

CHAPTER 25 – WATER, SEWERS AND SEWAGE DISPOSAL

Sec. 25-161. Wastewater Pretreatment; Enforcement generally.

(a) The Director or representatives of the POTW shall be authorized to enter any premises of any User in which a discharge source or treatment system is located or in which records are required to be kept under 40 CFR 403.12(m) to assure compliance with Pretreatment Standards. Such authority shall be at least as extensive as the authority provided under Section 308 of the Act.

(b) The Director or representatives of the POTW shall obtain remedies for noncompliance by the User with any Pretreatment Standards and Requirements and shall be able to seek injunctive relief for noncompliance by Users with Pretreatment Standards and Requirements.

(c) The remedies provided for violation of the pretreatment provisions of this Chapter are not exclusive. The Director or City Attorney may take any or all of the enforcement actions prescribed against a noncompliant User.

(d) The Director may assess a penalty of up to \$1,000 to any User for each day that a report required by the pretreatment provisions of this Chapter, a permit or order issued hereunder is late, beginning five days after the date the report is due. Actions taken by the Director to collect late reporting penalties shall not limit the Director's authority to initiate other enforcement actions that may include penalties for late reporting violations.

(e) The Director may decline to issue or reissue an individual wastewater discharge permit to any User who has failed to pay any outstanding fees, fines or penalties incurred as a result of any pretreatment provision of this Chapter, a previous individual wastewater discharge permit, or order issued hereunder.

(f) Whenever a User has violated or continues to violate any Pretreatment provision of this Chapter an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, the City may sever water service to the User. Service only will recommence, at the User's expense, after it has satisfactorily demonstrated its ability to comply.

(g) A violation of any Pretreatment provision of this Chapter, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement is hereby declared a public nuisance and shall be corrected or abated as directed by the Director. Any person(s) creating a public nuisance shall be subject to the provisions of Chapter 17 of the City Code governing such nuisances, including reimbursing the City for any costs incurred in removing, abating, or remedying said nuisance.

(h) For interceptors required under Sec. 25-171 of this Code, the City shall charge a fee of \$150 per re-inspection for each incident of violation, until the violation is remedied.
(Ord. No. 09-39, 10/20/09, Amended) SUPP 2009-4