

ORDINANCE NO. 71-12-2

AN ORDINANCE DEFINING INDUSTRIAL SEWAGE WASTES, PROHIBITING THE DISCHARGE THEREOF INTO THE STORM SEWER SYSTEM OF THE CITY OF FRANKSTON, REGULATING THE DISCHARGE OF INDUSTRIAL WASTES INTO THE SANITARY SEWER SYSTEM OF THE CITY OF FRANKSTON, ESTABLISHING INDUSTRIAL SEWER CHARGE; PROVIDING FOR A NOTICE TO COMPLY AND DISCONTINUANCE OF SEWER SERVICE PROVIDING FOR A PENALTY FOR VIOLATION, PROVIDING FOR LIABILITY TO CITY OF FRANKSTON FOR EXPENSE, LOSS OR DAMAGE, AND CONTAINING A SEVERABILITY CLAUSE, AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRANKSTON, TEXAS:

I.

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

(a) Water Superintendent: The water superintendent of the City of Frankston, Texas, or his deputy, agent or representative.

(b) Sewage. The water or water borne waste from water closets, urinals, lavatories, sinks, bathtubs, showers, household laundries, basement floor drains, garage floor drains, storerooms, soda fountains, cuspidors, refrigerator drips, drinking foundations, stable floor drains and all other similar fixtures and receptacles that discharge waste into the sewer system or a combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments together with such ground, surface and storm waters as may be present.

(c) Sewer. A pipe or conduit for carrying sewage.

(d) Public Sewer. A sewer controlled by public authority in which all owners of abutting properties have equal rights.

(e) Sanitary Sewer. A sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted.

(f) Sewage works or sewerage system. All facilities for collecting, pumping, treating and disposing of sewage.

(g) Storm sewer or storm drain. A sewer which carries storm and surface waters and drainage, but excludes sewage and polluted industrial wastes.

(h) Sewage treatment plant. Any arrangement of devices and structures used for treating sewage.

(i) Industrial sewage wastes. All solid or liquid wastes

from any canning process or any other industrial process or undertaking, as distinct from normal sewage wastes, resulting from any commercial, manufacturing or industrial operation or process, which water borne or liquid wastes enter the Frankston Sewage system, or any portion thereof.

(j) Garbage. Solid wastes from the preparation, cooking and dispensing of food and from the handling, storage and sale of produce.

(k) Properly shredded garbage. The wastes from the preparation, cooking and dispensing of food that has been shredded to such degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than 1/2 inch in any dimension.

(l) B. O. D., biochemical oxygen demand. The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at twenty degrees centigrade expressed in parts per million by weight.

(m) Chemical formula "ph". The logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

(n) Suspended solids. 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.

(o) Natural outlet. Any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.

(p) Watercourse. A channel in which a flow of water occurs, continuously or intermittently.

(q) Residence. A home or dwelling in which no business is conducted that requires plumbing fixtures other than water closets, bathtubs, showers, kitchen sinks, lavatories, household laundry sinks and other plumbing fixtures designed for residential use and to carry sanitary sewage only as herein defined. For the purpose of this chapter, rooming houses, duplex apartments, apartment houses, tourist and trailer camps of not more than ten rooms served by one water meter shall be considered a residence.

(r) Plumbing fixtures. A water closet, lavatory, bathtub, household laundry, separate shower, kitchen sink or any other similar receptacles that discharge waste into the sewage system.

(s) Person. Person shall mean any individual, partnership corporation or political subdivision.

II.

Section 1. No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.

Section 2. Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the Superintendent. Industrial cooking water or unpolluted process waters may be discharged, on approval of the Superintendent, to a storm sewer, combined sewer or natural outlet.

Section 3. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers: (a) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.

(b) 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 process, including but not limited to cyanides in excess of two (2) mg/l as CN in the wastes as discharged to the public sewer.

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

(d) 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.

(e) No person shall discharge or cause to be discharged the following heavy metals into the sanitary sewer system of the City of Frankston, to-wit:

Antimony	Lead
Arsenic	Manganese
Barium	Mercury
Beryllium	Molybdenum
Bismuth	Nichel
Boron	Rhenium
Cadmium	Selenium
Chromium (Hexa)	Silver
Chromium (Tri)	Strontium
Cobalt	Tellurium
Copper	Tin
Iron	Uranyl ion
	Zinc

Section 4. No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the 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:

(a) Any liquid or vapor having a temperature higher than one hundred fifty (150)°F (65°C)

(b) Any water or waste containing fats, wax, grease or oils, whether emulsified or not, in excess of one hundred (100) mg/l

or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150)° F (0 and 65°C).

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

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

(e) 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.

(f) 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.

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

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

(i) Materials which exert or cause:

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

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

(3) Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.

(4) Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.

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

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

- (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 not covered by existing taxes or sewer charges under the provisions of Section 10 of this Article.

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

Section 6 . Grease, oil and sand interceptors shall be provided when, in the opinion of the Superintendent, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be

of a type and capacity approved by the Superintendent and shall be located as to be readily and easily accessible for cleaning and inspection.

Section 7. 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.

Section 8. When required by the Superintendent, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole, together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manhole, when required, shall be accessibly and safety 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.

Section 9. All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb and property. (The particular analyses involved will determine whether a twenty-four (24) hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses

are obtained from 24-hr. composites of all outfalls whereas ph's are determined from periodic grab samples.)

Section 10. No statement contained in this Article 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 therefor, by the industrial concern.

III.

Industrial Sewer Charge

The industrial charge for sewer service is to be computed by the following formula:

$$\text{I. C.} = \text{WR} \frac{\text{BOD}}{200} + \frac{\text{SS}}{200} \text{K}$$

were: I. C. = monthly industrial charge in dollars

WR = amount of water billed in thousands of gallons per month
BOD = the five day at 20°C BOD of the industrial wastes in mg/l
SS = suspended solids of the industrial wastes in mg/l
K = constant value to be determined when waste is proposed to be treated
200 = approximate five day at 20°C BOD of "normal" domestic sewage in mg/l

IV.

Any person found to be violating any provisions of this ordinance 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 the notice, permanently cease all violations. If the offender continues violation after the expiration of the time stated, the water superintendent may prohibit the further use of the sewerage system by the offender and may remove or close the offender's sewerage and water connections.

V.

Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than Two Hundred and No/100 Dollars (\$200.00), and each day the violation

continues shall constitute a separate offense.

VI.

Any person, firm or corporation violating any of the provisions of this ordinance shall become liable to the City of Frankston for any expense, loss or damage occasioned the City of Frankston by reason of such violation.

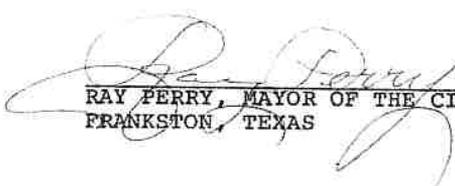
VII.

It is the intention of the City Council of the the City of Frankston, Texas, that each separate provision of this ordinance shall be deemed independent of all other provisions herein, and that if any provision of this ordinance be declared invalid, all other provisions thereof shall remain valid and enforceable.

VIII.

Said ordinance being for the public health, welfare and safety, the rule requiring three (3) readings is hereby suspended and an emergency is declared, and same shall take effect immediately.

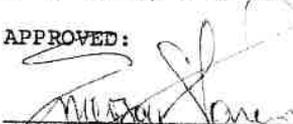
PASSED AND APPROVED this the 23 day of Nov, 1971.


RAY PERRY, MAYOR OF THE CITY OF
FRANKSTON, TEXAS

ATTEST:


W. W. COLE, CITY SECRETARY

APPROVED:


EMERSON STONE, JR., CITY ATTORNEY