

AN ORDINANCE REGULATING THE USE OF PUBLIC AND
PRIVATE SEWERS AND DRAINS, PRIVATE SEWAGE DISPOSAL,
THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, AND
THE DISCHARGE OF WATER AND WASTES INTO THE PUBLIC SEWER SYSTEM
AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF
IN THE CITY OF FARMINGTON, MISSISSIPPI

BE IT ORDAINED AND ENACTED by the Mayor and Board of Aldermen of the City of Farmington, State of Mississippi, as follows:

1. A public health emergency is hereby declared in the City of Farmington, Mississippi, as relates to sanitary sewer needs.
2. The Mayor and the Board of Aldermen shall take all lawful actions necessary to alleviate the emergency.
3. To alleviate the health emergency, because of waste water and sewer sanitary conditions this Ordinance is required for the public convenience and necessity.
4. The following sewer Ordinance should be adopted for the City of Farmington, Mississippi, and made effective within 30 days.
5. An Interlocal Cooperation Agreement should be entered into for sewer treatment with the City of Corinth, Mississippi.

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**CITY OF FARMINGTON, MISSISSIPPI
SEWERS AND SEWAGE DISPOSAL**

Division 1. Generally

Sec. 1-01 . Definitions.

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

BOD (denoting biochemical oxygen demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty (20) degrees Celsius, expressed in milligrams per liter.

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

Building sewer shall mean the extension from the building drain to the public sewer or other place of disposal.

City shall mean the City of Farmington or, when appropriate to the context, its duly authorized representative.

Corinth shall mean the City of Corinth, or when appropriate to the context, its duly authorized representative.

Combined sewer shall mean a sewer receiving both surface runoff and sewage.

Easements shall mean all rights of way either permanent or temporary existing for construction, installation, maintenance or use of the sewer and waste water system of and for Farmington, whether acquired by transfer as an asset from the Farmington Water Association, Inc., negotiation, gift, eminent domain, purchase or implication.

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

Industrial user shall mean any nongovernmental, nonresidential use of the public sewage works which discharges more than the equivalent of twenty-five thousand (25,000) gallons per day (GPD) of sewage and which is identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented under one (1) of the following division:

- Division A-Agriculture, Forestry and Fishing
- Division B-Mining
- Division D-Manufacturing
- Division E-Transportation, Communication, Electric, Gas and Sanitary Services
- Division I-Services

Any nongovernmental user of the sewage works shall also be considered an industrial user if such user discharges to the sewage works sewage which contains toxic pollutants or poisonous solids, liquids, or gases in sufficient quantity either singly or by interaction with other wastes, to contaminate the sludge of any

municipal systems, or to injure or to interfere with any sewage treatment process, or which constitutes a hazard to humans or animals, creates a public nuisance, or creates any hazard in or has an adverse effect on the waters receiving any discharge from the sewage works.

Industrial Wastes shall mean the liquid wastes from industrial manufacturing processes, trade, or business as distinct from sanitary sewage as defined in 40 CFR 35.905.

Interlocal Cooperation Agreement shall mean the contract entered into with the City of Corinth, Mississippi, to provide for treatment of the sewage and waste water of the City of Farmington, Mississippi.

Natural Outlet shall mean any outlet into a watercourse, pond ditch, lake or other body of surface or ground water.

Person shall mean any individual, firm, company, association, society, corporation, or group.

pH shall mean the negative of the logarithm of the concentration of hydrogen ions in moles per liter of solution.

Phase shall mean the different stages of construction of the City of Farmington sewer facilities, which shall commence with Phase I.

Properly Shredded Garbage shall mean the wastes from preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than ½ inch (1.27 centimeters) in any dimension.

Public Sewer shall mean a sewer in which all owners of abutting properties have equal rights, and it controlled by public authority.

Right of ingress and egress over the adjacent lands of the GRANTOR, his successors and assigns is a phrase within the body of the Right-of-Way Easements acquired by the City from the Farmington Sewer Association, Inc., which means it includes the availability and use of lands of the Grantor thereof, which are adjacent to the twenty (20) permanent easement for temporary construction of up to an additional thirty feet (30'), and providing access for the construction and use for service lines.

Sanitary Sewer shall mean a sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.

Sewage shall mean a combination of the water-carried wastes from residences, business buildings, institution, and industrial establishments, together with such ground, surface, and storm waters as may be present.

Sewage treatment plant shall mean any arrangement of devices and structures used for treating sewage.

Sewage Works shall mean all facilities from collecting, transporting, pumping, treating, and disposing of sewage.

Sewer shall mean a pipe or conduit for carrying sewage.

Shall is mandatory; *may* is permissive.

Slug shall mean any discharge of water, sewer, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than 15 minutes more than 5 times the average 24 hour concentration of flows during normal operation.

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

Superintendent shall mean the Superintendent of the sewer and waste water system or other utilities of the City of Farmington or his authorized deputy, agent, or representative.

Suspended Solids shall mean 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.

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

Sec. 1-02. Unsanitary deposits generally.

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 of Farmington, or in any area under the jurisdiction of said City, any human or animal excrement, garbage or other objectionable waste.

Sec. 1-03. Discharges to natural outlets restricted to suitably treated sewage or waters.

It shall be unlawful to discharge to any natural outlet with the City of Farmington, or in any area under the jurisdiction of said City, any sewage or polluted waters, except where suitable treatment has been provided in accordance with the provisions of this article.

Sec. 1-04. Private facilities for disposal restricted.

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

Sec. 1-05. Connection with public sanitary sewer required.

The owner of all houses, buildings, or properties used for human occupancy, employment, or recreation, situated within the City of Farmington 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 hereby required at his expense to install suitable toilet facilities therein, to connect such facilities directly with the proper sewer in accordance with the provisions of this ordinance, within 90 days after official notice to do so, provided that said public sewer is within 100 feet (30.5 meters) of the property line. If on-site pressure system is required for a service connection, after the initial installations of Phase I the operation and maintenance costs for the facility shall be the responsibility of the owner or user.

Sec. 1-06. Discharges to comply with Federal, State and Local standards.

It shall be unlawful for any person, establishment or corporation to discharge to the sewer system any pollutant except in compliance with Federal standards promulgated pursuant to the Clean Water Act, and any more stringent state and local standards or those of City.

Sec. 1-07. Damage, destruction or tampering; charge.

No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the sewage works. The removal or tampering with any device installed to disconnect sewer service shall constitute prima facie evidence of knowledge on the part of the person, firm or corporation having custody or control of the location where such device was placed, and shall constitute prima facie evidence of the intention on the part of such person, firm or corporation to defraud the City of Farmington and shall bring such person, firm or corporation within the scope, meaning and penalties of this ordinance. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct, malicious mischief or other lawful charge.

Sec. 1-08. Violations to be corrected; penalties; violators liable for damages.

- (a) Any person found to be violating any provision of this article except Section 1-06 shall be served by the City with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.
- (b) Any person who shall continue any violations beyond the time limit provided for in paragraph (a) of this section shall be guilty of a misdemeanor, and on conviction thereof shall be fined in the amount not exceeding Five Hundred Dollars (\$500.00) for each violation. Additionally, chronic violation of the terms of this article may result in termination of the sewer disposal permit and sewer service.
- (c) Any person violating any of the provisions of this ordinance shall become liable to the City for any expense, loss, or damage occasioned the City by reason of such violation.
- (d) Enforcement of the provisions of this ordinance may be either at law or in equity, by specific performance, injunctive relief or any remedy allowable by law, including reasonable attorneys fees and Court costs.
- (e) Failure to make payments due for sewer service shall also give grounds for a special assessment on ad valorem taxes on the properties served, which may be done on an annual basis when the assessment roll for same is being prepared or when the tax statements are prepared.

Division 2. Use of Public Sewers

Sec. 2-09. Storm water and similar waters discharge restrictions.

- (a) No person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.
- (b) Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the Superintendent. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Superintendent and the Mississippi Office of Pollution Control, to a storm sewer or natural outlet.

Sec. 2-10. Discharge of certain waters or wastes to public sewer prohibited.

No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:

- (1) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.
- (2) Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant, including but not limited to, cyanides in excess of 0.05 mg/l as CN in the wastes as discharged in the public sewer.
- (3) Any waters or wastes having a pH lower than 6.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
- (4) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc. either whole or ground by garbage grinders.

Sec. 2-11. Discharge of certain waters or wastes to public sewer restricted.

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

- (1) Any liquid or vapor having a temperature higher than one hundred twenty (120) degrees Fahrenheit (49 degrees Celsius).
- (2) Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of 150 mg/l or containing substances which reach a viscosity of 55 cps at twenty-five (25) degrees Celsius.
- (3) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths horsepower (0.76 horsepower metric) or greater shall be subject to the review and approval of the superintendent.
- (4) Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.
- (5) Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the superintendent for such materials. (For Industrial Processes Wastes, see section 28-10.)
- (6) Any waters or wastes containing phenols or other taste or odor-producing substances, in such concentrations exceeding limits which may be established by the superintendent as necessary, after treatment of the composite sewage, to meet the requirements of the state, federal, or other public agencies of jurisdiction for such discharge to the receiving waters.
- (7) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Superintendent in compliance with applicable state and federal regulations.
- (8) Any waters or wastes having a pH in excess of 8.5 or below 6.0.

- (9) Material which exert or cause:
- a. Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurried, 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, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
 - d. Unusual volume of flow or concentration of wastes constitution slugs as defined in Section 1-01.
- (10) Waters and wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
- (11) Any waste prohibited by Environmental Protection Agency standards 40 CFR 403 or others as set forth in the Code of Federal Regulations and as amended.

Sec. 2-12. Pretreatment.

All industrial and commercial process wastewater shall be pretreated prior to discharge to the public sewers, if necessary, in accordance with the provisions of the United States Environmental Protection Agency, the Mississippi Bureau of Pollution Control, and/or the City, whichever is more stringent. The minimum pretreatment requirements are as follows:

<u>Parameter</u>	<u>Maximum Concentration (mg/l)</u>
BOD 5	250.0*
Suspended Solids (SS)	150.0*
TKN	30.0*
Oil or Grease	100.0
Arsenic	0.05
Barium	5.0
Boron	1.0
Cadmium	0.02
Chromium	0.05
Cooper	0.02

Cyanide	0.05
Lead	0.10
Manganese	0.50
Mercury	0.002
Nickel	0.08
Selenium	0.02
Silver	0.01
Zinc	0.05

* BOD 5, SS, TKN, oil and grease may be discharged by written approval of superintendent for limited periods of time, with a surcharge being applied.

As a condition for authorization to dispose of industrial wastes through the municipal system, the industrial applicant for a sewer permit shall provide the City with information describing wastewater constituents and characteristics, and the type of activity and quantity of production.

Sec. 2-13. Actions superintendent may take with regard to certain wastes.

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 Sections 4 and 5 of this Ordinance, and which in the judgment of the Superintendent may have the deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Superintendent may:

- (1) Reject the wastes,
- (2) Require pretreatment to an acceptable condition for discharge to the public sewers,
- (3) Require control over the quantities and rates of discharge, and/or
- (4) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of Section 2-15 of this division.

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

Sec. 2-14. Grease, oil and sand interceptors.

Grease, oil, and sand interceptors shall be provided when, in the judgment of the superintendent, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, and other harmful ingredients; except that such

interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be a type and capacity approved by the Superintendent, and shall be located as to be readily and easily accessible for cleaning and inspection.

Sec. 2-15. Maintenance of pretreatment or flow-equalizing facilities.

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

Sec. 2-16. Control manholes.

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

Sec. 2-17. Measurements, tests and analysis.

All measurements, tests and analysis of the characteristics of waters and wastes to which reference is made in this ordinance shall be determined in accordance with the latest edition of Standard Methods for the Examination of Water and Wastewater published by the American Public Health Association, Methods for Chemical Analysis of Water and Wastes published by the EPA, and 40 CFR 136 as amended and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb and property. (The particular analysis involved will determine whether a 24-hour composite of all outfalls of a premises is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analysis are obtained from 24-hour composites of all outfalls whereas pH is determined from periodic grab samples).

Sec. 2-18. Special agreements permitted.

Nothing contained in this article shall be construed as preventing any special agreement or arrangement between the City and an industrial concern whereby an industrial waste of unusual waste of unusual strength or character may be accepted by the City for treatment, subject to payment therefor, by the industrial concern.

Division 3. Private Sewage Disposal

Sec. 3-32. Conditions for connection.

Where a public sanitary sewer is not available the building sewer shall be connected to a private sewage disposal system complying with the provisions of this Ordinance and if none exists, as prescribed by the City and approved by the Superintendent, but not less than those allowed by the Mississippi Bureau of Pollution Control and the Environmental Protection Agency.

Sec. 3-33. Permit required for system.

Before commencement of construction of a private sewage disposal system or continuation of such a system in the City where sanitary sewer is not available, the owner shall first obtain a written permit signed by the Superintendent. The application for such permit shall be made on a form furnished by the City, which the applicant shall supplement by any plans, specifications, and other information as are deemed necessary by the superintendent. A permit and inspection fee of twenty-five dollars (\$25.00) shall be paid to the City in conjunction with any required application for a plumbing permit.

Sec. 3-34. Inspection of system.

A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Superintendent. He shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the Superintendent when the work is ready for final inspection, and before any underground portion are covered. The inspection shall be made within 24 hours of the receipt of notice by the Superintendent.

Sec. 3-35. Requirements for system.

The type, capacities, location, and layout of a private sewage disposal system shall comply with all recommendations of the State Department of Health. No private sewage disposal system shall be permitted to discharge to any natural outlet or to encroach on adjacent property.

Sec. 3-36. Connection of system to public sewer required when available.

(a) At such time as a public sewer becomes available to a property, a direct connection shall be made to the public sewer in compliance with this article, and any septic tanks, cesspools, and similar private disposal facilities shall be abandoned and filled with suitable material.

(b) When a public sewer become available, the building sewer shall be connected to such sewer within sixty (60) days and any private sewage disposal system shall be cleaned of sludge and filled with clean bank-run gravel or dirt.

Sec. 3-37. Sanitary operation and maintenance of system.

The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the City. If an on-site pressure system is required for use of the public sewer facility, the operation costs of the pressure system shall be the responsibility of the owner or user.

Sec. 3-38. Article not to interfere with additional requirements.

Nothing contained in this Ordinance shall be construed to interfere with any additional requirements that may be imposed by the Health Officer, Federal law, State law or be inconsistent with the requirements of City.

Sec. 3-39-3-51. Reserved.

Division 4. Building Sewers and Connections

Sec. 4-52. Permit-Required.

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 Superintendent.

Sec. 4-53. Same-Classes; application; information; fees.

- (a) There shall be two (2) 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 agent shall make application on a special form furnished by the City. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Superintendent. A permit and inspection fee of ten dollars (\$10.00) for a residential or commercial building sewer permit, and twenty-five dollars (\$25.00) for an industrial building sewer permit shall be paid to the City at the time the application is filed.
- (b) As a condition for authorization to dispose of industrial wastes through the municipal system, the industrial applicant for a sewer permit shall provide the City with information describing wastewater constituents and characteristics, and the type of activity and quantity of production.

Sec. 4-54. Costs and expenses of installation and connection to be borne by owner.

After the initial installations of each Phase those installing and connecting within each Phase area respectively, all costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

Sec. 4-55. Separate building sewer required for each building.

A separate and independent building sewer shall be provided for every building; except where one (1) building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the building sewer from the front building may be extended top the rear building and the whole considered as one (1) building sewer.

Sec. 4-56. Use of old building sewers.

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

Sec. 4-57. Size, slope, alignment and materials.

The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench, shall conform to the requirements of the building and pumping code or other applicable rules and regulations of the City. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the American Society of Testing and Materials (ASTM) and the Water Pollution Control Federation (WPCF) Manual of Practice No.9 shall apply.

Sec. 4-58. Building sewer elevation, grade and alignment.

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

Sec. 4-59. Connection to surface water run-off drains prohibited.

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

Sec. 4-60. Connection to public sewer.

The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the City, or the procedures set forth in appropriate specifications of the ASTM and the WPCF Manual of Practice Number 9. All such connections shall be made gas tight and watertight. Any deviation from the prescribed procedures and materials shall be approved by the superintendent before installation.

Sec. 4-61. Notification to inspect.

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

Sec. 4-62. Excavation safeguards.

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

Secs. 4-63-4-82. Reserved.

Division 5. Inspectors

Sec. 5-83. Right of entry.

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

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

(c) The Superintendent shall be permitted to enter all private properties through which the City holds an easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within such easement. All entry and subsequent work, if any, on such easement, shall be done in full accordance with the terms of the easement pertaining to the private property involved.

(d) Sewer Use Agreements/Easements- All sewer users shall sign and enter into Sewer User Agreements and/or Easement as necessary for the operation of the sewer system and before sewer hook-up.

Sec. 5-84. To obey safety rules.

While performing the necessary work on private properties referred to in Section 5-83(a) the Superintendent or duly authorized employees of the City shall observe all safety rules applicable to the premises established by the company. The company is responsible for providing access as required in Section 2-14.

Division 6. Rates and Charges

Sec. 6-85. User charge.

- (a) A user charge shall be the charge levied on all users, including, but not limited to, persons, firms, corporations or governmental entities that discharge, cause or permit the discharge of sewage into the public sewage works.
- (b) The user charge shall reflect the costs of operation and maintenance (including replacement) of the public sewage works.
- (c) Each user shall pay its proportionate share of operation and maintenance (including replacement) costs based on volume of flow.
- (d) The Superintendent of the sewage works shall review not less often than every two (2) years the sewage contributions of users, the total costs of operation and maintenance (including replacement) of the sewage works, and the user charge system. The Superintendent shall revise the user charge, if necessary, to:
 - (1) Maintain the proportionate distribution of operation and maintenance costs among users as provided herein.
 - (2) Generate sufficient revenue to pay the total operation and maintenance costs necessary for the proper operation and maintenance (including replacement) of the sewage works.
- (e) All flow to the sewage works not directly attribution to users (i.e. infiltration/inflow) shall be distributed to all users of the sewage works based upon the volume of flow of the users.
- (f) Each user shall be notified, at least annually, in conjunction with a regular bill, of the rate and that portion of the user charge which is attributable to operation and maintenance of the sewage works.

Sec. 6-86. Sewer rate schedule.

The following sewer rate schedule shall apply to each user of the sewage works. This schedule includes the user charge as established herein and the charge for debt service and recovery of other costs, each based on volume of flow and is set by the Letter of Conditions of August 2, 1999, as revised by the letter of March 16, 2001, both of the United States Department of Agriculture, Rural Development:

SEWER, RESIDENTIAL AND COMMERCIAL SEWER RATE SCHEDULE

- First 2000 gallons-\$18.00 minimum
- Next 3000 gallons-\$4.00 per 1000 gallons
- All over 5,000 gallons-\$3.00 per 100 gallons

Rates may be revised as required by the Interlocal Cooperation Agreement between Corinth and City and by action of the Board of Aldermen and the United States Department of Agriculture, Rural Development.

Sec. 6-87. Industrial waste surcharge-Generally.

- (a) If a user discharges industrial wastes to the sewage works having an average biochemical oxygen demand (BOD) content in excess of two hundred fifty (250) mg/l, and/or an average suspended solids (SS) content in excess of two hundred fifty (250) mg/l, and/or an average total kjeldahl nitrogen (TKN) content in excess of thirty (30) mg/l, and/or an average grease content in excess of one hundred (100) mg/l, said industrial user shall pay a surcharge based upon the excess strength of their discharges.

- (b) The costs of treatment of each pound of BOD, SS, TKN and grease removed by the sewage works shall be reviewed at the end of each fiscal year and appropriate surcharge rates applied to the sewage billing. These rates shall be in effect until the next annual rate review.

Sec. 6-88. Method of billing surcharge.

- (a) The industrial waste surcharge shall be based on the following formula, with the total applied to the monthly bill of affected users:

$$\text{MISC} = \frac{0.3\text{CB}}{\text{BOD}} (\text{B}-250) + \frac{0.15\text{CB}}{\text{BOD}} (\text{S}-250) + \frac{0.1\text{CB}}{\text{TKN}} (\text{N}-30) + \frac{0.05\text{CB}}{\text{OG}} (\text{G}-100)] (\text{Q})(8.34)$$

$$\text{MSC} = \text{Monthly surcharge} - (\$/\text{Mo.})$$

CB	=	Operation, maintenance and replacement costs for treatment plan for previous year (\$/year)
BOD	=	Total BOD 5 load to treatment plant for previous years (lbs./yr.)
B	=	Monthly average BOD 5 concentration in industrial discharge (mg/l)
S	=	Monthly average SS concentration in industrial discharge (mg/l)
SS	=	Total SS loan to treatment plant for previous year (lbs./yr.)
N	=	Monthly average TKN concentration in industrial discharge (mg/l)
TKN	=	Total TKN load to treatment plant for previous year (lbs./yr.)
G	=	Average monthly oil and grease concentration in industrial discharge (mg/l)
OG	=	Total oil and grease load to treatment plant for previous year (lbs./yr.)
Q	=	Total monthly industrial flow (MG/mo.)

All of the above monthly average concentrations for BOD, SS, TKN and oil and grease must be based on at least one (1) twenty-four composite sample per month. The industry is responsible for sample collection and analysis and must report results to the water and sewer department.

(b) No reduction in sewage service charges, fees, or taxes shall be permitted because of the fact that certain industrial wastes discharged to the sewage works contain less than two hundred fifty (250) mg/l of BOD, two hundred fifty (250) mg/l of SS, 30 mg/l of TKN or less than one hundred (100) mg/l of grease.

Sec. 6-89. Annual notification as to rate and breakdown of user charge.

Each user will be notified annually, in conjunction with a regular bill, of the rate and that portion of the user charges which are attributable to wastewater treatment services.

Sec. 6-90. Interlocal Cooperation Agreement.

The Corinth and City may enter into an Interlocal Cooperation Agreement consistent with their previously adopted Resolutions and Senate Bill 3155 of the Mississippi Legislature 2001 Session, which this Ordinance and the rates shall be subject to.

Sec. 6-91. Amendments.

This Ordinance shall be amended, as necessary, to comply with Federal regulations.

Sec. 6-92-6-99. Reserved.

Division 7. Validity

Sec. 7-100. Conflicts.

(a) All ordinances or part of ordinances in conflict herewith are repealed except as set forth hereafter.

(b) Whenever a conflict arises between the terms of the operation of the City's sewer over technical matters with those of the sewer ordinances of Corinth when construing same with the Interlocal Cooperation Agreement, those of Corinth shall prevail.

(c) The invalidity of any section, clause, sentence or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given effect without such invalid part or parts.

Division 8. Ordinance in Force

Sec. 8-101. Ordinance in effect.

This Ordinance shall be in full force and effect from and after its passage, approval, recording and publication as provided by law.

The above Ordinance was first reduced to writing and read and considered by Sections at the regular May 8, 2001, public meeting of the Mayor and Board of Aldermen and on motion duly made for the adoption of said Ordinance and seconded, a vote was taken as follows:

<u>ALDERMAN</u>	<u>VOTE</u>
Curtis Whitemore	Yea
Charles Curtis	Yea
Don Harrison	Yea
Guy Tucker	Yea
Henry Barrett	Yea

Thereupon the Mayor declared the Ordinance duly adopted, on the 8th day of May, 2001, and declared same to be in full force and effect according to law.

An amendment to said Ordinance was first reduced to writing and read and considered by Sections at the regular June 18, 2019, public meeting of the Mayor and Board of Aldermen and on motion duly made for the adoption of said amendment and seconded, a vote was taken as follows:

<u>ALDERMAN</u>	<u>VOTE</u>
Lowell E. Gann	<u>yea</u>
Shane Harvell	<u>yea</u>
Jeff Patterson	<u>absent</u>
Johnny Potts	<u>yea</u>
Luther Rhodes	<u>yea</u>

I, Debora Jackson, City Clerk, and official custodian of the records of the Board of Mayor and Aldermen of the City of Farmington, Mississippi, do hereby certify that the foregoing Sewer Use Ordinance was passed and adopted at a regular meeting of said Board held May 8, 2001, and is

further a matter of record in Minute Book No. 2 and said amendment was passed and adopted at a regular meeting of said Board held June 18, 2019 and is further a matter of record in Minute Book No. 8.

CITY OF FARMINGTON, MISSISSIPPI

BY: Debra Jackson
DEBORA JACKSON, CLERK

ATTEST:

Dale Fortenberry
DALE FORTENBERRY, MAYOR

PUBLIC NOTICE

Pursuant to the provisions of Section 21-13-11 and 21-17-19 of the Mississippi Code 1972 Annotated, Notice is hereby given by the Mayor and the Board of Aldermen, that the City of Farmington, Mississippi, has adopted an amendment to the Sewer Ordinance at its regularly held meeting of June 18, 2019, the substance of which is to amend Sec. 1-07 to read as follows:

Sec. 1-07. Damage, destruction or tampering; charge.

No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the sewage works. The removal or tampering with any device installed to disconnect sewer service shall constitute prima facie evidence of knowledge on the part of the person, firm or corporation having custody or control of the location where such device was placed, and shall constitute prima facie evidence of the intention on the part of such person, firm or corporation to defraud the City of Farmington and shall bring such person, firm or corporation within the scope, meaning and penalties of this ordinance. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct, malicious mischief or other lawful charge.

A copy of the full text of the amended Ordinance is posted by the Clerk at the City Hall of Farmington, Mississippi, at the Courthouse of Alcorn County, Mississippi, and at George's Diner, and is available at the request of any resident of the City of Farmington, Mississippi, by requesting same of the City Clerk.

BY RESOLUTION AND ORDER of The Mayor and Board of Aldermen of the City of Farmington, Mississippi, this the 18 day of June, 2019.

CITY OF FARMINGTON, MISSISSIPPI

BY: Debra Jackson
DEBORA JACKSON, CITY CLERK

