

Significant noncompliance or *SNC* means an industrial user shall be in significant noncompliance when any one or more of the following criteria are satisfied:

- (a) Chronic violations of wastewater discharge limits, defined here as those in which 66 percent or more of all of the measurements taken during a six-month period exceed (by any magnitude) a numeric pretreatment standard or pretreatment requirement including instantaneous limits;
- (b) Technical review criteria (TRC) violations, defined here as those in which 33 percent or more of all of the measurements for each pollutant parameter taken during a six-month period equal or exceed the product of the numeric pretreatment standard or pretreatment requirement including instantaneous limits, multiplied by the applicable TRC (TRC = 1.4 for BOD, TSS, total oil and grease, and 1.2 for all other pollutants except pH);
- (c) When the SIU fails to respond within ten days of receipt of a notice of violation (NOV) issued by the assistant to the city manager for public services;
- (d) When the SIU fails to accurately report noncompliance;
- (e) Any other violation of a pretreatment standard or pretreatment requirement as defined above, (daily maximum, long-term average, instantaneous limit, or narrative standard) that the control authority determines has caused, alone or in combination with other discharges, interference or pass through, (including endangering the health of POTW personnel or the general public);
- (f) Any discharge of a pollutant that has caused imminent endangerment to human health, welfare or to the environment or has resulted in the POTW's exercise of its emergency authority under section 78-138(e) of this article to halt or prevent such a discharge;
- (g) Failure to meet, within 90 days after the schedule date, a compliance schedule milestone contained in an IWDP or enforcement order for starting construction, completing construction, or attaining final compliance;
- (h) Failure to provide, within 45 days after the due date, required reports such as baseline monitoring reports, 90-day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules;
- (i) Any other violation or group of violations, including a violation of best management practices, which the control authority determines will adversely affect the operation or implementation of the local pretreatment program.

Significant violation means a violation of this article which remains uncorrected 30 days after notification of noncompliance; or which is part of a pattern of noncompliance; or which involves failure to accurately report noncompliance; or which resulted or results in the city exercising its emergency authority under this article or any related chapter of this Code.

Slug or slug load or slug discharge means any discharge at a flow rate or concentration, which could cause a violation of the prohibited discharge standards in this article. A slug discharge is any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge, which has a reasonable potential to cause interference or pass through, or in any other way violate the POTW's regulations, local limits or permit conditions.

Spill containment plan (SCP) means detailed plans, on file at the public services department, showing facilities and operating procedures to provide protection from accidental discharge. All industrial users whose wastewater includes or could include compatible or incompatible pollutants in amounts great enough to cause interference with the POTW shall be required to have such plans. Industrial users shall complete construction of such facilities and provide such operating procedures to the city within one year

of notification. No user who begins contributing to or could contribute such pollutants to the POTW after the effective date of the ordinance from which this article derives and who has been so notified shall be permitted to introduce such pollutants into the POTW until accidental discharge facilities and procedures, as appropriate, have been approved by the city and installed by the industrial user. Review and approval of such plans and operating procedures shall not relieve the industrial user from the responsibility to modify its facility, as necessary, to meet each and every requirement of this article.

Standard industrial classification (SIC) means a classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1987, as it may be amended or supplemented.

Standard methods means the current edition of standard methods for the examination of water and wastewater, as published jointly by the American Public Health Association, Water Environment Federation, and American Water Works Association.

Storm drain or storm sewer means a sewer which carries stormwaters and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

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

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

Total metals means the sum of metals (in mg/l) listed under subsection 78-132(d) or any metal considered a pollutant by the Public Services Department.

Toxic pollutant means any pollutant or combination of pollutants listed as toxic in regulations promulgated by the administrator of the Environmental Protection Agency under the provision of section 307(s) of the act or other laws.

Treatment works. See "sewer system."

Twenty-four-hour, flow proportional composite sample means a sample consisting of several effluent portions collected during a 24-hour period in which the portions of the sample are proportionate to the flow and combined to form a representative sample.

Upset means an exceptional incident in which there is unintentional and temporary noncompliance with categorical pretreatment standards because of factors beyond the reasonable control of the user. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

User means any person who discharges, causes or allows the discharge of wastewater which makes its way to a public sewer.

Wastewater means the liquids or water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities, and institutions, together with any groundwater, surface water, and stormwater, whether treated or untreated, which are contributed to the POTW.

Wastewater constituents and characteristics means the individual chemical, physical, bacteriological and radiological parameters, including volume and flow rate and such other parameters that serve to define, classify or measure the contents, quality, quantity and strength of wastewater.

Wastewater division means the wastewater division of the city, including all of its bureaus.

Wastewater treatment plant means that portion of the POTW which is designed to provide treatment of municipal sewage and industrial waste.

(Ord. No. 11-38, § I(Exh. A), 12-8-11; Ord. No. 22-43, § III, 10-27-22)

Cross reference—Definitions generally, § 1-2.

Sec. 78-128. Abbreviations.

The abbreviations used in this article shall have the designated meaning as follows:

BMP	Best management practice
BMR	Baseline monitoring report
BOD	Biochemical oxygen demand
CBOD	Carbonaceous biochemical oxygen demand
CFR	Code of Federal Regulations
COD	Chemical oxygen demand
CWA	Clean Water Act
EPA	U.S. Environmental Protection Agency
F.A.C.	Florida Administrative Code
FDEP	Florida Department of Environmental Protection
IU	Industrial user
IWDP	Industrial wastewater discharge permit
l	Liter
mg	Milligrams
mg/l	Milligrams per liter
NAICS	North American Industry Classification System
NOV	Notice of violation
NOSNC	Notice of significant noncompliance
NPDES	National Pollutant Discharge Elimination System
POTW	Publicly owned treatment works
SIC	Standard industrial classification
SIU	Significant industrial user
SNC	Significant noncompliance
TSS	Total suspended solids
USC	United States Code

(Ord. No. 11-38, § I(Exh. A), 12-8-11)

(c) Except as 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 treatment or disposal of wastewater.

(d) The owner of every house, building or property 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 or may be located a public sanitary sewer is required at his expense to install suitable toilet facilities therein and to

Sec. 78-129. Use of public sewers required.

(a) 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.

(b) It shall be unlawful to discharge to any natural outlet within the city or in any area under the jurisdiction of the city any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with this article.

connect such facilities with the proper public sewer in accordance with this article within 90 days after date of official notice to do so.

(e) In isolated hardship instances, the assistant to the city manager for public services, with the concurrence of the city commission, may exempt owners of property from the mandatory sewer connection requirements of this section upon a finding that the connection to the public sewer is not feasible. The determination of non-feasibility may be based upon financial considerations or physical obstructions which restrict connection to the sewer system. Every request from an owner of property for an exemption from the mandatory sewer connection shall be submitted in writing to the assistant to the city manager for public services and shall contain the name of the owner, the address and legal description of the property, the present use of the property and the justification for the requested exemption. The assistant to the city manager for public services shall review the request and shall grant or deny the request in writing, citing the specific reasons for the denial thereof, within 30 days following receipt of the completed application for any exemption. Failure of the assistant to the city manager for public services to make a determination within the 30-day period shall be deemed to constitute a denial of the request for an exemption. All denials of request for an exemption are subject to an administrative review by the city commission.

(f) No person shall discharge any substance directly into a manhole or other opening in a public sewer other than through an approved building sewer or other approved connection, unless he shall have been issued a temporary permit by the assistant to the city manager for public services. The assistant to the city manager for public services shall incorporate in such temporary permit such conditions as he deems reasonably necessary to ensure compliance with this article, and the user shall be required to pay applicable charges and fees therefore. (Ord. No. 11-38, § I(Exh. A), 12-8-11)

Sec. 78-130. Private sewage collection system connected to POTW.

(a) Before commencement of construction, reconstruction, enlargement, modification or improvement of a private sewage collection system

connected to a POTW, the owner shall first obtain a written permit signed by the city manager. The application for such permit shall be made on a form furnished by the city, which the applicant shall supplement by any plans, specifications and other information as are deemed necessary by the city manager. A permit and inspection fee shall be paid to the city at the time the application is filed.

(b) The type, capacities, location and layout of a private sewage collection system connected to a POTW shall comply with all requirements of the city public services department and the department of engineering.

(c) A permit for a private sewage collection system connected to a POTW system shall not become effective until the private sewage collection system is completed and has been inspected and approved by the assistant to the city manager for public services, or designee. The assistant to the city manager for public services shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the assistant to the city manager for public services when the work is ready for final inspection and before any underground portions are covered. The inspection shall be made within two days, excluding Saturday, Sunday and holidays, of the receipt of notice by the assistant to the city manager for public services.

(d) All costs and expenses incident to the installation and connection of the private sewage collection system 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 or connection of the private sewage collection system.

(e) The owner shall operate and maintain the private sewage collection system in a sanitary and effective manner at all times, at no expense to the city. Private sewers shall be maintained so as to preclude the entrance of excessive amounts of infiltration and inflow. If it is determined by the assistant to the city manager for public services that excessive amounts of infiltration/inflow are entering the public sewer from a private sewage collection system, the owner shall be responsible for determining the cause and for making all necessary repairs to the system, to the assistant

to the city manager for public services' satisfaction. All work shall be done by a contractor experienced in sewer rehabilitation work and acceptable to the assistant to the city manager for public services. Televising of the private sewer lines and submission of TV logs shall be required if determined necessary by the assistant to the city manager for public services. All operation, maintenance, and repair of private lift stations and pumping facilities shall be done by a reputable person experienced in the operation, maintenance and repair of such facilities, and upon demand the owner shall furnish such proof as the assistant to the city manager for public services deems necessary. The city shall have the right to inspect all private sewage collection systems and appurtenances and to cause discontinuance of sewer service if the private sewage collection is not maintained in a sanitary and effective operating condition or if the public sewer facilities may be harmed thereby.

(f) The city shall be responsible for the maintenance of the public sewer and for providing service to receive the approved sewer discharge from the private sewage collection system. (Ord. No. 11-38, § I(Exh. A), 12-8-11)

Sec. 78-131. Building sewers and connections.

(a) No authorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the assistant to the city manager for public services or code enforcement official.

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

- (1) Residential service; and
- (2) Nonresidential service.

(c) All costs and expenses incident 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.

(d) Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the assistant to the city manager for public services, to meet all requirements of this article.

(e) The size, slope, alignment, materials of construction of a building sewer and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench shall all conform to the requirements of the building and plumbing codes or other applicable rules and regulations of the city. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the American Society for Testing Materials and in the Manual of Practice No. 9 published by the Water Environment Federation shall apply.

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

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

(h) The connection of the building sewer into the public sewer or private sewage collection system shall conform to the requirements of the building and plumbing codes or other applicable rules and regulations of the city or the procedures set forth in appropriate specifications of the American Society for Testing Materials and in the Water Environment Federation Manual of Practice No. 9. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the assistant to the city manager for public services or the building inspector before installation.

(i) The applicant for the building sewer permit shall notify the assistant to the city manager for public services or building inspector when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the building inspector.

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

(k) The customer shall be responsible for the maintenance of the building sewer: specifically all plumbing from the public sewer into and including the house plumbing. The city shall have the right to inspect the building sewer and to cause discontinuance of sewer service to any property where the plumbing is not maintained in a sanitary and effective operating condition or if the public sewer facilities may be harmed thereby.

(l) Garages and other establishments where gasoline is used or where wastes containing grease in excessive amounts or where any flammable wastes, sand, or other harmful ingredients can be discharged and which are connected with municipal sewers shall be provided with a suitable trap or separator. All traps or separators shall be of a type and capacity approved by the assistant to the city manager for public services and shall be located so as to be readily and easily accessible for cleaning and inspection.

(m) Where pretreatment or flow-equalizing facilities or traps or separators are provided for any waters or wastes, they shall be maintained continuously and in satisfactory and effective operation by the owner or the user, and at his sole expense.

(n) The city shall be responsible for the maintenance of the public sewer and for providing service to receive the approved sewage discharge from the building sewers.

(o) 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 public sewer system.

(Ord. No. 11-38, § I(Exh. A), 12-8-11)

Sec. 78-132. Prohibitions and limitations on discharge into the POTW.

(a) *General prohibitions.* No user shall introduce, or cause to be introduced, into the POTW any pollutant or wastewater which causes pass through or interference. These general prohibitions apply to all users of the POTW whether or not they are subject to categorical pretreatment standards or any other national, state, or local pretreatment standards or requirements.

(b) *Specific prohibitions.* No user shall introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:

- (1) Any liquids, solids or gases which because 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, including, but not limited to, wastestreams with a closed-cup flashpoint of less than 140 degrees F. (60 degrees C.) using the test methods specified in 40 CFR 261.21. At no time shall two successive readings on an explosion hazard meter, at the point of discharge into the system or at any point in the system, be more than five percent or any single reading over ten percent of the lower explosive limit (LEL) of the meter. Prohibited materials include but are not limited to gasoline, kerosene, fuel oil, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides or any other substances which the city, the state or any federal agency has determined or may determine to be a fire hazard or a hazard to the systems.
- (2) Any wastewaters or waste having a pH less than 5.0 (or more than 9.5), or any

liquids, solids, or gases having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the POTW.

- (3) Solids or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the treatment works such as but not limited to grease, ashes, cinders, grass clippings, sand, mud, straw, shavings, metal, glass, rags, wastepaper, feathers, tar, asphalt residues, gas, fuel or lubricating oil, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, bones, entrails, paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.
- (4) 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; or any materials that may exert or cause:
 - a. Inert suspended solids, such as but not limited to Fuller's earth, lime slurries and lime residues, or of dissolved solids, such as but not limited to sodium chloride and sodium sulfate.
 - b. BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the wastewater treatment works.
 - c. Volumes of flow or concentration of wastes constituting slug discharges, as defined in this article.
- (5) Any wastewater having a temperature which will inhibit biological activity in the POTW treatment plant resulting in interference, as defined in this article, but in no case may heated wastewater be discharged in such quantities that the temperature at the treatment works influent exceeds 40 degrees Celsius (104 degrees Fahrenheit). Unless a higher temperature is allowed in the user's wastewater discharge permit, no user shall discharge into any sewer line or other appurtenance of the POTW wastewater with a temperature exceeding 65.5 degrees Celsius (150 degrees Fahrenheit).
- (6) Petroleum oil, non-biodegradable cutting oil or products of mineral oil origin in excess of 100 mg/l or parts per million.
- (7) Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems.
- (8) Any trucked or hauled pollutants except those lawfully discharged at specific points designated by the assistant to the city manager for public services.
- (9) Noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair.
- (10) Wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent, thereby violating the city's NPDES permit.
- (11) Wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the assistant to the city manager for public services in compliance with applicable state or federal regulations.
- (12) Stormwater, surface water, ground water, artesian well water, roof runoff, subsurface drainage, uncontaminated cooling water, swimming pool backwash or drainage, condensate, deionized water, noncontact cooling water, and unpolluted industrial process wastewater, unless specifically authorized by the assistant to the city manager for public services.
- (13) Sludges, screenings, or other residues from the pretreatment of industrial wastes.