

CHAPTER 27

AN ORDINANCE REGULATING SEWER USE

An Ordinance regulating the use of public and private sewers and drains, private wastewater disposal, the installation and connection of building sewers, and the discharge of waters and wastes into the public sewer system(s); and providing penalties for violations thereof; in the Town of Williamsport, County of Washington, State of Maryland.

Be it ordained and enacted by the Council of the Town of Williamsport, State of Maryland, as follows:

SECTION 1: DEFINITIONS

- A. "Biochemical oxygen demand" (BOD) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degrees C, expressed in milligrams per liter.
- B. "Building drain" shall mean that the part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.
- C. "Building sewer" shall mean the extension from the building drain to the public sewer or other place of disposal, also called house connection.
- D. "Combined sewer" shall mean a sewer intended to receive both wastewater and storm or surface water.
- E. "Easement" shall mean an acquired legal right for the specific use of land owned by others.
- F. "Floatable oil" is oil, fat, or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable fat if it is properly pretreated and the wastewater does not interfere with the collection system.
- G. "Garbage" shall mean the animal and vegetable waste resulting from the handling, preparation, cooking, and serving of foods.
- H. "Industrial wastes" shall mean the wastewater from industrial processes, trade, or business as distinct from domestic or sanitary wastes.

I. "Natural outlet" shall mean any outlet, including storm sewers and combined sewer overflows into a watercourse, pond, ditch, lake, or other body of surface or ground water.

J. "May" is permissive (see "shall", §1.R.).

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

L. "pH" shall mean the logarithm of the reciprocal of the hydrogen ion concentration. The concentration is the weight of hydrogen ions, in grams, per liter of solution. Neutral water, for example, has a pH value of 7 and a hydrogen-ion concentration of 10^{-7} .

M. "Properly shredded garbage" shall mean 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 $\frac{1}{2}$ inch (1.27 centimeters) in any dimension.

N. "Public sewer" shall mean a common sewer controlled by a governmental agency or public utility.

O. "Sanitary sewer" shall mean a sewer that carries liquid and water carried wastes from residences, commercial buildings, industrial plants, and institutions together with minor quantities of ground, storm, and surface waters that are not admitted intentionally.

P. "Sewage" is the spent water of a community. The preferred term is "wastewater", (see §1.W.).

Q. "Sewer" shall mean a pipe or conduit that carries wastewater or drainage water.

R. "Shall" is mandatory (see "may" §1.J.).

S. "Slug" shall mean any discharge of water or wastewater which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flow during normal operation and shall adversely affect the collection system and/or performance of the wastewater treatment works.

T. "Storm drain" (sometimes termed "storm sewer") shall mean a drain or sewer for conveying water, groundwater, subsurface water, or unpolluted water from any source.

U. "Suspended solids" shall mean total suspended matter that either floats on the surface of, or is in suspension in, water, wastewater, or other liquids, and that is removable

by laboratory filtering as prescribed in "Standard Methods of the Examination of Water and Wastewater", and referred to as non-filterable residue.

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

W. "Wastewater" shall mean the spent water of a community. From the standpoint of source, it may be a combination of the liquid and water carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any groundwater, surface water and stormwater that may be present.

X. "Wastewater facilities" shall mean the structures, equipment, and processes required to collect, carry away, and treat domestic and industrial wastes and dispose of the effluent.

Y. "Wastewater treatment works" shall mean an arrangement of devices and structures for treating wastewater, industrial wastes, and sludge. Sometimes used as synonymous with "waste treatment plant" or "wastewater treatment plant" or "water pollution control plant."

Z. "Watercourse" shall mean a natural or artificial channel for the passage of water either continuously or intermittently.

AA. The term "Superintendent" shall mean the Town Clerk or such duly authorized or designated person as the Mayor and Council may deem appropriate. The term "Town Clerk" where used shall be construed to mean Superintendent, Code Enforcement Officer of the Town of Williamsport, or any other person duly authorized by the Mayor and Council to act in the capacity of administering the provisions of this Ordinance.¹

SECTION 2. USE OF PUBIC SEWERS REQUIRED

A. It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the Town of Williamsport or in any area under the jurisdiction of said Town, any human or animal excrement, garbage, or objectionable waste.

B. It shall be unlawful to discharge to any natural outlet within the Town of Williamsport or in any area under the jurisdiction of said Town, any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Ordinance.

¹ Revisers's Note: The definition was revised in the updating of this Ordinance. At the time of original passage, the Town Clerk was duly licensed to operate a treatment plant.

C. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of wastewater.

D. The owner(s) of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the Town 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 Town, is hereby required at the owner's expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper sewer in accordance with the provisions of this Ordinance, within ninety (90) days after date of official notice to do so, provided that said public sewer is within one hundred (100) feet (30.5 meters) of the property line.

SECTION 3. PRIVATE SEWER FACILITIES

A. Where a public sanitary or combined sewer is not available under the provisions of §3.D. of this Ordinance, the building sewer shall be connected to a private wastewater disposal system complying with the provisions of this Ordinance.

B. Before commencement of construction of a private wastewater disposal system the owner(s) shall first obtain a written permit signed by the superintendent. The application for such permit shall be made on a form furnished by the Town, which the applicant shall supplement by any plans, specifications, and other information as are deemed necessary by the superintendent. A permit and inspection fee of an amount to be established by the Mayor and Council shall be paid to the Town at the time the application is filed.

C. A permit for a private wastewater disposal system shall not become effective until the installation is completed to the satisfaction of the superintendent. The superintendent shall be allowed to inspect the work at any stage of construction, and, in any event, the applicant for the permit shall notify the superintendent when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within 72 hours of the receipt of notice by the superintendent.

D. The type, capacities, location, and layout of a private wastewater disposal system shall comply with all recommendations of the Department of Public Health of the State of Maryland. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

E. At such time as a public sewer becomes available to a property served by a private wastewater disposal system, as provided in §3.D. of this Ordinance, a direct connection shall be made to the public sewer within sixty (60) days in compliance with the Ordinance, and any septic tanks, cesspools, and similar private wastewater disposal facilities shall be cleaned of sludge and filled with suitable material.

F. The owner(s) shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times, at no expense to the Town.

G. No statement contained in this Ordinance shall be construed to interfere with any additional requirements that may be imposed by the County health officer.

SECTION 4. BUILDING SEWERS AND CONNECTIONS

A. No authorized person(s) shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof with first obtaining a written permit from the Town Clerk.

B. There shall be two (2) classes of building sewer permits: (a) for residential and commercial service, and (b) for service to establishments producing industrial wastes. In either case, the owner(s) or his agent shall make application on a special form furnished by the Town. The permit application shall be supplemented by any plans, specification, or other information considered pertinent in the judgment of the Town Clerk. A permit and inspection fee of _____ (\$_____) Dollars for a residential or commercial building sewer permit and _____ (\$_____) Dollars for an industrial building sewer permit shall be paid to the Town at the time the application is filed (in accordance with a schedule adopted from time to time by the Mayor and Council).

C. All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner(s). The owner(s) shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

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

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

F. 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 all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Town. In the absence of code provisions or in

amplification thereof, the materials and procedures set forth in appropriate specifications of the ASTM and WPCF Manual of Practice No. 9 shall apply.

G. 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.

H. No person(s) shall make connection of roof downspouts, foundation drains, 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 unless such connection is approved by the Town Clerk for purposes of disposal of polluted surface drainage.

I. 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 Town, or the procedures set forth in appropriate specifications of the ASTM and the WPCF Manual of Practice No. 9. All such connections shall be made gas-tight and water-tight and verified by proper testing. Any deviation from the prescribed materials and procedures must be approved by the Town Clerk before installation.

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

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

SECTION 5. USE OF PUBLIC SEWERS

A. No person(s) shall discharge or cause to be discharged any unpolluted waters such as stormwater, groundwater, roof runoff, subsurface drainage, or cooling water to any sewer, except stormwater runoff from limited areas, which stormwater may be polluted at times, may be discharged to the sanitary sewer by permission of the Town Clerk.

B. Stormwater other than that exempted under §5.A. above and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers or storm sewers or to a natural outlet approved by the Town Clerk and other regulatory agencies. Unpolluted industrial cooling water or process waters may be discharged on approval of the Town Clerk, to a storm sewer, combined sewer, or natural outlet.

C. No person(s) shall discharge or cause to be discharged any of the following described waters to any public sewers:

1. Any gasoline, benzene, naphtha, fuel oil, or other flammable liquid or explosive liquid, solid, or gas.
2. Any waters containing toxic or poisonous solids, liquids, or gas in sufficient quantity, either singly or by interacting with other wastes, to injure or interfere with any waste treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the wastewater treatment plant.
3. Any waters or wastes having a pH lower than 5.5, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the wastewater works.
4. Solid or viscous substances in quantities or of such size capable to causing obstructing to the flow in sewers, or other interference with the proper operation of the wastewater facilities such as, but no limited to, ashes, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole ore ground by garbage grinders.
5. Any waters or wastes having a BOD or suspended solids concentration in excess of 300 milligrams per liter.

D. The following described substances, materials, waters, or waste shall be limited in discharges to municipal systems to concentrations or quantities which will not harm either the sewers, wastewater treatment process or equipment, will not have an adverse effect on the receiving stream, or will not otherwise endanger lives, limb, public property, or constitute a nuisance. The Town Clerk may set limitations lower than the limitations established in the regulations below if, in his opinion, such more severe limitations are necessary to meet the above objectives. In forming his opinion as to the acceptability, the Town Clerk will give consideration to such factors as the quantity of subject waste in relation to flows and velocities in the sewers, materials of construction of the sewers, the wastewater treatment process employed, capacity of the wastewater treatment plant, degree of treatability of the waste in the wastewater treatment plan, and other pertinent factors. The limitations or restrictions on materials or characteristics of waste or wastewaters discharged to the sanitary sewer which shall not be violated without approval of the Town Clerk are as follows:

1. Wastewater having a temperature higher than 150 degrees Fahrenheit (65 degrees Celsius).
2. Wastewater containing more than 25 milligrams per liter of petroleum oil, nonbiodegradable cutting oils, or product of mineral oil origin.
3. Wastewater from industrial plants containing floatable oils, fat or grease.
4. Any garbage that has not been properly shredded (See §1.M.). Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments, or similar places where

garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers.

5. Any waters, or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances to such degree that any such material received in the composite wastewater at the wastewater treatment works exceeds the limits established by the Town Clerk for such materials.

6. Any waters or wastes containing odor-producing substances exceeding limits which may be established by the Town Clerk.

7. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Town Clerk in compliance with applicable state or federal regulations.

8. Quantities of flow, concentrations, or both which constitute a "slug" as defined herein.

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

10. Any water or wastes which, by interaction with other water or wastes in the public sewer system, release obnoxious gases, form suspended solids which interfere with the collection system, or create a condition deleterious to structures and treatment processes.

E. If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substances or poses the characteristics enumerated in §5.D. of this Ordinance, and which in the judgment of the Town Clerk, may have a deleterious effect upon the wastewater facilities, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Town Clerk may:

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

When considering the above alternatives, the Town Clerk shall give consideration to the economic impact of each alternative on the discharger. If the Town Clerk permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Town Clerk.

F. Grease, oil, and sand interceptors shall be provided when, in the opinion of the Town Clerk, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts, as specified in §5.D.3., or any flammable wastes, sand, or other

harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Town Clerk, and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors the owner(s) shall be responsible for the proper removal and disposal by appropriate means of the capture material and shall maintain records so f the dates, and means of disposal which are subject to review by the Town Clerk. Any removal and hauling of the collected materials not performed by owner(s)' personnel must be performed by currently licensed waste disposal firms.

G. Where pretreatment of floequalizing facilities are provided or required for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner(s) at his expense.

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

I. The Town Clerk may require a user of sewer services to provide information needed to determine compliance with this Ordinance. These requirements may include:

1. Wastewaters discharge peak rate and volume over a specified time period.
2. Chemical analysis of wastewaters.
3. Quantity and disposition of specific liquid, sludge, oil, solvent, or other materials, processes, and products affecting wastewater volume and quality.
4. A plot plan of sewers of the user's property showing sewer and pretreatment facility location.
5. Details of wastewater pretreatment facilities.
6. Details of systems to prevent and control the losses of materials through spills to the municipal sewer.

J. All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this Ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association. Sampling methods, location, times, durations, and frequencies are to be determined on an individual basis subject to approval by the Town Clerk.

K. No statement contained n this Section shall be construed as preventing any special agreement or arrangement between the Town and any industrial concern whereby an industrial waste or unusual strength or character may be accepted by the Town for treatment.

SECTION 6.

No person(s) shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance or equipment which is a part of the wastewater facilities. Any person(s) violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

SECTION 7. POWERS AND AUTHORITY OF INSPECTORS

A. The Town Clerk and other duly authorized employees of the Town bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing pertinent to discharge to the community system in accordance with the provisions of this Ordinance.

B. The Town Clerk or other duly authorized employees are authorized to obtain information concerning industrial processes which have a direct bearing on the kind and source of discharge to the wastewater collection system. The industry must establish that the revelation to the public of the information in question might result in an advantage to competitors.

C. While performing the necessary work on private properties referred to in Section 7.A. above, the Town Clerk or duly authorized employees of the Town shall observe all safety rules applicable to the premises established by the company, and the company shall be held harmless for injury or death to the Town employees and the Town shall indemnify the company against loss or damage to its property by Town 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 of failure of the company to maintain safe conditions as required in Section 5.H.

D. The Town Clerk and other duly authorized employees of the Town bearing proper credentials and identification shall be permitted to enter all private properties through which the Town holds a duly negotiated easement for the purpose of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the wastewater facilities 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.

E. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of the Ordinance in its entirety or of any part thereof other than that so declared to be invalid.

SECTION 8. MISCELLANEOUS PROVISIONS

A. The charge system included herein shall be reviewed annually and revised as required to meet changing conditions. Billing, flow, maintenance and operating costs records necessary for the review shall be maintained by the Town Clerk.

B. If a political entity desires to connect to the wastewater system in accordance with the regulations of the Environmental Protection Agency as published in Machine 40 cfr. 935-13 and Appendix B to Part 35. The system shall be approved by the Mayor and Council and submitted to the Environmental Protection Agency or its successors for review and approval at least six (6) months before any connections are made.

DATE OF PASSAGE: November 15, 1975

EFFECTIVE DATE: November 15, 1975

REENACTED: September 11, 1989

Former Chapter 13 in 1989 Codification.