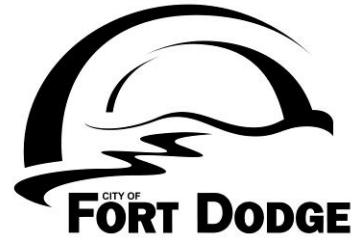


October 8, 2013

To: Mayor Bemrich and City Council

From: David Fierke, City Manager

**Subject: Industrial Pretreatment Program
Modifications to Sewer Use and Sewer Rate Ordinance**



**ACTION: For Vote Monday, October 14th, 2013
1st Reading of Ordinance Amending Municipal Code Chapter 13.24**

Brief History

A copy of the Industrial Pretreatment Study report and recommended modifications to the Sewer Use and Sewer Rate Ordinances was presented to the Council at a workshop on February 25th, 2013 for their review and approval. After **receiving the Council's** approval, the report was submitted to Iowa DNR for their formal review and approval. This report was then amended to incorporate Iowa **DNR's comments** to update the existing program (currently out of compliance), program ordinances and to meet current regulations. The objectives of the Pretreatment Program are to:

- Prevent the introduction of pollutants into the Water Pollution Control Facility (WPCF) which will interfere with the operation of the WPCF, including interference with its use or with the disposal of municipal sludge.
- Prevent the introduction of pollutants into the WPCF, which will pass through the treatment works or otherwise be incompatible with such works.
- Improve opportunities to recycle and reclaim municipal and industrial wastewaters and sludges.

Analysis of Issue

To prevent the introduction of pollutants into the WPCF which would interfere with the operation of the WPCF the following tasks and/or evaluations were completed as part of the Industrial Pretreatment Study:

Industrial Waste Survey. An Industrial Waste Survey was completed of 21 industrial users of the sewer system. Upon further evaluation, 12 significant industrial users (SIUs) were identified as needing to be permitted and/or monitored facilities.

Pollutants of Concern. A review of influent/effluent sampling results, sludge land application regulations, and type of pollutants expected from the industrial dischargers was completed to identify pollutants of concern to be further evaluated for their ability to cause interference or operational problems for the treatment processes at the WPCF. These pollutants of concern included various

toxic pollutants (i.e. metals, compound organics, etc.) and conventional pollutants (i.e. Flow, Biological Oxygen Demand, etc.).

Toxic pollutants. Pollutants identified as being present in concentrations approaching values that may cause performance issues at the WPCF are required to be monitored by the City. For these pollutants, Maximum Allowable Headworks Loading (MAHL) values were established which can in turn be used to establish local limits and loading allotments for the industrial users. The technical basis for establishing the MAHLs is covered under Chapter 3 of the attached report.

Conventional pollutants. Due to the variable capital, operational, and treatment costs associated with treating the conventional pollutants and/or parameters of Flow, Biological Oxygen Demand (BOD), Total Suspended Solids (TSS) and Nitrogen (NH-3), it was decided to establish allowable industrial loading allotments for these parameters separate from the other Pollutants of Concern. Based on discussions with City staff, it was determined by the project team to distribute the available loadings to the SIUs by providing a loading allowance on top of their average monthly loadings to the WPCF. The allowance values were established to provide the SIU operational abilities to deal with normal operation fluctuations while reserving treatment capacity to allow the City the flexibility to work with each individual SIU on a case by case basis and make adjustments to the final permitted discharge limits. The technical basis for the establishment of the industrial allotments for conventional pollutants is covered under Chapter 4 of the attached report.

Legal Authority. The City's existing sewer use ordinance was reviewed and changes proposed to provide the City sufficient authority to implement the pretreatment program in accordance with federal regulations.

Continued Operational/Enforcement Response Plan. To implement the pretreatment program, the City must have a systematic plan to determine whether Industrial Users are complying with pretreatment standards and how and when to respond to non-compliance industrial users.

Budget Impact

The additional costs associated with compliance of the Industrial Pretreatment Program will be covered by the industrial user's sewer rates.

Strategic Plan Impact

This action is relates to the following policies:

- Policy D.7.10: The city shall govern by policy and enforce by ordinance. The purpose and intent of government is valuable to both those who are impacted by an action and those who must carry out the required action. Knowing the direction that government is going to take over time provides a sense of security **for the city's citizens, partners and investors. The city shall set policy described** in policy statements that provides broader guidance for the management of the

city. Ordinances are then implemented that further define and spell out specific actions that must be followed.

Existing Plan Impact

This action updates and brings into Federal Compliance the Industrial Pretreatment Program that was last updated in 2001.

Staff Conclusions / Recommendations

Staff recommends approving the Ordinance rescinding the existing Municipal Code Section 13.24 and approving the new Municipal Code Section 13.24 attached.

Alternatives

The first reading could be set for a different date, should the Council have specific direction on further modification to the text.

Implementation and Accountability

The Engineering, Public Works, and Water Billing Departments, and US Water will work together to implement the new Ordinance.

Signed



Chad W. Schaeffer, P.E.
City Engineer

Approved

David R. Fierke
City Manager

ORDINANCE AMENDING THE CITY OF FORT DODGE MUNICIPAL CODE
Water and Sewers

BE IT ORDAINED BY THE CITY COUNCIL OF FORT DODGE, IOWA:

SECTION I

This Ordinance amends the City of Fort Dodge Municipal Code Chapter 13.24 of Title 13.

SECTION II

The Municipal Code of the City of Fort Dodge is hereby amended, rescinding Chapter 13.24 of Title 13 in it entirely, and replacing it with the following:

Chapter 13.24

WASTEWATER SYSTEM

Sections:

- 13.24.010 Definitions.
- 13.24.020 Unsanitary disposal unlawful.
- 13.24.030 Privies, septic tanks and cesspools unlawful.
- 13.24.040 Sewer connection--Required.
- 13.24.050 Sewer connection--Permit--Required.
- 13.24.060 Sewer connection--Permit--Application.
- 13.24.070 Sewer connection--Cost liability.
- 13.24.080 Building sewer--Separate required.
- 13.24.090 Building sewer--Testing and use.
- 13.24.100 Building sewer--Conformance with code.
- 13.24.110 Building sewer--Elevation.
- 13.24.120 Sewer connection--Unpolluted discharges prohibited in sanitary sewer.
- 13.24.130 Sewer connection--Conformance with codes.
- 13.24.140 Sewer connection--Permit--Inspection.
- 13.24.150 Sewer connection--Guarding excavation.
- 13.24.160 Unpolluted water prohibited in sanitary sewer.
- 13.24.170 Discharge of runoff or unpolluted water.
- 13.24.175 Storm sewers--Prohibited discharges.
- 13.24.180 Prohibited discharges.
- 13.24.190 National Categorical Pretreatment Standards.
- 13.24.200 Modification of National Categorical Pretreatment Standards.
- 13.24.205 Trucked/hailed wastes.
- 13.24.210 Specific pollutant limitations.
- 13.24.215 State requirements.
- 13.24.225 Excessive discharge.
- 13.24.230 Notification of changed discharge.
- 13.24.235 Notification of the discharge of hazardous waste.
- 13.24.240 Accidental/slug discharges.
- 13.24.245 Recordkeeping requirements.
- 13.24.250 Wastewater contribution permits.
- 13.24.255 Permit application.
- 13.24.260 Permit modifications.
- 13.24.265 Permit conditions.
- 13.24.270 Permit duration.
- 13.24.275 Permit transfer.
- 13.24.280 Reporting requirements for permittee.
- 13.24.285 Application signatories and certification.
- 13.24.290 Monitoring facilities.
- 13.24.295 Testing methods.
- 13.24.300 Pretreatment.
- 13.24.305 Unusual discharges--Special arrangements.
- 13.24.310 Confidential information.
- 13.24.330 Damaging or tampering with sewage works--Violation--Penalty.
- 13.24.335 Inspection of properties--Authorized Officials--Jurisdiction.
- 13.24.340 Inspection of properties--Death or damages--Liability.

13.24.345 Inspection of properties--Easements.
13.24.350 Violation--Penalty.
13.24.360 Enforcement.
13.24.370 Fat, oil, and grease control.
13.24.380 Fees.

13.24.010 Definitions.

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

- (1) "Act" or "the Act" means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251 et seq.
- (2) "Approval authority" means the Iowa Department of Natural Resources.
- (3) "Authorized representative of industrial user" shall be:
 - (A) A president, secretary, treasurer or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation;
 - (B) A manager of one or more manufacturing, production, or operation facilities employing more than two hundred fifty persons or having gross annual sales or expenditures exceeding twenty-five million dollars (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
 - (C) A general partner or proprietor if the industrial user is a partnership or sole proprietorship respectively;
 - (D) A duly authorized representative of the individual designated in subparagraph (A), (B) or (C) of this section if:
 - (i) The authorization is made in writing by the individual described in subparagraph (A), (B) or (C),
 - (ii) The authorization specifies either an individual or a position having responsibility for the overall operation of the facility from which the industrial discharge originates, such as the position of plant manager, operator of a well or well field superintendent, or a position of equivalent responsibility, or having overall responsibility for environmental matters for the company, and
 - (iii) The written authorization is submitted to the city.
- (4) "BOD (denoting biochemical oxygen demand)" means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at twenty degrees C.
- (5) "Building drain" means that part of the lowest horizontal piping of a drainage system which receives the discharge from waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet (1.5 meters) outside the inner face of the building wall.
- (6) "Building sewer" means the extension from the building drain to the public sewer or other place of disposal including the connection device and tap of the main.
- (7) "CFR" means Code of Federal Regulations.
- (8) "Categorical standards" means National Categorical Pretreatment Standards or Pretreatment Standard.
- (9) "City" means the city of Fort Dodge, Iowa.
- (10) "Combined sewer" means a sewer receiving both surface runoff and sewage.
- (11) "Composite sample" means a sample resulting from the combination of individual

wastewater samples taken at selected intervals based on an increment of either time or flow.

- (12) "Cooling water" means the water discharged from any use such as air conditioning, cooling or refrigeration, or to which the only pollutant added is heat.
- (13) "Customer" means any person, firm or corporation who makes application for sewer service to the premises and is responsible for payment of the water and sewer charges for such premises.
- (14) "Direct discharge" means the discharge of treated or untreated wastewater directly to the waters of the state of Iowa.
- (15) "Director" means the City Manager of the city or his authorized deputy, agent or representative.
- (16) "Environmental Protection Agency (EPA)" means the U.S. Environmental Protection Agency, or where appropriate the term may also be used as a designation for the Administrator or other duly authorized official of said agency.
- (17) "Garbage" means solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.
- (18) "Grab sample" means a sample which is taken from a waste stream on a one-time basis with no regard to the flow in the waste stream and without consideration of time.
- (19) "Holding tank waste" means any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks and vacuum-pump tank trucks.
- (20) "Industrial user" means a person who discharges industrial wastes into the sanitary sewer system.
- (21) "Industrial wastes" means any liquid, gaseous, radioactive or solid waste substance from industrial manufacturing processes, trade or business as distinct from normal domestic wastewater.
- (22) "Infiltration/inflow (I/I)" means clear, unpolluted water which enters the collection system from the ground or uncontrollable sources.
- (23) "Interference" means a discharge which, alone or in conjunction with a discharge or discharges from other sources, both inhibits or disrupts the treatment works, its treatment processes or operations, or its sludge processes, uses or disposal and therefore is a cause of a violation of any requirement of the NPDES permit (including an increase in the magnitude or duration of a violation) or causes the prevention of sewage sludge use or disposal in accordance with state or federal statutory provisions and regulations or permits issued thereunder.
- (24) "National Categorical Pretreatment Standard, pretreatment standard, or standard" means any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307(b) and (c) of the Act (33 U.S.C. 1317) and 40 CFR Chapter 1, Subchapter N, Parts 405-471 which applies to a specific category of industrial users.
- (25) "National Pollutant Discharge Elimination System (or NPDES) Permit" means a permit issued pursuant to Section 402 of the Act (33 U.S.C. 1342).
- (26) "Natural outlet" means any outlet into a watercourse, pond, ditch, lake or other body of surface water or groundwater.
- (27) "New source" means any building, structure, facility or installation from which

there is or may be a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under Section 307(c) of the Act which will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that:

- (A) The building, structure, facility or installation is constructed at a site at which no other source is located; or
 - (B) The building, structure, facility or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
 - (C) The production of wastewater-generating processes of the building, structure, facility or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source should be considered;
 - (D) Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility or installation meeting the criteria of subparagraphs (B) or (C) of this section but otherwise alters, replaces, or adds to existing process or production equipment.
- (28) "Normal domestic wastewater" means wastewater that has a BOD₅ concentration of not more than three hundred milligrams per liter and a suspended solids concentration of not more than three hundred milligrams per liter.
- (29) "pH" means the logarithm of the reciprocal of the weight of hydrogen ions, in grams per liter of solution.
- (30) "Pass through" means a discharge which exits the treatment works into waters of the state 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 NPDES permit (including an increase in the magnitude or duration of a violation).
- (31) "Person" means any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity, or their legal representatives, agents or assigns. The masculine gender shall include the feminine, the singular shall include the plural.
- (32) "Pollution" means the manmade or man-induced alteration of the chemical, physical, biological and radiological integrity of water.
- (33) "Pollutant" means any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt and industrial, municipal and agricultural waste discharged into water.
- (34) "Pretreatment or treatment" means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a treatment works. The reduction or alteration may be obtained by physical, chemical or biological processes, or by other means, except as prohibited by 40 CFR Section 403.6(d).
- (35) "Pretreatment requirements" means any substantive or procedural requirement related to pretreatment, other than a National Categorical Pretreatment Standard, imposed on an industrial user.

- (36) "Pretreatment standards" means National Categorical Pretreatment Standards and/or any other pretreatment requirements.
- (37) "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 particle greater than one-half inch (1.27 centimeters) in any dimension.
- (38) "Public sewer" means the sewer in which all owners of served property have equal rights, and which is controlled by public authority and shall be deemed to include mains but not to include any of the building sewer from the main to the connected building or the connection device, tap or wye.
- (39) "Sanitary sewer" means a sewer which carries sewage and to which stormwaters, surface waters and groundwaters are not intentionally admitted.
- (40) "Sanitary sewer system" includes main sewers, sewage pumping stations, treatment and disposal plants, lateral sewers, drainage conduits or channels and sewer connections in public streets or private property.
- (41) "Sewage," also termed "wastewater," means a combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such groundwaters, surface waters, and stormwaters as may be present.
- (42) "Sewer" means a pipe or conduit for carrying sewage or stormwater.
- (43) "Significant industrial user" means any industrial user of the city's wastewater disposal system who has a discharge flow of twenty-five thousand gallons or more of process wastewater per average work day, or has a discharge which is regulated by a National Categorical Pretreatment Standard, or has a process discharge that makes up five percent or more of the dry weather average hydraulic or organic capacity of the treatment works, or has in his wastes toxic pollutants as defined pursuant to Section 307 of the Act or state statutes and rules, or is found by the city, state or the U.S. Environmental Protection Agency (EPA) to have reasonable potential, either singly or in combination with other contributing industries, for adversely affecting the treatment works, for violating a pretreatment standard or requirement, for impacting quality of sludge, the system's effluent quality or air emissions generated by the system.
- (44) "Significant noncompliance" means a violation which meets one or more of the following criteria:
- (A) Chronic violations of wastewater discharge limits, defined as those in which sixty-six percent or more of all of the measurements taken during a six-month period exceed (by any magnitude) the daily maximum limit or the average limit for the same pollutant parameter;
 - (B) Technical review criteria (TRC) violations, defined here as those in which thirty-three percent or more of all of the measurements for each pollutant parameter taken during a six-month period equal or exceed the product of the daily maximum limit or the average limit multiplied by the applicable TRC (TRC = 1.4 for BOD, TSS, fats, oil and grease, and 1.2 for all other pollutants except pH).
 - (C) Any other violation of a pretreatment effluent limit (daily maximum or longer-term average) that the director determines has caused, alone or in combination with other discharges, interference or pass through (including endangering the health of treatment works personnel or the general public);
 - (D) Any discharge of a pollutant that has caused imminent endangerment to

human health, welfare or to the environment or has resulted in the exercise of emergency authority under Section 13.24.368 to halt or prevent such a discharge;

- (E) Failure to meet, within ninety days after the schedule date, a compliance schedule milestone contained in a local control mechanism or enforcement order for starting construction, completing construction or attaining final compliance;
 - (F) Failure to provide, within thirty days after the due date, required reports such as baseline monitoring reports, ninety-day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules;
 - (G) Failure to accurately report noncompliance;
 - (H) Any other violation or group of violations which the director determines will adversely affect the operation or implementation of the local pretreatment program.
- (45) "Slug" means any discharge of water sewage or industrial waste which in concentration of any given constituent or in quantity of flow exceeds, for any period of duration longer than fifteen minutes, more than five times the average twenty-four-hour concentration of flows during normal operation.
- (46) "State" means State of Iowa.
- (47) "Standard industrial classification (SIC)" means a classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1987.
- (48) "Toxic pollutant" means any pollutant or combination of pollutants listed as toxic in regulations promulgated by the Administrator of the Environmental Protection Agency under the provision of Section 307(a) of the Act or other Acts.
- (49) "Storm drain," sometimes termed "storm sewer," means a sewer which carries stormwaters, surface waters and drainage but excludes sewage and industrial wastes other than unpolluted cooling water.
- (50) "Superintendent" means the public works director of the city or his authorized deputy, agent or representative.
- (51) "Suspended solids (or SS)" 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.
- (52) "Treatment works" means any devices and systems for the storage, treatment, recycling and reclamation of municipal sewage, domestic sewage or liquid industrial wastes. These include intercepting sewers; outfall sewers; sewage collection systems; individual systems; pumping, power and other equipment and their appurtenances; extensions, improvement, remodeling, additions and alterations thereof; elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; and any works, including site acquisition of the land that will be an integral part of the treatment process or is used for ultimate disposal or residues resulting from such treatment (including land for composting sludge, temporary storage of such compost, and land used for storage of treated wastewater in land treatment systems before land application); or any other method or system for preventing, abating, reducing, storing, treating, separating or disposing of municipal waste or industrial waste, including waste in combined stormwater and sanitary sewer system.
- (53) "Treatment plant" means that portion of the treatment works designed to provide treatment to wastewater.

- (54) "U.S.C." means United States Code.
- (55) "User" means any person who contributes, causes or permits the contribution of wastewater into the city's treatment works.
- (56) "Wastewater contribution permit" means as set forth in Section 13.24.340.
- (57) "Waters of the state" means all streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through or border upon the state or any portion thereof.
- (58) "Watercourse" means a channel in which a flow of water occurs, either continuously or intermittently.

(Ord. 1863 § 1, 1994).

13.24.020 Unsanitary disposal unlawful.

It is 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 said city, any human or animal excrement, garbage, sewage, or objectionable waste.

(Ord. 1863 § 2, 1994).

13.24.030 Privies, septic tanks and cesspools unlawful.

Except as hereinafter provided, it is unlawful to construct or maintain any privy, privy vault, cesspool or other facility intended or used for the disposal of sewage.

(Ord. 1863 § 3, 1994).

13.24.040 Sewer connection--Required.

The owner 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 or combined sewer of the city, is required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this chapter, within ninety days after date of official notification to do so, provided that said public sewer is within two hundred feet (thirty and five-tenths meters) of the property line.

(Ord. 1863 § 4, 1994).

13.24.050 Sewer connection--Permit--Required.

No unauthorized person shall uncover, make any connection with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a tapping permit from the director.

(Ord. 1863 § 5, 1994).

13.24.060 Sewer connection--Permit--Application.

The owner or his agent shall make application for a permit 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 judgement of the director. All tapping permit fees and inspection fees shall be estimated by the public works director annually, for each such service required, subject to city council approval.

(Ord. 1863 § 6, 1994).

13.24.070 Sewer connection--Cost liability.

All costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the city from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

(Ord. 1863 § 7, 1994).

13.24.080 Building sewer--Separate required.

A separate and independent building sewer shall be provided for every building.
(Ord. 1863 § 8, 1994).

13.24.090 Building sewer--Testing and use.

Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the director, to meet all requirements of this chapter.
(Ord. 1863 § 9, 1994).

13.24.100 Building sewer--Conformance with code.

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 plumbing codes or other applicable rules and regulations of the city.
(Ord. 1863 § 10, 1994).

13.24.110 Building sewer--Elevation.

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.
(Ord. 1863 § 11, 1994).

13.24.120 Sewer connection--Unpolluted discharges prohibited in sanitary sewer.

No person shall make connection of roof downspouts, exterior foundation drains, sump pumps, areaway drains or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.
(Ord. 1863 § 12, 1994).

13.24.130 Sewer connection--Conformance with codes.

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.
(Ord. 1863 § 13, 1994).

13.24.140 Sewer connection--Permit--Inspection.

The applicant for a building sewer permit shall notify the director when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the director or his representative.
(Ord. 1863 § 14, 1994).

13.24.150 Sewer connection--Guarding excavation.

All excavations for building sewer installations shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the city.
(Ord. 1863 § 15, 1994).

13.24.160 Unpolluted water prohibited in sanitary sewer.

No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, including interior and exterior foundation drains, uncontaminated cooling water or unpolluted industrial process waters into any sanitary sewer.

(Ord. 1863 § 16, 1994).

13.24.170 Discharge of runoff or unpolluted water.

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 director. Industrial cooling water or unpolluted process waters may be discharged, on approval of the director, into a storm sewer, combined sewer or natural outlet if the user has obtained a NPDES permit from the state.

(Ord. 1863 § 17, 1994).

13.24.175 Storm sewers--Prohibited discharges.

It is unlawful to discharge or cause to be discharged, any sewage or other pollutant into any storm sewer within the city or within any area under the jurisdiction of the city.

(Ord. 1863 § 18, 1994).

13.24.180 Prohibited discharges.

A user may not introduce into the treatment works any pollutants which cause pass through or interference. No user shall contribute or cause to be contributed, directly or indirectly, any of the following substances to the treatment works:

- (1) Any liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the treatment works or to the operation of the treatment works. Wastestreams with a closed-cap flashpoint of less than sixty degrees C (as specified in 40 CFR 261.21) are prohibited. At no time shall two successive readings on an explosion hazard meter at the point of discharge into the system (or at any point in the system) be more than five percent nor any single reading over ten percent of the lower explosive limit (LEL) of the meter. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides and any other substances which the city, the state or EPA has notified the user is a fire hazard or a hazard to the system;
- (2) Solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities such as, but not limited to: grease, garbage with particles greater than one-half inch in any dimension, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, gas, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, mud, or glass grinding or polishing wastes;
- (3) Any water or waste containing fats, wax, grease or oils, whether emulsified or not, in excess of one hundred mg/l, or containing substances which may solidify or become viscous at temperatures between thirty-two and one hundred fifty degrees Fahrenheit (0 and 65°C), unless approved by the director;
- (4) Any wastewater having a pH greater than 9.5, unless approved by the superintendent, or any wastewater having a pH less than 5.5, or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment and/or personnel of the treatment works;
- (5) Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not, unless approved by the director;
- (6) Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to cause interference with any wastewater treatment process, constitute a hazard to humans or animals, create a toxic effect

in the receiving waters of the treatment works, or to exceed the limitation set forth in a national categorical pretreatment standard. A toxic pollutant shall include but not be limited to any pollutant identified pursuant to Section 307(a) of the Act;

- (7) Any noxious or malodorous liquids, gases or solids which either singly or by interaction with other wastes are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for maintenance and repair;
- (8) Any substance which may cause the treatment works effluent or any other product of the treatment works such as residues, sludges or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the treatment works cause the treatment works to be in noncompliance with sludge use or disposal criteria, guidelines or regulations developed under Section 405 of the Act; or any criteria, guidelines or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or state criteria applicable to the sludge management method being used;
- (9) Any substance which will cause the treatment works to violate its NPDES and/or State Disposal System Permit or the receiving water quality standards;
- (10) Any wastewater with objectionable color not removed in the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions;
- (11) Any wastewater having a temperature which will inhibit biological activity in the treatment works plant resulting in interference, but in no case wastewater or vapor having a temperature higher than sixty-five degrees C. (150°F.), unless approved by the director; and in no case wastewater or vapor with a temperature at the introduction into the treatment plant which exceeds forty degrees C (104°F.);
- (12) Any pollutants, including oxygen demanding pollutants (BOD, etc.) released at a flow rate and/or pollutant concentration which a user knows or has reason to know will cause interference to the treatment works. In no case shall a slug load have a flow rate or contain concentration or quantities of pollutants that exceed for any time period longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration, quantities, or flow during normal operations;
- (13) Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the director in compliance with applicable state or federal regulations;
- (14) 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), unless approved by the director;
- (15) Any discharge of petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through;
- (16) Any wastewater which causes a hazard to human life or creates a public nuisance;
- (17) Any wastewater which will cause interference with the operation or performance of the treatment works. Any discharges listed above as requiring approval of the director shall be evaluated by the director based upon 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. When the director determines that a user(s) is contributing to the treatment works, any of the above-enumerated substances in such amounts as to interfere with the operation of the treatment works, adversely affect sludge or effluent quality, cause hazard to human life, or create a public nuisance, the director shall:

- (A) Advise the user(s) of the impact of the contribution,
- (B) Develop effluent limitation(s) for such user to correct the problem, and
- (C) Require a compliance schedule.

(Ord. 1863 § 18, 1994).

13.24.190 National Categorical Pretreatment Standards.

Upon the promulgation of the National Categorical Pretreatment Standards, for a particular industrial subcategory, the National Standard, if more stringent than limitations imposed under this chapter for sources in that subcategory, shall immediately supersede the limitations imposed under this chapter. The National Categorical Pretreatment Standards, 40 CFR Chapter 1, Subchapter N, Parts 405-471, revised as of July 1, 1993, are adopted as part of this chapter. The director shall notify all affected users of the applicable reporting requirements under 40 CFR, Section 403.12.

(Ord. 1863 § 19, 1994).

13.24.200 Modification of National Categorical Pretreatment Standards.

Where the City's wastewater treatment system achieves consistent removal of pollutants limited by National Categorical Pretreatment Standards, the city may apply to the approval authority for modification of specific limits in the National Categorical Pretreatment Standards. "Consistent removal" means reduction in the amount of a pollutant or alteration of the nature of the pollutant by the wastewater treatment system to a less toxic or harmless state in the effluent which is achieved by the system in ninety-five percent of the samples taken when measured according to the procedures set forth in Section 403.7(c)(2) of Title 40 of the Code of Federal Regulations, Part 403 - "General Pretreatment Regulations for Existing and New Sources of Pollution" promulgated pursuant to the Act. The city may then modify pollutant discharge limits in the Federal Pretreatment Standards if the requirements contained in 40 CFR, Part 403, Section 403.7, are fulfilled and prior approval from the approval authority is obtained.

(Ord. 1863 § 20, 1994).

13.24.205 Trucked/hailed wastes.

The discharge of hauled or trucked wastes, except at points designated by the treatment works, is prohibited.

(Ord. 1863 § 21, 1994).

13.24.210 Specific pollutant limitations.

No person shall discharge wastewater containing pollutants which in combination with other discharges would cause the loadings at the introduction into the treatment plant to exceed the following limits:

0.04 lb/day	mercury
2.64 lb/day	arsenic
0.13 lb/day	cadmium
2.12 lb/day	copper
2.22 lb/day	lead
0.59 lb/day	molybdenum
2.54 lb/day	nickel
0.79 lb/day	selenium
0.68 lb/day	silver
3.63 lb/day	zinc
12,939 lb/day	chloride

The director shall develop limits for each significant industrial user on a user specific basis to ensure that the above limitations are not exceeded. To ensure that the above loadings are not exceeded the director may impose limitations more stringent than those in this chapter.

(Ord. 1863 § 22, 1994).

13.24.215 State requirements.

State requirements and limitations on discharges shall apply in any case where they are more stringent than federal requirements and limitations or those in this chapter. (Ord. 1863 § 23, 1994).

13.24.225 Excessive discharge.

Except where expressly authorized to do so by an applicable pretreatment standard, no user shall increase the use of process water or, in any way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with a categorical pretreatment standard. (Ord. 1863 § 25, 1994).

13.24.230 Notification of changed discharge.

All industrial users shall promptly notify the director in advance of any substantial change in the volume or character of pollutants in their discharge, including the listed or characteristic hazardous wastes for which the industrial user has submitted initial notification under 40 CFR 403.12 (p). (Ord. 1863 § 26, 1994).

13.24.235 Notification of the discharge of hazardous waste.

All industrial users shall notify the director, the EPA Regional Waste Management Division Director, and state hazardous waste authorities in writing of any discharge into the POTW of a substance, which, if otherwise disposed of, would be a hazardous waste under 40 CFR, Part 261. (Ord. 1863 § 27, 1994).

13.24.240 Accidental/slug discharges.

Each significant industrial user, or any other user as deemed necessary by the city, shall provide protection from accidental/slug discharge of prohibited material or other substances regulated by this chapter. Facilities to prevent accidental/slug discharge of prohibited materials shall be provided and maintained at the owner's or user's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the city for review, and shall be approved by the city before construction of the facility. All existing users shall complete such a plan within one hundred twenty days of the effective date of the ordinance codified in this chapter. No user who commences contribution to the treatment works after the effective date of said ordinance shall be permitted to introduce pollutants into the system until accidental/slug discharge procedures have been approved by the city. Review and approval of such plans and operating procedures shall not relieve the industrial user from the responsibility to modify the user's facility as necessary to meet the requirements of this chapter. The slug control plan shall contain, at a minimum, the following elements:

- (1) Description of discharge practices, including nonroutine batch discharges;
- (2) Description of stored chemicals;
- (3) Procedures for immediately notifying the director of slug discharges, including the location of discharge, type of waste, concentration and volume, and corrective actions, and follow-up this notification with:
 - (A) Within five days following an accidental/ slug discharge, the user shall submit to the director a detailed written report describing the cause of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage or other liability which may be incurred as a result of damage to the treatment works, fish kills or any other damage to person or property; nor shall such notification relieve the user of any fines, civil penalties or other liability which may be imposed by this chapter or other applicable law.

(B) A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees whom to call in the event of a accidental/slug discharge. Employers shall insure that all employees who may cause or suffer such a accidental/slug discharge to occur are advised of the emergency notification procedure;

(4) If necessary, procedures to prevent adverse impact from accidental spills, including inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site run-off, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants (including solvents), and/or measures and equipment necessary for emergency response.

(Ord. 1863 § 28, 1994).

13.24.245 Recordkeeping requirements.

Any industrial user subject to the reporting requirements established in this section shall be required to retain for a minimum of three years any records of monitoring activities and results (whether or not such monitoring activities are required by this section) and shall make such records available for inspection and copying by the director, the approval authority or EPA. This period of retention shall be extended during the course of any unresolved litigation regarding the industrial user or when requested by the director, the approval authority or EPA. (Ord. 1863 § 29, 1994).

13.24.250 Wastewater contribution permits.

All significant industrial users proposing to connect to or to contribute to the treatment works shall obtain a wastewater contribution permit before connecting to or contributing to the treatment works.

(Ord. 1863 § 30, 1994).

13.24.255 Permit application.

All significant industrial users shall complete and file with the city, an application in the form prescribed by the city. Existing significant industrial users shall apply for a wastewater contribution permit within thirty days after the effective date of the ordinance codified in this chapter, and proposed new significant industrial users shall apply at least ninety days prior to connecting to or contributing to the treatment works. In support of the application, the user shall submit, in units and terms appropriate for evaluation, the following information:

- (1) Name, address, location (if different from the address) and telephone number;
- (2) SIC number according to the Standard Industrial Classification Manual, Bureau of the Budget, 1972, as amended;
- (3) Wastewater constituents and characteristics including but not limited to those mentioned in Sections 13.24.190 through 13.24.210 as determined by a reliable analytical laboratory; sampling and analysis shall be performed in accordance with procedures established by the EPA pursuant to Section 304(g) of the Act and contained in 40 CFR, Part 136, as amended;
- (4) Time and duration of contribution;
- (5) Average daily and thirty-minute peak wastewater flow rates, including daily, monthly and seasonal variations, if any;
- (6) Site plans, floor plans, mechanical and plumbing plans and details to show all sewers, sewer connections and appurtenances by the size, location and elevation;
- (7) Description of activities, facilities, plant processes and pretreatment facilities on the premises including all materials which are or could be discharged;
- (8) The nature and concentration of any pollutants in the discharge which are limited

by any city, state, or federal pretreatment standards, and a statement defining pretreatment standards and whether or not they are being met on a consistent basis and if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required for the user to meet applicable pretreatment standards;

- (9) Each product produced by type, amount, process or processes and rate of production;
- (10) Type and amount of raw materials processed (average and maximum per day);
- (11) Number and type of employees, and hours of operation of plant and proposed or actual hours of operation of pretreatment system;
- (12) A statement, reviewed by an authorized representative of the user and certified by a professional engineer indicating whether pretreatment standards are being met on a consistent basis, and, if not, whether additional operation and maintenance and/or additional pretreatment is required for the user to meet the pretreatment standards.
- (13) If additional pretreatment and/or O&M will be required to meet the pretreatment standards, the shortest schedule by which the user will provide such additional pretreatment. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard. The following conditions shall apply to this schedule:
 - (A) The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (e.g., hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, etc.).
 - (B) No increment referred to in subdivision (A) of this subsection shall exceed nine months.
 - (C) No later than fourteen days following each date in the schedule and the final date for compliance, the user shall submit a progress report to the director including, as a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment of progress, the reason for delay, and the steps being taken by the user to return the construction to the schedule established. In no event shall more than nine months elapse between such progress reports to the director;
- (14) Any other information as may be deemed by the city to be necessary to evaluate the permit application. The city will evaluate the data furnished by the user and may require additional information. After evaluation and acceptance of the data furnished, the city may issue or deny a wastewater contribution permit subject to terms and conditions provided herein.

(Ord. 1863 § 31, 1994).

13.24.260 Permit modifications.

The director may modify the wastewater contribution permit for good cause including, but not limited to, the following:

- (1) After promulgation of a National Categorical Pretreatment Standard, the wastewater contribution permit of users subject to such standards shall be revised to require compliance with such standard within the time frame prescribed by such standard. Where a user, subject to a National Categorical Pretreatment Standard, has not previously submitted an application for a wastewater

contribution permit, the user shall apply for a wastewater contribution permit within the time period identified in the standard. In addition, the user with an existing wastewater contribution permit shall submit to the director within the time period identified in the standard the information required by subsections (3) through (13) of Section 13.24.255. The terms and conditions of the permit may be subject to modification by the city during the term of the permit as city, state or federal limitations or requirements are modified or if other just cause exists. The user shall be informed of any proposed changes in his permit at least thirty days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance;

- (2) To address significant alterations or additions to the industrial user's operation, processes or wastewater volume or character since the time of the permit issuance;
- (3) Information indicating that the permitted discharge poses a threat to the treatment works, personnel or the receiving waters;
- (4) Violation of terms or conditions of the permit;
- (5) Misrepresentations or failure to fully disclose all relevant facts in the permit application or in any reporting;
- (6) To reflect a transfer of the facility ownership and/or operation to a new owner/operator;
- (7) To correct typographical or other errors in the permit.

(Ord. 1863 § 32, 1994).

13.24.265 Permit conditions.

Wastewater contribution permits shall be expressly subject to all provisions of this chapter and all other applicable regulations, user charges and fees established by the city.

- (1) Permits shall contain the following:
 - (A) A statement of duration of the permit, not to exceed five years;
 - (B) Requirements for maintaining and retaining plant records relating to wastewater discharge a minimum of three years or as specified by the city, and affording city access thereto;
 - (C) A statement regarding the transferability of the permit;
 - (D) Limits on the average and maximum wastewater constituents and characteristics to prevent pass through or interference, protect the quality of the water body receiving the treatment plant's effluent, protect worker health and safety, facilitate sludge management and disposal, protect ambient air quality, and protect against damage to the treatment works and comply with applicable pretreatment standards;
 - (E) A statement of applicable civil and criminal penalties for violations of the permit.
- (2) Permits may contain the following:
 - (A) The unit charge or schedule of user charges and fees for the wastewater to be discharged to a community sewer;
 - (B) Limits on average and maximum rate and time of discharge or requirements for flow regulation and equalization;
 - (C) Requirements for installation and maintenance of inspection and sampling

facilities;

- (D) Specifications for monitoring programs which may include sampling locations, frequency of sampling, number, types and standards for tests and reporting schedule;
- (E) Compliance schedules for installation of technology to meet applicable standards;
- (F) Requirements for submission of technical reports or discharge reports (see Section 13.24.280);
- (G) Requirements for notification of the city or any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater constituents being introduced into the wastewater treatment system;
- (H) Requirements for notification of accidental/slug discharges or any other potential problem discharges;
- (I) Requirements for notification of the director, state and EPA of any discharge which would be considered a hazardous waste if disposed of in a different manner; and
- (J) Other conditions as deemed appropriate by the city to ensure compliance with this chapter.

(Ord. 1863 § 33, 1994).

13.24.270 Permit duration.

Wastewater contribution permits shall normally be issued for a period of five years. A permit may be issued for a lesser period or may be stated to expire on a specific date. The user shall apply for a permit reissuance a minimum of one hundred eighty days prior to the expiration of the user's existing permit.

(Ord. 1863 § 34, 1994).

13.24.275 Permit transfer.

Wastewater contribution permits are issued to a specific user for a specific operation. A wastewater discharge permit shall not be reassigned or transferred or sold to a new owner, new user, different premises or a new or changed operation without the approval of the city. Any succeeding owner or user shall also comply with the terms and conditions of the existing permit.

(Ord. 1863 § 35, 1994).

13.24.280 Reporting requirements for permittee.

The following reports are required for wastewater contribution permit holders:

- (1) **Compliance Date Report.** Within ninety days following the effective date of an applicable pretreatment standard users subject to the pretreatment standards shall submit to the director a report indicating the nature and concentration of all pollutants in the discharge from the regulated process which are limited by pretreatment standards and the average and maximum daily flow for these process units in the user's facility which are limited by such pretreatment standards. The report shall state whether the applicable pretreatment standards are being met on a consistent basis and, if not, what additional O&M and/or pretreatment is necessary to bring the user into compliance with the applicable pretreatment standards. This statement shall be signed by an authorized representative of the industrial user, and certified to by a qualified professional.
- (2) **Periodic Compliance Reports.**
 - (A) Any significant industrial user shall submit to the director during the

months of June and December, unless required more frequently in the pretreatment standard or by the director, a report indicating the nature and concentration of pollutants in the effluent which are limited by such pretreatment standards. In addition, this report shall include a record of all daily flows which, during the reporting period, exceeded the average daily flow. At the discretion of the director and in consideration of such factors as local high or low flow rates, holidays, budget cycles, etc., the director may agree to alter the months during which the above reports are to be submitted.

- (B) The director may impose mass limitations on users which are using dilution to meet applicable pretreatment standards, or in other cases where the imposition of mass limitations is appropriate. In such cases, the report required by subdivision (A) of this subsection shall indicate the mass of pollutants regulated by pretreatment standards in the effluent of the user. These reports shall contain the results of sampling and analysis of the discharge, including the flow and the nature and concentration, or production and mass, where requested by the director, of pollutants contained therein which are limited by the applicable pretreatment standards. All analysis shall be performed in accordance with procedures established by the approval authority pursuant to Section 304(g) of the Act and contained in 40 CFR, Part 136 and amendments thereto or with any other test procedures approved by the approval authority. Sampling shall be performed in accordance with the techniques approved by the approval authority.
- (3) Categorical Pretreatment Standard-Baseline Report. Within ninety (90) days after the effective date of a categorical pretreatment standard, or ninety (90) days after the final administrative decision made upon a category determination submission under 40 CFR 403.6(a)(4), whichever is later, existing industrial users subject to such categorical pretreatment standards and currently discharging to or scheduled to discharge to the treatment works shall be required to submit to the director a report which contains the information required under 40 CFR 403.12 (b)(1)-(7). Where reports containing this information already have been submitted to the state or EPA in compliance with the requirement of 40 CFR 128.140(b), the industrial user will not be required to submit this information again. At least ninety days prior to commencement of discharge, new sources, and sources that become industrial users subsequent to the promulgation of an applicable categorical standard, shall be required to submit to the director a report which contains the information listed in 40 CFR 403.12(b)(1)-(5).

New sources shall also be required to include in this report information on the method of pretreatment the source intends to use to meet applicable pretreatment standards. New sources shall give estimates of the information requested in 40 CFR 403.12(b)(4) and (5). (Ord. 1863 § 36, 1994).

13.24.285 Application signatories and certification.

All wastewater discharge permit applications and industrial user reports must contain the following certification statement and be signed by an authorized representative of the industrial user.

I certify under penalty of law that this document and all attachments were prepared under my direct supervision in accordance to a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

(Ord. 1863 § 37, 1994).

13.24.290 Monitoring facilities.

All significant industrial users shall be required to provide and operate at their own expense, monitoring facilities to allow inspection, sampling and flow measurement of the building sewer and/or internal drainage systems. The monitoring facility should normally be situated on the user's premises, but the city may, when such a location would be impractical or cause undue hardship on the user, allow the 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. There will be ample room in or near such sampling manhole or facility to allow accurate sampling and preparation of samples for analysis. The facility and all sampling and measuring equipment shall be maintained at all times in a safe and proper operating condition at the expense of the user. Whether constructed on public or private property, the sampling and monitoring facilities shall be provided in accordance with the city's requirements and all applicable local construction standards and specifications. Construction shall be completed within ninety days following written notification by the city.
(Ord. 1863 § 38, 1994).

13.24.295 Testing methods.

All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this chapter shall be determined in accordance with methods specified in 40 CFR Part 136 and shall be determined at the monitoring facility provided, or upon suitable samples taken at said monitoring facility. In the event that no special monitoring facility has been required, the monitoring facility shall be considered to 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 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, Ammonia Nitrogen (N), and suspended solids analyses are obtained from twenty-four hour composites of all outfalls, whereas pH's and Oil / Grease are determined from periodic grab samples.
(Ord. 1863 § 39, 1994).

13.24.300 Pretreatment.

Users shall provide necessary wastewater treatment as required to comply with this chapter and shall achieve compliance with all National Categorical Pretreatment Standards within the time limitations as specified. Any facilities required to pretreat wastewater to a level acceptable to the city shall be provided, operated and maintained continuously and in satisfactory and effective operation at the user's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the city for review, and shall be acceptable to the city before construction of the facilities. Design and installation of such facilities shall be subject to the requirements of all applicable codes, ordinances, and laws. The review of such plans and operating procedures will in no way relieve the user from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the city under the provisions of this chapter. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the city prior to the user's initiation of the changes. The city shall annually publish in the largest daily newspaper published in the city a list of the users which were in significant noncompliance with pretreatment requirements or standards during the twelve previous months. The notification shall also summarize any enforcement actions taken against the user(s) during the same twelve months.
(Ord. 1863 § 40, 1994).

13.24.305 Unusual discharges--Special 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 therefor by the industrial concern. Special arrangements shall not be allowed which will cause violation of National Categorical Pretreatment Standards or NPDES permit.
(Ord. 1863 § 41, 1994).

13.24.310 Confidential information.

Information and data on a user obtained from reports, questionnaires, permit applications, permits and monitoring programs and from inspections shall be available to the public without restriction unless the user specifically requests and is able to demonstrate to the satisfaction of the city that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets of the user. When requested by the person furnishing a report, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public, but shall be made available upon written request to governmental agencies for uses related to this chapter, the National Pollutant Discharge Elimination System (NPDES) permit, State Disposal System permit and/or the pretreatment programs. Wastewater monitoring results will not be recognized as confidential information. Information accepted by the city as confidential will be provided to the state and EPA upon request without prior notification to the user.
(Ord. 1863 § 42, 1994).

13.24.330 Damaging or tampering with sewage works--Violation-- Penalty.

No unauthorized person shall maliciously, wilfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the sewage works. Any person violating the provisions of this section shall be guilty of a misdemeanor and punished as provided in Section 13.24.350.
(Ord. 1863 § 46, 1994).

13.24.335 Inspection of properties--Authorized officials--Jurisdiction.

The city may inspect the facilities of any user to ascertain whether the purpose of 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 city or its representative ready access at all reasonable times to all parts of the premises for the purposes of inspection, sampling, records examination and copying or in the performance of any of their duties. The city shall have the right to set up on the user's property such devices as are necessary to conduct sampling, inspection, compliance monitoring and/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.
(Ord. 1863 § 47, 1994).

13.24.340 Inspection of properties--Deaths or damages--Liability.

While performing the necessary work on private properties referred to in Section 13.24.335, the director or duly authorized employees 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 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 Section 13.24.240.
(Ord. 1863 § 48, 1994).

13.24.345 Inspection of properties--Easements.

The director and other duly authorized employees 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 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 duly negotiated easement pertaining to the private property involved.

(Ord. 1863 § 49, 1994).

13.24.350 Violation--Penalty.

Any person found to be violating any provision of this chapter 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. Any person who continues any violation beyond the time limit provided for in such notice shall be guilty of a municipal infraction and, upon conviction thereof, shall be fined in the amount not exceeding one thousand dollars a day per violation. Each day in which any such violation continues shall be deemed a separate offense. In addition thereto, any person violating any of the provisions of this chapter shall become liable to the city for any expense, loss or damage occasioned the city by reason of such violation. In addition to the other remedies provided in this chapter, the city may, at the city's office, initiate an action, either in law or in equity, to obtain an injunction against further violations of this chapter, and for judgment for all costs incurred by the city occasioned by the user's violation of any requirements of this chapter. (Ord. 1863 § 50, 1994).

13.24.360 Enforcement.

A. Administrative remedies.

- a. *Notification of violation.* Whenever the City finds that any person has violated or is violating this division, a wastewater discharge permit, or any prohibition, limitation or requirement contained therein, the City may serve upon such person a written notice stating the nature of the violation ("notice of violation"). Within 30 days of the date of the notice of violation, a plan for the satisfactory correction of the violation shall be submitted to the City by the person. Submission of this plan does not relieve the person of liability for any violations occurring before or after receipt of the notice of violation.
- b. *Consent orders.* The Director is hereby authorized and empowered to enter into consent orders, assurances of voluntary compliance, or other similar agreements with any person responsible for violation of, or noncompliance with, this division or a permit issued hereunder (hereafter referred to as noncompliance). Such orders shall specify action to be taken by the person to correct the noncompliance within a time period that shall be specified in the order. Consent orders shall have the same force and effect as an administrative order issued pursuant to subsection 13.24.360.A.d. below.
- c. *Show cause hearing.* The Director may order any user who causes or is responsible for an unauthorized discharge, who has violated this division or is in noncompliance with a wastewater discharge permit, to show cause why a proposed enforcement action should not be taken. In the event the Director determines that a show cause order should be issued, a notice that substantially notifies the user of the specific time and place for the hearing, the proposed enforcement action, the reasons for such action, and a request that the user show cause why this proposed enforcement action should not be taken shall be issued by the City ("show cause hearing notice"). The show cause hearing notice shall be served on the user at least ten days before the hearing. Service may be made on any agent or officer of a corporation. The City shall review the evidence presented at the hearing and shall determine whether the proposed enforcement action is appropriate. A show cause hearing under this section is not a prerequisite to the assessment of a civil penalty under section 13.24.360.B.
- d. *Administrative orders.* When the Director, or his duly authorized representative, finds that a user has violated or continues to violate this division, the prohibitions or discharge limitations of this division, or those contained in any wastewater discharge permit or order issued hereunder, the Director, or his duly authorized representative, may issue an order to cease and desist, and direct those persons in noncompliance to do any of the following:
 - i. immediately comply with all requirements;
 - ii. Comply in accordance with a compliance time schedule set forth in the

- order;
 - iii. Take appropriate remedial or preventative action in the event of a continuing or threatened violation;
 - iv. Disconnect from the POTW, or cease discharging into the POTW, unless adequate treatment facilities, devices or other related appurtenances are installed and properly operated within a specified time period.
- e. *Emergency suspensions.* The Director, or his duly authorized representative, may suspend wastewater treatment service and/or wastewater discharge permit when the Director believes suspension is necessary in order to stop an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health or welfare of persons or the environment, interferes with the POTW, or causes the POTW to violate any conditions of its NPDES permit. Any user notified of a suspension of their wastewater treatment service and/or their wastewater discharge permit shall immediately stop or eliminate the discharge. A hearing shall be held within 15 days of the notice of suspension to determine whether the suspension may be lifted or the user's wastewater discharge permit terminated. In the event of a failure of the person to comply voluntarily with the suspension order, the Director shall take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW system or endangerment to any person or property. The Director shall reinstate the wastewater discharge permit and the wastewater treatment service upon proof of the elimination of the noncompliant discharge and the payment of all user charges, surcharges, penalties and other cost assessed hereunder. The user 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 the above described hearing.
- f. *Termination of permit or permission of discharge.* Any user who violates any condition of this division, or applicable state or federal regulations, is subject to having its permit terminated. The City may revoke a wastewater discharge permit or permission to discharge for good cause, including, but not limited to, the following reasons:
- i. Failure to factually and accurately report the wastewater constituents and characteristics of the user's discharge;
 - ii. Failure to report significant changes in operations, or wastewater constituents and characteristics;
 - iii. Refusal to allow reasonable access to the user's premises to the Director, approval authority, or EPA for the purpose of inspection or monitoring;
 - iv. Violation of conditions of the wastewater discharge permit or permission to discharge, conditions of this ordinance, or any applicable state or federal regulations.

Noncompliant users shall be notified of the proposed termination of their wastewater discharge permit and will be offered an opportunity to show cause under this subsection (13.24.360.A) why the proposed action should not be taken.

B. Civil Penalties.

Any user who is found to have failed to comply with any provision of this division, or the orders, rules, regulations and permits issued hereunder, may be assessed a civil penalty by the City up to \$25,000.00 per day per violation. Penalties between \$10,000.00 and \$25,000.00 per day per violation may be assessed against a violator only if:

- a. For any class of violation, only if a civil penalty has been imposed against the violator within the five years preceding the violation, or
- b. In the case of failure to file, submit, or make available, as the case may be any documents, data, or reports required by this ordinance, or the orders, rules, regulations and permits issued hereunder, only if the City determines that the violation was intentional and a civil penalty has been imposed against the violator with the five years preceding the violation.

Such assessments may be added to the user's next scheduled sewer service charges and the POTW, in addition to all other remedies, shall have such remedies for the collection of such assessments as it has for collection of other service charges.

C. Penalty determination.

In determining the amount of the civil penalty, the City shall consider the following:

- a. The degree and extent of the harm to natural resources, the public health, or to public or private property resulting from the violation;
- b. The duration and gravity of the violation;
- c. The effect on ground or surface water quantity or quality or on air quality;
- d. The cost of rectifying the damage;
- e. The amount of money the user saved by noncompliance;
- f. Whether the violation was committed willfully or intentionally;
- g. The prior record of the violator in complying or failing to comply with the pretreatment program;
- h. Other fines and penalties assessed to user for previous violations; and
- i. The costs of enforcement to the City.

D. Other Available Remedies.

Remedies, in addition to those previously mentioned in this division, are available to the City who may use any single one or combination thereof against a noncompliant person or user. Additional available remedies include, but are not limited to:

- a. *Criminal violations.* The district attorney for the 2nd Judicial District (the judicial district encompassing Webster county) may, at the request of the City, prosecute noncompliant persons and users who violate the provisions of this ordinance.
- b. *Injunctive relief.* Whenever a user is in violation of the provisions of this division or an order or permit issued hereunder, the WWTP Director, through the City Attorney, may petition the county superior court for the issuance of a restraining order or a preliminary and permanent injunction, which restrains or compels the activities in question.
- c. *Water supply severance.* Whenever a user or person is in violation of the provisions of this division or an order or permit issued hereunder, water service to the user or person may be severed and service will only recommence, at the user's or person's expense, after it has satisfactorily demonstrated ability to comply.
- d. *Remedies nonexclusive.* The remedies provided for in this division are not exclusive. The City may take any, all, or any combination of these actions against a noncompliant user or other person. Enforcement of pretreatment violations will generally be in accordance with the City's Enforcement Response Guide.

13.24.370 Fat, oil, and grease control.

A. Scope and purpose.

The objective of this section is to aid in preventing the introduction and accumulation of fats, oils, and greases into the municipal wastewater system which will or tend to cause or contribute to sanitary sewer blockages and obstructions. Food service establishments (FSE) and other industrial or commercial establishments generating wastewater

containing fats, oils or greases are subject to this section. This section regulates such users by requiring that grease interceptors and other approved strategies be installed, implemented, and maintained in accordance with the provisions hereof.

B. Definitions.

The definitions contained in section 13.24.010 and the following terms, when used in this section, shall apply.

- a. *Action level* means the concentration based numeric value that the grease interceptor effluent, at the device's outlet tee and prior to mixing with any other wastewater from the contributing establishment's property, are expected to achieve on a consistent or stipulated basis.
- b. *Common interceptor* means one or more interceptors receiving FOG laden wastewater from more than one establishment. Common interceptors may be located at shopping centers, malls, entertainment complexes, sporting arenas, hotels, multi-tenant "flex" spaces, mixed use spaces, and other sites where multiple establishments are connected to a single grease interceptor. The owner of the property on which the common grease interceptor is located shall be primarily responsible for the maintenance, upkeep, and repair of the common interceptor.
- c. *Fats, oils, and greases* means organic polar compounds derived from animal and/or plant sources that contain multiple carbon chain triglyceride molecules. These substances are detectable and measurable using analytical test procedures established in 40 [CFR](#) 136, as may be amended from time to time. All are sometimes referred to herein as "grease" or "greases" or "FOG".
- d. *Food service establishments (FSE)* means those establishments primarily engaged in activities of preparing, serving, or otherwise making available for consumption foodstuffs and that use one or more of the following preparation activities: Cooking by frying (all methods), baking (all methods), grilling, sautéing, rotisserie cooking, broiling (all methods), boiling blanching, roasting, toasting, or poaching, and infrared heating, searing, barbecuing, and any other food preparation or serving activity that produces a consumable food product in or on a receptacle requiring washing to be reused.
- e. *FOG enforcement response plan* means the document and written plan and procedures by which the director implements an enforcement strategy applicable to the FOG control and management program established herein. The plan applies to FOG program violations and matters of program noncompliance. Stipulated penalties for specific and programmatic infractions are addressed in the plan.
- f. *Grease trap or interceptor* means a device for separating waterborne greases and grease complexes from wastewater and retaining such greases and grease complexes prior to the wastewater exiting the trap and entering the sanitary sewer collection and treatment system. Grease traps also serve to collect solids that settle, generated by and from activities that subject users to this section, prior to the water exiting the trap and entering the sanitary sewer collection and treatment system. Grease traps and interceptors are sometimes referred to herein as "grease interceptors".
- g. *Minimum design capability* means the design features of a grease interceptor and its ability or volume required to effectively intercept and retain greases and settled solids from grease-laden wastewaters discharged to the public sanitary sewer.
- h. *Non-cooking establishments* means those establishments primarily engaged in the preparation of precooked foodstuffs that do not include any form of cooking, but that may produce a consumable food product in or on a receptacle requiring washing to be reused.
- i. *On-site grease interceptor treatment* (sometimes "onsite treatment") means mechanisms or procedures utilized by a user to treat grease interceptor contents on the user's site, followed by the reintroduction of such treated wastewater back into the interceptor.

- j. *Program acknowledgement certificate* means program confirmation documentation issued by the director. The user is required to keep program acknowledgement certificate on premises and produce it upon request of the City.
- k. *Service provider* means any third party not in the employment of the user that performs maintenance, repair, and other services on a user's grease interceptor at the user's directive.
- l. *User* is as defined in section 13.24.010 for the purpose of this section. Users include property owners who provide common interceptors for one or more independent establishments, including tenants.

C. Grease interceptor installation, maintenance, recordkeeping, and grease removal.

- a. Grease interceptors shall be installed and maintained at the user's expense, when a user operates a food service establishment. Grease interceptors may be required in non-cooking or cold dairy and frozen foodstuffs establishments and other industrial or commercial establishments when the establishment generates wastewater containing fat or grease and the director determines an interceptor is necessary to prevent contribution or accumulation of grease to the sanitary sewer collection and treatment system. Upon notification by the director or designee that the user is subject to the terms of an enforcement action, as stipulated in the FOG enforcement response plan, said user shall not allow wastewater discharge concentration from subject grease interceptor to exceed an establishment action level of 200 milligrams per liter, expressed as hexane extractable material. All grease interceptors shall be of a type, design, and capacity approved by the director and shall be readily and easily accessible for maintenance and repair, including cleaning and for town inspection. All grease interceptors shall be serviced and emptied of accumulated waste content as required in order to maintain minimum design capability or effective volume of the grease interceptor, but not less often than every 60 days or as permitted in a valid program modification. Users who are required to pass wastewater through a grease interceptor shall:
 - i. Provide for a minimum hydraulic retention time of 24 minutes at actual peak flow between the influent and effluent baffles, with 25 percent of the total volume of the grease interceptor being allowed for any food-derived solids to settle or accumulate and floatable grease-derived materials to rise and accumulate, identified hereafter as a solids blanket and grease cap respectively.
 - ii. Remove any accumulated grease cap and solids blanket as required, but at intervals of not longer than 60 days at the user's expense, or in accordance with a valid program modification or other director's requirements. Grease interceptors shall be kept free of inorganic solid materials, such as grit, rocks, gravel, sand, eating utensils, cigarettes, shells, towels, rags, etc., which could settle into this solids blanket and thereby reduce the effective volume of the grease interceptor.
 - iii. If the user performs on-site grease interceptor treatment pursuant to a modification granted under section 13.24.370.C.e below, user shall:
 - a) Prior to commencement of onsite treatment obtain written approval by and from the director of all processes utilized in said onsite treatment.
 - b) If any pumped wastes or other materials removed from the grease interceptor are treated in any fashion on-site and reintroduced back into the grease interceptor as an activity of and after such on-site treatment, the user shall meet the criteria contained in section 13.24.370.C.a.iii.c below.
 - c) Attain and adhere to the criteria listed below:
 - After 30 minutes of settling time, not more than 3.0 ml/L of settleable solids, as measured in a one liter Imhoff cone shall be allowed, and;

- Within and not more than 24 hours after onsite grease interceptor servicing, not more than two inches of settleable solids and/or grease shall be allowed to have accumulated therein as a result of said operations.
 - Any tanks, tankage, or vessel(s) associated with a modification shall be empty upon arrival at the initial FSE user site for which this modification is intended to be applied.
 - iv. Operate and maintain the grease interceptor to achieve and consistently maintain any applicable grease action level. "Consistent" shall mean any wastewater sample taken from such grease interceptor must meet the terms of numerical limit attainment described in section 13.24.370.C.a. If a user documents that conditions exist ("space constraints") on their establishment site that limit the ability to locate a grease interceptor on the exterior of the establishment, the user may request an interior location for the interceptor. Such request shall contain the following information:
 - a) Location of City's sewer main and easement in relation to available exterior space outside building.
 - b) Existing plumbing layout at or in a site.
 - c) A statement of understanding, signed by the user or authorized agent, acknowledging and accepting conditions director may place on permitting an identified interior location. Conditions may include requirements to use alternative mechanisms, devices, procedures, or operations relative to an interior location.
 - d) Such other information as may be required by the director.
 - v. The use of biological or other additives as a grease degradation or conditioning agent is permissible only upon prior written approval of the director. Any user using biological or other additives shall maintain the trap or interceptor in such a manner that attainment of any grease wastewater, action level, solids blanket or grease cap criteria, goal or directive, as measured from the grease interceptor outlet or interior, is consistently achieved.
 - vi. The use of automatic grease removal systems is permissible only upon prior written approval of the director.
 - vii. The director may make determinations of grease interceptor adequacy need, design, appropriateness, application, location, modification(s), and conditional usage based on review of all relevant information regarding grease interceptor performance, facility site and building plan review by all regulatory reviewing agencies and may require repairs to, or modification or replacement of grease interceptors.
- b. The user shall maintain a written record of grease interceptor maintenance for three years. All such records will be available for inspection by the town at all times. These records shall include:
- i. Food Service Establishment (FSE) name and physical location;
 - ii. Date of grease interceptor service;
 - iii. Time of grease interceptor service;
 - iv. Name of grease interceptor service company;
 - v. Name and signature of grease interceptor service company agent performing said service;

- vi. Established service frequency and type of service: full pump out, partial pump out, on-site treatment (type of nature of operations);
 - vii. Number and size of each grease interceptor serviced at FSE location;
 - viii. Approximated amount, per best professional judgment of contract service provider, of grease and solids removed from each grease interceptor;
 - ix. Total volume of waste removed from each grease interceptor;
 - x. Destination of removed wastes, food solids, and wastewater disposal;
 - xi. Signature and date of FSE personnel confirming service completion;
 - xii. Such other information as required by director.
- c. No nongrease-laden sources are allowed to be connected to sewer lines intended for grease interceptor service.
- d. Access manholes shall have an installed diameter of 24 inches, a maximum weight of 50 pounds, and shall be provided over each chamber, interior baffle wall, and each sanitary tee. The access penetrations, commonly referred to as "risers" into the grease interceptor shall also be, at a minimum, 24 inches in diameter. The access manholes shall extend at least to finished grade and be designed and maintained to prevent water inflow or infiltration. The manholes shall also have readily removable covers to facilitate inspection, grease removal, and wastewater sampling activities.
- e. A user may request a modification to the following requirements of this section. Such request for a modification shall be in writing and shall provide the information set forth below.
- i. The user's grease interceptor pumping frequency. The director may modify the 60-day grease interceptor pump out frequency when the user provides data, and performance criteria relative to the overall effectiveness of a proposed alternate and such can be substantiated by the director. Proposed alternatives may include: Grease interceptor pumping or maintenance matters, bioremediation as a complement to grease interceptor maintenance, grease interceptor selection and sizing criteria, onsite grease interceptor maintenance, and specialized ware washing procedures.
 - ii. Grease interceptor maintenance and service procedures. The director may modify the method(s) or procedure(s) utilized service a grease interceptor when the user provides data, and performance criteria relative to the overall effectiveness of a proposed alternate method or procedure and such can be substantiated by the director. If a modification to maintenance and service procedures is permitted it shall be a conditional discharged permit approval.
 - iii. Any modification must be approved by the director in written form before implementation by the user or the user's designated service provider.

13.24.380 Fees.

A. Purpose.

It is the purpose of this division to provide for the recovery from users of the City's wastewater disposal system of costs of the WPCF and for the implementation of the program provide for herein.

B. Fees and Charges.

All users shall be subject to the following fees and charges as set forth in Chapter 13.12, Sewage Disposal Rates and Regulations.

- a. Rate of Rent (User Charge)
- b. Surcharge for use over normal domestic waste.
- c. Laboratory analysis fees for those analyses performed by the City.
- d. Septage receiving fees.

SECTION III

The Municipal Code of the City of Fort Dodge is hereby amended, rescinding Chapter 13.24 of Title 13 in it entirely.

SECTION IV

That upon enactment of this Ordinance as by law provided that the City cause the change to be made and make notation in ink thereon of reference to the date of passage and approval of this amendatory Ordinance.

SECTION V

If any section, clause, provision or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected there by.

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

The above Ordinance passed and adopted by the City Council of the City of Fort Dodge, Iowa this _____ day of _____ 2013.

First consideration _____ day of _____ 2013.

Ayes: _____

Nays: _____

Other: _____

Second consideration _____ day of _____ 2013.

Ayes: _____

Nays: _____

Other: _____

Third consideration _____ day of _____ 2013.

Ayes: _____

Nays: _____

Other: _____

CITY OF FORT DODGE

BY: _____
Matt Bemrich, Mayor

ATTEST:

Jeff Nemmers, City Clerk