(The following is not a verbatim transcript of comments or discussion that occurred during the meeting, but rather a summarization intended for general informational purposes. All motions and votes are the official records).

PUBLIC WORKS COMMITTEE

Regular meeting of the Public Works Committee was held on Thursday, March 17, 2011 in the Council Chambers, City Hall, Cranston, Rhode Island.

CALL MEETING TO ORDER:

The meeting was called to order at 6:10 P.M. by the Chair.

Present: Councilman Emilio L. Navarro, Chair
Councilman Steven A. Stycos, Vice-Chair
Councilman Richard D. Santamaria, Jr.
Councilwoman Leslie A. Luciano
Councilman Robert J. Pelletier, Vice-President
Council President Anthony J. Lupino

Also Present: Councilman Paul H. Archetto
Councilman James E. Donahue
Robin Muksian-Schutt, Director of Administration
Gerald Cordy, Deputy Director of Administration
Evan Kirshenbaum, Assistant City Solicitor
Pat Quinlan, City Council Legal Counsel
Steve Woerner, City Council Internal Auditor
Maria Medeiros Wall, City Clerk
Rosalba Zanni, Assistant City Clerk/Clerk of Committees
Heather Finger, Stenographer

MINUTES OF THE LAST MEETING:

On motion by Council Vice-President Pelletier, seconded by Councilman Stycos, it was voted to dispense with the reading of the minutes of the last meeting and they stand approved as recorded. Motion passed unanimously.

CORRESPONDENCE:

OLD BUSINESS:

Wheatland & Dresden – Administration Report follow up (cont'd Feb. 17, 2011)

Mr. Cordy reported on this issue.

Chair asked that this item be continued until the Committee receives a comprehensive report.

NEW BUSINESS:

- **Administration report on monitoring location of plows during snow storms.** Referred from Claims Committee 2/7/2011.

Council Vice-President Pelletier stated that one of the concerns the Claims Committee had is there were a number of mailbox claims and discussion was held on the possibility of charging the snowplow vendors for the mailbox claims.

Ms. Schutt stated that this was discussed at the staff meeting and next year we could, for the future, try to have dispatchers keep more accurate records of where the vendors or snow plowers are. The problem is most streets have both City plows and private vendors. 100% of the time, we do not know who takes down a mailbox.

Council Vice-President Pelletier stated that another item discussed at Claims Committee was possibly moving the mailbox claims into the Public Works Budget.

Ms. Schutt stated that this will not be making anybody more accountable.

On motion by Council Vice-President Pelletier, seconded by Council President Lupino, it was voted to have the Administration provide the agreement that is in place or bid spec for the vendors to the City Council. Motion passed unanimously.

Chair asked that this item be removed from the agenda and place on next month's agenda: "bid spec or agreement for snow plow vendors".

- **Pot Hole Hotline.** Council President Lupino

Ms. Schutt stated that right now, during the day, the Mayor's Office takes calls on potholes and at night, the Police call her to advise her of the potholes. As to utilizing the web, she can work with IT to see if a link can be set up for people to e-mail the Highway Division whether for a pothole or tree down or any other issues. She can discuss this with the Highway Superintendent next week, since he is on vacation this week.

Council President Lupino asked Ms. Schutt to have the Highway Superintendent call him when he returns from vacation so he can discuss this with him.

- **Resolution establishing new local sewer user disposal limits.**

On motion by Council President Lupino, seconded by Council Vice-President Pelletier, it was voted to recommend approval of this Resolution.

Under Discussion:

Chair asked Solicitor to give an explanation of this Resolution.

Solicitor stated that the importance of passing this agreement is to keep up with our permit and put some teeth into our current Ordinance.

Councilman Stycos questioned line #765 of the Resolution and asked that Solicitor report back next month on the effect of garbage disposal on sewer system levels.

Chair indicated that the Resolution goes from line 230-276 and questioned if there are pages missing. City Clerk indicated that she will check with the Solicitor and if there are pages missing, she will forward them to the Committee tomorrow.

Motion to recommend approval of this Resolution passed unanimously.

- **Resolution approving the transfer of land located at 1771 Pontiac Ave. to the City of Cranston in accordance with Section 2.08.080 of the City Code.**

On motion by Council President Lupino, seconded by Council Vice-President Pelletier, it was voted to recommend approval of this Resolution.
Under Discussion:

Chair asked for a summary of this Resolution. Ms. Schutt appeared to speak.

Motion to recommend approval of this Resolution passed unanimously.

MISCELLANEOUS BUSINESS:

Council President Lupino asked that the Administration, for the next meeting, provide a report on ongoing problem at Budlong Rd. and Urquhart in regards to the pond issue. There has been increase in development in the area and the property is being affected.

The meeting adjourned at 6:25 P.M.

Respectfully submitted,

Rosalba Zanni
Assistant City Clerk/Clerk of Committees

THE CITY OF CRANSTON

RESOLUTION OF THE CITY COUNCIL

ESTABLISHING NEW LOCAL SEWER USER DISPOSAL LIMITS

NO.

Passed:

Anthony J. Lupino, Council President

Whereas, the City's Sewer Use Ordinance must be revised and updated to establish local user limitations, and

Whereas, the Department of Environmental Management has requested the Council initial approval of such an ordinance,

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

Chapter 13.08 SEWER SERVICE SYSTEM
Article I
General
Sections:
13.08.010 Acceptance of special law.
13.08.020 Reference to state codes.
13.08.030 Construction and maintenance and special time provision.*
13.08.040 Definitions.
Article II
Regulations Requiring the Use of Public Sewers Where Available
Sections:
13.08.050 Unsanitary discharges.
13.08.060 Discharge to natural outlets.
13.08.070 Privy, privy vault, septic tank, etc.

13.08.080 Houses, buildings, properties.
13.08.090 Car wash, public laundry, etc.
Article III
Regulations and Procedures Regarding Building
Sewers--Laterals and Connections
Sections:
13.08.100 Sewer system connection permits.
13.08.110 Service connection standards.
13.08.120 Service connection cleaning.
13.08.130 Separate and independent building sewers/laterals.
13.08.140 Use of sewer service connections.
13.08.150 Costs.
13.08.160 Extension of sewer system.
13.08.170 Sanitary sewer standards.
13.08.180 Approval of sewage pumps.
13.08.190 Backwater valves.
13.08.200 Notification for inspection.
13.08.210 Procedure upon discontinuance of use.
13.08.220 Rules and regulations covering sewer service under unusual conditions.
Article IV
Regulations Relating to the Rate of Discharge and
Character of Waters and Wastes Admissible to Public Sewers
Sections:
13.08.230 Inadmissible waters.
13.08.240 Unpolluted water.
13.08.250 Garbage grinder wastes.
13.08.260 Restrictions on kinds of wastes.
13.08.270 Requirements to discharge.
13.08.280 Pretreatment or equalization.
13.08.290 Maintenance and operation of facilities.
13.08.300 Grease, oil and sand interceptors.
13.08.310 Maintenance and operation of interceptors.
13.08.320 New discharges--Changes in existing discharges.
13.08.330 Special agreements or arrangements.
13.08.340 Wastewater discharge limits.
Article V
Protection from Damage
Sections:
13.08.350 Unauthorized construction.
13.08.360 Damage to wastewater facilities.
Article VI
Regulations Relating to Monitoring, Sampling and Analyses
Sections:
13.08.370 Metered water supply.
13.08.380 Metered wastewater volume and metered diversions.
13.08.390 Monitoring facility requirements.

13.08.400 Inspection of user facilities.
13.08.410 Measurements, tests and analyses.
Article VII
Powers and Authority of Inspectors
Sections:
13.08.420 Right to enter user facilities.
13.08.430 Right to enter onto easements.
13.08.440 Personal injury and/or property damage.
Art icle VIII
E nforcement
Secti ons:
13.08.450 Accidental discharge.
13.08.460 Consent orders.
13.08.470 Compliance orders.
13.08.480 Cease and desist orders.
13.08.490 Show cause hearings.
13.08.500 Request for reconsideration of actions.
13.08.510 Appeal.
13.08.520 Public notification.
Art icle IX
Penalt ies
Secti ons:
13.08.530 Violations.
13.08.540 Administrative fines.
13.08.550 Injunctive relief.
13.08.560 Civil penalties.
13.08.570 Criminal prosecution.
13.08.580 Liability.
13.08.590 Costs of repairing damage.
13.08.600 Falsification of records and instruments.
13.08.610 Emergency suspensions.
13.08.620 Termination of service.
13.08.630 Notification of termination of service.
13.08.640 Remedies nonexclusive.
Art icle X
Sewer Use Charges
Secti ons:
13.08.650 Participation.
13.08.660 Classification of users.
13.08.670 Payments.
Art icle XI
Validit y
Secti ons:
13.08.680 Conflict.
13.08.690 Severabililty.

Article XII

Disposal of Hauled Wastes

Sections:

13.08.700 Policy.
13.08.710 Biosolids acceptance.
13.08.720 Discharge requirements and fees.
13.08.730 Hauled waste tank truck requirements.
13.08.740 Additional requirements.

Article XIII

Appendix--Forms

Sections:

13.08.750 Application for Residential/Commercial Connection with Sewerage System.
13.08.760 Reserved.
13.08.770 Reserved.
13.08.780 Reserved.
13.08.790 Reserved.

Article XIV

Sewer Tie-In Loan Fund Regulations

13.08.800 Participation.
13.08.810 Administration.

Article I

General

13.08.010 Acceptance of special law.

The provisions of Chapter 750 of the Public Laws of 1939 as amended, are accepted and amended by the city council.

(Prior code § 26-1)

13.08.020 Reference to state codes.

This chapter has taken into consideration the State Building Code, Article 17; and the 1975 BOCA Plumbing Code, Article 15. Said codes are herein modified.

(Prior code § 26-2)

13.08.030 Construction and maintenance and special time provision.*

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

(Prior code § 26-3)

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

13.08.040 Definitions.

"ACGIH" means American Conference of Governmental Industrial Hygienists.

185 "Act" means the Federal Water Pollution Control Act, also known as the Clean Water
186Act as amended, 33 U.S.C. 125 1 et seq., 86 Stat. 816, Pub. L. 92-500, and any
187am endments thereto; as well as any guidelines, limitations and standards promulgated by
188the Env ironmental Protection Agency pursuant to the Act.
189" Approval authority" means the Rhode Island Department of Environmental
190Manag ement.
191" ASTM" means the American Society for Testing and Materials.
192" Authorized representative of the user" means:
1931. If the user is a corporation:
194a. A president, secretary, treasurer, or vice-president of the corporation in charge of a
195pri ncipal business function, or any other person who performs similar policy- or decision-
196m aking functions for the corporation, or
197b. The manager of one or more manufacturing, production, or operating facilities,
198pr ovided, the manager is authorized to make management decisions which govern the
199operation of the regulated facility including having the explicit or implicit duty of making
200m ajor capital investment recommendations, and initiate and direct other comprehensive
201m easures to assure long-term environmental compliance with environmental laws and
202reg ulations; can ensure that the necessary systems are established or actions taken to
203g ather complete and accurate information for control mechanism requirements; and
204where authorit y to sign documents has been assigned or delegated to the manager in
205acc ordance with corporate procedures.
2062. If the user is a partnership or sole proprietorship: a general partner or proprietor,
207respec tively.
2083. If the user is a federal, state or local governmental facility: a director or highest
209of ficial appointed or designated to oversee the operation and performance of the activities
210of the government facility.
2114. A duly authorized representative of the individual designated in subsection 1, 2, or 3
212of this definition if: (i) The authorization is made in writing by the individual described in
213subse ctions 1, 2, or 3 of this definition; (ii) The authorization specifies either an
214indi vidual or a position having responsibility for the overall operation of the facility, such
215as the position of plant manager, operator of a well, or well field superintendent, or a
216position of equivalent responsibility, or having overall responsibility for environmental
217m atters for the company; and (iii) the written authorization is submitted to the director.
218" Best management practices" or "BMPs" means schedules of activities, prohibitions of
219practices, maintenance procedures, and other management practices to implement the
220proh ibitions listed in Title 40 Code of Federal Regulations Parts 403.5(a)(1) and (b).
221BM Ps also include treatment requirements, operating procedures, and practices to control
222plant s ite runoff, spillage or leaks, sludge or waste disposal, or drainage from raw
223m aterials storage.
224" BOD" (denoting biochemical oxygen demand) means the quantity of oxygen utilized in
225the bioche mical oxidation of organic matter under standard laboratory procedure in five
226day s at twenty (20) degrees Celsius expressed in milligrams per liter.
227" Building drain" means that part of the lowest horizontal piping of a drainage system
228which receiv es the discharge from wastewater pipes inside the walls of the building and
229conv eys it to the building lateral, beginning five feet (1.5 meters) outside the inner face of
230the building wall.

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

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

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

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

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

"City" means the city of Cranston.

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

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

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

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

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

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

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

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

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

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

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

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

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

TABLE INSET:

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

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

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

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

"Infectious waste" means any waste which contains pathogens with sufficient virulence and quantity so that exposure to the waste by a susceptible host could result in disease. Under this definition, the normal microflora of the body are not classified as infectious.

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

"May" is permissive.

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

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

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

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

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

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

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

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

" Ordinance" is the city sewer use ordinance.

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

" PCBs" means Polychlorinated Biphenyls.

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

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

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

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

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

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

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

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

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

" Publicly owned treatment works" or "POTW" means a treatment works as defined by Section 212 of the Act (33 U.S.C. Section 1292) which is owned by the city. This def inition includes any devices and systems used in the storage, treatment, recycling and reclama tion of municipal sewage or industrial wastes of a liquid nature. It also includes se wers pipes and other conveyances only if they convey wastewater to a POTW tr eatment plant. The term also means the municipality as defined in Section 502(4) of the Act, which has jurisdiction over the indirect discharges to and the discharges from such a tr eatment works.

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

" Replacement" means expenditures for obtaining and installing equipment, accessories or appurt enances which are necessary during the service life of the treatment works to ma intain the capacity and performance for which such works were designed and construct ed. The term "operation and maintenance" includes replacement.

" Rhode Island Pollutant Discharge Elimination System (RIPDES)" means the Rhode Island s ystem for issuing, modifying, revoking and reissuing, terminating, monitoring and enf orcing discharge permits and imposing and enforcing pretreatment requirements pur suant to Title 46, Chapter 12 of the General Laws of Rhode Island and the Clean W ater Act.

" Sanitary sewer" means a sewer which carries sewage and to which storm, surface and g roundwaters are not intentionally admitted.

" Septage" means any sewage from pump stations, septic tanks, cesspools, vessels, chem ical toilets and campers.

" Sewage" See "wastewater."

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

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

" Shall" is mandatory.

" Significant industrial user" means:

1. A user subject to categorical pretreatment standards; or

2. A user that:

a. Discharges an average of twenty-five thousand (25,000) gpd or more of process was tewater to the POTW (excluding sanitary, non-contact cooling, and boiler blowdown was tewater);

b. Contributes a process waste stream which makes up five percent or more of the av erage dry weather hydraulic or organic capacity of the POTW treatment plant; or

c. Is designated as such by the city on the basis that it has a reasonable potential for adv ersely affecting the POTW's operation or for violating any pretreatment standard or requi rement.

3. Upon a finding that a user meeting the criteria in subsection 2 of this definition has no reasonable potential for adversely affecting the operation or for violating any pret reatment standard or requirement, the city may at any time, on its own initiative or in response to a petition received from a user, and in accordance with the procedures in Title

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

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

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

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

c. The user never discharges any untreated concentrated wastewater.

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

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

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

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

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

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

" 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.

" TKN" is Total Kjeldahl Nitrogen.

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

" TSS" is total suspended solids.

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

" User" means a source of indirect discharge.

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

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

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

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

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

(Prior code § 26-4)

(Ord. No. 2009-52, § 1, 9-28-09)

Article II

Regulations Requiring the Use of Public Sewers Where Available

13.08. 050 Unsanitary discharges.

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 objectionable waste.

(Prior code § 26-5)

13.08. 060 Discharge to natural outlets.

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

(Prior code § 26-6)

13.08. 070 Privy, privy vault, septic tank, etc.

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 wastewater, except as hereinafter provided.

(Prior code § 26-7)

13.08. 080 Houses, buildings, properties.

The owners 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 now located or may in the future be located a public sanitary sewer of the city, is required, at each owner's expense, to install suitable toilet facilities therein, and to connect such facilities directly with the public sewer in accordance with the requirements of the director or in accordance with the provisions of

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

13.08.090 Car wash, public laundry, etc.
No person shall operate the business of a car wash, public laundry, automatic laundry or laundromat on any lot in the city unless such lot is served by a public sewer system or by a system which reclaims for re-use on the premises at least eighty (80) percent of the water discharged from the washing facilities, except that this section shall not apply to any business which shall have been in operation prior to June, 1978, and shall not apply to any gasoline station with a car wash stand to accommodate the washing of no more than one car at a time.
(Prior code § 26-9)

Article III
Regulations and Procedures Regarding Building Sewers-- Laterals and Connections

13.08.100 Sewer system connection permits.
No sanitary connection of private property or public property with the public sewer system shall be made until the owner of the land, or his or her duly authorized agent, has submitted an application in writing to the city for permission to make the same, and has been granted such permission.
A. There shall be two classes of building sewer permits:
1. For residential and commercial service; and
2. For service to establishments producing industrial wastes.
In either case, the owner or his or her agent shall submit an application on a form furnished by the city. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgement of the city or its duly authorized representative. A permit and inspection fee shall be paid according to current fee schedules and cost estimate format established by the city.
B. Upon approval of the application by the city, the city shall authorize the building inspector to issue a permit for such installation to a duly licensed plumber or drain layer.
C. Permits (or separate contracts) issued to establishments producing industrial wastes will include, as a minimum, effluent limits, including local and applicable EPA categorical standards as they are promulgated, compliance schedules, monitoring schedules, and general conditions. Industrial user permits may contain other conditions as the city deems necessary or desirable, including, but not limited to, best management practices. The permit conditions are specifically and independently enforceable regardless of whether they are expressly required or set out in this chapter.
D. All industrial users shall comply with any and all applicable pretreatment standards and requirements, including but not limited to EPA Categorical Pretreatment Standards [Title 40 Code of Federal Regulations, Chapter I, Subchapter N, Parts 405-471], National

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

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

ABLE INSET:

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

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

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

F. Areas exempt from this chapter are as follows:

1. Public buildings;

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

(Prior code § 26-22)

(Ord. No. 2009-52, § 1, 9-28-09)

13.08.110 Service connection standards.

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

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

(Prior code § 26-23)

13.08.120 Service connection cleaning.

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

(Prior code § 26-24)

13.08.130 Separate and independent building sewers/laterals.

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

(Prior code § 26-25)

13.08.140 Use of sewer service connections.

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

13.08.150 Costs.
All costs and expense incident to the installation, inspection, and connections of the building drain, building lateral and street lateral, including private sewers or drains, shall be borne by the owner. The city or its authorized representative will provide the owner with a list of approved contractors with whom the owner shall contract for the installation of building laterals and street laterals. The owner shall indemnify the city from any loss or damage that may directly or indirectly be occasioned by the installation of the building lateral and street lateral and shall submit a certificate of insurance.
That a revolving loan fund be established to defer costs to connect homes located within the city directly with the public sewer be established in the amount of two hundred thousand dollars ($200,000.00), effective January 1, 2007.
That the following are considered as qualifications for eligibility for receiving a loan:
A. Applicant must be the owner of the home seeking to connect with the city sewer system and must reside in said home located within the city of Cranston.
B. Applicants' total household income must be one hundred (100) percent of the poverty level as established by the Social Security Administrations for households of equal size.
C. Applicant must document number of dependents and monthly personal income. Acceptable proof includes:
1. Copies of most recent two pay stubs;
2. W-2 forms for most recent tax year; or
3. Proof of unemployment qualification.
D. Applications are subject to a credit history check administered by the department of finance.
E. That interest costs will not be applicable; however, all loans must be repaid within five calendar years in four quarterly installments each year.
F. That an administrative fee of fifty dollars ($50.00) will be applied to each loan.
G. That loans will be administered through the department of finance.
H. That the department of finance will submit to the city council by March 1, 2007, and annually thereafter, a report on the status of the revolving loan account, to include aggregate number of loans issued, amount in the account, and status of any loans in default. Loans that are in default will be handled as a collection issue in accordance with policy and procedures manual prepared by the administration set forth through the department of finance and approved by the city council.
(Ord. 07-25 § 1: prior code § 26-27)

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

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

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

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

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

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

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

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

(Prior code § 26-28)

13.08.170 Sanitary sewer standards.

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

(Prior code § 26-29)

13.08.180 Approval of sewage pumps.

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

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

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

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

(Prior code § 26-30)

13.08.190 Backwater valves.

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

(Prior code § 26-31)

13.08.200 Notification for inspection.

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

(Prior code § 26-32)

13.08.210 Procedure upon discontinuance of use.

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

(Prior code § 26-33)

13.08.220 Rules and regulations covering sewer service under unusual conditions.

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

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

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

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

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

F. The city maintains the right to establish individual agreements with industries and other entities for sewer service that may not be in full conformance with the ordinance. Any such individual agreements must be approved by the city council.

(Prior code § 26-34)

Article IV Regulations Relating to the Rate of Discharge and Character of Waters and Wastes Admissible to Public Sewers

13.08.230 Inadmissible waters.

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

(Prior code § 26-36)

13.08.240 Unpolluted water.

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

(Prior code § 26-37)

13.08.250 Garbage grinder wastes.

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

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

B. Where the user has obtained a permit for the specific use from the director, and agrees to undertake whatever self-monitoring is required to enable the city to equitably determine the charges and fees based on the waste constituents and characteristics. Such grinders must shred the waste to a degree that all particles will be carried freely under normal flow conditions prevailing in the public sewer. Garbage grinders shall not be used for grinding plastic, paper products, inert materials or garden refuse.

774 (Prior code § 26-38)
775
77613.08. 260 Restrictions on kinds of wastes.
777A. No person shall discharge or cause to be discharged any of the following described
778waters or wastes to any public sewers:
7791. Pollutants which create a fire or explosive hazard in the POTW including, but not
780li mited to waste streams with a closed-cup flash point of less than one hundred forty
781(140) degrees Fahrenheit (sixty (60) degrees Celsius) using test methods specified in 40
782CFR 261.21.
7832. Any waters or wastes containing toxic or poisonous solids, liquids or gases in
784suf ficient quantity, either singly or by interaction with other wastes, to injure or interfere
785with any wastewater treatment process, constitute a hazard to humans or animals, create a
786publi c nuisance or create any hazard in the receiving waters of the wastewater facilities.
7873. Any waters or wastes having a pH lower than 5.5, or having any other corrosive
788pro perty capable of causing damage or hazard to structures, equipment and personnel of
789the wa stewater facilities.
7904. Solid or viscous substances in quantities or of such size capable of causing
791obstructi on to the flow in sewers, or other interference with the proper operation of the
792was tewater facilities such as, but not limited to, hypodermic needles, ash, ashes, cinders,
793sa nd, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground
794g arbage, whole blood, paunch manure, hair and fleshings, entrails, paper dishes and cups,
795m ilk containers, etc., either whole or ground by garbage grinders.
7965. Wastewaters whose theoretical equilibrium fume concentration exceeds limits of
797explosiv ity or fume toxicity based on criteria and procedures for determining
798f lammability, TLV-TWA fume toxicity limits, and combined effects (synergism), as
799g iven in latest publications of the ACGIH and where necessary, supplementary scientific
800information.
8016. Medical wastes, except as specifically authorized by the director in a discharge
802per mit.
803B. No person shall discharge or cause to be discharged the following described
804subs tances, materials, waters, or wastes if it appears likely in the opinion of the director
805that s uch wastes can harm either the sewers, wastewater treatment process, or equipment,
806hav e an adverse effect on the receiving stream, or can otherwise endanger life, limb,
807publ ic property or constitute a nuisance. In forming his or her opinion as the acceptability
808of these wastes, the director will give consideration to such factors as the quantities of
809subj ect wastes in relation to flows and velocities in sewers, materials of construction of
810the sewers, nature of the wastewater treatment process capacity of the wastewater
811tr eatment works, degree of treatability of wastes in the wastewater treatment works, and
812other pertinent factors. The substances prohibited are:
8131. Any liquid or vapor having a temperature higher than one hundred fifty (150) degrees
814Fahr enheit (65.9 degrees Celsius) or contributing to a treatment plant influent
815tempe rature above one hundred four (104) degrees Fahrenheit (forty (40) degrees
816Celsius).
8172. Any water or waste containing more than one hundred (100) milligrams per liter,
818(mg /l) of oil or grease of animal or vegetable origin, containing more than twenty-five
819(25) mg/l of oil or grease of mineral or petroleum origin or containing substances which

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

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

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

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

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

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

8. Materials which exert or cause:

a. Unusual concentrations of 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. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).

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

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

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

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

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

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

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

(Prior code § 26-39)

13.08. 270 Requirements to discharge.

If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 13.08. 260 of this article, and which, in the judgement of the director, may have a deleterious effect upon the wastewater facilities, processes, equipment or receiving

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

A. Reject the wastes;

B. Require pretreatment to an acceptable condition for discharge to the public sewers;

C. Require control over the quantities and rates of discharge; and/or

D. Require payment to cover the added cost of handling and treating the wastes.

(Prior code § 26-40)

(Ord. No. 2009-52, § 1, 9-28-09)

13.08.280 Pretreatment or equalization.

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

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

(Prior code § 26-41)

13.08.290 Maintenance and operation of facilities.

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

(Prior code § 26-42)

13.08.300 Grease, oil and sand interceptors.

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

(Ord. 05-17 § 1)

(Ord. No. 2009-52, § 1, 9-28-09)

13.08.310 Maintenance and operation of interceptors.

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

(Prior code § 26-44)

13.08.320 New discharges--Changes in existing discharges.

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

(Prior code § 26-45)

13.08.330 Special agreements or arrangements.

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

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

(Prior code § 26-46)

13.08.340 Wastewater discharge limits.

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

TABLE INSET:

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

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

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

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

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

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

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

(Prior code § 26-47)

(Ord. No. 2008-47, § 1, 11-24-08)

Article V
Protection from Damage

13.08.350 Unauthorized construction.

No unauthorized 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 city.

(Prior code § 26-48)

13.08.360 Damage to wastewater facilities.

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

(Prior code § 26-49)

Article VI
Regulations Relating to Monitoring, Sampling and Analyses

13.08.370 Metered water supply.

When charges and fees are based upon the water usage, such charges and fees shall be applied against the total amount of water used from all sources unless, in the opinion of the director, significant portions of water received are not discharged to a public sewer. The total amount of water used from public and private sources will be determined by means of public meters or private meters, installed and maintained at the expense of the user and approved by the director, subject to the direction and control of the department of public works.

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

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

(Prior code § 26-50)

13.08.380 Metered wastewater volume and metered diversions.

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

(Prior code § 26-51)

13.08.390 Monitoring facility requirements.

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

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

B. Monitoring facilities that are required to be installed shall be constructed, operated and maintained at the user's expense. The purpose of the monitoring facility is to enable inspection, sampling and flow measurement of wastewaters produced by a user. If sampling or metering equipment is required by the director, it shall be provided, installed and operated at the user's expense. In the event that special analyses are required by the city, the cost of said analyses shall be borne by the user. The monitoring facility will normally be required to be located on the user's premises outside of the building. The director may, however, when such a location would be impractical or cause undue hardship on the user, allow the monitoring 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.

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

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

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

F. When, in the judgement[MO2XP1] of the director, an existing user requires a monitoring facility, the user will be so notified in writing. Construction must be completed within ninety (90) days following written notification unless a time extension is otherwise granted by the city.

(Prior code § 26-52)

13.08.400 Inspection of user facilities.

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

(Prior code § 26-53)

13.08.410 Measurements, tests and analyses.

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

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

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

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

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

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

(Prior code § 26-54)

Article VII

Powers and Authority of Inspectors

13.08.420 Right to enter user facilities.

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

(Prior code § 26-55)

13.08.430 Right to enter onto easements.

The director 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 wastewater facilities laying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

(Prior code § 26-56)

13.08.440 Personal injury and/or property damage.

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

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

Article VIII
Enforcement

13.08.450 Accidental discharge.
All users shall notify the director immediately upon accidentally discharging wastes that could cause problems to the POTW, including any slug loadings, as defined in Section 13.08.040 of this chapter, and or are in violation of this chapter to enable countermeasures to be taken by the director to minimize damage to the wastewater facilities, treatment processes and the receiving waters.
A. This notification shall be followed, within five days of the date of occurrence, by a detailed written statement describing the causes of the accidental discharge and the measure being taken to prevent future occurrence.
B. Such notification will not relieve users of liability for any expense incurred due to loss or damage to the public sewer system, wastewater treatment works or treatment process.
C. In order that employees or users may be informed of city requirements, users shall make available to their employees copies of this chapter together with such other wastewater information and notices which may be furnished by the city, from time to time, directed toward more effective water pollution control. A notice shall be furnished and permanently posted on the user's bulletin board advising employees of whom to call in case of an accidental discharge in violation of this chapter.
D. Any direct or indirect connection or entry point for persistent or deleterious wastes to the user's plumbing or drainage system should be eliminated. Where such action is impractical or unreasonable, the user shall appropriately label such entry points to warn against discharge of such wastes in violation of this chapter.
(Prior code § 26-58)

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

13.08.470 Compliance orders.

When the director finds that a user has violated, or continues to violate, any provision of this chapter, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, the director may issue an order to the user responsible for the discharge directing that the user come into compliance within a specified time. If the user does not come into compliance within the time provided, sewer service may be discontinued unless adequate treatment facilities, devices, or other related appurtenances are installed and properly operated. Compliance orders also may contain other requirements to address the noncompliance, including additional self-monitoring and management practices designed to minimize the amount of pollutants discharged to the sewer. A compliance order may not extend the deadline for compliance established for a pretreatment standard or requirement, nor does a compliance order relieve the user of liability for any violation, including any continuing violation. Issuance of a compliance order shall not be a bar against, or a prerequisite for, taking any other action against the user.
(Prior code § 26-60)

13.08.480 Cease and desist orders.
When the director finds that a user has violated, or continues to violate, any provision of this chapter, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, or that the user's past violations are likely to recur, the director may issue an order to the user directing it to cease and desist all such violations and directing the user to:
A. Immediately comply with all requirements;
B. Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and or terminating the discharge;
C. Issuance of a cease and desist order shall not be a bar against, or a prerequisite for, taking any other action against the user.
(Prior code § 26-61)

13.08.490 Show cause hearings.
The director may order a user which has violated, or continues to violate, any provision of this chapter, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, to appear before the director and show cause why enforcement action should not be taken. Notice shall be served on the user specifying the time and place for the meeting. the proposed enforcement action, the reasons for such action, and a request that the user show cause as to why the proposed enforcement action should not be taken. The notice of the meeting shall be served personally or by registered or certified mail (return receipt requested) at least ten (10) days prior to the hearing. Such notice may be served on any authorized representative of the user. A show cause hearing shall not be a bar against, or prerequisite for, taking any other action against the user.
(Prior code § 26-62)

13.08.500 Request for reconsideration of actions.
Any user, permit applicant, or permit holder affected by any decision, action or determination, including cease and desist orders, made by the director, interpreting or

implementing the provisions of this chapter or in any permit issued herein, may file with the director a written request for reconsideration within ten (10) days of such decision, action or determination, setting forth in detail the facts supporting the user's request for reconsideration.
(Prior code § 26-63)

13.08.510 Appeal.
If the ruling made by the director is unsatisfactory to the person requesting reconsideration, he or she may within ten (10) days after notification of the action, file a written appeal to the city council. The written appeal shall be heard by the city council within thirty (30) days from the date of filing. The city council shall make a final ruling on the appeal within fifteen (15) days of the close of the meeting. The director's decision, action, or determination shall remain in effect during such period or reconsideration.
(Prior code § 26-64)

13.08.520 Public notification.
In order to comply with the public participation requirements of Title 40, Code of Federal Regulations, Part 25, in the enforcement of national pretreatment standards, the city shall provide public notification, at least annually, of industrial users which, during a twelve (12) month period, are found to be in significant noncompliance as defined by Title 40, Code of Federal Regulations, Part 403.8 (f)(2)(viii).
(Prior code § 26-65)
(Ord. No. 2009-52, § 1, 9-28-09)

Article IX
Penalties

13.08.530 Violations.
Any person found to be violating any provision of this chapter (except Article V) including pretreatment standards and pretreatment requirements as may be imposed in industrial wastewater discharge permits, compliance schedules or other compliance mechanisms as may be issued by the director shall be served by the city with written notice stating the nature of the violation. The offender shall, within the period of time stated in such notice, acknowledge receipt of the notice, and permanently cease all violations.
(Prior code § 26-66)

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

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

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

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

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

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

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

(Prior code § 26-67)

(Ord. No. 2009-52, § 1, 9-28-09)

13.08.550 Injunctive relief.

When the city finds that a user has violated, or continues to violate, any provision of this chapter, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, the city may petition the Providence Superior Court through the city's 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 chapter 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 any other action against a user.

(Prior code § 26-68)

13.08.560 Civil penalties.

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

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

C. 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, the magnitude and duration of the violation, any economic benefit gained through the user's violation, corrective actions by the user, the compliance history of the user, and any other factor as justice requires.

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

(Prior code § 26-69)

13.08.570 Criminal prosecution.

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

B. The 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 at least twenty-five thousand dollars ($25,000.00), or imprisonment for not more than thirty (30) days, 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 chapter, wastewater discharge permit, or order issued hereunder, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this chapter shall, upon conviction, be punished by a fine of not more than twenty-five thousand dollars ($25,000.00) per violation, per day, or imprisonment for not more than thirty (30) days, or both.

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

(Prior code § 26-70)

13.08.580 Liability.

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

(Prior code § 26-71)

13.08.590 Costs of repairing damage.

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

(Prior code § 26-72)

13.08.600 Falsification of records and instruments.

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

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

13.08.610 Emergency suspensions.

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

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

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

(Prior code § 26-74)

13.08.620 Termination of service.

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

(Prior code § 26-75)

13.08.630 Notification of termination of service.

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

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

(Prior code § 26-76)

13.08.640 Remedies nonexclusive.

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

(Prior code § 26-77)

Article X

Sewer Use Charges

13.08.650 Participation.

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

(Prior code § 26-78)

13.08.660 Classification of users.

All users shall be classified by assigning each one to a user classification category according to the principal wastewater constituents and characteristics for that type of user as determined by the director. The purpose of such classification is to establish a system of user charges and fees which will insure an equitable recovery of operation and maintenance cost. There shall be two classifications, industrial and domestic. Industrial users are those which discharge greater concentrations of conventional, non-conventional, or priority pollutants than those found discharged from typical domestic dischargers. Industrial u~~U~~sers[MO2XP2] shall be monitored according to Article VI~~I~~ of this chapter to determine their discharge concentrations for classification. All other dischargers will be domestic users.

(Prior code § 26-79)

(Ord. No. 2009-52, § 1, 9-28-09)

13.08.670 Payments

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

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

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

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

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

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

1. Dwellings and Apartments.

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

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

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

Four-family: one thousand four hundred twenty-six dollars and eighty-six cents ($1,426.86);

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

2. Buildings Containing Clubs, Libraries and Hospitals.

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

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

Three units: one thousand four hundred forty-nine dollars and sixty-nine cents ($1,449.69);

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

e. To the above charges shall be added a pretreatment surcharge for all industries discharging any priority pollutant at a concentration in excess of the ~~limit~~ background concentration given in Section 13.08.340 of this chapter. That surcharge shall be calculated by first determining the difference between the industry's permitted concentration and the ~~chapter limit~~background concentration, then multiplying that difference times the gallonage of flow (in million gallons) associated with the priority pollutant times a conversion factor to determine the annual pound loading of priority pollutant, then multiplying that pound loading by a rate in dollars per pound loading established by the director for that priority pollutant. The rate for each priority pollutant shall be determined annually based on an equitable proportioning, as determined by the director, of fifty (50) percent of the actual costs to the city of administering the pretreatment program. (The remaining costs of administering the pretreatment program will be incorporated in the charges under subsection (F)(5)~~(a)~~ of this section.) At the option of the director (or the building owner if the director does not exercise the option), each industry within a building housing more than one industry shall or need not have its own flow meter and monitoring facilities for industrial wastewaters. A violation of the permit concentration during the billing year shall cause the billing to be based on the highest measured concentration in excess of the permit value and an increase in the dollar per pound rate for that priority pollutant by a factor of two. That factor will serve the purpose of defraying costs of additional monitoring required for industries in violation of permit limits. The additional charges resulting from such violation shall be separate from and in addition to any fines or penalties levied as a result of such violation. The industry shall have the right to appeal to the director for a negotiated price in lieu of such additional cost, based on the actual cost to the city of the additional monitoring. Any further appeal process shall be in accordance with Section 13.08.~~480~~ 510 of this chapter.

f. To the above charges, any Industrial user whose discharge contains concentrations of Biochemical Oxygen Demand (BOD_5) in excess of 350 mg/L or concentrations of Total Kjeldahl~~lh~~ Nitrogen as N (TKN) in excess of 100 mg/L shall be surcharged for the loadings in excess of the above defined limits for BOD_5 and TKN. Notwithstanding, surcharges levied under this section does not relieve the User from any fines that may be imposed under Sections 13.08.540, 13.08.560, and 13.08.570. Notwithstanding, surcharges levied under this section does not relieve the user of any related discharge limits as defined under section 13.08.340 or 13.08.260 B.8.C. The surcharge shall be calculated as:

TABLE INSET

CRANSTON COMMERCIAL / INDUSTRIAL USER SURCHARGE

CONVENTIONAL POLLUTANTS

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

The Sewer Surcharge Calculation for TKN

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

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

Rate = $0.272 / Lb TKN

~~Rate for TKN is $0.272/lb.~~

The Sewer Surcharge Calculation for BOD

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

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

Rate = $0.051 / Lb BOD****

****NOTE:

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

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

Article XI
Validity

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

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

Article XII
Disposal of Hauled Wastes

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

solids management program. All wastes received must be reviewed and approved by the superintendent as authorized by RIDEM. No hazardous wastes, toxic wastes, or RCRA hazardous wastes are acceptable.
(Prior code § 26-83)

13.08.710 Biosolids acceptance.
Biosolids must be approved by RIDEM prior to disposal at the plant. The procedure for approval of a biosolids is detailed in the standard operating procedure (SOP) No. CRI-001, receiving of non-city municipal wastewater derived biosolids, as shown in the solids management program. Approval may at any time be suspended or revoked because of the violation by the holder thereof of the rules and regulations herein prescribed, or for other just cause or complaint. Biosolids must at all times meet applicable federal, state and local regulations and requirements.
(Prior code § 26-84)

13.08.720 Discharge requirements and fees.
The contents of any tank truck containing hauled wastes may be discharged into the water pollution control facility of the city, subject to the following rules and regulations:
A. The hauler and the hauled waste shall meet all requirements of the city's most current solids management plan, including standard operating procedure No. CRI-001, receiving of non-city municipal wastewater derived biosolids, as well as the sewer use ordinance.
B. Any violation of the terms and conditions of the solids management plan or sewer use ordinance shall be deemed a violation of this chapter and subjects the contractor to all costs for removal of any non-conforming materials and any costs and damages resulting therefrom, as well as sanctions under Article IX of this chapter.
C. The city will perform random sampling of the hauled loads as it deems necessary to determine compliance with the provisions of the solids management plan and sewer use ordinance.
(Prior code § 26-85)

13.08.730 Hauled waste tank truck requirements.
All tank trucks carrying hauled wastes shall be kept airtight and free from leakage. All apparatus used in the business shall be kept clean and well painted, and must have the name of the licensee upon it in plain letters. No tank trucks shall be allowed to stand in any street except while in use.
(Prior code § 26-86)

13.08.740 Additional requirements.
No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the city or state of Rhode Island and Providence Plantations Department of Health.
(Prior code § 26-87)

Article XIII
Appendix--Forms

13.08.750 Application for Residential/Commercial Connection with Sewerage System.

City of Cranston, Rhode Island

Application for Residential/Commercial Connection with Sewerage System

Plat No._____

No._____

Lot No._____

The undersigned, being owner or agent, of the property hereby applies for a permit for the connection of a sewer service connection for the_____

Old_____

New _____ at No. _____ and St. _____ that the same may be connected with the _____ (Name of Street) Street common sewer.

Part_____ Sheet_____

The undersigned agrees to strictly conform to the laws and ordinances and instructions previously given relating to sewers, and to the rules and regulations that are now in force or may be adopted in relation thereto, and also to the plumbing and drainage laws and ordinances as far as they relate thereto, and fully aware of penalties that may be invoked.

Date of Application _____

Signature _____

Owner's Mailing Address _____

Date of Application in Sewer Department by _____

Cranston Sewer Division by _____

Approved by _____ Plumbing Inspector

Approved by _____ Owner's Agent/Owner's Attorney

13.08.760 Reserved.

Editor's note: Ord. No. 2009-52, § 1, adopted September 28, 2009, repealed § 13.08.760, which pertained to an industrial wastewater discharge application.

13.08.770 Reserved.

Editor's note: Ord. No. 2009-52, § 1, adopted September 28, 2009, repealed § 13.08.770, which pertained to a building layout sheet.

13.08.780 Reserved.

Editor's note: Ord. No. 2009-52, § 1, adopted September 28, 2009, repealed § 13.08.780, which pertained to a schematic flow diagram.

13.08.790 Reserved.

Editor's note: Ord. No. 2009-52, § 1, adopted September 28, 2009, repealed § 13.08.790, which pertained to a wastewater discharge permit.

Article XIV

Sewer Tie-In Loan Fund Regulations

13.08.800 Participation.

In conjunction with Rhode Island Clean Water Finance Agency and Rhode Island Housing, the city wishes to participate in the sewer tie-in loan fund and abide by all of its loan policies and procedures.
(Ord. No. 2008-10, § 1, 3-24-08)

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

Chapter 13.12 PRIVATE WASTEWATER DISPOSAL SERVICES
Sections:
13.12.010 Private wastewater disposal.
13.12.020 Compliance with regulations.
13.12.030 Minimum standards.
13.12.040 Permit, inspection, notification.
13.12.050 Availability of public sewer.
13.12.060 Operation and maintenance.
13.12.070 License for removal of septage.
13.12.080 License application.
13.12.090 Expiration of license.
13.12.100 Septage tank truck requirements and hours of cleaning.
13.12.110 Discharge requirements and fees.
13.12.120 Additional requirements.

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

(Prior code § 26-10)

13.12.020 Compliance with regulations.

The type, capacities, location, and layout of a private wastewater disposal system shall comply with all rules and regulations of the state of Rhode Island and Providence Plantations Department of Health and the City. The private wastewater disposal system shall also comply with rules and regulations shown in this chapter.

(Prior code § 26-11)

13.12.030 Minimum standards.

The "Rules and Regulations Establishing Minimum Standards Relating to Location, Design, Construction and Maintenance of Individual Sewage Disposal Systems" and amendments thereto, as adopted by the state of Rhode Island and Providence Plantations Department of Health, under the authority of Chapter 23-1-17 and 23-1-18(6) of the General Laws of 1956, as amended, are considered part of this chapter.

(Prior code § 26-12)

13.12.040 Permit, inspection, notification.

A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the building inspector and an authorized representative of the Rhode Island Department of Health. They shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the approving authorities when the work is ready for final inspection, and before any underground portions are covered. Said system shall be covered within forty-eight (48) hours after inspection and approval.

(Prior code § 26-13)

13.12.050 Availability of public sewer.

Pursuant to the provisions of Section 18 of Chapter 750 of the Public Laws of 1939, the director is authorized to order any abutting owner or occupant of land upon any street in which there is a sewer or in which a sewer may hereafter be constructed, to connect within thirty (30) days after notification the drainage and sewerage of such land with such sewer, and to order any such owner or occupant to fill up and destroy within thirty (30) days after notification any cesspool, privy vault, drain or other arrangement on such land for the reception of drainage or sewerage.

(Prior code § 26-14)

13.12.060 Operation and maintenance.

The owner shall, at all times, operate and maintain all the private wastewater disposal facilities on his or her private property in a sanitary condition as is satisfactory to the building inspector, at no expense to the city. No person shall deposit, nor allow to be deposited in their disposal facilities swill, rubbish, or solid refuse matter other than fecal matter.

(Prior code § 26-15)

13.12.070 License for removal of septage.

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

13.12.080 License application.

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

13.12.090 Expiration of license.

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

13.12.100 Septage tank truck requirements and hours of cleaning.

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

13.12.110 Discharge requirements and fees.

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

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

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

Sponsored by Councilman Navarro

Referred to Public Works Committee March 17, 2011

CITY OF CRANSTON

RESOLUTION OF THE CITY COUNCIL

APPROVING THE TRANSFER OF LAND LOCATED AT 1771 PONTIAC AVENUE TO THE CITY OF CRANSTON IN ACCORDANCE WITH SECTION 2.08.080 OF THE CITY CODE

No.

Passed:

Anthony J. Lupino, Council President

Resolved, That

WHEREAS, the Hollow Tree Pump Station is situated on land located at 1771 Pontiac Avenue and further described as Lot 1577 on Assessor's Map 15 Block 3; and

WHEREAS, the property owner has executed a deed of transfer, for no consideration, to the City of Cranston, attached hereto as Exhibit A; and

WHEREAS, a Phase I Environmental Impact Study has been conducted in accordance with Section 2.08.080 of the Code, attached hereto as Exhibit B; and

WHEREAS, the Director of Public Works has reviewed the results of said study and has determined the property to be acceptable, attached hereto as Exhibit C; and

WHEREAS, a title examination has found said property to be free and clear of all encumbrances.

NOW, THEREFORE, BE IT RESOLVED THAT, the City Council hereby approves the transfer of property located at 1771 Pontiac Avenue to the City of Cranston.

NOW, THEREFORE, BE IT FURTHER RESOLVED THAT, appropriate steps be taken to complete the transaction.

Introduced by Mayor Fung

Referred to Public Works March 17, 2011