrawn from private water wells or surface waters by an owner or occupant of property on which such well or surface water is located;

- (10) Irrigation of horticultural crops held for sale, resale or installation;
 - (11) Irrigation of athletic fields, golf courses or public turf grass recreational areas;
 - (12) Installation, maintenance or calibration of irrigation systems; or
 - (13) Hydroseeding.
- (d) All other outdoor water use activities, other than landscape uses addressed in subsection (c) above, from connections to the city water system for all homes and businesses shall follow restrictions imposed by the Georgia Department of Natural Resources, as from time to time amended, consistent with the level of drought (if any); Rules and Regulations of the State of Georgia, Department of Natural Resources-Environmental Protection Division, Chapter 391-3-30, by express reference, is incorporated herein, together with the exemptions set forth therein.

6.08.140. – Drought or other water use restrictions.

- (a) Pursuant to O.C.G.A. § 12-5-102, the Director of the Environmental Protection Division of the Georgia Department of Natural Resources may, from time to time, impose by permit, administrative, or emergency order, additional use restrictions on the city's water system. Persons are prohibited from using or consuming water from the city's water system in violation of such restrictions or limitations.
- (b) In addition, thereto and supplemental thereof, water use restrictions may be imposed whenever the city's water system cannot supply its customers with sufficient water to protect the public health and safety without substantial reductions in water demand. Whenever it is determined, in writing, by the city in consultation with their consulting engineer that the system is unable or unlikely to continue meeting its customer demand without a substantial reduction in consumption, the city manager, upon application to and approval of the Director of the Environmental Protection Division, shall issue an administrative order imposing additional water use restrictions.

6.08.150. – Water use emergency.

Any other circumstances, including service losses caused by failure of equipment or facilities, human error, weather, or natural disaster, which constrain the system's water production capacity to less than the current level of customer demand may constitute a water use emergency. In the event the city manager or their designee determines reasonable cause exists to declare a water use emergency, authority is hereby delegated to the city manager, under the criteria set forth above, to issue an administrative order imposing immediate use restrictions on all users of the city water system. Orders issued by the city manager under this Section shall only restrict such nonessential uses as necessary to achieve system objectives, and may be modified, as needed, during a water use emergency to achieve the system's highest priority of providing water for human consumption and sanitation over all other water uses. An emergency order issued under this Section shall only be good for a duration of seven (7) days unless a variance is granted by the Director of the Environmental Protection Division pursuant to O.C.G.A. § 12-5-7.

6.08.160. – Notice of mandatory water conservation practices, water use restrictions, and/or water use emergency.

Customers and users of the city's water system shall be given notice of water use restrictions by the best means available, including without limitation, inclusion of a notice in monthly utility bills and/or publication in a newspaper of general circulation within the system's service area. Public service announcements through television, radio and posting on the city's website, may be utilized.

6.08.170. – Enforcement of mandatory water conservation practices, water use restrictions, and water supply emergency orders.

- (a) It shall be a violation of this Article for any person, firm, or corporation to use or permit the use of potable water from the city's water system for any purpose or use restricted or prohibited by mandatory water conservation practices established hereunder, or by an administrative order imposing water use restrictions or a water use emergency as provided by this Article.
- (b) Violators shall be cited to appear before the City of Stockbridge Municipal Court or other court of appropriate jurisdiction within the system's customer service area, and upon conviction shall be subject to a fine as set forth in Section 1.04.080 of this Code, or, if applicable, charged upon state warrant with committing a misdemeanor as defined by general law.
- (c) In addition thereto, in the sole discretion of the mayor and council, a water use surcharge, in an amount double the customer's most recent monthly water bill, may be imposed on any customer for a first (1st) violation of this Article; and a water use surcharge, in an amount triple the customer's most recent monthly water bill, may be imposed for a second (2nd) violation of this Article. For any subsequent violations within any twelve (12) month period, water service shall be discontinued to any customer of the city's water system that willfully or systematically violates restrictions or prohibitions on water usage after written notice from the city manager of the facts establishing such violation. When service has been discontinued under this Section, service shall not be reinstated unless the customer posts a surety bond in the amount of \$5,000.00, payable to the city, conditioned on faithful adherence to all water use policies and restrictions of the system.
- (d) The city manager is hereby authorized, as necessary, to seek from any court of appropriate equitable jurisdiction, injunctive relief against any user of the city's water system for summary abatement or remedying of appropriate conditions dangerous or prejudicial to the public health and safety, together with recovery of the costs and legal expenses thereof.

ARTICLE V. – IDENTIFY THEFT PREVENTION

6.12.010. - Short title.

This Article shall be known as the identity theft prevention program.

6.12.020. - Purpose.

The purpose of this Article is to comply with 16 CFR Section 681.2 in order to detect, prevent and mitigate identity theft by identifying and detecting identity theft red flags and by responding to such red

flags in a manner that will prevent identity theft.

6.12.030. - Definitions.

For purposes of this Article, the following definitions apply:

"City" means the city of Stockbridge.

"Covered account" means:

1. An account that a financial institution or creditor offers or maintains, primarily for personal, ~~family or household purposes, that involves or is designed to permit multiple payments or~~ transactions, such as a credit card account, mortgage loan, automobile loan, margin account, cell phone account, utility account, checking account, or savings account; and
2. Any other account that the financial institution or creditor offers or maintains for which there is a reasonably foreseeable risk to customers or to the safety and soundness of the financial institution or creditor from identity theft, including financial, operational, compliance, reputation, or litigation risks.

"Credit" means the right granted by a creditor to a debtor to defer payment of debt or to incur debts and defer its payment or to purchase property or services and defer payments therefor.

"Creditor" means any person who regularly extends, renews, or continues credit; any person who regularly arranges for the extension, renewal or continuation of credit; or any assignee of an original creditor who participates in the decision to extend, renew, or continue credit and includes utility companies and telecommunications companies.

"Customer" means a person that has a covered account with a creditor.

"Identity theft" means a fraud committed or attempted using identifying information of another person without authority.

"Person" means a natural person, a corporation, government or governmental subdivision or agency, trust, estate, partnership, cooperative, or association.

"Personal identifying information" means a person's credit card account information, debit card information, bank account information, and driver's license information, and for a natural person includes their social security number, mother's birth name, and date of birth.

"Red flag" means a pattern, practice or specific activity that indicates the possible existence of identity theft.

"Service provider" means a person that provides a service directly to the city.

6.12.040. - Findings.

- A. The city is a creditor pursuant to 16 CFR Section 681.2 due to its provision or maintenance of covered accounts for which payment is made in arrears.
- B. Covered accounts offered to customers for the provision of city services include water, sewer and sanitation services.
- C. The processes of opening a new covered account, restoring an existing covered account, and making payments on such accounts have been identified as potential processes in which identity

theft could occur.

- D. The city limits access to personal identifying information to those employees responsible for or otherwise involved in opening or restoring covered accounts or accepting payment for use of covered accounts. Information provided to such employees is entered directly into the city's records and is not otherwise distributed.
- E. The city determines that there is a low to moderate risk of identity theft occurring in the following way:
 - 1. Use by an applicant of another person's personal identifying information to establish a new covered account;
 - 2. Use of a previous customer's personal identifying information by another person in an effort to have service restored in the previous customer's name;
 - 3. Use of another person's credit card, bank account, or other method of payment by a customer to pay such customer's covered account or accounts; and
 - 4. Use by a customer desiring to restore such customer's covered account of another person's credit card, bank account, or other method of payment.

6.12.050. - Process of establishing a covered account.

- A. As a precondition to opening a covered account in the city, and in addition to all other application and security deposit requirements of this Article, each applicant shall provide the city with personal identifying information of the customer, to wit: a valid government issued identification card containing a photograph of the customer or, for customers who are not natural persons, a photograph of the customer's agent operating the account.
- B. If the covered account services real property titled in more than one (1) person, then personal identifying information must be presented by each property owner of record. If the customer opening the covered account is a tenant, personal identifying information must be presented for each tenant and each property owner of record.
- C. Should the city choose to utilize an on-line or web-based payment method, the city must then ensure that each covered account shall be assigned an account number and personal identification number (PIN) which shall be unique to that account. The city may utilize computer software to generate assigned PINs and to encrypt account numbers and PINs.

6.12.060. - Access to covered account information.

- A. Access to covered accounts shall be password protected and shall be limited to authorized city personnel.
- B. Such password(s) shall be changed by the city clerk, or their designee on a regular basis, shall be at least eight (8) characters in length and shall contain letters, numbers and symbols.
- C. All city computers on which customer information is stored and/or accessible must have screen savers and additional "time out" devices to deter unauthorized users.
- D. Printed customer information shall not be left unattended at any employee desk or workstation and must instead be secured in a limited access area, locked cabinet or similar secure place when said information is not actively in use.

- E. Any unauthorized access to or other breach of customer accounts is to be reported immediately to the city clerk and the password changed immediately.
- F. Personal identifying information included in customer covered accounts is considered confidential and any request or demand for such information shall be immediately forwarded to the city clerk and the city attorney.

6.12.070. - Credit card payments.

- A. In the event that credit card payments that are made over the internet are processed through a ~~third (3rd) party service provider, such third (3rd) party service provider shall certify that it has an~~ adequate identity theft prevention program in place that is applicable to such payments.
- B. All credit card payments made over the telephone or the city's website shall be entered directly into the customer's account information in the city computer database.
- C. Account statement and receipts for covered accounts shall include only the last four (4) digits of the credit or debit card or the bank account used for payment of the covered account.

6.12.080. - Sources and types of red flags.

All employees responsible for or involved in the process of opening a covered account, restoring a covered account or accepting payment for a covered account shall check for red flags as indicators of possible identity theft and such red flags may include:

- A. Alerts from consumer reporting agencies, fraud detection agencies or service providers. Examples of alerts include but are not limited to:
 - 1. A fraud or active duty alert that is included with a consumer report;
 - 2. A notice of credit freeze in response to a request for a consumer report;
 - 3. A notice of address discrepancy provided by a consumer reporting agency;
 - 4. Indications of a pattern of activity in a consumer report that is inconsistent with the history and usual pattern of activity of an applicant or customer, such as:
 - a. A recent and significant increase in the volume of inquiries,
 - b. An unusual number of recently established credit relationships,
 - c. A material change in the volume or frequency in credit used,
 - d. An account that was closed for cause or identified for abuse of account privileges by a financial institution or creditor.
- B. Suspicious Documents. Examples of suspicious documents include:
 - 1. Documents provided for identification that appear to be altered or forged;
 - 2. Identification on which the photograph or physical description is inconsistent with the appearance of the applicant or customer;
 - 3. Identification on which the information is inconsistent with information provided by the applicant or customer;

4. Identification on which the information is inconsistent with readily available information that is on file with the financial institution or creditor, such as a signature card or recent check; or
 5. An application that appears to have been altered or forged or appears to have been destroyed and reassembled.
- C. Suspicious personal identifying information, such as suspicious address change. Examples of suspicious personal identifying information include:
1. Personal identifying information that is inconsistent with external information sources used by the financial institution or creditor. For example:
 - a. The address does not match any address in the consumer report, or
 - b. The Social Security Number (SSN) has not been issued, or is listed on the Social Security Administration's Death Master File;
 2. Personal identifying information provided by the customer is not consistent with other personal identifying information provided by the customer, such as a lack of correlation between the SSN range and date of birth, gender, race, or age;
 3. Personal identifying information or a phone number or address, is associated with known fraudulent applications or activities as indicated by internal or third (3rd) party sources used by the financial institutions or creditor;
 4. The SSN provided is the same as that submitted by other applicants or customers;
 5. The address or telephone number provided is the same as or similar to the address or telephone number submitted by an unusually large number of applicants or customers;
 6. The applicant or customer fails to provide all required personal identifying information on an application or in response to notification that the application is incomplete;
 7. Personal identifying information is not consistent with personal identifying information that is on file with the financial institution or creditor;
 8. The applicant or customer cannot provide authenticating information beyond that which generally would be available from a wallet or consumer report.
- D. Unusual use of or suspicious activity relating to a covered account. Examples of suspicious activity include:
1. Shortly following the notice of a change of address for an account, city receives a request for the addition of authorized users on the account;
 2. A new revolving credit account is used in a manner commonly associated with known patterns of fraud patterns. For example:
 - a. The customer fails to make the first payment or makes an initial payment but no subsequent payments;
 3. An account is used in a manner that is not consistent with established patterns of activity on the account. There is, for example:

- a. Nonpayment when there is no history of late or missed payments,
- b. A material change in purchasing or spending patterns;
- 4. An account that has been inactive for a long period of time is used (taking into consideration the type of account, the expected pattern of usage and other relevant factors);
- 5. Mail sent to the customer is returned repeatedly as undeliverable although transactions continue to be conducted in connection with the customer's account;
- 6. The city is notified that the customer is not receiving paper account statements;
- 7. The city is notified of unauthorized charges or transactions in connection with a customer's account;
- 8. The city is notified by a customer, law enforcement or another person that it has opened a fraudulent account for a person engaged in identity theft.
- E. Notice from customers, law enforcement, victims or other reliable sources regarding possible identity theft or phishing related to covered accounts.

6.12.090. - Prevention and mitigation of identity theft.

- A. In the event that any city employee responsible for or involved in restoring an existing covered account or accepting payment for a covered account becomes aware of red flags indicating possible identity theft with respect to existing covered accounts, such employee shall use his or her discretion to determine whether such red flag or combination of red flags suggests a threat of identity theft. If, in his or her discretion, such employee determines that identity theft or attempted identity theft is likely or probable, such employee shall immediately report such red flags to the city clerk. If, in his or her discretion, such employee deems that identity theft is unlikely or that reliable information is available to reconcile red flags, the employee shall convey this information to the city clerk, who may in his or her discretion determine that no further action is necessary. If the city clerk in his or her discretion determines that further action is necessary, the city employee shall perform one (1) or more of the following responses, as determined to be appropriate by the city clerk:
 - 1. Contact the customer;
 - 2. Make the following changes to the account if, after contacting the customer, it is apparent that someone other than the customer has accessed the customer's covered account:
 - a. Change any account numbers, passwords, security codes, or other security devices that permit access to an account, or
 - b. Close the account;
 - 3. Cease attempts to collect additional charges from the customer and decline to sell the customer's account to a debt collector in the event that the customer's account has been accessed without authorization and such access has caused additional charges to accrue;
 - 4. Notify a debt collector within forty-eight (48) hours of the discovery of likely or probable identity theft relating to a customer account that has been sold to such debt collector in the event that a customer's account has been sold to a debt collector prior to the discovery of the

likelihood or probability of identity theft relating to such account;

5. Notify law enforcement, in the event that someone other than the customer has accessed the customer's account causing additional charges to accrue or accessing personal identifying information; and
 6. Take other appropriate action to prevent or mitigate identity theft.
- B. In the event that any city employee responsible for or involved in opening a new covered account becomes aware of red flags indicating possible identity theft with respect to an application for a new account, such employee shall use his or her discretion to determine whether such red flag or combination of red flags suggests a threat of identity theft. If, in his or her discretion, such employee determines that identity theft or attempted identity theft is likely or probable, such employee shall immediately report such red flags to the city clerk. If, in his or her discretion, such employee deems that identity theft is unlikely or that reliable information is available to reconcile red flags, the employee shall convey this information to the city clerk, who may in his or her discretion determine that no further action is necessary. If the city clerk in their discretion determines that further action is necessary, a city employee shall perform one (1) or more of the following responses, as determined to be appropriate by the city clerk:
1. Request additional identifying information from the applicant;
 2. Deny the application for the new account and notify the applicant as to the reason(s) for denial;
 3. Notify law enforcement of possible identity theft; or
 4. Take other appropriate action to prevent or mitigate identity theft.

6.12.100. - Updating the program.

The mayor and council shall annually review and, as deemed necessary by the them, update the identity theft program along with any relevant red flags in order to reflect changes in risk to customers or to the safety and soundness of the city and its covered accounts from identity theft. In so doing, the mayor and council shall consider the following factors and exercise its discretion in amending the program:

- A. The city's experiences with identity theft;
- B. Updates in methods of identity theft;
- C. Updates in customary methods used to detect, prevent and mitigate identity theft;
- D. Updates in the types of accounts that the city offers or maintains; and
- E. Updates in service provider arrangements.

6.12.110. - Program administration.

The city clerk is responsible for oversight of the program and for program implementation. The mayor and council are responsible for reviewing reports prepared by the city clerk and their staff regarding compliance with red flag requirements and with making material changes to the program, as may be recommended by the city clerk to address changing identity theft risks and to identify new or discontinued types of covered accounts.

- A. The city clerk will report to the mayor and council at least annually, on compliance with red

flag requirements. The report will address material matters related to the program and evaluate issues such as:

1. The effectiveness of the policies and procedures of the city in addressing the risk of identity theft in connection with the opening of covered accounts and with respect to existing covered accounts;
2. Service provider arrangements;
3. Significant incidents involving identity theft and management's response;
4. Recommendations for material changes to the program.

B. The city clerk is responsible for providing training to all employees responsible for or involved in opening a new covered account, restoring an existing covered account or accepting payment for a covered account with respect to the implementation and requirements of the identity theft prevention program. The city clerk shall exercise their discretion in determining the amount and substance of training necessary.

6.12.120. - Outside service providers.

In the event that the city engages a service provider to perform an activity in connection with one (1) or more covered accounts, the mayor and council shall exercise their discretion in reviewing such arrangements in order to ensure, to the best of the council's ability, that the service provider's activities are conducted in accordance with policies and procedures, agreed upon by contract, that are designed to detect any red flags that may arise in the performance of the service provider's activities and take appropriate steps to prevent or mitigate identity theft.

The city shall provide existing service providers with a copy of this Article and shall specifically notify said provider of its duty to comply with this Article. The city and said service suppliers shall review the terms of any existing contract and amend all contractual documents to comply with this Article.

ARTICLE VI. - SEWAGE COLLECTION AND DISPOSAL

DIVISION 1. - GENERALLY

6.16.010. - Purpose and policy.

This Article sets forth uniform requirements for direct and indirect contributors into the wastewater collection and treatment system for the city and enables the city to comply with all applicable state and federal laws required by the Clean Water Act of 1977 and the General Pretreatment Regulations (40 CFR 403).

6.16.020. - Objectives.

The objectives of this Article are to:

- (1) Prevent the introduction of pollutants into the municipal wastewater system which will interfere with the operation of the system or contaminate the resulting sludge;
- (2) Prevent the introduction of pollutants into the municipal wastewater system which will pass through the system, inadequately treated, into receiving waters or the atmosphere or otherwise be incompatible with the system;

- (3) Improve the opportunity to recycle and reclaim wastewaters and sludges from the system; and
- (4) Provide for equitable distribution of the cost of the municipal wastewater system.

6.16.030. - Administration.

This Article shall apply to the city and to persons outside the city who are, by contract or agreement with the city, users of the city's Publicly Owned Treatment Works (POTW). Except as otherwise provided, the sewer superintendent or appointee shall administer, implement and enforce the provisions of this Article.

6.16.040. - Scope.

This Article provides for the regulation of direct and indirect contributors to the municipal wastewater system through the issuance of permits to certain nondomestic users and through enforcement of general requirements for the other users; authorizes monitoring and enforcement activities; requires user reporting; assumes that existing customers' capacity will not be preempted; and provides for the setting of fees for the equitable distribution of costs resulting from the program established in this Article.

6.16.050. - Definitions.

Unless the context specifically indicates otherwise, the following terms and phrases, as used in this Article, shall have the meanings hereinafter designated:

Act or the Act. The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251, et seq.

Ammonia nitrogen. That fraction of nitrogen in the ammonia form as analytically determined by standard methods.

Approval authority. The director in a NPDES state with an approved state pretreatment program or the appropriate EPA Regional Administrator in a non-NPDES State or NPDES State without an approved State pretreatment program (40 CFR 403.3). The Approval Authority approves POTW pretreatment programs, oversees POTW program implementation, and assumes the responsibility of the Control Authority for those POTWs that do not have a pretreatment program.

Authorized representative of industrial user. An authorized representative of an industrial user may be: (1) a principal executive officer of at least the level of vice president, if the industrial user is a corporation; (2) a general partner or proprietor if the industrial user is a partnership of proprietorship, respectively; (3) a duly authorized representative of the individual designated above if such representative is responsible for the overall operation of the facilities from which the indirect discharge originates.

Biochemical oxygen demand (BOD). A measurement of the amount of oxygen utilized by the decomposition of organic material, over a specified time period (usually 5 days) in a wastewater sample. It is used as a measurement of the readily decomposable organic content of wastewater.

Building drain. The 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.

Building sewer. A sewer conveying wastewater from the premises of a user to the POTW or other place of disposal.

Categorical standards. National Categorical Pretreatment Standards or pretreatment standards.

City. The City of Stockbridge or the Mayor and Council of Stockbridge.

City engineer. City Engineer of the City of Stockbridge, or their authorized deputy, agent or representative.

COD (denoting chemical oxygen demand). Shall mean the quantity of dissolved oxygen required for the chemical oxidation of decomposable matter under aerobic conditions. COD shall be determined by EPA approved methods.

Collection sewer. A sewer line less than twelve (12") inches in diameter that receives wastewater from a small geographic area and discharges into an interceptor sewer serving more than one collection sewer area.

Combined sewer. A sewer receiving both surface runoff and sewage.

Composite. The make-up of a number of individual samples, so taken as to represent the nature of wastewater or industrial wastes.

Constituents. The combination of particles, chemicals or conditions which exist in the industrial wastes.

Contractual FOG services. A contractual arrangement with an approved registered commercial waste transporter which provides a containment device for all FOG related material constituents generated by a food industry customer including scheduled removal of all FOG materials so as none of these FOG constituents enters the sanitary sewer system or publicly owned treatment works.

Control authority. As defined in 40 CFR 403.12, the POTW if the POTW's submission for its pretreatment program (40 CFR 403.3(t)) has been approved in accordance with the requirements of 40 CFR 403.11. If the submission has not been approved, the Control Authority is the Approval Authority. The Control Authority is responsible for implementing the pretreatment program, including establishment of control mechanisms for compliance assessment and enforcement of national standards, categorical standards and local limits.

Control manhole. An appropriately located manhole from which a given user's effluent can be effectively sampled by the city's standard methods.

Cooling water. The water discharged from any use such as air conditioning, cooling or refrigeration or to which the only pollutant added is heat.

Direct discharge. The discharge of treated or untreated wastewater directly to the waters of the State of Georgia.

Effluent. The discharge of flow of a treatment facility.

Environmental Protection Agency or EPA. The U.S. Environmental Protection Agency, or where appropriate, the term may also be used as a designation for the administrator of other duly authorized officials of said agency.

Flammable. Defined by existing fire regulations covering the city.

FOG. Means fats, oils and grease.

Food industry customer. Any restaurant, bakery, deli, meat market, fish/seafood market commercial kitchen or commercial establishment that prepares or cooks food, either for takeout service or to be consumed on-site.

Garbage. Solid wastes from domestic and commercial preparation, cooking and dispensing of food, and

from the building, storage and sale of produce.

Grab sample. A sample which is taken from a waste stream on a one (1) time basis with no regard to the flow in the waste stream and without consideration of time.

Grease interceptor. A device designed and installed to separate and retain for removal food wastes and grease from the waste stream while allowing the balance of the liquid waste to discharge to the wastewater collection system by gravity.

Grease trap or interceptor. A fixture through which all of the discharge of a connection flows and which provides a minimum detention period of ten (10) minutes between influent and effluent baffles with twenty (20%) percent of the total volume as allowance for a sludge pocket.

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

Indirect discharge. The introduction of pollutants into a POTW from any non-domestic source regulated under section 307(b), (c) or (d) of the Act.

Industrial user. Non-domestic source of pollutants into a POTW regulated under Section 307(b), (c) or (d) of the Clean Water Act.

Industrial wastes. The liquid wastes from industrial manufacturing processes, trade or business as distinct from domestic sewage.

Influent. The wastewaters arriving at the wastewater treatment plant for treatment.

Interceptor sewer or trunk line. A sewer line twelve (12") inches or more in diameter into which one or more collection sewers are tributary.

Interference. EPA uses the term "interference" in its regulations to describe a discharge that, alone or with discharges from other sources, inhibits or disrupts a POTW, its treatment processes and operations, or its sludge processes, use, or disposal and, therefore, causes a violation of the POTW's NPDES permit, increases the magnitude or duration of such a violation, or prevents the proper use or disposal of sewage sludge in compliance with the Clean Water Act, Solid Waste Disposal Act, Toxic Substance Control Acts, or the Marine Protection, Research and Sanctuaries Act.

Metered water. The amount of water consumed by the sewer customer, as measured by the city's water meter.

mg/l. Milligrams per liter, or the ratio by weight, interchanged with parts per million (ppm).

National Categorical Pretreatment Standard or pretreatment standard. Any regulations containing pollutant discharge limits promulgated by the EPA in accordance with sections 307(b) and (c) of the Act (33 U.S.C. 1347) which applies to a specific category of industrial user.

National Pollution Discharge Elimination System or NPDES permit. The permitting system established by the Clean Water Act, which regulates the discharge of pollutants into the waters of the United States. Such a discharge is prohibited unless a NPDES permit is issued by EPA or, where authorized, a State; or a Native American Tribal government.

National prohibitive discharge standard or prohibitive discharge standard. Any regulation developed under the authority of section 307(b) of the Act and 40 CFR, Section 403.5.

Natural outlet. Any outlet into a watercourse, pond, ditch, lake or other body of surface or groundwater.

New source. Any building, structure, facility or installation from which there is or may be a Discharge of pollutants, the construction of which commenced after the publication of proposed Pretreatment Standards under section 307(c) of the Act which will be applicable to such source if such Standards are thereafter promulgated in accordance with that section, provided that: (i) the building, structure, facility or installation is constructed at a site at which no other source is located; or (ii) the building, structure, facility or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or (iii) the production or wastewater generating processes of the building, structure, facility or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source should be considered.

Normal. Those values as standards in the measurement of this division; these limits are defined in context.

Person. An individual, corporation, partnership, association, State, municipality, commission, or political subdivision of a State, or any interstate body.

pH. The logarithm (base 10) of the reciprocal of the concentration of hydrogen ions expressed in grams per liter of solution.

Pollutant. Any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal and agricultural waste discharged into water.

Pollution. The manmade or man-induced alteration of the chemical, physical, biological and radiological integrity of water.

POTW treatment plant. That portion of the POTW designed to provide treatment to wastewater.

ppm. Parts per million, shall mean ratio by weight.

Pretreatment or treatment. As defined in 40 CFR 403.3, "pretreatment" means the reduction of the amount of pollutants, the elimination of pollutants, or the alternation of the nature of pollutant properties in wastewater prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW.

Pretreatment device. Any device, equipment or system designed to accomplish pretreatment.

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

Properly shredded garbage. The wastes from the preparation, cooking and dispensing of foods 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.

Public sewer. A sewer in which all owners of abutting properties shall have equal rights and is controlled by public authority.

Publicly owned treatment works (POTW). A treatment works, as defined by Section 212 of the CWA, that is owned by the State or municipality. This definition includes any devices and systems used in the storage, treatment, recycling, and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes sewers, pipes and other conveyances only if they convey wastewater to a POTW

treatment plant [40 CFR 403.3]. Privately owned treatment works, Federally owned treatment works, and other treatment plants not owned by municipalities are not considered POTWs.

Receiving waters. Those waters into which wastes are discharged.

Recurrent maintenance. The removal of the entire contents of the grease interceptor system by pumping the contents of the grease interceptor system no less than once every month. The pumping of contents will be in accordance with State of Georgia Environmental Protection Division Rules and Regulations for Water Quality Control 391-3-6-.24 Regulation of Commercial Waste Originators, Pumpers, Transporters, Processors and Disposal Facilities.

Registered commercial waste transporter. A business/owner registered by the State of Georgia Environmental Protection Division (EPD) and whose tank trucks are permitted by a local governing authority.

Sampling. The collection of a sample of two (2) effluent discharges by a given connection to the system.

Sand trap. Means a structure or device designed primarily for the accumulation and removal of grit or sand.

Sanitary sewer. A sewer which carries sewage and to which storm, surface and groundwaters are not intentionally admitted.

Septic tank waste. That waste which results from the emptying of domestic septic tanks.

Sewage. A combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such ground, surface and stormwaters as may be present.

Sewage treatment plant or wastewater treatment plant. Any arrangement of devices and structures used for treating sewage.

Sewage works. All facilities for collecting, pumping, treating and disposing of sewage.

Sewer. A pipe or conduit for carrying sewage.

Sewer connection charge. The charge assessed by the City, against the sewer customers within or without the city that are connected to, or have access to, the city sewage system.

Sewer superintendent. The person designated by the city to supervise the operation of the publicly owned treatment works and who is charged with certain duties and responsibilities by this Article or their duly authorized representative.

Shall is mandatory. *May* is permissive.

Significant industrial user. As defined in 40 CFR 403.3, all users subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR chapter I, subchapter N; and any other industrial user that discharges an average of 25,000 gallons per day or more of process wastewater to a POTW; contributes a process wastestream that makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or is designated as such by the Control Authority defined in 40 CFR 403.12(a) on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement [in accordance with 40 CFR 403.8(f)(6)].

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 flow during normal operation.

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

Standard methods. Shall mean those procedures or methods established by the latest edition of the "Standard Methods for the Examination of Water and Wastewater", as prepared, approved and published jointly by the American Public Health Association, the American Water Works Association and the Water Pollution Control Federation.

State. State of Georgia.

Storm drain or storm sewer. A sewer which carries storm and surface waters and drainage, but excludes sanitary and industrial wastes, other than unpolluted cooling water.

Stormwater. Any flow occurring during or following any form of natural precipitation and resulting therefrom.

Suspended solids or total suspended solids. A measure of the suspended solids in wastewater, effluent, or water bodies, determined by tests for "total suspended non-filterable solids".

Total solids. Total weight ppm of all solids; dissolved, undissolved, organic or inorganic.

Toxic pollutant. Those pollutants, or combinations of pollutants, including disease-causing agents, which after discharge and upon exposure, ingestion, inhalation or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains, will, on the basis of information available to the Administrator, cause death, disease, behavioral abnormalities, cancer, genetic mutations, physiological malfunctions (including malfunctions in reproduction) or physical deformations, in such organisms or their offspring.

User. Any person who contributes, causes or permits the contribution of wastewater into city's POTW.

Wastewater. The liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities, and institutions, together with any groundwater, surface water and stormwater that may be present, whether treated or untreated, which is contributed into or permitted to enter the POTW.

Wastewater contribution permit. As set forth in Division 8 of this Article.

Watercourse. A channel in which a flow of water occurs, either continuously or intermittently.

Waters of the state. All streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the state or any portion thereof in accordance with O.C.G.A. 12-7.

6.16.060. - Abbreviations.

The following abbreviations shall have the designated meanings:

BOD	Biochemical oxygen demand
CFR	Code of Federal Regulations
COD	Chemical oxygen demand

EPA	Environmental Protection Agency
l	Liter
mg	Milligrams
mg/l	Milligrams per liter
NPDES	National Pollutant Discharge Elimination System
POTW	Publicly owned treatment works
SIC	Standard Industrial Classification
SWDA	Solid Waste Disposal Act, 42 USC 6901 et seq.
USC	United States Code
TSS	Total suspended solids

6.16.070. – Notice of Violation

Any person found to be violating any provision of this Article shall be served by the city with written notice by certified mail, return receipt requested, stating the nature of the violation and providing a five (5) day time limit for its satisfactory correction. The offender shall, within the period of time stated in such notice, permanently cease all violation.

6.16.080. - Violations and penalties.

- A. Any person found to be violating any provision of this Chapter shall be served by the city with written notice stating the nature of the violation and providing a reasonable time for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.
- B. Any person who shall continue any violation hereof beyond the time limit provided for in Section 6.16.070 hereof, or who shall continue any other violation hereof beyond the time limit provided for in Subsection A above, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished as provided in Section 1.04.080. Each day in which such a violation shall continue shall constitute a separate offense and violation.

6.16.090. - Liability for expenses.

Any person violating any of the provisions of this Article shall become liable to the city for any expense, loss or damage occasioned by the city by reason of such violation.

DIVISION 2. - USE OF PUBLIC SEWERS REQUIRED

6.16.100. - Unlawful deposits of objectionable waste on public or private property.

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

6.16.110. - Unlawful discharge of sewage to any natural outlet.

~~It shall be unlawful to discharge to any natural outlet within the city, or in any area under the jurisdiction of the city, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Article.~~

6.16.120. - Privies, privy vaults, similar facilities, unlawful.

Except as otherwise provided in this Article, 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.

6.16.130. - Sewer service—Application requirements—Security deposit.

The consumer shall make application for water and sewer service in person at the city hall and at the same time shall make a security deposit as fixed from time to time by the mayor and council for sewer service.

6.16.140. - Connection to public sewer required.

The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes situated within the city and abutting on any street, alley or right-of-way in which there is located a public sanitary sewer of the city is required at his expense to install suitable restroom facilities and connect such facilities to the sewer system in accordance with the provisions of this Article, within ninety (90) days after date of official notice to do so, provided a public sewer is within two-hundred (200') feet of the property lines.

6.16.150. - Connection to city water service required to receive sewer service.

The owner shall connect to the city's water system as a prerequisite to receiving sewer service.

DIVISION 3. - PRIVATE SEWAGE DISPOSAL

6.16.160. - Rules and regulations adopted.

- A. The use of existing on-site sewage management systems (hereinafter referred to as "septic tanks") shall be allowed to continue until the same no longer functions as required under the ordinances of the city, or as may otherwise be directed by an ordinance of the city, at which time the owner of the property shall be required to connect onto the city's sewer system and to pay the fees required by the city for such sewage connection. If routine, anticipated maintenance may be performed and allow the on-site sewage management system to function, owner will not be required to connect to the public sewer system.
- B. Septic tanks are prohibited unless approved prior to installation by the mayor and council.
- C. The rules of Henry County Board of Health Rule No. 89-1, on-site sewage management systems as approved and adopted by the Henry County Board of Health on December 12, 1989, as thereafter

amended, are incorporated by reference and made part of the on-site sewage management systems regulations for the city. The city clerk shall maintain a true and correct copy of Rule No. 89-1 as amended as part of the records of the city and as a part of this Chapter.

6.16.170. - Private systems permitted when.

Where a public sanitary sewer is not available under the provisions of Section 6.16.140, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this Division, provided the lot consists of a minimum of at least one (1/2) half acre with a minimum dimension of one-hundred (100') feet.

6.16.180. - Permit requirements.

No property owner, occupant, tenant or lessee will be allowed to construct a privately-owned sewage disposal system without first (1st) filing an application with the city, paying an inspection fee as fixed from time to time by the mayor and council, and obtaining a written consent from the mayor and council. Any person, firm or corporation installing a private sewage disposal system shall execute an agreement with the city stating that should sewage facilities become available to the subject property that said person, firm or corporation, his/its heirs, administrators, executors, transferees, successors and assigns, shall agree to connect to the city's sewage system and pay the required tap-on fees and deposit at the time those facilities are made available to the property owner.

6.16.190. - Inspection.

A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the county health officer. He shall be allowed to inspect the work at any stage of construction and in any event the applicant for the permit shall notify the county health officer when the work is ready for final inspection and before any underground portions are covered. The inspection shall be made within forty-eight (48) hours of the receipt of notice by the county health officer.

6.16.200. - Construction specifications.

The type, capacities, location and layout of a private sewerage disposal system shall comply with all recommendations of the State Department of Natural Resources-Environmental Protection Division. No septic tank or cesspool shall be permitted to discharge to any public sewer or natural outlet.

6.16.210. - Owner to maintain facilities in sanitary manner.

The owner shall operate and maintain the private sewerage disposal facilities in a sanitary manner at all times at no expense to the city.

6.16.220. - Compliance with health officer requirements.

No statement contained in this Chapter shall be construed to interfere with any additional requirements that may be imposed by the county health officer.

6.16.230. - Abandonment when public sewer becomes available.

At such time as a public sewer becomes available to a property served by a private sewerage disposal system, as provided in Section 6.16.140, a direct connection shall be made to the public sewer in

compliance with this Chapter, and any septic tanks, cesspools and similar private sewerage disposal facilities shall be abandoned and filled with suitable material.

DIVISION 4. - BUILDING SEWERS AND CONNECTIONS

SANITARY SEWER SYSTEMS

6.16.240. - Purpose.

- A. The purpose of this section is to address the minimum requirements for design and construction of public sanitary sewer systems and on-site sewage disposal system.
- B. The authority for discretionary provisions for design and construction of public sewer systems shall vest with the city engineer and/or sewer superintendent.
- C. This Chapter is subject to periodic revision to meet changing requirements for materials, environmental regulations, etc. At the beginning of a project the user should verify that he has the latest edition.
- D. This document is intended to convey the general design and construction requirements for a typical project. It also lists specific requirements relating to inspection, testing and acceptance of facilities. It is not intended as a substitute for site-specific engineering and construction techniques. A more specific list of requirements related to construction, inspection, testing and acceptance may be found in the City of Stockbridge *Minimum Development Standards Manual*.

6.16.250. – Technical specifications.

- A. All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the city from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.
- B. A separate and independent building sewer shall be provided for every building; except where one (1) building stands at the rear of another or 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 (1) building sewer, provided both buildings are under the same ownership. However, if separate water meters service each building, then separate sewer service will be charged to each building.
- C. Old building sewers may be used in connection with new buildings only when they are found, on examination and testing by the city, to meet all requirements of this Article.
- D. The size, slope, alignment, materials of construction of a building sewer and service lateral, and the methods to be used in construction shall conform to the requirements of the statewide minimum construction codes, applicable regulations of the City of Stockbridge Sewer Department, and American Society of Civil Engineers (ASCE) Manuals and Reports on Engineering Practice No. 37 and the Water Pollution Control Federation (WPCF) Manual of Practice No. 9. All connections to the public sewer system shall be approved in writing by the city engineer and/or sewer superintendent, based upon permit application and payment of permit and inspection fees, as applicable, from time to time, by resolution of the mayor and council. Sewer superintendent may request to inspect certain aspects of the work. In such

instances, no work shall be covered until inspected by the sewer superintendent or their representative.

- E. Whenever possible, the building sewer shall be at an elevation below the lowest floor of the building or structure and at least three (3) feet above the point of sewer connection. In all buildings in which the building sewer is too low to permit gravity flow to the public sewer, sewage shall be lifted by a means approved, in writing, by the city engineer and/or sewer superintendent. It shall be the responsibility of the property owner to maintain in proper working condition any lift pumps and/or tanks for such connection.
- F. The service lateral and all connections between the building sewer and the public sewer shall be gastight and watertight, as verified by proper testing and inspection. It shall be the duty of the property owner to maintain the service lateral in proper working condition. If any service lateral permits the entrance of infiltration or inflow, the city engineer and/or sewer superintendent may require the owner to repair or replace the service lateral; or require the owner to disconnect the building from the public sewer system.
- G. Roof downspouts, foundation drains, yard drains or other sources of surface runoff shall not be connected to the building sewer or service lateral for entry into the public sewer.
- H. In all new construction, a backwater valve shall be installed to prevent sewage from backing into the building or structure. In all other existing structures, the sewer superintendent may, in his sole discretion, require installation of a backwater valve by written directive to the property owner to prevent reoccurrence of a sewer backup. The city does not accept legal responsibility for damages to real or personal property caused by sewer backups where backwater valves are required or have been directed to be installed. It shall be the duty of the property owner to maintain backwater valves in proper working condition.

6.16.260. – Separate water or sewer service.

Water and/or sewer service shall not be rendered separately unless the mayor and council find that the denial of one service because of the inaccessibility of the other would create a health hazard or undue hardship and by a majority vote in a regularly scheduled meeting allows the rendering of separate service. If such an exception is granted, all of the other provisions of this Article shall still be in effect.

6.16.270. – Tampering with public sewers.

No unauthorized person shall uncover, make any connection with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first (1st) obtaining a written permit from the city. The city may issue a citation requiring the violator to appear in the Municipal Court of the City of Stockbridge, and if found guilty, shall be punished as provided in Section 1.04.080.

6.16.280. – General policy and requirements.

- A. Developers of new residential or commercial developments, regardless of anticipated flow contributions, shall submit to the City a sewer capacity study stamped by an Engineer registered in the State of Georgia. Following review of the capacity study and prior to beginning construction, the city will issue a statement of utility availability which shall be valid for one (1) year from the date of issuance.

- B. Sewer systems shall be designed in accordance with the densities and intensities reflected in the long-range future land use map of the adopted City of Stockbridge Comprehensive Plan and the city's wastewater management plan.
- C. The approximate location and character of proposed public sewer facilities shall correspond with the existing and proposed sewer system map, as amended.
- D. Sewer systems shall be designed for the estimated future population from all contributing points under consideration. The estimated future population shall be based on the adopted comprehensive plan and/or the existing zoning of the land for the watershed to be sewered, whichever is greater.
- E. Except as provided below, all future buildings within the city's corporate limits that are to be utilized for human occupancy or any other use such as commercial or industrial purposes that requires sanitary sewerage facilities shall be connected to the public sanitary sewer system.
 - 1. Waiver of the requirement to connect to public sanitary sewers will be considered on a case-by-case basis for non-subdivided, single-lot buildings when the nearest connection point to a public sanitary sewer is more than two hundred (200') feet from the property line, only when such buildings are to be used for single-family dwelling or some other use where the wastewater loading is no more than that of a single-family dwelling. Requests for waiver must be accompanied by appropriate documentation as may be required by local public health officials.
- F. All sewers and service laterals located outside of dedicated rights-of-way or public easements are regulated by the International Plumbing Code adopted by the city and shall be privately maintained.
- G. There shall be no physical connections between a drinking water supply and a sewer or appurtenance thereof.
- H. Sewer systems shall be designed to carry the peak flows generated by the estimated future population from all contributing points under consideration.
- I. Minimum main size. It shall be unlawful for the city or any committee thereof to accept as a part of the sewer system of the City of Stockbridge any subdivision having sewer mains running through such subdivision that are less than eight (8") inches in accordance with 10 State Standards in diameter.
- J. The applicant for a building sewer permit shall notify the sewer superintendent or their representative when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the sewer superintendent or their representative. Should the connection be made without the supervision of the sewer superintendent or their representative, the connection shall be exposed by the owner at his expense so that the connection can be inspected by the sewer superintendent or their representative.

6.16.290. - Material and construction specifications.

The specifications for materials and construction of all sewer mains, sewer services, casings, bores, valves, concrete work, etc. shall be the City of Stockbridge *Minimum Development Standards Manual* as adopted and approved by mayor and council. This shall include lines on public property as well as lines on private property in accordance with section 6.04.090 up to the clean out. The specifications for plumbing materials on private property beginning at the clean out shall be according to the International Plumbing Code as adopted and approved by the city.

6.16.300. – Sewer service area.

- (a) It is the intent of the mayor and council to provide sewer service in accordance with the adopted Service Delivery Strategy on a self-sustaining basis to any and/or all users within the corporate limits of the city. It is not the intent to add new sewer users outside of the corporate limits of the city. Service will be supplied to anyone requesting it, provided the service will be feasible financially and insofar as possible self-sustaining. In cases where economic feasibility is a factor, the city shall have the final decision as to whether or not service will be provided. In determining feasibility, the city will consider the cost of construction as well as the cost of maintenance both before and after the extended system is fully utilized.
- (b) When a property owner requests sewer service to property not within the corporate limits of the city, at the discretion of the city, the owner will be required to:
 - 1. Petition for annexation (if the property is contiguous to the existing limits of the city) prior to commencement of construction of sewer mains; or
 - 2. Execute a restrictive covenant consenting to annexation of such property into the city when the property becomes contiguous.
 - 3. When such property is not contiguous and execution of the covenant is required, the owner will also be required to submit a certificate of title to the city attorney's office to verify ownership of the property. The covenant will be recorded in the property records at the county courthouse and will stipulate that if the property becomes contiguous in the future and the property owner refuses to petition for annexation, the city will have the authority to terminate sewer services.
 - 4. Construction of sewer mains will not begin until the requirements of this policy are met, which shall be indicated by authorization of the mayor and council.
- (c) In order to accomplish the intent of this Section, the city shall develop a master plan for sewer mains, which shall be used as the guide for extensions to allow orderly growth of the system and development of the land within the city as well as in the areas surrounding the city as annexation occurs.

6.16.310. - Extensions to sewer system—Easements required.

- A. Extensions to the sewer systems shall be made only when the consumer shall grant or convey or shall cause to be granted or conveyed to the city a permanent easement of right-of-way across any property traversed by the sewer lines as needed.

- B. All easements shall allow adequate room to construct the sanitary sewer and appurtenances. Permanent easements shall be a minimum of twenty (20') feet wide, centered on the line except that when the depth of the sanitary sewer exceeds ten (10') feet the required sanitary sewer easement width shall increase such that the easement width is at least twice the depth from the ground surface to bottom of the pipe.
- C. To provide for maximum utilization of public sewer systems, appropriate easements as approved by City Engineer shall be provided to adjacent properties for access to, or extension of, said utilities. Such easements shall be dedicated to the City of Stockbridge.
- D. It shall be the responsibility of the developer to obtain any off-site easements required to connect the project to existing public sanitary sewers. Easements will be conveyed to the City of Stockbridge for all facilities that are to be dedicated to the city. Final plans shall not be approved until all necessary on-site and off-site sanitary sewer easements have been submitted, approved and recorded.

6.16.320. - Financing extensions generally.

It is the general philosophy of the city that sewer extensions will be made only when they are paid for totally or partially by the user or where the extension proves financially attractive. Specifically, extensions will be made to various classes of users and facilities as outlined in this section. All extensions shall be sized in accordance with the city's master sewer plans and/or as recommended by the city engineer and sewer superintendent. If the city's master plan or city officials require a sewer main larger than is required to meet the needs of the proposed user, the proposed user may request participation by the city for payment of the difference in cost of the main needed by the user and the main required by the city to serve the area. The user's engineer shall calculate the needs of the user based on proposed land use. Sewer demand factors for the various land use categories shall be according to accepted engineering standards and peaking factors shall be according to *Ten State Standards*. The mayor and council shall have the final decision as to whether service will be granted and reserves the right to approval of any participation agreement.

6.16.330. - Rebates and paybacks.

There will be no rebates or paybacks to developers or owners for extending sewer service lines to property lines exclusive of those instances where the city has existing contracts to the contrary.

6.16.340. - Service to existing individual residential and businesses.

Existing single residents and businesses in the city served by septic tanks may request service from the city. The city shall have the service installed provided the user shall pay in advance the full cost of the main and the service to the property line. The city may consider participation in oversized sewer mains as described in section 6.04.320.

6.16.350. - Service to groups of existing residences or businesses.

A group of existing residences or businesses in an area near a major sewer interceptor main may petition the city for service and the mayor and council may cause the system to be installed and assess

the total cost of all sewer mains and services to the property benefited, whether the owner chooses to connect to the system or not

6.16.360. – Service to undeveloped areas.

In order to promote growth and development in an area of the city, the mayor and council may cause major sewer interceptor mains, lift stations and treatment facilities to be installed and assess the total cost for materials and construction of the system to all properties benefited. The assessment shall be paid to the city prior to connection to the system and shall be in addition to impact fees and the cost of any lines required to connect the individual users.

6.16.370.- Individual undeveloped lots.

Any person desiring service to an existing single undeveloped lot of record shall provide the required main extension and individual service to connect to the main except that the city may participate in required oversizing as provided in section 6.04.320.

6.16.380. – Subdivisions.

All sewer mains within subdivisions shall be provided by the subdivision's developer. All lines to connect to existing sewer transmission mains shall be provided by the subdivision's developer, except that the city may participate in required oversizing as provided in section 6.04.320. The definition of subdivision shall be the same as that in the city's subdivision regulations and shall include all classes of users, including residential, commercial and industrial classifications.

6.16.390. – Plan submittal.

A. General

All projects which involve construction of lateral sewers, main sewers, trunk sewers, interceptor sewers or pumping facilities shall have detailed construction plans and specifications prepared by a registered professional engineer licensed in the State of Georgia or a design professional who meets state licensure requirements applicable to the profession or practice he is engaged in. Developments that only involve building sanitary sewers may have plans and specifications prepared by the project architect.

B. Preliminary Plan Review

Preliminary plans will be prepared and submitted to the City of Stockbridge Sewer Department for review as described in these development regulations. Questions relating to availability of sanitary sewers and proposed location of connection should be resolved at this stage before proceeding with final planning. A submittal for preliminary plan review must include all land to be developed even though the land is to be developed in several phases or units. Availability determinations will be made for the total project.

C. Final Plan Review

All final plans for public sanitary sewer facilities shall be prepared in accordance with the requirements described in these development regulations, the City of Stockbridge Standards and Specification Manual and as required in regulations promulgated by the Georgia Environmental Protection Division (EPD). The developer shall be responsible for submitting all necessary plans and other data to EPD for required approvals and for obtaining other permits, such as GDOT, railroad, wetlands, etc.

- (1) The design of cross-country (undeveloped property) sanitary sewer lines and force mains shall be based on field-run surveys. The site plan for cross-country sanitary sewer lines and force mains need not show contour intervals, but the profiles shall be based on mean sea level elevation. Site plans for lift stations shall show existing and proposed contours.
- (2) In the event the subdivision is developed in phases, the final construction plans for sanitary sewers may be submitted in phases.
- (3) Profiles should have a horizontal scale of not more than one hundred (100') feet to the inch for cross-country lines and fifty (50') feet to the inch for (existing and proposed) developed areas, and a vertical scale of not more than ten (10') feet to the inch. The plan view should be drawn to a corresponding horizontal scale. The plan view should normally be shown on the same sheet as the profile. In any case both the plan and profile view should have line designations, station numbers, manhole numbers and any other indexing necessary to easily correlate the plan and profile view. The vertical datum used should be the elevation above mean sea level with benchmarks shown on the plans. Plans and profile shall show location of streets, storm sewer, water lines and their easements.
- (4) The Georgia Soil and Water Conservation has taken provisions of Act 599 and published a Manual for Erosion and Sediment Control in Georgia, Current Edition (or any more current edition as they are published). Final plans and specifications shall include appropriate segments of this manual.
 - a. Developers, design professionals and contractors performing work in the City of Stockbridge are responsible for acquiring a copy of this manual and using the best management practices contained therein to control the erosion and sedimentation of the construction site in conformance with the intent of ACT 599.
 - b. Copies may be downloaded from the Georgia Soil and Water Conservation Commissions website. For additional information, call the commission at 706-552-4470.

D. Sanitary Sewer Details

Special detail drawings made to a scale to clearly show the nature of the design shall be furnished to show the following particulars:

1. All stream crossings and storm drain outlets with elevations of the stream bed and of normal and extreme high and low water levels.
2. Details of special sanitary sewer joints and cross sections.
3. Details of special sanitary sewer appurtenances such as manholes, service connections, elevated sanitary sewers, piers, pipe bedding, special highway crossings, railroad crossings, drop manhole connections, etc.
4. ~~Easement drawings shall be furnished for work outside the development prior to~~ approval of the sanitary sewer plans. The drawings shall be of a size suitable for legal recording and shall be prepared by a registered land surveyor. The drawings shall be drawn in accordance with the City of Stockbridge *Minimum Development Standards Manual*.
5. The developer's design professional shall furnish appropriate drawings for submittal by the owner to any state or federal highways, railroads, power lines, water lines, gas lines, petroleum lines or any other utility lines on which the sanitary sewer construction will encroach.
 - a. The drawings shall be 8½" × 11" or 8½" × 14" and shall show a plan view and profile view. The drawing shall show the same information required for easement drawings.
 - b. The drawing shall also show the right-of-way of the existing street or utility, the owner's designation of the line, the name or number of the nearest intersection or milepost or tower number and the distance to that appurtenance; clearance distance between the street surface, or the bottom of the rail, or the utility and the sanitary sewer; the type of material to be used for the sanitary sewer and the method of construction to be used; any other special information required by the owner of the facility on which the sanitary sewer is encroaching.
 - c. Five (5) copies of the utility encroachment drawing will be furnished with the plans when they are submitted for approval.
 - d. The developer's design professional shall prepare and handle the submittal.
 - e. Construction permits shall not be issued until the utility encroachment permits have been obtained and until any special conditions such as insurance requirements have been complied with.
 - f. Sanitary sewer design calculations shall be submitted for all proposed mains as part of the development plans along with a sewer basin map.

6.16.400. – As-built drawings.

- A. All as-built or record drawings must be submitted in a digital computer file format, as well as with paper copies, with specifications as follows and submitted to the City of Stockbridge Water Department for acceptance.

Acceptable formats for digital as-builts include:

AutoCAD .dwg or .dxf files AND PDF

ESRI GIS "shape" files

ESRI GIS "geodatabase" files

- B. As-builts must include all data regarding the project including but not limited to water, sewer, stormwater and parcel data. This data needs to be submitted on separate layers and/or files under the aforementioned names. Detention ponds, pipe sizes, types, elevations, and inverts must be shown including impervious areas.

GUIDELINES FOR PREPARATION OF AS-BUILTS

1. As-built drawings will be the same format as the original construction plans.
2. Contour lines are required.
3. Road names, addresses and lot numbers should be on plan.
4. "As-Built" or "Record Drawing" is to be stamped in large clear print on plans.
5. Sheet should be no larger than 22" x 34".
6. Lateral wye locations must show distance from the downstream manhole. Ends of lateral lines must show distance from downstream manhole and offset distance from the main line. Approximate depth of end of lateral should be shown.
7. Show elevations of manhole inverts and tops.
8. Show field-measured distance between manholes and x, y coordinates.
9. For all sanitary sewers, show the field-measured azimuth or bearing of the line from manhole to manhole.
10. Show actual slope of pipe.
11. When a phase of a subdivision is completed, a location sketch of entire subdivision with said phase outlines shall appear on plans.
12. Maximum error of as-built measurements shall be:
 - a. *Manhole inverts*: Manhole inverts measure to 0.01 feet with maximum vertical error of 0.50 feet per 1,000 feet of horizontal traverse.
 - b. *Manhole tops*: Measure to 0.10 feet with maximum vertical error of 0.50 feet per 1,000 feet of horizontal traverse.
 - c. *Horizontal locations*: Measure to nearest 1.0 foot with allowable error of 1.0 foot per 1,000 feet of traverse.

6.16.410. - Types of sanitary sewers.

All sanitary sewers for the conveyance of wastewater shall be designed as separate sanitary sewers in which groundwater, stormwater or other runoff from roofs, streets, parking lots, foundation drains and any source other than wastewater are excluded. Overflows from sanitary sewers shall not be permitted.

6.16.420. - Design period.

Gravity sanitary sewer pipelines should be designed in accordance with the city's wastewater management plan and should, as a minimum, be designed with capacity sufficient to handle the estimated tributary population twenty (20) to forty (40) years into the future. Tributary population is considered to be all areas upstream of the discharge point of the system being designed as well as any anticipated pumped flow from other basins. Sanitary sewers shall be designed and installed to the uppermost property line of the development being served. Consideration should be given to the maximum anticipated capacity of institutions, industrial parks, etc.

6.16.430. - Capacity and size determinations.

In determining the required capacities of sanitary sewers, the following factors shall be considered:

1. Maximum hourly sewage flow;
2. Additional maximum sewage or waste flow from industrial plants;
3. Groundwater infiltration;
4. Topography of the area; and
5. Depth of excavation.

New sanitary sewer systems shall be designed on the basis of an average daily flow of sewage of not less than four hundred (400) gallons per household per day. Normally, all sanitary sewers shall be designed for a peak flow of not less than 2.5 times the average flow; this peak factor will be higher for smaller basins based on 10 State Standards. Sanitary sewers shall be designed to carry the peak flow when flowing at a depth of one (1/2) half the pipe diameter.

6.16.440. - Sanitary sewer services.

1. A sanitary sewer service shall be provided for every existing or proposed lot or building. All services shall be shown on the construction and as-built drawings. A common service shall not be allowed for two (2) or more buildings. The service shall extend to the property line of the lot being served and shall normally be within ten (10') feet of the lower corner of the lot. Each service shall have a six (6") inch cleanout installed at property line as shown in the standard details. Services shall be locatable from main to cleanout.
2. The developer shall be responsible for serving all lots developed. On any lot where the service cannot be found and is confirmed to not exist, the developer shall be responsible for payment of the cost of installation of a new service. Also, unless noted on the final plat, the service shall be located low enough to serve the first (1st) floor elevation at the building line.
3. The builder shall be responsible for the location of the service prior to the pouring of the foundation, driveway or other appurtenance. The city will not be responsible for any house built too low to be served, nor for any service made inaccessible.

4. No cleanouts may be located in driveway.
5. No plumber or contractor will be allowed to connect to the sanitary sewerage system except at the end of the service provided for this connection. Also, any service provided will be utilized without the installation of additional services.

6.16.450. – Inspection of Sanitary Sewers.

A. Responsibility for inspection

1. The developer's contractor is responsible for the quality, accuracy and workmanship of his completed work. In addition, the developer shall employ a qualified professional (this shall normally be the same design professional who prepared the plans for the work) to review the quality of work and conformance to the design as required during construction and to oversee the various tests and inspections specified herein. The professional shall demonstrate to the city that he is qualified to perform the inspections and meets state licensure requirements applicable to the profession or practice he is engaged in.
2. City personnel will visit the job site on a periodic basis and will make spot checks, as they deem appropriate. The city shall have the right to review and inspect all construction and may reject any work that does not meet quality control standards.

B. Access to project

Authorized representatives of the city that may include, but is not limited to, city employees, city consultants, state or federal agencies shall have access to the site for inspection at any time.

C. Concealed work.

The city inspector may direct that the contractor notify the city and receive inspection approval prior to concealing certain work such as manhole foundations, pipe bedding, wyes, bends, service laterals or other appurtenances and may direct contractor to uncover if necessary.

D. Additional testing requirements.

The contractor shall also perform the tests listed below during the presence of the developer's professional. The city must be notified at least three (3) days prior to these tests being conducted to afford the city the opportunity to be present. All testing will be conducted in accordance with the City of Stockbridge *Minimum Development Standards Manual*.

1. *Mandrel test for gravity sanitary sewer PVC pipe.* The procedure for testing PVC sanitary sewer pipe for maximum allowable deflection shall be conducted per the specification for mandrel testing as specified in the City of Stockbridge *Minimum Development Standards Manual*.
2. *Air pressure test.* The contractor, to check for leaks, shall conduct a low-pressure test of each gravity sanitary sewer line section as per the specifications outlined in the City of Stockbridge *Minimum Development Standards Manual*.
3. *Inspections.* Sewer mains are to be television inspected under flow conditions to verify accuracy of slope, alignment displacement of gaskets and cleanliness of the pipe. Two (2)

copies of the video inspection are to be submitted to the City of Stockbridge and must include a written log report of the testing sequence and conditions.

4. *Damp pipe required.* Air leakage time is based on the pipe being damp. If pipe and joints are dry, dampen line if helpful in meeting air test time requirement.
5. *Force main pressure testing.* The pressure testing of force mains shall be conducted per the specifications outlined in the City of Stockbridge *Minimum Development Standards Manual*.
6. *Vacuum testing manholes.* The vacuum testing of manholes shall be conducted per the specifications outlined in the City of Stockbridge *Minimum Development Standards Manual*.
7. *Compaction of Backfill.* Compaction testing shall be required for mains constructed in paved areas or where pavement is planned and shall be conducted per the specifications outlined in the City of Stockbridge *Minimum Development Standards Manual*.

6.16.460. - Clean-up.

1. Prior to requesting the "completion of sanitary sewer construction" inspection, the contractor shall remove and dispose of in an acceptable manner all shipping timbers, shipping bands, spacers, excess materials, broken material, crates, boxes and any other material brought to the job site.
2. Any work areas, within the public right-of-way or on private property outside of the development, that were damaged by the sanitary sewer construction shall be repaired or replaced with the same kind of material as existed prior to the damage occurring. All easement areas shall be completely cleared of trees, stumps and other debris and left in a condition such that the easement can be maintained by bush-hog equipment.
3. All shoulders, ditches, culverts and other areas disturbed by the sanitary sewer construction shall be brought to the proper grades and left smooth in appearance.
4. All manhole covers shall be brought to grade.
5. A uniform stand of grass for erosion protection, as defined in the Manual for Erosion and Sediment Control in Georgia, is required over all construction disturbed areas, easements and sanitary sewer easements prior to the city's acceptance of the sanitary sewer.
6. Streets, sidewalks, landscaping and other public and private property disturbed in the course of the work shall be restored as near to original condition as possible or better in a manner satisfactory to the city.
7. Trenches shall be kept free of water by pumping or well pointing, as determined by the contractor. No structure shall be built, or pipe shall be laid, in water. Water shall not be allowed to flow over or rise upon any concrete, masonry or pipe until the same has been inspected and the concrete or joint material has thoroughly set. All water pumped, bailed, or otherwise removed from the trench or other excavation shall be conveyed in a proper manner to a suitable place of discharge. Such discharge shall not cause injury to public health, property, work completed, work in progress or to any street surface, or cause any interference with the use of it by the public.
 - a. Construction occurring around active sanitary sewer systems shall be done in such a way so as to prevent the spillage of wastewater.

8. All excavations shall be adequately guarded with barricades and lights in compliance with all OSHA and Georgia DOT requirements so as to protect the public and workers from hazard.

6.16.470. - Maintenance and payment bond.

The developer shall post a maintenance bond, letter of credit or cashier's check on the facility, in accordance with these regulations, for a two (2) year period after completion and conditional acceptance of the facility by the city. In addition, the developer shall post a payment bond on the facility for all subcontractor and material supplier work.

6.16.480. - Maintenance until final acceptance.

The developer shall post a maintenance bond, letter of credit or cashier's check in an amount equal to 20% of the cost of the work or \$1,500, whichever is greater, in accordance with the City of Stockbridge's *Minimum Development Standards Manual*, on the facility for a two (2) year period after completion and conditional acceptance of the facility by the city. In addition, the developer shall post a payment bond on the facility for all subcontractor and material supplier work. At the end of the maintenance period the city shall inspect the sewer system, and upon correction by the developer of all deficiencies noted by the city, the city will accept the system for operation.

6.16.490. - Final inspection and conditional acceptance.

1. No buildings or plumbing fixtures shall be connected to the sanitary sewers until inspected and approved by the city.
2. The professional responsible for inspection of the construction shall provide the city with an engineering statement after he completes his inspection, testing and submittal of as-built drawings and easements and provide copies of individual inspection reports. This statement must certify that all specified inspections and tests have been made and successfully passed, and that the work has been completed in substantial accordance with the approved plans and specifications. After receipt of this statement, the city will schedule a final inspection. A representative of the developer's professional and the contractor shall be present during this final inspection.
3. After any discrepancies are corrected, the city will issue a letter certifying conditional acceptance of the system. This letter shall commence the start of the twenty-four (24) month warranty period that is required of the contractor.
4. At the end of the warranty period, the subdivision inspection team will again inspect the entire development. When all discrepancies have been corrected, the city will issue an acceptance letter and will begin perpetual maintenance and operation of the system.

6.16.500. – Ownership of system.

The city shall retain ownership of the sewer system up to and including the clean out. The clean out shall be placed at the edge of the right-of-way and shall not be located on private property except as authorized under section 6.04.090. The city's ownership of the sewer system shall extend to the user's property line (right-of-way). The city will repair and maintain only that portion of the system which it owns. Repairs or defects beyond the limits outlined in this Section shall be at the sole expense of the user.

DIVISION 5. - STANDARDS FOR USE OF PUBLIC SEWERS

6.16.510. - Prohibited discharges to sanitary sewers generally.

No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water or unpolluted industrial process waters to any sanitary sewer.

6.16.520. - Discharge of unpolluted drainage.

~~Stormwater and all other unpolluted drainage shall be discharged to such sewers that are specifically~~ designated as storm sewers or to a natural outlet approved by the city engineer. Industrial cooling water or unpolluted process waters may be discharged on approval of the sewer superintendent, to a storm sewer or natural outlet after an NPDES permit has been obtained from the Department of Natural Resources – Environmental Protection Division.

6.16.530. - Discharge of sanitary wastewater into storm sewer prohibited.

Without exception, sanitary wastewater shall not be discharged into the storm sewer.

6.16.540. - Prohibited wastes enumerated.

No user shall introduce or cause to be introduced, directly or indirectly into the POTW, any pollutant or wastewater which will pass through or interfere with the operation or performance of the POTW. These general prohibitions apply to all users of a POTW whether or not the user is subject to any other national categorical pretreatment standards or any other national, state or local pretreatment standards or requirements. A user may not contribute the following substances or other substances as determined by sewer superintendent to any POTW:

- (1) Pollutants which create a fire or explosive hazard in the POTW, including but not limited to wastestreams with a closed-cup flashpoint of less than one-hundred forty (140°) degrees Fahrenheit using the test methods specified in 40 CFR 261.21; nor any liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the POTW or to the operation of the POTW. At no time, shall two (2) successive readings on any explosion hazard meter, at the point of discharge into the system (or at any point in the system) be more than five (5%) percent nor any single reading over ten (10%) percent of the lower explosive limit (LEL) of the meter. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hybridides and sulfides and any other substances which the city, the state or EPA has notified the user is a fire hazard or a hazard to the system; nor any petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin, in amounts that will cause interference or pass through.
- (2) Solid or viscous substances in amounts which will cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities such as, but not limited to: grease, garbage with particles greater than one half (1/2") inch in any dimension, animal guts or tissues, paunch manure, bones, hair, hides, or fleshing entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, gas, tar, asphalt residues, residues from the refining, or processing of fuel or lubricating oil, mud or glass grinding or polishing wastes.

- (3) Any wastewater having a pH of less than six (6.0) or in excess of nine (9.0), or otherwise causing corrosive structural damage to the POTW or equipment.
- (4) Any wastewater which results in the presence of toxic gases, vapors or fumes within the POTW in a quantity that may cause acute worker health and safety problems or containing toxic pollutants in sufficient quantity, whether singly or by interaction with other pollutants, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a toxic effect in the receiving waters of the POTW, or to exceed the limitation set forth in a categorical pretreatment standard. A toxic pollutant shall include, but not be limited to, any pollutant identified pursuant to, section 307(a) of the Act.
- (5) Pollutants, including oxygen demanding pollutants (BOD, etc.) released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause interference with the POTW.
- (6) Wastewater having a temperature greater than one-hundred forty (140°) degrees Fahrenheit (40° degrees Celsius) at the introduction into the POTW or which will inhibit biological activity in the treatment plant resulting in interference.
- (7) Any substance which will cause the POTW to violate its NPDES and/or state disposal system permit or the receiving stream water quality standards.

6.16.550. - Limited discharges.

- (a) No person shall discharge or cause to be discharged the following described substances, materials, waters or wastes if it appears likely in the opinion of the sewer superintendent that such wastes can harm either the sewers, sewage treatment process or equipment, have an adverse effect on the receiving system or can otherwise endanger life, limb, public property or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the sewer superintendent will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, 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 noxious or malodorous liquids, gases or solids which either singly or by interaction with other wastes are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for maintenance and repair.
 - (2) Any substance which may cause the POTW's effluent or any other product of the POTW, such as residues, sludges or scums to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines or regulations developed under section 405 of the Act; any criteria, guidelines, or regulations affecting sludge use or disposal pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substance Control Act, or state criteria applicable to the sludge management method being used.
 - (3) Any wastewater with objectionable color not removed in the treatment process, such as but not limited to, dye wastes and vegetable tanning solutions.
 - (4) Any wastewater containing radioactive wastes of isotopes of such half-life or concentration as may exceed limits established by the sewer superintendent in compliance with applicable state and federal regulations.

- (5) Any wastewater which causes a hazard to human life or creates a public nuisance.
- (6) Any waters or wastes containing fats, wax, grease or oils, whether emulsified or not, in excess of 100 mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two (32°) degrees Fahrenheit (0° degrees Celsius) and one-hundred and fifty (150°) degrees Fahrenheit (65° degrees Celsius).
- (7) 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 or greater shall be subject to the review and approval of the sewer superintendent.
- (8) Any waters or wastes containing strong acid iron pickling wastes or concentrated plating solutions whether neutralized or not.
- (9) Any waters or wastes containing phenols or other taste or odor-producing substances in such concentrations exceeding limits which may be established by the sewer 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.
- (10) Any waters containing quantities of radium, naturally occurring, or artificially produced radioisotopes in excess of presently existing or subsequently accepted limits for drinking water as established by the National Committee on Radiation Protection and Measuring.
- (11) Materials which exert or cause:
 - a. Any waters containing suspended solids of such character and quantity that unusual provision, attention or expense is required to handle such materials at the wastewater treatment plant.
 - b. Any waste which has unusual volume, concentration of solids or composition that may create obstruction to the flow in sewers or other interference with the proper operation and treatment of influent of the wastewater works.
- (b) When the sewer superintendent determines that a user is contributing to the POTW of the substances enumerated in subsection (a) of this Section in such amounts as to interfere with the operation of the POTW, the sewer superintendent shall:
 - (1) Advise the user of the impact of the contribution on the POTW; and
 - (2) Develop effluent limitations for such user to correct the interference with the POTW.

6.16.560. - Calculation of local limits.

- (a) The sewer superintendent shall calculate limits for substances, which shall be technically based, using applicable POTW process limits and state and/or federal water quality standards and sludge regulations. Such limits shall be incorporated into this document by reference at the time they are established, and as may be amended from time to time.

The established limits apply at the point where the wastewater is discharged to the POTW. All concentrations for metallic substances are for total metal unless indicated otherwise. The sewer superintendent may impose mass limitations in addition to or in place of the concentration-based limitations. The sewer superintendent may modify the limits in the event of a cumulative overload on a particular drainage basin or the POTW in order to protect against pass through or interference.

6.16.570. - Federal categorical pretreatment standards.

The categorical pretreatment standards found in 40 CFR Chapter I, Subchapter N, parts 405—471 are hereby incorporated.

- (1) Where a categorical pretreatment standard is expressed only in terms of either the mass of the concentration of a pollutant in wastewater, the sewer superintendent may impose equivalent concentration or mass limits in accordance with 40 CFR 403.6(c).
- (2) When wastewater subject to a categorical pretreatment standard is mixed with wastewater not regulated by the same standard, the sewer superintendent shall impose an alternate limit using the combined waste stream formula in 40 CFR 403.6(e).
- (3) A user may obtain a variance from a categorical pretreatment standard if the user can prove, pursuant to the procedural and substantive provisions in 40 CFR 403.13, that factors relating to its discharge are fundamentally different from the factors considered by EPA when developing the categorical pretreatment standard.
- (4) A user may obtain a net gross adjustment to a categorical standard in accordance with 40 CFR 403.15.

6.16.580. - State requirements.

State requirements and limitations on discharges shall apply in any case where they are more stringent than federal requirements and limitations or those in this Article.

6.16.590. - City's right of revision.

The city reserves the right to establish by ordinance more stringent limitations or requirements on discharges to the wastewater disposal system if deemed necessary to comply with the objectives presented in section 6.16.600.

6.16.600. - Excessive discharge.

No user shall ever increase the use of process water or in any way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with discharge limitations unless expressly authorized by an applicable pretreatment standard or requirement. The sewer superintendent may impose mass limitations on users who are using dilution to meet applicable pretreatment standards or requirements or in other cases when the imposition of mass limitations is appropriate.

6.16.610. - Accidental discharges.

Each user shall provide protection from the accidental discharge of prohibited materials or other substances regulated by this Article. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner's or user's own costs and expense. At least once every two (2) years, the sewer superintendent shall evaluate whether each significant industrial user needs an accidental discharge/slug control plan. The sewer superintendent may require any user to develop, submit for approval and implement such a plan. An accidental discharge/slug control plan shall address, at a minimum, the following:

- (1) Description of discharge practices, including nonroutine batch discharges;

- (2) Description of stored chemicals;
- (3) Procedures for immediately notifying the city of any accidental or slug discharge; and
- (4) Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and control of plant runoff, worker training, building of containment structures or equipment, measures for containing toxic pollutants, including solvents and/or measures and equipment for emergency response.

Review and approval of such plans and procedures shall not relieve the industrial user from the responsibility to modify the user's facility as necessary to meet the requirements of this Article. In the case of an accidental discharge, it is the responsibility of the user to immediately telephone and notify the POTW of the incident. The notification shall include location of discharge, type of waste, concentration and volume and corrective actions.

6.16.620. - Written notice.

Within five (5) days following an accidental discharge the user shall submit to the sewer superintendent a detailed written report describing the cause of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, fish kills or any other damage to person or property nor shall such notification relieve the user of any fines, civil penalties or other liability which may be imposed by this Division or other applicable law.

6.16.630. - Notice to employees.

A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees whom to call in the event of a dangerous discharge. Employers shall ensure that all employees who may cause or suffer such a dangerous discharge to occur are advised of the emergency notification procedure.

6.16.640. - Flow equalization.

- (a) The admission into the public sewers of any waters or wastes in volumes, or with constituents, such that existing dilution conditions in the sewers or at the treatment plant would be affected to the detriment of the city, shall be subject to review and approval of the sewer superintendent. When necessary in the opinion of the sewer superintendent, pretreatment or equalizing units may be required to bring constituents or volume of flow within the limits previously prescribed or to an otherwise acceptable level, and to hold or equalize flows such that no peak flow conditions may hamper the operation of any unit of the sewer system. The equalization or holding unit shall have a capacity suitable to serve the intended purpose and be equipped with acceptable outlet control facilities to provide flexibility in operation and accommodate changing conditions in the waste flow.
- (b) Where preliminary treatment or flow equalizing facilities are provided for any waters or wastes, they shall be designed and operated to prevent malodors and maintained at the user's expense. A wastewater discharge permit may be issued solely for flow equalization.

6.16.650. - Grease, oil and sand interceptors.

- (a) *Generally.* Grease, oil and sand interceptors shall be provided when, in the opinion of the sewer superintendent, they are necessary for the proper handling of wastewater containing excessive amounts of fats, oil and grease or sand; except that such interceptors shall not be required for

residential users. All interception units shall be of the type and capacity specified by the City of Stockbridge and shall be so located as to be easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned and repaired regularly, as needed, to prevent the passage of accumulated fats, oil and grease, sludge or sand into the POTW. A regular inspection, cleaning and repair schedule may be imposed when such schedule is reasonably deemed necessary by the sewer superintendent to prevent the passage of grease and oil, sludge or sand into the POTW. Such interception units shall be considered pretreatment devices as defined in section 6.16.050. Inspections, cleaning and repairs shall be by the owner, at the owner's expense.

(b) *Installation requirements and design criteria.*

- (1) All new and remodeled food industry customers and institutions with commercial kitchens shall have a properly designed and maintained grease interceptor or series of grease interceptors meeting the design criteria of the City of Stockbridge. All outside grease interceptors shall be designed and installed to allow complete access for maintenance and inspection of inner chambers as well as observation and sampling of the wastewater discharged to the sanitary sewer.
- (2) All existing food industry customers and institutions with commercial kitchens within the City of Stockbridge service area are required to conduct their operations so that fats, oils and grease are separated and captured on the user's premises and then properly disposed. All transportation and disposal of fats, oil and grease shall be conducted by a registered commercial waste transporter in accordance with State of Georgia Environmental Protection Division Rules and Regulations for Water Quality Control 391-3-6-.24 Regulation of Commercial Waste Originators, Pumpers, Transporters, Processors and Disposal Facilities.

(c) *Recurrent maintenance program.*

- (1) *General intent.* The purpose of the recurrent maintenance program is to minimize the introduction of fats, oil and grease into the City of Stockbridge's POTW through the proper operation and maintenance of grease interceptors. This Section establishes the responsibilities of the user, reporting criteria, right of inspection and legal remedies for noncompliance.
- (2) *Recurrent maintenance required.* All food service customers and institutions with commercial kitchens with outside grease interceptors shall perform recurrent maintenance. Recurrent maintenance shall be the removal of the entire contents of the grease interceptor system by pumping the contents of the grease interceptor system no less than once every month or more frequently if needed. The pumping of contents will be in accordance with State of Georgia Environmental Protection Division Rules and Regulations for Water Quality Control 391-3-6.24 Regulation of Commercial Waste Originators, Pumpers, Transporters, Processors and Disposal Facilities.
 - a. The user shall be responsible for the proper removal and disposal of the grease trap waste and for maintenance of records of disposal as specified in this Section.
 - b. All waste removed from each grease trap must be disposed of at an appropriate facility designed to receive such waste. In no way shall the waste be introduced into the City of Stockbridge's wastewater collection system. Notice shall be taken that public or private rights-of-way, manholes, public property, storm sewers, lakes, creeks and streams are not disposal sites permitted by proper governmental authority and discharge to any of these

is a violation of the Federal Clean Water Act in addition to a violation of state and local law and ordinances.

- c. In no manner shall any grease trap pumpage be discharged to any portion, public or private of the wastewater collection system.
- d. It shall constitute a violation of this Article to introduce chemicals, acidic or caustic substances which emulsify or otherwise temporarily dissolve fats, oils and grease to the extent that it later solidifies in the city's sewer lines, pump stations or treatment plant.
- e. Maintenance shall include the complete removal of all contents, including floatable materials, wastewater, sludges and solids. Top skimming of outdoor grease traps, decanting or back flushing of the grease trap or its wastes for the purpose of reducing the volume to be hauled is prohibited. Further, the discharge of liquid, semi-solids or solids into a grease trap from vehicles after servicing is prohibited. Vehicles capable of separating water from grease shall not discharge separated water into the grease trap or into the wastewater collection system. All grease traps shall be pumped out at least every month or more frequently if needed. Alternations from this schedule shall be at the sole discretion of the City of Stockbridge (or designee) and shall be based upon the criteria contained in the grease trap program and sampling data.
 - a. The City of Stockbridge shall have the authority to prohibit the addition of any substances, including enzymes and bacteria, which create a public nuisance or odor or presents a potential hazard to personnel.
 - b. If upon inspection, it is determined that a grease trap needs cleaning, the only acceptable means of cleaning shall be to have the trap pumped for disposal as provided elsewhere in this Section. Applying heavy doses of chemicals, enzymes or bacteria to the grease trap is expressly prohibited as a substitute for pumping and removing the material from the trap.
 - c. Installation of a mechanical system to continuously or intermittently apply solutions of enzymes, special bacteria or other agents to the sewer shall not be allowed in lieu of an acceptable grease trap.

(3) *Right to conduct monitoring.* The city reserves the right to conduct monitoring activities for the purpose of documenting compliance with the requirements of this Article. Monitoring activities may include:

- a. Review of waste hauler manifests;
- b. Inspection of grease interceptors;
- c. Sampling and analysis of grease interceptor discharge.

(4) *Right of inspection.*

- a. The city shall have the right to enter the facilities of any food industry customer to ascertain whether the purpose of this Article, and any order issued under this Article, is being met, and whether the food industry customer is complying with all requirements thereof. Food service customers shall allow the sewer superintendent or their representatives ready access to all parts of the premises associated with FOG collection

and sanitary sewer connections for the purposes of inspection, sampling, records examination and copying and the performance of any additional duties.

- b. Where a food industry customer (including, but not limited to hospitals, prison facilities, schools) has security measures in force which require proper identification and clearance before entry into its premises, the food industry customer shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, personnel from the city, state and EPA will be permitted to enter without delay for the purposes of performing their specific responsibilities.

(5) *Documentation of maintenance.* Copies of waste hauler manifests documenting the cleaning of grease interceptors shall be maintained by the food industry customer at the business site or by the registered commercial waste transporter if included as part of the customer's service contract for a period of three (3) years. Upon request by the city the food industry customer or the registered commercial waste transporter will provide copies of manifests to the city by fax or electronic copy. Failure to produce copies of waste hauler manifests containing all required information within ten (10) days shall be deemed a violation of this Article. Waste hauler manifests shall contain the following information at a minimum:

- a. Generator information including business name, address, volume pumped, date and time of pumping and generator signature.
- b. Certified waste hauler information including company name, address, telephone number, State of Georgia registration number, driver name and signature.

(6) *Administrative*

- a. Permit. It shall be unlawful for any food service establishment to discharge process wastewaters into the public sewer without authorization from the City of Stockbridge.
- b. Maintenance log. A log indicating each pumping for the previous twelve (12) months shall be maintained by each food service establishment. This log shall include date, time, amount pumped, hauler and disposal site and shall be available for inspection by City of Stockbridge personnel.
- c. Reporting. The information required in the maintenance log must be submitted to the City of Stockbridge annually. The reporting period shall be January 1st through December 31st of each year. The report shall be submitted as required by the City of Stockbridge.

(d) *Enforcement*

- (1) Whenever the sewer superintendent or their designee determines that a violation of this Section exists, the sewer superintendent may issue to the food service customer a notice of violation and an order to clean and inspect the grease interceptor immediately. The sewer superintendent may also place the food service customer on a probationary status and require monthly reporting of grease interceptor cleaning and inspection.
- (2) If the violation has not been corrected within a reasonable time as determined by the sewer superintendent, the city may issue a citation requiring the violator to appear in the Municipal Court of the City of Stockbridge.

- (3) The violation of any provision of this section shall be punishable by a fine not exceeding two-hundred and fifty (\$250.00) dollars for a first violation; not to exceed five-hundred (\$500.00) dollars for the second violation within twelve (12) months; a third offense within twelve (12) months shall be a fine not to exceed one-thousand (\$1,000.00) dollars.
- (4) For any subsequent violations, fines shall be issued on a daily basis and are not to exceed five-hundred (\$500.00) dollars per day or sewer service may be severed. Each day a violation of this Section shall continue shall constitute a separate offense.

6.16.660. - Control manhole and monitoring facilities.

- (a) When required by the sewer 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 constructed in accordance with plans approved by the sewer superintendent and shall be installed prior to comingling with domestic waste. 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. The monitoring facilities should normally be situated on the user's premises, but the city may, when such a location would be impractical or cause undue hardship on the user, allow the facility to be constructed in the public street or sidewalk area and located so that it will not be obstructed by landscaping or parked vehicles.
- (b) There shall be ample room in or near such sampling manhole or facility to allow accurate sampling and preparation of samples for analysis. The facility, sampling and measuring equipment shall be kept clean and maintained at all times in a safe and proper operating condition at the expense of the user. Whether constructed on public or private property, the sampling and monitoring facilities shall be provided in accordance with the city's requirements and all applicable local construction standards and specifications. Construction shall be completed within ninety (90) days following written notification by the city.

6.16.670. - Sample collection and analytical requirements.

- (a) All pollutant analyses, including sampling techniques, to be submitted as part of a wastewater discharge permit application or report shall be performed in accordance with the techniques prescribed in 40 CFR 136, unless otherwise specified in an applicable categorical pretreatment standard. If 40 CFR 136 does not contain sampling or analytical techniques for the pollutant in question, sampling and analyses must be performed in accordance with procedures approved by the EPA.
- (b) Samples for oil and grease, temperature, pH, cyanide, phenols, sulfides and volatile organic compounds must be obtained using grab sampling techniques. For all other analyses, the user must collect wastewater samples using flow proportional, composite collection techniques. If flow proportional sampling is infeasible, the sewer superintendent may authorize the use of time proportional sampling or a minimum of four (4) grab samples where the user demonstrates that this will provide a representative sample of the effluent being discharged. In addition, grab samples may be required to show compliance with instantaneous discharge limits.

6.16.680. - Notice of violation/repeat sampling and reporting.

If sampling performed by a user indicates a violation, the user must notify the sewer superintendent within twenty-four (24) hours of becoming aware of the violation. The user shall also repeat the sampling and analysis and submit the results of the repeat analysis to the sewer superintendent within thirty (30) days after becoming aware of the violation. The user is not required to resample if the sewer superintendent or their representative monitors at the user's facility at least once a month or if the sewer superintendent or representative samples between the user's initial sampling and when the user received the results of this sampling.

6.16.690. - Notification of discharge of hazardous waste.

The discharge of any substance which if otherwise disposed of would be a hazardous waste as set forth in 40 CFR 261, into the POTW of the city is prohibited. In the case of an accidental discharge, it is the responsibility of the user to immediately telephone and notify the POTW of the incident and to provide all verbal and written notifications required by this Article for accidental discharges. The user shall also be responsible for making all other notifications as required by EPD, EPA and other authorities.

6.16.700. - Special agreements.

No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the city and an industry, whereby an industrial waste of unusual strength of character may be accepted by the city for treatment; provided in Division 7 of this Article.

DIVISION 6. - WATER QUALITY AND QUANTITY DETERMINATIONS

6.16.710. - Quality changes.

The sewer superintendent shall have made, from time to time, tests to determine the quality of waste being discharged into the city's sewer from users or connectors, including the premises of industrial waste disposal permit holders under the provisions hereof. If, at any time, such waste becomes or the industrial process changes to a quality that requires pretreatment according to the city's standards, the sewer superintendent shall have the authority to require that proper permits be obtained, and proper pretreatment facilities be installed by the permit holder. Should any user or connector or a permit holder fail to or refuse to install such utilities or initiate their installation to the satisfaction and approval of the sewer superintendent within thirty (30) days after receipt of written notice from the sewer superintendent, the sewer superintendent shall have the authority to revoke such permit and to terminate sewer service to such premises until such time as the owner thereof has complied with the requirement of this Article and shall have the authority to impose penalties as provided in Division 12 of this Article.

6.16.720. - Standard of quality.

- (a) Wastes will be accepted which have been placed in satisfactory conditions or quality after pretreatment by the producer in a plant or by a process which has been approved by the sewer superintendent and which is continuously maintained and operated by the producer at no cost to the city and which is continuously subject to inspection by the sewer superintendent or their designated representative. The construction plans for such pretreatment plants shall after their approval be placed on file in permanent reproducible form with the sewer superintendent without costs to the city.
- (b) All industrial users shall meet federal pretreatment requirements set forth in 40 CFR 403.

6.16.730. - Quality determination.

- (a) Determination of the average concentration or strength of the waste delivered shall be the obligation of the city except as provided by industrial, contribution permits, and tests made on representative average samples collected by the city shall be made at intervals as the city may desire, so long as at least annual samples are taken.
- (b) Samples may be taken, and tests made at the city's option without notice to the owner and test results made and approved by the city shall be final in fixing the application rate. However, the owner may request in writing that parallel sampling and tests at all times be made by the owner and the city, in which case consideration may be given to using the average of comparable values obtained by the owner and the city.

6.16.740. - Quantity determination.

- (a) Unless otherwise provided, the quantity of waste delivered to city sewers will be used as the same as the water delivered to the producer by the city's water system; if well water is to be used it must be known to the city and metered at the user's standards. The user shall pay the city the costs incurred in periodic maintenance, meter reading and billing. Such metering devices will be available to the city at all reasonable times.
- (b) Should the producer evaporate or dispose of water delivered by the city's water system, it shall be the obligation of the producer to install an outflow meter at the point of connection to the public sewer system, approved by the city's sewer superintendent, to measure the quantity delivered to the sewer system. Producer will be responsible for costs associated with the equipment, manholes, SCADA and all other appurtenances required for a complete operable system.
- (c) All industries, commercial organizations or other producers of liquid waste of any form, including domestic waste at apartments, hotels, motels, hospitals, universities, schools or homes served by the city's sewer system and for which the water supply is from private wells or other suppliers of water must pay a sewer connection charge to the city.
- (d) It shall be the obligation of the owner in all instances to submit a statement immediately where no payment procedure is established to the sewer superintendent and if any changes take place after billing rate of charges have been initially established using forms supplied by the sewer superintendent.

DIVISION 7. - INDUSTRIAL SEWER SURCHARGES

6.16.750. - Standard pollutants.

Industrial users discharging process wastes with standard pollutants named in this Section with concentrations greater than the described normal strength must obtain a wastewater contribution permit from the city. The contribution permit shall impose concentration limits and/or impose mass limitation on the daily discharge for users discharging wastes with concentrations of standard pollutants greater than these normal strengths. The city shall consider factors such as the effects on the POTW and receiving stream, the concentration and total load reaching the headworks of the treatment facility and the historical load from the user. The city shall also impose penalties for violation of concentration limits or mass limitation in addition to surcharge rates established by this Article.

Pollutant	Normal Strength (mg/l)
BOD ₅	250
COD	400
TSS	220
N*	25
Oil and Grease	100

The user discharging such waste shall be charged and assessed a surcharge as provided in this Article, if the waste has a concentration greater than the above normal concentration.

6.16.760. - Quality determination for surcharges.

As provided in Division 5 of this Article, the sewer superintendent shall from time to time make tests to determine the character and concentration of the industrial wastes from the users. The sewer superintendent shall determine the average concentration of the industrial discharge from a user at least annually for calculation of the surcharge rate. If at any time the sewer superintendent determines that the quality of the discharge has changed, the surcharge rate may be adjusted accordingly, provided, further, that the sewer superintendent shall also have the authority to require pretreatment or to take other action as provided elsewhere in this Article.

6.16.770. - Quantity determination for surcharges.

A volume of flow used in computing industrial surcharges shall be determined as provided in Division 5 of this Article; provided, however, a reasonable approximation of flows cannot be obtained otherwise, the volume of flows shall be determined by actual measurement, utilizing a flow meter provided by the person discharging the industrial waste and approved by the sewer superintendent. Such meter shall be capable of recording total flows and shall also be capable of recording minimum, maximum and average flows for a period of not less than seven (7) days.

6.16.780. - Billing procedure.

Industrial waste surcharges provided for in this Article shall be prepared and rendered with the regular water and sewer bill. The surcharge for the discharge of excessive concentrations of pollutants shall be calculated as follows:

Volume (in gallons) x 0.00624 (in pounds per gallon) x (concentration minus normal strength) x surcharge rate (in dollars per pound)

6.16.790. - Surcharge rates.

The surcharge rates for standard pollutants shall be according to the schedule of fees and charges on file in the office of the city clerk, except that the city may impose incremental escalation of these rates

and/or other enforcement actions for violation of mass limitations established in the users permit for discharge.

DIVISION 8. - SIGNIFICANT INDUSTRIAL USERS

6.16.800. - Permit required.

All significant users proposing to connect to or to contribute to the POTW shall obtain a wastewater contribution permit before connection to or contributing to the POTW. All existing significant users connected to or contributing to the POTW shall obtain a wastewater contribution permit within one hundred eighty (180) days after the effective date of the ordinance from which this Article is derived. New users shall apply for a permit at least ninety (90) days prior to connection to or contributing to the POTW.

6.16.810. - Permit application.

Significant users required to obtain a wastewater contribution permit shall complete and file an application in the form prescribed by the city and as established by the City's Fee Schedule, current edition. In support of the application, the user shall submit, in units and terms appropriate for evaluation, the following information:

- (1) Name, address and location (if different than the address).
- (2) SIC number according to the Standard Industrial Classification Manual, Bureau of the Budget, 1972 as amended.
- (3) Wastewater constituents and characteristics including but not limited to those mentioned in sections 6.16.550 and 6.16.560 as determined by a reliable analytical laboratory, sampling and analysis shall be performed in accordance with procedures established by the EPA pursuant to section 304(g) of the Act and contained in 40 CFR 136, as amended.
- (4) Time and duration of the contribution.
- (5) Average daily and three (3) minute peak wastewater flow rates, including daily, monthly and seasonal variations, if any.
- (6) Site plans, floor plans, mechanical and plumbing plans and details to show all sewers, sewer connections and appurtenances by the size, location and elevation.
- (7) Description of activities, facilities and plant processes on the premises including all materials which are or could be discharged.
- (8) Where known, the nature and concentration of any pollutants in the discharge which are limited by any city, state or federal pretreatment standards.
- (9) Each product produced by type, amount, process and rate of production.
- (10) Type and amount of raw materials processed (average and maximum per day).
- (11) Number and type of employees and hours of operation of plant and proposed or actual hours of operation of the pretreatment system.
- (12) Any other information as may be deemed by the city to be necessary to evaluate the permit application.

The city will evaluate the data furnished by the user and may require additional information. After

evaluation and acceptance of the data furnished, the city may issue a wastewater contribution permit subject to the terms and conditions provided in this Article. 6.16.820. - Permit modification.

The city may modify a wastewater discharge permit for cause, including, but not limited to, the following reasons:

- (1) To address significant alterations or additions to the user's operation, processes or wastewater volume or character since the time of wastewater discharge permit issuance;
- (2) A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;
- (3) Information indicating that the permitted discharge poses a threat to the POTW, city personnel or the receiving waters;
- (4) Violation of any terms or conditions of the wastewater discharge permit;
- (5) Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required reporting;
- (6) Revision of or a grant of variance from categorical pretreatment standards pursuant to 40 CFR 403.13;
- (7) To correct typographical or other errors in the wastewater discharge permit;
- (8) To reflect a transfer of the facility ownership or operation to a new owner or operator; or
- (9) To incorporate any new or revised federal, state or local pretreatment standards or requirements.

6.16.830. - Permit conditions.

Wastewater discharge permits shall be expressly subject to all provisions of this Article and all other applicable regulations, user charges and fees established by the city. Permits may contain the following information:

- (1) A statement that indicates wastewater discharge permit duration, which in no event shall exceed five (5) years;
- (2) A statement that the wastewater discharge permit is nontransferable without prior notification to the city in accordance with Section 6.16.850 and provisions for furnishing the new owner or operator with a copy of the existing wastewater discharge permit;
- (3) The unit charge or schedule of user charges and fees for the wastewater to be discharged to the POTW;
- (4) Limits on the average and maximum wastewater constituents and characteristics and limits based on applicable pretreatment standards;
- (5) Limits on average and maximum rate and time of discharge or requirements for flow regulations and equalization;
- (6) Requirements for installation and maintenance of inspection and sampling facilities;
- (7) Specifications for self-monitoring programs which shall include identification of pollutants to be monitored, sampling locations, frequency of sampling and sample type based on federal, state and local law and reporting requirements;

- (8) Requirements for the installation of pretreatment technology, pollution control or construction of appropriate containment devices, designed to reduce, eliminate or prevent the introduction of pollutants into the POTW;
- (9) Requirements for submission of technical reports or discharge reports;
- (10) Requirements for maintaining and retaining plant records relating to wastewater discharge as specified by the city and affording city access thereto;
- (11) Requirements for notification of the city of any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater constituents being introduced into the wastewater treatment system;
- (12) Requirements for the development of spill control plans or other special conditions, including management practices necessary to adequately prevent accidental, unanticipated or nonroutine discharges and requirements for notification of slug discharges;
- (13) A statement of applicable civil and criminal penalties for violation of pretreatment standards and requirements and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable federal, state or local law;
- (14) Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the POTW;
- (15) A statement that compliance with the wastewater discharge permit does not relieve the permittee of responsibility for compliance with all applicable federal and state pretreatment standards, including those which become effective during the term of the wastewater discharge permit; and
- (16) Other conditions as deemed appropriate by the city to ensure compliance with this Article and state and federal laws, rules and regulations.

6.16.840. - Wastewater discharge permit revocation.

The city may revoke a wastewater discharge permit for good cause, including, but not limited to, the following reasons:

- (1) Failure to notify of significant changes to the wastewater prior to the changed discharge;
- (2) Failure to provide prior notification of changed conditions pursuant to requirements of this Article;
- (3) Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
- (4) Falsifying self-monitoring reports;
- (5) Tampering with monitoring equipment;
- (6) Refusing to allow timely access to the facility premises and records;
- (7) Failure to meet effluent limitations;
- (8) Failure to pay fines;
- (9) Failure to pay sewage charges;
- (10) Failure to meet compliance schedules;

- (11) Failure to complete a wastewater survey or the wastewater discharge permit application;
- (12) Failure to provide advance notice of the transfer of business ownership of a permitted facility;
or
- (13) Violation of any pretreatment standard or requirement or any terms of the wastewater discharge permit or this Article.

Wastewater discharge permits shall be void upon cessation of operations or transfer of business ownership. All wastewater discharge permits issued to a particular user are void upon the issuance of a new wastewater discharge permit to that user.

6.16.850. - Permit duration.

Permits shall be issued for a specified time period, not to exceed five (5) years. A permit may be issued for a period less than one (1) year or may be stated to expire on a specific date. The user shall apply for permit re-issuance a minimum of ninety (90) days prior to the expiration of the user's existing permit. The terms and conditions of the permit may be subject to modification by the city during the term of the permit as limitations or requirements as identified in Division 2 of this Article are modified or other just cause exists. The user shall be informed of any proposed changes in his permit at least thirty (30) days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

6.16.860. - Permit transfer.

Wastewater discharge permits are issued to a specific user for a specific operation. A wastewater discharge permit shall not be reassigned or transferred or sold to a new owner, new user, different premises or a new or changed operation without the approval of the city. Any succeeding owner or user shall also comply with the terms and conditions of the existing permit.

6.16.870. - Baseline monitoring report.

Within either one hundred eighty (180) days after the effective date of a categorical pretreatment standard or the final administrative decision on a category determination under 40 CFR 403.6(a)(4), whichever is later, existing categorical users currently discharging to or scheduled to discharge to the POTW shall submit to the sewer superintendent a baseline monitoring report which contains the information listed in Subsections (1)— (8) of this Section. A new source shall report the method of treatment it intends to use to meet applicable categorical standards. A new source also shall give estimates of its anticipated flow and quantity of pollutants to be discharged. Users described in this section shall submit the following information:

- (1) The name and address of the facility, including the name of the operator and owner.
- (2) A list of any environmental control permits held by or for the facility.
- (3) A brief description of the nature, average rate of production and standard industrial classifications of the operation carried out by such user. This description should include a schematic process diagram which indicates points of discharge to the POTW from the regulated process.
- (4) Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process and other streams, as necessary, to allow use of the combined waste stream formula set out in 40 CFR 403.6(e).

- (5) The categorical pretreatment standards applicable to each regulated process and the results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the standard or by the discharge from each regulated process. Instantaneous, daily maximum and long-term average shall be reported. The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in this Article.
- (6) A statement, reviewed by the user's authorized representative and certified by a qualified professional, indicating whether pretreatment standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required to meet the pretreatment standards and requirements.
- (7) If additional pretreatment and/or O&M will be required to meet the pretreatment standards, the shortest schedule by which the user will provide such additional pretreatment and/or O&M. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard. The following conditions shall apply to this schedule:
 - a. The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (e.g., hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, etc.).
 - b. No increment referred to in Subsection (a.) of this Section shall exceed nine (9) months.
 - c. Not later than fourteen (14) days following each date in the schedule and the final date for compliance, the user shall submit a progress report to the city including, as a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment, the reason for the delay and the steps being taken by the user to return the construction to the schedule established. In no event shall more than nine (9) months elapse between such progress reports to the sewer superintendent.
- (8) All baseline monitoring reports must be signed and certified in accordance with the requirements of this Article.

6.16.880. - Reports on compliance with standards deadline.

Within ninety (90) days following the date for final compliance with applicable categorical pretreatment standards or, in the case of a new source, following commencement of the introduction of wastewater into the POTW, any user subject to such pretreatment standards and requirements shall submit to the city a report containing the information described in section 6.16.870 (4)— (6). For users' subject to equivalent mass or concentration limits established in accordance with the procedures in 40 CFR 403.6(c), this report shall contain a reasonable measure of the user's long-term production rate. For all other users' subject to categorical pretreatment standards expressed in terms of allowable pollutant discharge per unit of production (or other measure of operation), this report shall include the user's actual production during the appropriate sampling period. All compliance reports must be signed and certified in accordance with requirements of this Article.

6.16.890. - Periodic compliance report.

- (a) Any user subject to a pretreatment standard, after the compliance date of such pretreatment standard, or, in the case of a new source, after commencement of the discharge into the POTW shall submit to the city during the months of June and December, unless required more frequently in the pretreatment permit, a report indicating the nature and concentration of pollutants in the effluent which are limited by such pretreatment standards and the measured or estimated average and maximum daily flows for the reporting period. At the discretion of the sewer superintendent and in consideration of such factors as local high or low flow rates, holidays, budget cycles, etc., the sewer superintendent may agree to alter the months during which the above reports are to be submitted.
- (b) The city may impose mass limitations on users which are using dilution to meet applicable pretreatment standards or requirements or in other cases where the imposition of mass limitations is appropriate. In such cases, the report required by subsection (a) of this section shall indicate the mass of pollutants regulated by pretreatment standards in the effluent of the user. These reports shall contain the results of sampling and analysis of the discharge, including the flow and the nature and concentration, or production and mass where requested by the city of pollutants contained therein which are limited by the applicable pretreatment standards. The frequency of monitoring shall be prescribed in the applicable pretreatment standard.

6.16.900. - Pretreatment.

- (a) Users shall provide necessary wastewater treatment as required to comply with all local limits and this Article and shall achieve compliance with all national categorical pretreatment standards within the time limitations as specified by the national pretreatment regulations. Any facilities required to pretreat wastewater to a level acceptable to the city shall be provided, operated and maintained at the user's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the city for review and shall be acceptable to the city before construction of the facility. The review of such plans and operating procedures will in no way relieve the user from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the city under the provisions of this Article. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the city prior to the user's initiation of the changes.
- (b) All records relating to compliance with pretreatment standards shall be made available to officials of the EPA or approval authority upon request.

6.16.910. - Confidential information.

Information and data on a user obtained from reports, surveys, wastewater discharge permits and monitoring programs and from the sewer superintendent's inspection and sampling activities shall be available to the public without restriction, unless the user specifically requests and is able to demonstrate to the satisfaction of the city that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets under applicable state law. Any such request must be asserted at the time of submission of the information or data. When requested and demonstrated by the user furnishing a report that such information should be held confidential, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public but shall be made available immediately upon request to governmental agencies for uses related to the NPDES program or pretreatment program, and in enforcement proceedings involving the person furnishing the report. Wastewater constituents and

characteristics and other effluent data as defined by 40 CFR 2.302 will not be recognized as confidential information and will be available to the public without restriction.

6.16.920. - Application signatories and certification.

All wastewater discharge permit applications and user reports must be signed by an authorized representative of the user and contain the following certification statement:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment for knowing violations."

6.16.930. - Reports of changed conditions.

Each user must notify the city of any planned significant changes to the user's operations or system which might alter the nature, quality or volume of its wastewater at least ninety (90) days before the change.

- (1) The city may require the user to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a wastewater discharge permit application.
- (2) The city may issue a wastewater discharge permit or modify an existing discharge permit in response to changed conditions or anticipated changed conditions.
- (3) For purposes of this requirement, significant changes include, but are not limited to, flow increases of twenty (20%) percent or greater or the discharge of any previously unreported pollutants or any change to qualify as a significant industrial user.

6.16.940. - Bypass.

- (a) For the purposes of this section:
 - (1) The term "bypass" means the intentional diversion of wastewaters from any portion of a user's treatment facility.
 - (2) The term "severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss by delays in production.
- (b) A user may allow any bypass to occur which does not cause pretreatment standards or requirements to be violated, but only if it also is for essential maintenance to assure efficient operation. The bypasses are not subject to the provisions of Subsection (c) of this Section.
 - (1) Except in an emergency, user shall submit written prior notice to the city, at least ten (10) days before the date of the bypass.
 - (2) A user shall submit oral notice to the city and/or sewer superintendent of an unanticipated bypass that exceeds applicable pretreatment standards within twenty-four (24) hours from the

time it becomes aware of the bypass. A written submission shall also be provided within five (5) days of the time the user becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times and if the bypass has not been corrected, the anticipated time it is expected to continue, and steps taken or planned to reduce, eliminate and prevent reoccurrence of the bypass. The sewer superintendent may waive the written report on a case-by-case basis if the oral report has been received within twenty-four (24) hours.

(c) Bypass is prohibited, and the city may take an enforcement action against a user for a bypass, unless:

- (1) Bypass was unavoidable to prevent loss of life, personal injury or severe property damage;
- (2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
- (3) The user submitted notices as required under this Subsection (b).

The city and/or sewer superintendent may approve an anticipated bypass, after considering its adverse effects, if the city and/or sewer superintendent believes it will meet the three (3) conditions listed in Subsections (c)(1)—(c)(3) of this section.

6.16.950. - Recordkeeping.

Users subject to the reporting requirements of this Article shall retain and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this Article and any additional information obtained pursuant to monitoring activities undertaken by the user independent to such requirements. Records shall include the date, exact place, method and time of sampling and the name of the person taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the user or the city or where the user has been specifically notified of a longer retention period by the city.

DIVISION 9. - ENFORCEMENT

6.16.960. - Notification of violation.

When the sewer superintendent or their designated representative finds that a user has violated, or continues to violate any provision of this Article, a wastewater discharge permit, or order issued under this Article, or any other pretreatment standard or requirement, the sewer superintendent or their representative may serve upon that user a written notice of violation. Within fifteen (15) days of the receipt of this notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted by the user to the sewer superintendent. Submission of this plan in no way relieves the user of liability for any violations occurring before or after receipt of the notice of violation. Nothing in this Section shall limit the authority of the city to take any action including emergency actions or any other enforcement actions, without first issuing a notice of violation.

6.16.970. - Enforcement.

- A. Violation. It is unlawful for any user to discharge wastewater in any manner in violation of this Article, or of any condition set forth in this Article.
- B. Enforcement Procedures. Violations of this Article could result in progressive enforcement procedures set forth by the City of Stockbridge.
- C. Users that violate their discharge permit will be required to publicly published the Notice of Violation issued to them for each and every violation.
- D. Fines. Violations of this Article could result in fines of up to one thousand (\$1,000.00) dollars per offense.
- E. Second and Subsequent Violations. Second and subsequent violations of this Article could result in the termination of water and sewer services by the City of Stockbridge.
- F. The fines and penalties under this Section are subject to change from time to time as deemed necessary by the city.

6.16.980. - Termination of service.

The city may terminate water and sewer service and disconnect the user from the system when:

- (1) A government agency informs the city that the effluent from the wastewater treatment plant is no longer of a quality permitted for discharge to a watercourse and it is found that the customer is delivering wastewater to the city's system that cannot be sufficiently treated or requires treatment that is not provided by the city as normal domestic treatment.
- (2) The user:
 - a. Discharges industrial wastewater that is in violation of the permit issued by the city.
 - b. Discharges wastewater which has a deleterious effect upon the city's sewer system.
 - c. Discharges wastewater at an uncontrolled, variable rate in sufficient quantity to cause imbalance in the wastewater treatment system.
 - d. Fails to accurately report the wastewater constituents and characteristics of its discharge or fails to report significant changes in operations or wastewater volume, constituents and characteristics prior to discharge.
 - e. Refuses reasonable access to the user's premises for the purpose of inspection, monitoring or sampling.
 - f. Fails to pay monthly bills for water and sanitary sewer services when due.
 - g. Repeats a discharge of prohibited wastes to public sewers.
 - h. Is in violation of federal pretreatment requirements set forth in 40 CFR 403.

Such user will be notified of the proposed termination of its discharge and be offered an opportunity to show cause for why the proposed action should not be taken. Exercise of this option by the sewer superintendent shall not be a bar against the user.

6.16.990. - Disconnection.

If service is disconnected pursuant to this Article, the city shall:

- (1) Disconnect the customer.
- (2) Supply the customer with the governmental agency's report and provide the customer with all pertinent information.
- (3) Continue disconnection until such time as the industrial customer provides additional pretreatment or other facilities designed to remove the objectionable characteristics from its industrial wastes.

~~6.16.1000. - Publication of users in significant noncompliance.~~

The city shall publish annually, in the largest daily newspaper published in the city or county, a list of the users which, during the previous twelve (12) months, were in significant noncompliance with applicable pretreatment standards and requirements. The term "significant compliance" shall mean:

- (1) Chronic violations of wastewater discharge limits, defined here as those in which sixty-six (66%) percent or more of wastewater measurements taken during a six (6) month period exceeded the maximum daily limit or average daily limit for the same pollutant parameter by any amount;
- (2) Technical review criteria (TRC) violations, defined as those in which thirty-three (33%) percent or more of wastewater measurements taken for each pollutant parameter during a six (6) month period equals or exceeds the product of the daily maximum limit or the average limit multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);
- (3) Any other discharge violation that the city and/or sewer superintendent believes has caused, alone or in combination with other discharges, interference or pass through, including endangering the health of POTW personnel or the general public;
- (4) Any discharge of pollutants that has caused imminent endangerment to the public or to the environment or has resulted in the city and/or sewer superintendent exercise of its emergency authority to halt or prevent such discharge;
- (5) Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in a wastewater discharge permit or enforcement order for starting construction, completing construction or attaining final compliance;
- (6) Failure to provide, within thirty (30) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical pretreatment standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;
- (7) Failure to accurately report noncompliance; or
- (8) Any other violation which the city and/or sewer superintendent determines will adversely affect the operation or implementation of the local pretreatment program.

DIVISION 10. - PROTECTION FROM DAMAGE

6.16.1010. - Damaging, destroying, etc., equipment.

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

DIVISION 11. - POWERS AND AUTHORITY OF INSPECTORS

6.16.1020. - Entrance to properties; confidentiality of certain information.

- (a) The sewer superintendent and other duly authorized employees of the city, bearing proper ~~credentials and identification, shall be permitted to enter all properties for the purposes of~~ inspection, observation, measurement, sampling, records examination and copying and the performance of any additional duties.
- (b) When a user has security measures in force, the user shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, the employee will be permitted to enter without delay for the purposes of performing specific responsibilities.
- (c) Any temporary or permanent obstruction to safe and easy access to the facility to be inspected or sampled, shall be promptly removed by the user at the written or verbal request of the sewer superintendent and shall not be replaced. The cost of clearing such access shall be borne by the user.

6.16.1030. - Observance of safety rules.

While performing the necessary work on private properties referred to in Section 6.16.1020, the sewer superintendent or duly authorized representatives of the city shall observe all safety rules applicable to the premises established by the company.

6.16.1040. - Entrance to certain private properties through which the city holds easements.

The sewer superintendent and other duly authorized representatives of the city bearing proper credentials and identification, shall be permitted to enter all private properties through which the city 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 such easement shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

DIVISION 12. - PENALTIES

6.16.1050. - Civil remedies.

Any person who has violated, or continues to violate, any provision of this Article, a wastewater discharge permit, or order issued under this Article or any other pretreatment standard or requirement shall be liable to the city for a civil penalty of not less than one-thousand (\$1,000.00) dollars. Each act of violation and each day of continued violation shall constitute a separate offense. Any person who violates any provision of this Article shall become liable to the city for any expense, loss or damages occasioned by the city by reason of such violation. The city may recover reasonable attorney's fees, court costs and other expenses associated with enforcement activities, including sampling and monitoring expenses and the cost of actual damages incurred. In determining the amount of civil liability, the court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, any economic benefit gained through the user's violation,

corrective actions by the user, violation history of the user, and any penalties shall not be a bar against, or a prerequisite for, taking any other action.

6.16.1060. - Criminal prosecution.

- (a) A user who willfully or negligently violates any provision of this Article, a wastewater discharge permit, or order issued under this Article, or any other pretreatment standard or requirement shall, upon conviction, be guilty of a misdemeanor, punishable by a fine of not more than one-thousand (\$1,000.00) dollars per violation, per day, or imprisonment for not more than six (6) months, or both.
- (b) A user who willfully or negligently introduces any substance into the POTW which causes personal injury or property damage shall, upon conviction, be guilty of a misdemeanor and be subject to a penalty of not more than one-thousand (\$1,000.00) dollars or subject to imprisonment for not more than six (6) months or both. This penalty shall be in addition to any other cause of action for personal injury or property damage available under state law.
- (c) A user who knowingly makes any false statements, representations, or certifications in any application, record, report, plan or other documentation filed or required to be maintained pursuant to this Article, wastewater discharge or order issued under this Article; for who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this Article shall, upon conviction, be punished by a fine of not more than one-thousand (\$1,000.00) dollars per violation, per day, or imprisonment for not more than six (6) months, or both.

6.16.1070. - Injunctive relief.

When the sewer superintendent or authorized representative finds that a user has violated, or continues to violate, any provision of this Article, a wastewater discharge permit, or order issued under this Article, or any other pretreatment standard or requirement, the city may petition the Municipal Court through the city attorney for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the wastewater discharge permit, order, or other requirement imposed by this Article on activities of the user. The city may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the user to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking other action against a user.

6.16.1080. - Other legal sanctions.

In addition to sanctions provided for by this Article, the city is entitled to exercise sanctions provided for by other ordinances of the city for failure to pay the bill for water and sanitary sewer service when due.

6.16.1090. - Liability for expenses.

Any person violating any of the provisions of this Article shall become liable to the city for any expense, loss or damage occasioned by the city of such violation.

6.20. – SELF-INSPECTION OF WATER AND SEWER LINES.

6.20.1010 - Self-inspection of water and sewer lines.

Pursuant to the authority contained in Section 3 of Act 1046 Georgia Laws, subsection (d) of Code Section 8-2-26 of the Official Code of Georgia Annotated, relating to self-inspection of water and sewer projects by master plumbers or utility contractors, shall not be applicable within the City of Stockbridge.

Chapter 6.24. - INSTALLATION OF GAS, TELEVISION CABLE AND ELECTRICAL SERVICE LINES

6.24.010 - Installation of gas, television cable and electrical service lines.

Gas, television cable and electrical service lines that are constructed along roads or streets or on public or private property shall be fully installed on poles or underground within seventy-two (72) hours of laying the line for installation of the service line.

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