



CITY OF LAKE WORTH

WATER UTILITIES DEPARTMENT

POLICIES AND PROCEDURES MANUAL

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CITY OF LAKE WORTH
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CHAPTER 1 - OVERVIEW AND DEFINITIONS

1.1 PURPOSE

The purpose of this Water Utilities Department Policies and Procedures Manual (PPM-W) is to establish uniform and non-discriminatory policies, procedures, standards, and utility fees for the proper administration of the City of Lake Worth Water and Sewer Utilities Department (Department). The Department will, at all times, conduct itself in accordance with the intent of this PPM-W. The City, through its Department provides potable water and wastewater service on a uniform and non-discriminatory basis. The Department works with and uses services from the Electric Utility Department for Customer Service, water meter reading, billing, revenue collection and revenue protection. These services are governed by the policies and procedures of the Electric Utility Department, as supplemented by these procedures. The Department is a subordinate entity of the City, governed by and with policies established by the Mayor and City Commissioners.

1.2 DEPARTMENT WORK PROCESSES

The Department has established typical work processes as guides for various work functions. These work processes are attached and made part of this PPM-W. The Department shall use the work processes as guides for work done and interfaces with other organizations, to the extent that the coordination is practical.

1.3 STANDARD OPERATING PROCEDURES

The Department shall maintain and upgrade as necessary, internal standard operating procedures that describe the expected procedures needed to efficiently and safely perform necessary functions within each organization. These Standard Operating Procedures shall be maintained with a hard copy in the organization and a copy in the Administration Division. Such Standard Operating Procedures shall be considered part of this PPM-W. Revisions of the Standard Operating Procedures shall be approved by the Director.

1.4 VALIDITY

The policies and the procedures specified herein supersede and replace any prior policies, procedures, regulations, etc., governing provision of utility service unless such prior specification is protected by valid agreement or otherwise protected by law or action of the City Commission. In the event that a portion of this PPM-W manual is declared unconstitutional or void for any reason by any court of competent jurisdiction, such decision shall in no way affect the validity of the remaining portions of this PPM-W.

1.5 REVIEW OF POLICIES AND PROCEDURES MANUAL

The Department shall periodically review this PPM-W to evaluate the adequacy of its provisions. Revisions must be reviewed by the Water Utilities Department Director and the City Manager prior to implementation and dissemination, except as may be authorized as a ministerial responsibility. Changes to Rates and Fees shall be approved by resolution of the City Commission.

1.6 MINISTERIAL RESPONSIBILITIES AUTHORIZED

The City Commission hereby delegates and authorizes the Department Director to perform those functions necessary to properly conduct the business of the Department in conformance with the policies, procedures, and regulations set forth in this PPM-W manual, as well as under applicable law and regulation. Such functions include, but are not limited to, the ability to execute Standard Potable Water Development Agreements, Standard Wastewater Development Agreements, indemnity agreements, easements, deeds, liens, permits, renewal agreements, permit agreements, and such other documents as are necessary and ordinary for carrying out the day-to-day activities of the Department. Lien satisfactions may be executed by the Department Director or their designee. In addition, the City Manager, with the concurrence of the City Attorney's Office, may enter into regulatory resolution letter agreements with the Florida Department of Environmental Protection (FDEP) to settle outstanding regulatory matters. The value of agreements entered into pursuant to this delegation shall not exceed twenty-five thousand dollars (\$25,000) per agreement. The Department Director may also include additional conditions in Standard Potable Water Development Agreements and Standard Wastewater Development Agreements, provided they are of a ministerial nature or are specifically authorized under the existing provisions of the PPM-W. Authorized ministerial functions further include interpretation of applicability and the ability to implement corrections to the PPM-W and accompanying documents when minor in nature and not otherwise legally requiring an action of the City Commissioners for implementation. Consistent implementing procedures may also be adopted by the Department without further approval.

1.7 Definitions.

Act or The Act: The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251 et seq.

Address: The house number of a physical location of a specific property. This excludes post office box numbers. If a lot number in a mobile home park or similar community is used by the U.S. Postal Service to determine a delivery location, the lot number shall be the property's address.

Administrator: The administrator of the U.S. Environmental Protection Agency or his/her duly authorized representative.

Air-gap: The unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture, or other device and the flood level rim of such vessel. An approved air-gap shall be at least double the diameter of the supply pipe; measured vertically, above the top of the rim of the vessel and, in no case, less than two inches.

Approval Authority: The Department of Environmental Protection or its successor agencies.

Approved: Accepted by the director of Water Utilities as meeting an applicable specification stated or cited in this section, or as suited for the proposed use.

ASTM - American Society for Testing and Materials.

Authorized Representative: A principal executive officer of at least the level of vice president if the industrial user is a corporation, a general partner or proprietor if the industrial user is a partnership or sole proprietorship, or an individual if such representative is responsible for the overall operation of the facility.

Auxiliary water supply: Any water supply on, or available to, the premises other than the purveyor's approved public potable water supply.

Backflow: The flow of water or other liquid, mixture or substance under pressure into the distributing pipes of a potable water supply system from any source or sources other than its intended source.

Backflow preventer: A device or means designated to prevent backflow or back-siphonage.

Back-Siphonage: The flow of water or other liquid, mixture or substance into the distributing pipes of a potable water supply stream from any source other than its intended source caused by the sudden reduction of pressure in the potable water supply system.

Biochemical Oxygen Demand (BOD): The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20°C, expressed in milligrams per liter (mg/l).

Building: Any structure, either temporary or permanent, built for the support, shelter or enclosure of persons, chattels or property of any kind, or any other improvement, use, or structure which creates or increases the potential demand on the water and wastewater utility systems operated by the City of Lake Worth. This term shall include trailers, mobile homes, or any vehicle serving in any way the function of a building. This term shall not include temporary construction sheds or trailers erected to assist in construction and maintained during the term of a Building Permit.

Building Drain: That part of the piping of a building which collects wastewater inside the walls of the building and conveys it to outside the building wall.

Building Official: The chief building official designated by the City in the Department of Community Sustainability.

Building Permit: An official document or certificate issued by the authority having jurisdiction, authorizing the construction or siting of any building. For purposes of this section, the term BUILDING PERMIT shall also include a tie-down permit for any structure or building, such as a mobile home, that does not otherwise require a Building Permit in order to be occupied.

Building Sewer. The extension from the building drain to the public sewer or other place of disposal, also called house connection.

Bulk Customers (Large Users): Those public entities/utilities having individual intergovernmental agreements with the city for treatment and disposal of wastewater.

Bypass: The intentional diversion of wastewater streams from any portion of an industrial user's treatment facility.

Categorical Industrial User: An industrial user subject to categorical pretreatment standards.

Categorical Pretreatment Standard: Any regulation containing pollutant discharge limits promulgated by EPA in accordance with Sections 307(b) and (c) of the Act (33 U.S.C. 1317) which applies to a specific category of industrial users and which appear in 40 CFR Chapter I, Subchapter N, Parts 405-471, as amended.

Categorical Pretreatment Standard or Categorical Standard: Any regulation containing pollutant discharge limits promulgated by the EPA in accordance with 33 U.S.C. 1317 which apply to a specific category of users and which appear in Rule 62-660.400(1)(e), F.A.C.

CFR - Code of Federal Regulations.

Chemical Oxygen Demand ("COD"): A measure of the oxygen equivalent of that portion of the organic matter in a water sample that is susceptible to oxidation by a strong chemical oxidant.

City: The City of Lake Worth, Florida, the City Commission, City Manager, or the duly authorized staff, agent or the representative acting on behalf of the City Commission to supervise and manage the operation of the publicly owned water and wastewater facilities.

COD - Chemical Oxygen Demand.

Collection System: Wastewater lines and appurtenances, valves, manholes, pumping stations, and the like, required to collect wastewater from its point of origin and transport it for treatment and disposal.

Commodity Charge: A charge payable by a user based on water consumption.

Consumer: Any party, person, firm, corporation or association that receives and utilizes potable water or wastewater service at a specific location.

Contamination: Any impairment of the quality of potable water by sewage, industrial fluids, waste liquids, compounds, or other materials to a degree which creates a potential actual hazard to the public health through poisoning or through the spread of disease.

Control Authority: The City of West Palm Beach as ECRWRF permit holder acting on behalf of and as agent for the ECRWRF Board.

Cooling Water: The water discharged from a building subsequent to its use for purposes connected with air conditioning, cooling, refrigeration, or for other purposes to which the only pollutant added is heat.

Cross-connection: Any physical connection or arrangement of piping or fixtures between two otherwise separate piping systems, one of which contains potable water and the other nonpotable water or fluids of questionable safety, through which, or because of which, backflow or back-siphonage may occur into the potable water system.

Cross-Connection Control: The installation of an approved backflow prevention device at the water service connection to any customer's premises.

Customer: The person or entity responsible for payment for all potable water or wastewater services used at a specific location, and further defined as that person who has applied for and requested that services be made available at the specific location and has agreed to pay for all usage of such services occurring at the location. The customer and the consumer may be one and the same.

Customer Service: The office within the Electric Utility Department with responsibility for Customer Service, billing and collection of water and sewer utility bills, in conjunction with electric utility bills.

Delinquent: Monies and fees owed to the City, which remain unpaid 30 days after the due date.

DEP - Florida Department of Environmental Protection.

Department: The Water and Sewer Utility Department within the City of Lake Worth, Florida.

Director: The person designated by the city as the Director of the Water and Sewer Utilities Department, whose job it is to supervise the operation of the publicly-owned treatment works, or his/her duly authorized deputy, agent, or representative.

Discharge: Any spilling, leaking, pumping, emitting, emptying or dumping, which causes the introduction of pollutants into a POTW from any nondomestic source regulated under F.S. Ch. 403.

District: The South Florida Water Management District.

Domestic Waste: Any superfluous solid, liquid, or gaseous material derived principally from the use of sanitary conveniences of residences (including apartments); wastewater produced from a noncommercial or nonindustrial source.

Domestic Wastewater: A combination of water-carried wastes which shall not exceed the following concentrations: 250 mg/l BOD, 250 mg/l TSS, 30 mg/l TKN and 15 mg/l phosphorus.

Double Check Valve Assembly: An assembly of two (2) independently operating approved check valves with tightly closing shutoff valves on each side of the check valves, plus properly located test cocks for the testing of each check valve. The entire assembly shall meet the design and performance specifications and approval of a recognized and city-approved testing agency for backflow prevention devices. To be approved, these must be readily accessible for in-line maintenance and testing.

Easement: A grant by the owner of land for a specific use of land by a person or persons, or by the public generally. For the purposes of this chapter, easement means a grant of land by a developer or other party, for the purpose of operating, managing and construction of water and wastewater facilities.

ECRWRF - The East Central Regional Water Reclamation Facility.

Effluent: Wastewater or other liquid, partially or completely treated, or in its natural state, flowing out of a point source, reservoir, basin, treatment plant, or industrial treatment plant, or part thereof.

Environmental Protection Agency (EPA): The United States Environmental Protection Agency or, where appropriate, the term may also be used as a designation for the administrator or other duly authorized official of the agency, or designee of the agency, including the Florida Department of Environmental Protection.

EPA - U.S. Environmental Protection Agency.

Equivalent Residential Unit (ERU): “ERU” or “Equivalent Residential Unit” shall mean one equivalent residential customer, for purposes of establishing Reserve Capacity Charges and Base Facility Charges. An Equivalent Residential Unit shall be defined to require water system capacity to meet the peak daily potable water demand for the equivalent single family residential unit. The number of ERUs shall be calculated based on the number of residential units for residential uses, and shall be calculated based on meter size for commercial, industrial and governmental uses, per paragraph, 7.3.

Established: Any lawn and landscaping which does not meet the definition of new as defined in this section.

Existing Source: Any source of discharge, the construction or operation of which commenced prior to the publication by EPA of proposed categorical pretreatment standards, which will be applicable to such source if the standard is thereafter promulgated in accordance with 33 U.S.C. 1317.

FAC - Florida Administrative Code.

FBC: Florida Building Code, in effect in Palm Beach County, Florida, as revised from time to time.

FDEP: The State of Florida's Department of Environmental Protection or its successor agency in function.

Floatable Oil: Oil, fat or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility.

Flush Toilet: The common sanitary flush commode in general use for the disposal of human excrement.

Force Main: A pipe which carries sewage under pressure.

Garbage: Solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage, and sale of produce.

Grab Sample: 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.

Hazardous Substance: A substance having radiological, chemical, physical or biological properties that are or could be dangerous to plant, animal or human life, or real property.

Health Officer: The Palm Beach County Public Health Unit Director.

Indirect Discharge: The discharge or introduction of nondomestic pollutants from any source into the municipal wastewater facilities as regulated under 33 U.S.C. 1317, as amended from time to time.

Industrial User: A source of indirect discharge as regulated under 33 U.S.C. 1317, as amended from time to time.

Industrial Waste Surcharge: The charge made for all wastewater over and above normal wastewater charges.

Industrial Wastes: The liquid wastes discharged from industrial manufacturing processes, trades, or businesses and having characteristics different from domestic wastewater.

Industrial Wastewater: Food waste, other waste, or any superfluous solid, liquid, or gaseous material resulting from manufacturing, industrial, or commercial processes, or from natural resource development, recovery, or processing.

Infiltration/Inflow: Ground water and surface water which leaks into the sewers through cracked pipes, joints, manholes or other openings.

Instantaneous Maximum Allowable Discharge Limit: The maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composite sample collected, independent of the industrial flow rate and the duration of the sampling event.

Interference: A discharge which, alone or in conjunction with a discharge or discharges from other sources, both:

- (1) Inhibits or disrupts the POTW, its treatment processes or operations, or its domestic wastewater residuals processes, use or disposal; and
- (2) Is a cause of a violation of any requirement of the POTW's permit (including an increase in the magnitude or duration of a violation) or prevents use or disposal of domestic wastewater residuals in compliance with local regulations or rules of DEP and F.S. Ch. 403.

Irrigation: The outside watering of shrubbery, trees, lawns, grass, ground covers, vines, gardens and other such flora, not intended for resale, which are planted and are situated in such diverse locations as residential and recreation areas, cemeteries, public, commercial and industrial establishments and public medians and rights-of-way.

Irrigation System: A permanent artificial watering system designed to transport and distribute water to plants.

Irrigation System Zone: A division, area or region distinguished from adjacent parts by distinctive features in an irrigation system.

Landscaping: Any combination of living plants (such as grass, ground cover, shrubs, vines or trees) and nonliving material (such as rocks, pebbles, paving materials or fences).

Lawn(s): A usually closely mown plot or area planted with grass or similar plants surrounding a residence, commercial, public, industrial or institutional property.

Lift Station: A small wastewater pumping station that lifts the wastewater to a higher elevation when the continuance of the sewer at reasonable slopes would involve excessive depths of trench, or that raises wastewater from areas too low to drain into available sewers.

Low Volume Irrigation: The use of equipment and devices specifically designed to allow the volume of water delivered to be limited to a level consistent with the water requirement of the plants being irrigated and designed to allow that water to be placed with a high degree of efficiency within the root zone of the plant; and the low volume irrigation of plants with one hose fitted with a self-canceling or automatic shutoff nozzle, attended by one person.

May - A word that when utilized in this chapter has a permissive meaning.

Medical Waste: Isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.

Meter Installation Charge: The charge for the meter, meter installation, and necessary inspections.

Meter Tampering: when any person shall willfully alter, injure, or knowingly suffer to be injured any water meter, lock or other apparatus or device belonging to the city in such a manner as to cause loss or damage or to prevent any such meter installed from registering the quantity which otherwise would pass through the same; or to alter the index or break the seal of any such meter; or in any way to hinder or interfere with the proper action or just registration of any such meter or device or make or cause to be made any connection of any pipe or appurtenance in such a manner as to use, without the consent of the city, any water or wastewater utility service without such service being reported for payment or such commodity passing through a meter provided by the city and used for measuring and registering the quantity passing through the same.

Meter Test Charge: The charge imposed for the costs of determining the accuracy of the meter.

Mg/l - Milligrams Per Liter.

Month: an interval between successive meter reading dates, which interval may be 30 days, more or less.

Monthly Base Charge: The charge imposed for the availability of the utility from a distribution line, and imposed to defray a portion of the capital costs of construction of the system, maintenance, repairs, and administration.

National Categorical Pretreatment Standard or Pretreatment Standard: Any regulation containing pollutant discharge limits promulgated by the EPA in accordance with the Clean Water Act, as amended from time to time, being 33 U.S.C. 1251 et seq.

Natural Outlet: Any outlet into a watercourse, pond, ditch, lake or other body of surface water or groundwater.

National Pollution Discharge Elimination System or NPDES Permit: A permit issued to the city by the EPA pursuant to Section 402 of the Act (33 U.S.C. 1342).

New: Any lawn or landscaping which has been in existence in the same location for less than 30 days.

New Source:

- (1) Any building, structure, facility or installation from which there is or may be a discharge, the construction of which commenced after the publication of proposed pretreatment standards under 33 U.S.C. 1251 et seq., and which will be applicable to such source if the 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;
 - 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 or 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 shall be considered.
- (2) Construction of a new 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 (1)(b) or (1)(c) above but otherwise alters, replaces, or adds to existing process or production equipment.
- (3) Construction of a new source, as defined in this chapter, has commenced if the owner or operator has:

- a. Begun, or caused to begin as part of a continuous on-site construction program:
 1. Any placement, assembly, or installation of facilities or equipment; or
 2. Significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment.
- b. Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this section.

Noncontact Cooling Water: Water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

Normal Wastewater: Wastewater discharged into the sanitary sewers in which the average concentration of total suspended solids and BOD is not more than 250 mg/l, total phosphorus is not more than 15 mg/l, total Kjeldahl nitrogen is not more than 30 mg/l, and total flow is not more than 25,000 gallons per day.

NPDES - National Pollutant Discharge Elimination System.

Oil-Effluent Water Separator: Any tank, box, sump or other container in which any petroleum or product thereof, floating on or entrained or contained in water entering such tank, box, sump or other container, is physically separated and removed from such water prior to outfall, drainage or recovery of such water.

Outfall: The point, location or structure where wastewater or drainage discharges from a sewer, drain or conduit into the receiving waters.

Owner: The person, firm, corporation, association, occupant or tenant having an interest, whether legal or equitable, sole or only partial, in any premises which is, or is about to be, supplied with water by the city and the word "owners" means all interested.

Owner, Tenant or Consumer: Includes executors, administrators, successors and assigns of the party referred to in the covenants and agreements contained in any contract between the water or sewer department and its consumers, and such agreements shall be binding upon and inure to the benefit of the successors, heirs, executors, administrators or assigns of such party. The consumer is considered the owner, as distinguished from a tenant, when the property serviced is recorded or stands of record in his name.

Pass-Through: A discharge which exits the POTW into waters of the state or of the United States 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 POTW's permit (including an increase in the magnitude or duration of a violation).

Pathogens: Any organism capable of causing infection or disease, excluding total coliforms (for such as, bacteria, viruses, protozoans, and the like).

PBCDERM: Palm Beach County Department of Environmental Resources Management.

PBCPHU: Palm Beach County Public Health Unit.

Permit: A permit, including a No Discharge (ND) permit, issued to a POTW in accordance with Chapter 62-620, F.A.C.

Person: Any individual, partnership, co-partnership, firm, company, governmental entity or any other legal entity, or their legal representatives, agents or assigns.

pH: The logarithm (base 10) of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

Point Source: A source generating a specific flow of wastewater which can be categorically defined.

Pollutant: Any dredged spoil, solid, incinerator residue, sewerage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt and industrial, municipal or agricultural wastes discharged into the surface waters or ground waters of the state.

Pollution: The presence of any foreign substance (organic, inorganic or biological) in water which tends to degrade its quality so as to constitute a hazard or impair the usefulness or quality of the water to a degree which does not create an actual hazard to the public health but which does adversely and reasonably affect such waters for domestic use.

POTW - Publicly Owned Treatment Works.

PPM (Volume): Parts per million by volume, or milligrams per liter.

PPM (Weight): Parts per million by weight or milligrams per kilogram.

Premises: Each parcel of land having a building, a premises, or any connection to the utility systems.

Pressure-Type Vacuum Breaker: An assembly used to isolate entire irrigation lines from potable water systems. It has the ability to withstand supply pressure for long periods and to prevent backflow of toxic and nontoxic water into the potable water system in back-siphonage conditions. To be approved, these devices must be readily accessible for in-line maintenance and testing.

Pretreatment: The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration may be obtained by physical, chemical or biological processes, process changes or by other means, except as prohibited by Rule 62-625.410(5), F.A.C. Appropriate pretreatment technology includes control equipment, such as equalization tanks or facilities for protection against surges or slug discharges that might interfere with or otherwise be incompatible with the POTW. However, where wastewater from a regulated process is mixed in an equalization facility with unregulated wastewater or with wastewater from another regulated process, the effluent from the equalization facility must meet an adjusted pretreatment limit calculated in accordance with Rule 62-625.410(6), F.A.C.

Pretreatment Program: A program administered by a public utility that meets the criteria established in Rule 62-625.500, F.A.C.

Pretreatment Requirement: Any substantive or procedural requirement related to pretreatment, other than a pretreatment standard, imposed on an industrial user.

Pretreatment Standard: Any regulation containing pollutant discharge limits promulgated by DEP under F.S. Ch. 403, which applies to industrial users. This term includes prohibitive discharge limits established in rule 62-625.400, F.A.C.

Private Sewage Disposal System: Any individual on-site sewage treatment and disposal system such as septic tanks, cesspools and similar facilities, but not including package sewage treatment plants.

Properly Shredded Garbage: The wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all articles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch (1.27 centimeters) in any dimension.

Publicly Owned Treatment Works (POTW): A treatment works which is owned in this instance by the city. This definition includes any sewers that convey wastewater to the treatment works, but does not include pipes, sewers or other conveyances not connected to a facility providing treatment.

Public Sewer: A common sewer controlled by a governmental agency or public utility.

Purveyor or Water Purveyor: The owner or operator of the public potable water system supplying an approved water supply to the public.

RCRA - Federal Resource Conservation and Recovery Act.

Reclaimed Wastewater: Wastewater that has received at least secondary treatment and is reused after flowing out of a wastewater treatment facility.

Reclaimed Water: Wastewater effluent that has received at least secondary treatment and is reused, after additional treatment including filtration and high level disinfection, in accordance with Chapter 17-610, FAC, as amended, treatment criteria.

Reduced Pressure Principle Device: An assembly of two (2) independently operating approved check valves with an automatically operating differential relief valve between the two (2) check valves, tightly closing shutoff valves on either side of the check valves, plus properly located test cocks for the testing of the check and relief valves. The entire assembly shall meet the design and performance specifications and approval of a recognized and city approved testing agency for backflow prevention assemblies.

Removal: A reduction in the amount of a pollutant in the POTW's effluent or alteration of the nature of a pollutant during treatment at the POTW. The reduction or alteration can be obtained by physical, chemical or biological means and may be the result of specifically designed POTW capabilities or may be incidental to the operation of the treatment system. Removal as used in this chapter shall not mean dilution of a pollutant in the POTW.

Replacement Irrigation System: An irrigation system taking, filling the place, being or providing a substitute for an established irrigation system.

Retail Customers: Those customers occupying any residential, commercial or industrial facility within or outside the city, which is connected directly or indirectly to the city sewage collection system and is charged in accordance with the rate schedule contained herein.

Sanitary Sewer: A sewer that carries by gravity, or under pressure, liquid and waterborne wastes from residences, commercial buildings, industrial plants, and other institutions; and to which storm, surface waters, and ground waters are not intentionally admitted.

Seawater: An aqueous solution with a chloride concentration equal to or greater than 19,000 mg/L.

Septic Tank: A subsurface impervious tank designed to temporarily retain sewage or similar waterborne wastes together with:

- (1) A sewer line constructed with solid pipe, with the joints sealed, connecting the impervious tank with a plumbing stub out; and
- (2) A subsurface system of piping to drain the clarified discharge from the tank and distribute it underground to be absorbed or filtered.

Service Line: The line on the premises, installed and maintained by user, connecting the system to the premises.

Sewage: A combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such ground waters and surface and stormwaters as may be unintentionally present.

Sewage Treatment Plant: All facilities for treatment and disposal of sewage.

Sewage Works: All facilities for collecting, pumping, treatment, and disposal of sewage.

Sewer: A pipe or conduit for carrying sewage.

Sewer System: All conduits and works operated by the city for the collection and conveying of sanitary sewage from the pipe connection at the property line fronting the individual properties to the point of final disposition thereof, and all equipment and facilities used in connection therewith, including all pipelines, manholes, trunk lines, pumping equipment, lift stations, purification and treatment facilities and works whatsoever, real or personal, now or hereafter owned or used by the city in the operation of the sewer system.

Shall: Always mandatory and not merely directory.

Shall and Will: Words that when utilized in this chapter have a mandatory meaning.

SIC - Standard Industrial Classification.

Significant Industrial User: Except as provided in (3) below, the following shall apply:

- (1) All industrial users subject to categorical pretreatment standards under Rule 62-625.410, F.A.C., and 40 CFR Chapter 1, Subchapter N, which has been adopted by reference in Chapter 62-660, F.A.C.
- (2) Any other industrial user that discharges an average of 25,000 gallons per day or more of process wastewater to the POTW (excluding domestic wastewater, noncontact cooling and boiler blowdown wastewater); contributes a process waste stream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the treatment plant, or is designated as such by the control authority on the basis that the industrial user has a reasonable potential for

adversely affecting the POTW's operation or for violating any pretreatment standard or requirement in accordance with Rule 62-625.500(2)(e), F.A.C.

- (3) Upon a finding that an industrial user meeting the criteria in subsection (2) above has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the control authority may at any time, on its own initiative or in response to a petition received from an industrial user, and in accordance with Rule 62-625.500(2)(e), F.A.C., determine that such industrial user is not a significant industrial user.

Significant Violation: A violation which remains uncorrected for 45 days after notification of noncompliance, which is part of a pattern of noncompliance over a 12 month period; which involves a failure to accurately report noncompliance; or which results in the POTW exercising its emergency authority to halt or eliminate immediately a discharge.

Slug: Any discharge of water, sewage or industrial waste which in concentration of any given constituent or in quantity of flow may cause upset of the POTW operation or exceeds five times the average 24 hour concentration of flows during normal operation for any period of duration longer than 15 minutes.

Slug Discharge: Any discharge of a nonroutine, episodic nature.

SS - Suspended Solids.

Standard Industrial Classification (SIC): A classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, in 1972, as amended from time to time.

Standard Methods or Standard Methods for the Examination of Water and Wastewater: According to the most recent edition, as published jointly by American Public Health Association, the American Water Works Association, and the Water Environment Federation.

State: The State of Florida or regulatory agency within the state government having jurisdiction over a particular topic of concern.

Storm Drain (sometimes termed Storm Sewer): A sewer which carries storm and surface waters and drainage but excludes sewage and industrial wastes, other than unpolluted cooling water.

Stormwater: Waters from rainfall runoff. Stormwater specifically excludes sewage and industrial wastes.

Suspended Solids: 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 for the Examination of Water and Wastewater” and referred to as nonfilterable residue.

Tap-In Charge: The charge imposed to defray the cost of making a service connection.

Territory: The service area supplied potable water by the city.

TKN - Total Kjeldahl Nitrogen.

Toxic Pollutant: Any pollutant or combination of pollutants listed as toxic in regulations promulgated by the Administrator of the Environmental Protection Agency under the provisions of the Clean Water Act, as amended from time to time, being 33 U.S.C. 1251 et seq.

Treated effluent: Water that has received at least secondary treatment and is reused after flowing out of a wastewater treatment facility.

Unusual: Not ordinary, in most cases referring to greater than normal amounts of a contaminant in the domestic wastewater.

Upset: An exceptional incident in which there is unintentional and temporary noncompliance with categorical pretreatment standards because of factors beyond the reasonable control of the industrial user.

U.S.C. - United States Code.

User: Any person who contributes, causes or permits the contribution of wastewater into the POTW.

Utilities: Those services rendered by the city (i.e., electric, water, sewer, garbage, etc.)

Utility Account: A numbered record of debit and credit entries to cover transactions pertaining to the billing of utilities.

Wastewater: A combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such ground, surface and stormwaters as may be present.

Wastewater Collection System: The City sewer facilities utilized to collect and transport wastewater from the customer premises to the wastewater treatment facility.

Wastewater, Domestic: Wastewater discharged into the sanitary sewers in which the average concentration of total suspended solids and BOD is not more than 400 mg/l, total phosphorus is not more than 15 mg/l, total Kjeldahl nitrogen (TKN) is not more than 30 mg/l, COD is not more than 800 mg/l and TDS is not more than 2000 mg/l.

Wastewater, Industrial: The wastewater from industrial, commercial and other establishments, as distinct from domestic wastes.

Watercourse: A channel in which a flow of water occurs, either continuously or intermittently.

Water Distribution System: The City water supply and distribution system.

Water Meter: A mechanical device designed to measure the flow of water to a specific location. The water meter is owned and installed by the Department to measure water consumption of the customer. Water meter readings are used as the basis for billing of both water and sewer bills.

Water, Nonpotable: Water which is not safe for human consumption or which is of questionable quality.

Water, Potable: Any water which, according to recognized standards, is safe for human consumption.

Water Resource: Any and all water on or beneath the surface of the ground, including natural or artificial water courses, lakes, ponds, or diffused surface water, and water percolating, standing or flowing beneath the surface of the ground.

Water Service: That portion of the water distribution system designed to transport water through pipes to serve a specific location, lot, plot or parcel of land.

Water, Service Connections: The terminal end of a service connection from the public potable water system; that is, where the water purveyor loses jurisdiction and sanitary control over the water at its point of delivery to the customer's water system. If a meter is installed at the end of the service connection, the service connection: The downstream end of the meter. There should be no unprotected takeoffs from the service line ahead of any meter or backflow prevention device located at the point of delivery to the customer's water system. "Service connection" shall also include water service connection from a fire hydrant and all other temporary or emergency water service connections from the public potable water system.

Water Shortage Condition: When sufficient water is not available to meet present or anticipated needs of persons using the water resource, or when conditions are such as to require temporary reduction in total water usage within a particular area to protect the water resource from serious harm. A water shortage usually occurs due to drought.

Water Shortage Emergency: That situation when the powers which can be exercised under Part II of Chapter 40E-21, Florida Administrative Code, are not sufficient to protect the public health, safety or welfare, or the health of animals, fish or aquatic life, or a public water supply, or commercial, industrial, agricultural, recreational or other reasonable uses.

Water System: The entire system of production, treatment and distribution of water throughout the city and its environs. The water system shall be considered as made up of two (2) parts: The customer system and the utility system.

- (1) The “customer system” shall include those parts of the facilities beyond the termination of the utility distribution system which are utilized in conveying utility-delivered domestic water to points of use.
- (2) The “utility system” shall consist of the source facilities and the distribution system; and shall include all those facilities of the water system under the complete control of the utility, up to the point where the customer's system begins (meter). The “source” shall include all components of the facilities utilized in the production, treatment, storage and delivery of water to the distribution system. The “distribution system” shall include the network of piping used for the delivery of water from the source to the customer's system.

WPCF - Water Pollution Control Federation.

1.8 Compliance with Other Applicable Regulations Required.

- (a) The provisions of this chapter shall not be deemed as alleviating compliance with applicable state, county and federal regulations.
- (b) The city reserves the right to establish more stringent limitations or requirements if deemed necessary to comply with the objectives presented herein.

1.9 Service of Notice; Requirements.

- (a) Any notices, as prescribed herein, shall be deemed to have been properly served if left upon the premises of the owner or if mailed to the owner, directed to, or left at his address as shown on the city's utility account records.
- (b) All notices of a general character, affecting or likely to affect more than one owner, if required by these rules to be given, shall be deemed to have been properly given or served if advertised at least once in one of the weekly newspapers.

1.10 Protection of City Property.

It shall be the consumer's responsibility to properly protect the city's property on the consumer's premises or easement. In the event of any loss or damage to property of the city caused by or arising out of carelessness, neglect or misuse by the consumer, the cost of replacing the property or repairing the damage shall be paid by the consumer.

1.11 City not Liable for Failure of Service.

The city will at all times use reasonable diligence to provide continuous service and having used due diligence shall not be liable to the consumer for complete or partial failure or interruption of service, or for fluctuations in pressure, resulting from causes beyond its control, or through the ordinary negligence of its employees, servants, or agents, nor shall the city be liable for the direct or indirect consequences of interruptions or curtailments made in accordance with the provisions of any of its rate schedules. The city shall not be liable for any act or omission caused directly or indirectly by strikes, labor troubles, accidents, litigation, shutdowns or repairs or adjustments, interference by federal, state, or municipal governments, acts of God, for any damage resulting from the bursting of any main, service pipe, from the shutting off for repairs, extensions or connections, or for the accidental failure of supply from any cause whatsoever. In case of emergency the city shall have the right to restrict the use of utilities in any reasonable manner for the protection of the public, the city and its utilities.

1.12 Consumers to Grant Easements, Etc.; Access to Premises by City Employees.

- (a) The consumer shall grant or cause to be granted to the city without cost all rights, easements, permits, and privileges which are necessary for the rendering of service. Employees of the city, agents and contractors of the city under the city's direction shall have safe access at all reasonable hours to the premises of the consumer for the purpose of reading meters, installing, inspecting, repairing or removing any of its properties, or for any purpose incidental to the rendering of the service. Access shall be granted at all times for emergency purposes. Safe access means physical access free from interference of any kind including but not limited to pets or other animals, fences or landscaping.
- (b) If such access is precluded or denied due to locked gates or fences, animals, shrubbery, or the city is otherwise temporarily prevented access, the city may estimate the consumer's consumption on the basis of previous consumption or any other method in accordance with generally accepted utility practices which produces a reasonable estimate of consumption during the relevant period. Any difference between the estimated consumption and the actual consumption will be adjusted through subsequent readings. Where it has been necessary to estimate the consumer's consumption, the combined monthly statement shall carry appropriate notice to that effect.
- (c) If such access is precluded or denied due to locked gates or fences, animals, shrubbery, or the city is otherwise temporarily prevented access for purposes of maintenance, repair or rehabilitation of existing facilities, the City may, after verbal or written notice is provided at the property, enter the property as required to perform the maintenance, repair or rehabilitation of facilities. The customer shall be responsible for removal or modification of facilities to provide the City necessary access for such purposes.
- (d) If the meter is inaccessible for two consecutive months the consumer will be notified that access must be made available to the city during the next regular meter reading cycle. If the meter is inaccessible to the meter reader at the time of the next regular meter reading, the consumer must call the city as specified in the notice to make special arrangements

for a city representative to gain access to the meter for the purpose of reading and inspecting the meter. In addition to the special arrangements for access the city may require, at its option, either

- (1) Relocation of the Meter to an Accessible Location.
- (2) Installation and Use of a Remote Metering Device.

The cost of the meter relocation may be borne by the customer. Failure to arrange such access or to pay for the meter relocation will result in the initiation of termination of service.

- (e) A charge in accordance with the fee schedule will be assessed for each specially arranged visit. No additional charge will be assessed if the meter is made accessible for the regular meter reading cycle.
- (f) Subsections (b) and (d) of this section shall not be applicable to any consumer's account if the meter is found to have been tampered with as prohibited in this chapter.

1.13 Receiving Service Without Paying for Same.

It shall be unlawful for any person or consumer to receive or attempt to receive, except in the manner expressly authorized, utility service from the city without paying the required rates and charges.

CHAPTER 2: EXTENSIONS, REPLACEMENTS AND ADDITIONS

2.1 System to Conform to City Requirements

All persons desiring to have designed and constructed an extension to the water supply system, or sewage collection system to serve a subdivision, lot or parcel and to have said system included in the system of the city must comply in every and all respects with the provisions of this chapter, hereinafter set forth.

2.2 Connections to Water, or Sanitary Sewerage System

All connections to active water or sanitary sewer facilities shall be made in accordance with the applicable Municipal Code. All connections to the water system which are 2 inches or smaller shall be made by the City or its agents. All private water fire lines or sanitary sewer laterals intended to be connected to the City Water or Sewer Systems respectively, shall not be constructed without a written permit issued by the building official with endorsement from the Water and Sewer Utility Department. All connections made by private entities in accordance with a City permit shall be made by contractors approved by the Department.

2.3 Site Plan Review and Inspection of Projects Requiring FDEP or PBCPHU Permits.

For each project requiring a permit issued by the Florida Department of Environmental Protection or the Palm Beach County Public Health Unit, and also requiring city approval in connection therewith, there is hereby fixed a service charge for the review of plans and inspection of the site. Such water and sewer utility site plan review service charge shall be in accordance with the latest fees and charges approved by resolution of the City Commission; and shall be paid in full prior to the city's approving the permit applications.

2.4 Plans and Specifications to be Approved by City Officers.

No service shall be rendered by the city to any consumer at any premises until such time as the appropriate building official, or his/her designee, shall have approved the premises for services as follows:

- (a) Water/Sewer service. Approval of a dwelling or premises for service must be obtained from the appropriate city building or water utility official.

Copy of Approval. Each applicant for service must submit a copy of the approval where required as part of the application for service.

2.5 Construction Standards.

- (a) All construction, repairs and restoration activity within City rights-of-way shall conform to the technical standards and specifications as contained in the Florida Department of Transportation Roadway Design and Construction, latest edition and minimum street requirements in City Code. Any deviation from the Florida Department of Transportation manual or City Code must be approved by the Public Services Director prior to any work being performed.
- (b) All water and sewer system improvements shall be constructed in accordance with the City Design Standards attached and made part of this PPM-W manual. Where City Standards are not applicable, improvements shall be made to the latest version of the Palm Beach County Water Utilities Department Uniform Policies and Procedures Manual, Chapter 4: Minimum Design and Construction Standards.
- (c) All construction on private property shall be constructed in accordance with the City's Land Development Regulations and the Florida Building Code, latest issue.

2.6 Water Improvements for New Subdivisions

The design, construction and payment for all water and sewer improvements to provide service shall be in accordance with the following:

- (a) In the case of a system to serve a subdivision, the developer must first submit to the City a preliminary plat showing all details of the topography thereon.

- (b) In the case of a system to serve an existing lot or parcel for which a subdivision plat is not required, the developer must submit a preliminary site plan showing the improvements proposed and all details of the topography thereon.
- (c) Upon receipt of said preliminary subdivision plat or site plan, the Utility will, after reasonable time for study thereof, advise the developer as to the availability of a water main. If the developer desires to proceed with providing water to his property, he shall submit a written application to the city notifying the City and informing the City of the licensed engineering firm that will handle the design and construction of said water improvements.
- (d) The applicant shall be responsible for the total cost of construction of said improvement, which consent shall be evidenced by the applicant's depositing of a construction bond in accordance with the right-of-way permitting requirements in this chapter.
- (e) Fire Hydrants.
 - (1) All water main extensions in City streets or rights-of-way shall be sized to provide for adequate fire flow from hydrants located on the main extension.
 - (2) All fire hydrants shall be conveyed to the city as part of the approved instrument of dedication; and all costs of, maintenance and operation of fire hydrants, after acceptance of such dedication, shall be the responsibility of the city.
 - (3) Each hydrant shall be capable of delivering not less than 1000 gpm with a residual pressure of not less than 20 psi.
 - (4) Fire hydrant branches (from main to hydrant) will be not less than six inches in diameter and as short as possible with a maximum of 300 feet. Each branch will be individually gate valved.
- (f) The applicant shall bear all costs for the acquisition of any easements that the city shall deem necessary to furnish the service requested by applicant.
- (g) The developer will have constructed the required improvements consistent with plans and specifications approved by the city.
- (h) Upon completion of the project the applicant shall convey to the city the improvements and any appurtenances thereto by an appropriate instrument recordable in the public records of Palm Beach County. The city shall have the responsibility of maintaining every facility constructed and installed under these provisions.

2.7 Nonconforming System Not to be Connected

All developers desiring to have designed and constructed a water supply system in any subdivision, lot or parcel and not complying in every respect with the terms of this chapter shall not be allowed to connect said water supply system.

2.8 Water and Sewer Service Line Specifications

Service line size and material type located on the customer's property shall be determined under the purview and approval of the Plumbing Inspector in the City's Building Division. Service line size and material type for service lines in City rights-of-way or utility easements shall be determined by the Director.

2.9 Easements and Rights-of-Way

The owner/developer has sole responsibility for providing all necessary utility easements to the City. These easements must be provided with the current record property owner(s) as Grantor and the City as Grantee. An easement survey plat is required to describe the easement area and physical elements being conveyed.

2.10 Private Fire Lines

- (a) The property owner shall be responsible for installation up to the approved water source, and installation and maintenance of the fire line on owner's property shall be subject to inspection by the city. The property owner shall incur all costs related to installation of said fire line, including repair of sidewalks, streets, driveways, swale areas and the like.
- (b) Owner/Contractor shall abide by requirements and specifications set forth by the city. Including, but not limited to the following conditions:
 - (1) Use for Fire Purposes Only. Except for extinguishing fires or testing fire equipment, no branch connection will be made on, or water taken from, a private fire service or a public or private fire hydrant without written permission from the Water Utilities Director.
 - (2) Fire services and automatic fire sprinkler systems (including residential) will be designed and installed in accordance with the provisions of the National Fire Protection Association (NFPA) Code and other applicable codes, including proper backflow protection, and will require separate fire and domestic service lines.
 - (3) Domestic water use may include residential life safety automatic sprinkler systems to one- and two-family dwelling units in accordance with the provisions of the National Fire Protection Association (NFPA) Code Section 13D, "Sprinkler Systems for One- and Two-Family Dwellings and Mobile Homes." The entire service will be metered. The meter will be sized for the minimum allowable flow demand per NFPA 13D. The water service will not be a fire service.

- (4) All sprinkler systems and private fire services will be metered or equipped with a double detector check valve assembly or reduced pressure detector assembly with metered bypass. The type of meter will be determined by the Water Utility. A reduced pressure principle backflow preventer (BFP) must be installed on all new service lines to fire sprinkler systems with a Siamese connection.
- (5) Because of the danger of pollution, the fire line shall have no connection with any other source of supply with the exception in the case of a tank or fire pump installed as part of the fire system.
- (6) Double Detector Check. At the time of installation of the fire line, a double detector check assembly shall be installed by the property owner at the location designated by the city. There shall be at a minimum an assembly installed at each connection to the city's system to prevent water from the fire system running back into the city mains. Said double detector check shall be satisfactory to the insurance companies, and also to the city; said double detector check shall be fitted with a by-pass, on which shall be set a meter, the purpose of which shall be to indicate whether or not water is being used through this connection and for the further purpose of showing any leakage, if same exists.
- (7) Property owners with private fire service lines located outside the corporate limits of Lake Worth shall comply in all respects with the requirements in this chapter.

2.11 City Expansion of Potable Water Service

It is the intent of the City to provide potable water service to all properties located within the City and the potable water service area outside the City, as far as practical and effective to do so. The Director, or his/her designee may establish plans for expansion of the water facilities within the City limits. The Water Utility shall be responsible for the design and construction of such improvements. Reimbursement of costs for such improvements shall be incorporated into the water connection fees for new connections served by such improvements, based on the length of piping extension constructed within the last three years to provide the connection.

The City may use special assessments, governed by City ordinance, to extend water service within its service areas both inside and outside the City.

CHAPTER 3: SEWER CONNECTIONS

3.1 City Expansion of Sewer Service

It is the intent of the City to provide sewer service to all properties located within the City and the sewer service area outside the City, as far as practical and effective to do so. The Director, or his/her designee may establish plans for expansion of the sewer facilities within the City limits. The Water Utility shall be responsible for the design and construction of such improvements. Reimbursement of costs for such improvements shall be incorporated into the

sewer connection fees for new connections served by such improvements, based on the length of piping extension constructed within the last three years to provide the connection.

The City may use special assessments, governed by City ordinance, to extend sewer service within its service areas both inside and outside the City.

3.2 Gravity Main Extension

Where gravity mains are required to be constructed by the developer to extend wastewater service to a lot or development, which does not have an existing building, the property owner for properties receiving such wastewater service shall pay all costs associated with the gravity main needed to support the project. Sizing and routing of the gravity main will be determined by the city.

3.3 Pump Station Construction

Where a pumping station is constructed by the developer to receive the gravity wastewater flow from a development, the developer shall either provide a City lift station or a private lift station for such purpose.

If the developer provides a City lift station, the design and construction of the pumping station shall be in accordance with city standards. The developer shall donate the pumping station to the city and pay all costs associated with pump station design and construction required to serve the proposed development including all future phases. The city may elect to pay oversizing costs, if required, to serve existing or future customers outside of the proposed development.

If the developer provides a private pumping station, the station shall be designed by a licensed professional engineer to be suitable for the service and shall be in accordance with the requirements of the PBCHU and FDEP. The developer shall provide the City with suitable assurances that the property owner will operate and maintain the pumping station for the life of the collection system at their expense.

3.4 Force Main Extension

Where force mains are constructed by the developer to extend wastewater service to a lot or development, the applicant for such wastewater service shall pay all costs associated with the force main needed to support the project. Sizing and routing of the force main will be determined by the city.

3.5 Service Line Clean-Out.

- (a) A clean-out for the servicing of sewer systems attached to improvements on private property shall be located on such private property at the edge of such property line. The top of such clean-out section housing the sealed opening shall be brought to, but not above, grade level.

- (b) This section shall apply only to new sewer connections being placed onto any private property subsequent to the approval of these policies and procedures by resolution of the City Commission.

3.6 PBCPHU and FDEP Permits

Before commencement of construction of a sewage disposal system, the owner /developer shall first obtain a written permit issued by the PBCPHU and/or FDEP as required.

- (a) A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the PBCPHU. The PBCPHU shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the PBCPHU when the work is ready for final inspection and before any underground portions are covered.

3.7 Private Sewage Disposal.

- (a) Where a public sanitary sewer is not available, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this section.
- (b) The type, capacities, location and layout of a private sewage disposal system shall comply with all recommendations of the PBCPHU and the agency of the state having jurisdiction. No septic tank shall be permitted to discharge to any public sewer or natural outlet.
- (c) At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in subsection (B)(5) above, a direct connection shall be made to the public sewer within 180 days after date of official notice by the city to do so in compliance with this chapter, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned and filled with suitable material, as outlined in Chapter 64E-6, F.A.C.
- (d) The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the city.
- (e) Any premises that has a septic tank, privy or any other sewage, industrial waste, or liquid waste disposal system, located thereon that does not function in a sanitary manner shall be corrected within 90 days from the receipt of written notification from the PBCPHU or the City, that the system is not functioning in a sanitary manner, and order that the system be corrected.
- (f) No statement contained in this section shall be construed to interfere with any additional requirements that may be imposed by the PBCPHU or the City Commission.
- (g) Failure of the property owner to correct private sewage disposal facilities within 90 days of such notice, shall constitute a public health hazard, which may result in the City

refusing sewer service, or conducting repairs, which shall be charged to the property owner as part of the local sewer bill.

3.8 Construction and Permitting of Building Sewers.

- (a) No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the City Building Division, with approval of the Director.
- (b) It shall be unlawful to commence work on any building or premises on which plumbing is required or is to be installed; perform any work covered by the FBC, including but not limited to the excavation or obstruction of any public or private street, alley or other thoroughfare for the purpose of installing plumbing, sewer work or connection to the POTW or appurtenance thereof, commence the construction, reconstruction, alteration, repair and/or remodeling of any plumbing, sewer or liquid waste treatment system, without first having obtained a permit from the building official as required by the FBC, and this chapter. No sewage collection system intended to convey flow to the POTW shall be permitted without prior approval of the Director.
- (c) Plans and specifications for building sewers and connections shall be submitted to the building official for approval by the Director prior to the issuance of a city permit.
- (d) House sewers from buildings shall be connected to the public sewers only at such service connection as may be designated in the permit. The work of connecting existing sewers to city sewers in conformance with plans filed in accordance with the terms of this chapter must be performed by a duly licensed master plumber. No person other than designated city employees or a duly licensed master plumber shall tap, cut into, or break open any public sewer mains or lines, unless approved by the Director in writing.
- (e) All costs and expenses incidental to the installation of 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 and connection.
- (f) Existing building sewers may be used in connection with new buildings sewers only when they are found on examination and test by the building official, to conform in all respects to the requirements governing new building sewers as outlined in Chapter 29 of the FBC in effect in Palm Beach County, Florida, as revised from time to time.
- (g) No person shall connect 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 the POTW.
- (h) The applicant for a building sewer permit shall notify the Building Department when the building sewer is ready for inspection and connection to the public sewer. The connection and testing shall be made under the inspection of the Building Official or his

representative, for connection to a lateral at the property lines or the Water Utility Department for connection within a public right-of-way or easement.

- (i) All excavations for building sewer installations shall be adequately guarded with barricades and lights in compliance with all OSHA requirements so as to protect the workers and 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.
- (j) The connection to the building sewer into the public sewer shall conform to the requirements of the FBC or other applicable rules and regulations of the Water Utilities Department. All such connections shall be made gas-tight and water-tight and verified by the proper testing.
- (k) If sewers are not available for connection because of insufficient capacity, the city, at the customer request or by own choice, may upgrade the system when and if such upgrade is not detrimental to the system. The City shall then require the customer to connect to the sewer system. The customer shall pay the city for required connection fees to reimburse the city for costs incurred to make sewers available to him.
- (l) On completion of any construction for building sewers and connections licensed under this chapter, as-built drawings signed by a professional engineer or land surveyor registered in the state shall be submitted to the BCDNRP and to the city. Certificates of occupancy for any structure built under the provisions of this chapter or for structures connecting to a sewer collection/transmission system built under the provisions of this chapter shall not be issued by the city until notified by the Director or designee that said structure and/or sewer as-built drawings have been reviewed and the project approved.

3.9 Sewer Charges to be Levied.

Sewer charges shall be levied on all water meters where sewer is available unless one of the following conditions exists:

- (a) Irrigation only meter is installed to monitor and manage use of water for irrigation purposes. This provision only applies to those irrigation systems when it can be shown and verified to the Director or designee's satisfaction that the system is separate and distinct from the potable water supply.
- (b) Process water only meter is installed to monitor and manage use of water for process water that does not enter the sanitary sewer system. This provision only applies to those process water systems when it can be shown and verified to the Director or designee's satisfaction that the system is separate and distinct from the potable water supply.
- (c) Fire lines that are separate from domestic water supply and have their own meter as approved by the Director or designee.

3.10 Building Sewers and Connections, Maintenance by Owner.

- (a) The owner shall be responsible to maintain, repair, and replace, as necessary all sewer laterals and appurtenances serving the owner's property, and which are not located within the city rights-of-way. The clearing of any blockages within the sewer lateral is included within this obligation.
 - (1) A sewer lateral is that portion of sewer pipe, which connects a structure to a sewer main. Appurtenances to the sewer lateral include, but are not limited to the fitting to which the owner's plumbing is connected, the clean-out and plug, and any markings or devices installed as an aid to locating the service connection.
 - (2) Except as provided in this section, any portion of the sewer lateral located within the city rights-of-way, once accepted by the city, is the responsibility of the city. All other portions of the sewer lateral are the responsibility of the property owner.
 - (3) No modification, repair or replacement of a sewer lateral within the public right-of-way shall be performed without the written consent of the city Water Utility department.
 - (4) Nothing herein shall be construed to prohibit the city from performing any repairs or replacement of sewer laterals in the public rights-of-way.
 - (5) The city shall not be responsible for, nor will the city provide reimbursement for claims of costs incurred by property owners to clear blockages to any sewer lateral, including any and all damage within the residence or structure, without a written agreement, entered into prior to the commencement of any work on the sewer lateral.
 - (6) In the event of an emergency and in order to protect the public health and safety, the city may perform repairs to the sewer lateral on private property. Wherever possible, the city shall, at a minimum, make reasonable attempts to notify the property owner of the need for repairs to the sewer lateral.
- (b) If a sewer connection permits entrance of infiltration or inflow, the Water Utilities Department shall require the customer to repair the sewer at the customer's expense within 90 days. The City may charge the owner a sewer surcharge that reflects the additional cost of sewage treatment from the owner's property; and/or require the owner to disconnect his sewer from the city's sewer system.

CHAPTER 4: APPLICATION FOR SERVICE AND BILLING

4.1 Purpose and Policy.

To enact a uniform policy for water and sewer utility service applications, utility service security deposits, application of security deposits toward payment of delinquent utility bills, and refund of security deposits. The Department works with and uses the Customer Service office within the Electric Utility Department for customer service, billing, water meter reading, revenue collection and revenue protection functions. These functions shall be governed by the policies and procedures of the Electric Utility Department, as supplemented herein. Where there is any conflict with procedures established by the Electric Utility Department, their procedures shall govern.

4.2 Free Service Prohibited

There shall be no free services rendered by the water and wastewater utility systems and all users of the services and facilities shall pay for the use of such services and facilities at the established rates, unless rates are established by a separate municipal interlocal agreement approved by the Commission.

4.3 Application for Service

- (a) All applications for water, and/or sewer service must be made at the Electric Utility customer service office, in writing, by completing the duly adopted utility service application form as provided by the City.

4.4 Owner of Premises Responsible for All Acts

- (a) Each and every owner will be held fully responsible and liable by and to the city for all that is done or omitted on, in or about premises by any agent or tenant or other persons not in the employ of the city, who may gain access thereto.
- (b) The tenant in or upon any premises of any owner, shall at all times and for all purposes connected with or arising from the city's utility services to and for such premises except the making of the original application for service connections and contract, be taken and construed to be the properly constituted agent of the owner.

4.5 Change of Ownership or Occupancy of Premises

- (a) In the event of any change in ownership or occupancy of any premises connected to the system, it is the responsibility of the current customer to close the utility account and the responsibility of the new customer to apply for new service. In addition to applying for new service, the new owner or tenant is required to provide proof of occupancy, such as a closing statement or deed for ownership, or a copy of a lease for tenancy, to establish the exact date of ownership or tenancy change. The current owner or tenant is responsible for all utility charges on the account up to the date of the ownership or tenancy change, and the new owner or tenant is responsible for all utility charges thereafter.
- (b) When a customer vacates or sells property, leaving an unpaid bill, the city may refuse any service the same customer may be using or intends to use in the future, until the original

delinquent account is paid in full, regardless of whether the other accounts of the customer are in good standing.

4.6 Classification of Combined Accounts:

Accounts that contain both residential and nonresidential facilities served through a common meter may be treated as either residential or nonresidential, whichever method of computation results in the largest number of equivalent living units.

4.7 Authority to Determine Type of Service;

The Director, or designee shall have the authority to determine the location and type of service to be rendered to each Consumer.

4.8 Bill Payment

- (a) Payment of all bills and accounts of the city for utilities service shall be made at the Electric Utility Customer Service Office, or at any other approved city facility, or by utilizing any other payment method, electronic or otherwise, approved by the city.

4.9 Application to Become Binding Contract upon Installation of Service

- (a) Effective when Installation Complete.
 - (1) The application becomes a binding contract upon both the owner and the city when the service connection for water and sewer utility services applied for has been installed and completed.
 - (2) It is the property owner's responsibility to maintain their side of the service. It is the city's responsibility to maintain the service from the adjacent public right-of-way to point of demarcation. Points of demarcation are as follows:
 - a. For potable water supply the demarcation point is the water meter.
 - b. For fire lines the demarcation point is the valve at the property line.
 - c. For sewer service lines the demarcation point is the property line, or the cleanout at the property line, where applicable.
- (b) Term of Contract for Service. All contracts for service shall expire at the end of the next succeeding calendar month from date of application, but all contracts shall continue in force by renewal without act or notice from either party to the other, from month to month unless ten days' notice in writing is given by either party to the other of a desire to terminate the contract at the expiration of the then calendar month, and the charging for and payment of water rates in any manner, and at any interval or period, shall not be construed as altering the period of the contract or any renewal thereof under this rule.

- (c) Rates for Service and Rules to be Part of Contract for Service. All of the foregoing rates and rules shall be considered and taken to be a part of the contract, so far as the same may be applicable to the class of service covered by and included in such contract, with every owner or consumer who shall make application for the service of the city or whose premises are furnished with, or are connected to the system of the city for such service, and every such owner shall be considered as having, and be taken and construed to have expressed his consent to be bound thereby whenever application service is made, or so long as the premises of any such owner are furnished with, or are connected to the system of the city for such service.
- (d) Authority and Grounds for Disconnection of Service. All contracts shall be subject to cancellation and service there under discontinued by the city, for the following reasons:
- (1) For misrepresentations or concealment in the application as to the premises or fixtures to be furnished with water supply service, or the use to be made of such service.
 - (2) For refusal or neglect to make any advance payment, if such is required by the city, or for refusal or neglect to comply with any requirements of the city as to meter service connection maintenance, alteration or renewal or other requirement relating to the water supply service of the city.
 - (3) For the use of service for or in connection with or for the benefit of any other premises or purpose than that stated in the application.
 - (4) For waste or excessive use of water through improper or imperfect pipes, fixtures or appliances, or in any other manner.
 - (5) For any interference or tampering, whether by act of commission or omission, with the meter measuring the service, or with any meter box or vault, or with service pipes, or valves thereon, or with any applicant of the city or with any appliance of the owner, which was or is required by the city for controlling or regulating the service, or who shall make or cause to be made any connection with any main, service pipe or other pipe, appliance or appurtenances used for or in connection with the city in such manner as to supply utilities from such connection to any outlet whatsoever without such utility passing through a meter or other measuring device used by the city for measuring and registering the quantity so passing through.
 - (6) Where there has been a change in the ownership of the premises, but no application from the new owner or owners has been made and approved by the city.
 - (7) Where the city has been or is being defrauded in any way.
 - (8) Where the contract has been in any way terminated by the owner.

- (9) Any improper or illegal connections determined by the city to be detrimental to the public health.
 - (10) The violation of any rules of the city.
 - (11) Turning on the water supply at the city curb stop or at meter by the owner, his or her employees or agents shall subject the owner or consumer to an administrative fee. Upon the second offense, the city may, at its option, discontinue the service and cut off the utility to said premises so long as the owner or consumer continues to reside at said premises.
- (e) **Emergency Shut-Off of Service.** In case of accidents, breakdowns, shortage of water supply or any causes beyond its control, or because of any act or omission on the part of the city or Department, or their agents, or any of them, or in case of the making of repairs, renewals, or replacements, the city reserves the right to shut off the water supply from any one or any number of premises without notice, and shall in no manner be held responsible for any consequence of such shut-off.
 - (f) **Notice of Shut-Off.** The city will give notice in the manner deemed in its discretion to be most effective, of any shut-off of the utilities wherever and whenever the giving of such notice is practicable, but nothing in this chapter shall be construed to require the giving of such notice under any circumstances.
 - (g) **Refunds or Credits not to be Made Because of Shut-Off.** The shutting off of the utilities from and the discontinuance of service to, any premise or premises for any cause shall not entitle the owner to any abatement or deduction in or from the utility charges, nor to any refund on any such charges paid in advance, during or for the time of such shut-off unless the city determines that the shut-off was necessary due to an act of God and a credit is warranted

4.10 Service, Charges Commence upon Installation of Service; Exception

- (a) **New service installation.** When application for service is made, the service, together with the charges and rates therefore, shall begin on the date of the completion of the service connection by the Utilities Department.
- (b) **Service reconnections.** If a service connection already exists, service to new customers shall be turned on by the utility customer service office only upon written application of the customer and the charges and rates for water supply service shall commence from date of such turn- on in accordance with this chapter.

4.11 Delinquent Accounts.

- (a) **Criteria for Discontinuance of Service in the Event of Nonpayment** shall be per the requirements of the Electric Utility Department, or as supplemented herein.

- (1) Any bill and account will be considered delinquent on the 21st day after the billing date shown on the bill. A penalty of 10% per year, compounded monthly, will be assessed on any delinquent portion of the bill.
 - (2) If the bill remains unpaid, the next month's regularly scheduled bill will notify the customer of said delinquency and the date that service will be discontinued, which will be 45 days from the original billing date. No further notice shall be given prior to discontinuance, except that an additional 24-hour courtesy notice shall be provided to commercial and hotel/motel establishments and to multifamily housing of ten units or more.
 - (3) The business day on which the payment is processed is the date of payment.
- (b) Fees and Charges Related to Discontinuance of Service for Nonpayment.
- (1) Service will not be restored to the premises until the delinquent portion of the customer's bill is paid, along with all applicable fees and charges as specified in the resolution approving water and sewer fees and charges.
 - a. Service disconnection charge for nonpayment.
 - b. After-hours service reconnection surcharge. After-hours service includes those cases where both the customer request is received and the reconnection service is performed before 8:30 a.m. or after 4:00 p.m. Monday through Friday, or any time on weekends and holidays.
 - (2) Customers who illegally restore their service after disconnection will be assessed charges and fines in accordance with this chapter.
- (c) The Building Official and the Palm Beach County PBCPHU will be notified of any discontinuance of service for delinquent accounts when the service has been discontinued for 48 hours or more.
- (d) Creation of Lien for Nonpayment.
- (1) Recovery of Delinquent Charges: The city may recover by due process of law the amount of any unpaid utility service charge, including but not limited to, all billed amounts, collection costs, applicable interest charges, attorney fees, and delinquency fees.
 - (2) When service is furnished to the owner, occupant or occupants of premises, the charge for such service shall be and constitutes a variable and accruable lien against the premises, and shall become effective and binding as such lien from the date upon which the account becomes due, unpaid and in arrears.

- (3) Liens accrued as set out in this section shall be of the same dignity as other City liens.
 - (4) The remedy provided in this section shall be cumulative and shall not be construed to waive the right of the city to require payment of any bill in arrears before renewing service to the premises in question.
- (e) Upon a customer's request to extend payment of a bill, the city may approve, subject to review of the customer's account history, an extended payment agreement.
- (1) A sliding scale payment plan for delinquent accounts shall be established. The city may adjust a payment plan based on the extenuating circumstances of a customer at the customer's request; provided, however, that in no event will the repayment period for a delinquent account balance exceed ten months. The penalty on the unpaid balance shall continue to accrue pursuant to paragraph (a)(1) of this section.
 - (2) No individual application may be made more than once in any 12-month period.
 - (3) Installment amounts due under the payment plan are payable in full together with full amounts billed for current charges and usage, no later than the due date for the current charges.
 - (4) Payment plans requested by customers for the repayment of previously unbilled charges identified by the city will be allowed repayment periods not to exceed the period of time over which the unbilled charges originally accrued.
- (f)
- (1) Any other provision of this chapter to the contrary notwithstanding, the city shall not refuse services or discontinue services to the owner of any rental unit or to a tenant or prospective tenant of such rental unit for nonpayment of service charges incurred by a former occupant of the rental unit; any such unpaid service charges incurred by a former occupant will not be the basis for any lien against the rental property under this section or legal action against the present tenant or owner to recover such charges except to the extent that the present tenant or owner has benefited directly from the service provided to the former occupant. This subsection applies only if the former occupant of the rental unit contracted for such services with the city or if the city provided services with knowledge of the former occupant's name and the period the occupant was provided the services.
 - (2) The provisions of this chapter may not be waived through any contractual arrangement between the city and a landlord whereby the landlord agrees to be responsible for a tenant's or future tenant's payment of service charges.
 - (3) Nothing in this division shall be construed to limit the city's rights, if any, under F.S. 159.17, as amended from time to time.

4.12 Adjustments on Metered Service Charges.

(a) Metered Water Services. No adjustments on metered service charges shall be made or allowed, except as provided herein, or as approved by the Director in writing:

- (1) For errors, in meter readings on which such charges are based, or inaccuracies in the registration of any meter or in the event of error on the part of the city in the making of any charge or in the amount thereof, and then only provided claim for such abatement or deduction is made in writing to the utility customer service office within 60 days after the date of the rendition of the bill or account in dispute.
- (2) Unforeseen Metered Leaks. When a premises experiences a catastrophic metered leak, which in the sole judgment of the Water Utilities Director is unforeseen and not due to inadequate maintenance on the part of the user, and metered usage exceeds the average monthly usage for the preceding 12 months by 10,000 gallons, the property owner may apply for an adjustment for the period during which the metered leak occurred. The claim for such abatement or deduction shall be made in writing to the utility customer service office within 60 days after the date of the rendition of the bill said leak was measured.

(b) **Leak adjustment procedure**

Bill adjustments for loss of water shall be provided in accordance with the following water adjustment provisions:

- A Leak adjustment request form must be obtained from Customer Service and completed, signed, and submitted by the customer within 30 days of the contested bill. Proof of repair must be submitted with the form, if a repair is required.
- Upon submittal of the request form, the Utility will make a field investigation to determine the following:
 - The water meter was operating properly.
 - The water meter was read, recorded, and billed properly.
 - The cause of the excessive usage, if it is known.
 - There is no evidence that the excessive use was due to the intentional or negligent act of the customer.
 - The customer took prompt and reasonable action to determine the cause of the excessive use.
 - The customer took prompt and reasonable corrective action after discovering or being notified of a leak.
 - Proof of repair was submitted with the request form within thirty days from the billing date for the period in which the water loss occurred.

- A determination of whether an adjustment is granted shall be made at the sole discretion of the Water Utility Director or designee and shall be final.
- Water loss adjustments shall be limited to one adjustment every 24 months.
- If approved, the adjustment will be calculated on the maximum calculation as follows:
 - All gallons used shall be paid at the second lowest tiered water rates for the customer class assigned to the account, or
 - The bill will be recalculated based on the maximum usage over the last 24 months, or
 - If the cause cannot be determined, the bill may be reduced based on one-half the measured usage.
- Residential accounts will receive no adjustment to the sewer account, since it is limited to a maximum usage.
- Commercial accounts will receive an adjustment to the sewer account if, in the determination of the Utility, the water was not disposed of in the sanitary sewer system.
- The Utility shall not make adjustments for bills not contested within thirty (30) days from the billing date, unless approved by the Water Utility Director.
- An adjustment shall be approved for no longer than two billing cycles.
- The Utility may extend the payment deadline for the disputed portion of the bill if the account is in current status. Adjustments shall not be granted for accounts that were delinquent prior to the disputed status.
- Adjustments will not be approved for the following:
 - Premises abandoned, or those that have not been provided reasonable care for the plumbing or irrigation system.

4.13 Minimum Water and Sewer Utility Bill.

The Minimum Water and Sewer Utility Bill is hereby established recognizing that a large proportion of the City's cost for providing water and sewer services are fixed, and that these costs are allocated to those customers with water or sewer connections, without regard to current usage. All owners of property with water or sewer connections are responsible for these minimum bills, when the properties are connected to the water and/or sewer service.

Owners shall be responsible for payment of the minimum bills for all properties with water or sewer connections, when the customer account for that property has been closed for a period of 60 days or more. Such charges will constitute a lien against the properties until paid.

The minimum bill herein for a single unit shall be billed the full month charge without proration for any period beyond the fifteenth day of the billing cycle, the period from the eighth to the

fifteenth shall be 50% of the full month, and no minimum bill will be charged under eight days in a billing period. This will apply only to newly created accounts, reconnection of owners' accounts, and final bills.

4.14 Penalty.

Any person found guilty of violation of any provisions of this chapter for which another penalty is not provided, or who shall fail to observe any of the foregoing regulations, or who shall take and use utilities of the city without paying therefore in accordance with the provisions of this chapter, or who shall connect his premises with any utility of the city without the permission of the city, shall be punished in accordance with the applicable City municipal code.

4.15 Changes to Ordinances Automatically Become Part of Service Contract

Each and every addition or modification, alteration or amendment to and of any of the rates or rules of this PPM-W manual shall be and become binding upon, and shall form a part of the contract with each and every customer, upon the expiration of 30 days' notice thereof in writing, such notice to be provided by advertisement in the local newspaper.

4.16 Estimate of Consumption when Meters Fail to Register

- (a) For metered services the city shall endeavor to have each customer's meter or meters read at approximately monthly intervals to determine the billed consumption.
 - (1) Water/wastewater: Water meters measure the water used in a multiple of gallons. For billing purposes, water meter readings are rounded downward to whole hundred gallons and shall be disclosed on the combined statement. For billing purposes, readings on meters installed to measure wastewater returned to the city's wastewater system are rounded downward to whole hundred gallons and shall be disclosed on the combined statement.
- (b) If the meter on the customer's premises is destroyed or otherwise fails to register, the customer may be billed for the period involved on the basis of previous consumption, consumption after repair or replacement of the meter, or any other method in accordance with generally accepted utility practices which produces a reasonable estimate of consumption during the relevant period. Where it has been necessary to estimate the customer's consumption, the combined statement shall carry appropriate notice to that effect.

4.17 Private Fire Service Lines

- (a) Pressure Not Guaranteed. The right is reserved by the city to shut off the supply at any time in case of accident, or to make alterations, extensions, connections or repairs and if possible the city agrees to give due and ample notice of such shut-off. The Water Utilities Department shall not make any guarantee as to a certain pressure in this pipe or in the

main supplying the same, and shall not be, under any circumstances, held liable for loss or damage to the owner for a deficiency or failure in the supply of water, whether occasioned by shutting off of water in case of accident or alterations, extensions, connections or repairs, or for any cause whatsoever.

- (b) Maintenance and Repair: The customer will own and maintain reduced pressure principle backflow preventers and double check valve assembly backflow preventers.
- (c) Testing: Tests shall be conducted and results submitted to the Director or designee. Such tests shall be conducted after initial installation, then annually thereafter, also after repairs on fire line installations performed or when deemed necessary by the Director or designee or Fire Marshal.
- (d) Equipment Inspection. Any authorized representative of the city shall have free access to the building at any reasonable time for the purpose of inspecting any of the equipment.
- (e) Violations. Violation by the owner of any of the regulations in this section shall terminate conditions as set forth in division (b)(1), (2), (3) and (4) hereof, and because of such violation, the city shall disconnect said pipe or pipes, or stop the flow of water through the same. Further, said owner may be subject to any other penalties and fines specified in chapter.

4.18 Temporary Water Service and Hydrant Meters.

- (a) Temporary service, such as service for construction projects shall be rendered upon written application accompanied by a meter installation and removal charge and a deposit, in accordance with the approved fee schedule, which will be applied against the final bill. A five-eighths-inch by three-quarter-inch water meter shall be installed on all temporary construction meter installations. A backflow preventer shall be installed as part of the temporary hydrant meter installation.
- (b) Hydrant Meters: At the option of the city, temporary service, such as for swimming pool filling and construction projects that, will require a water line on the customer's side of the meter larger than five-eighths-inch by three-quarter-inch may also be rendered by installing a meter on an existing fire hydrant at the site or very near to the site. Service may be rendered in this manner upon written application accompanied by a nonrefundable meter installation and removal charge and a deposit, in accordance with the approved fee schedule, which will be applied against the final bill, assuming the safe return of the meter. Water used through such a temporary meter shall be paid for at the prevailing commercial water service rate. A backflow preventer shall be installed as part of the temporary hydrant meter installation.
- (c) This type of temporary connection shall be allowed for a maximum time period of 12-months but may be extended upon re-application by the customer.

- (d) It shall be illegal to utilize or in any manner tamper with any fire hydrant except for employees of the fire department in performing their duties, or an employee of the city engaged in testing, installing or maintaining fire hydrants, or for connecting or disconnecting temporary fire hydrant service as defined in this section.

CHAPTER 5: RATES

5.1 Usage Outside Corporate Limits

- (a) The city is hereby authorized to sell water and wastewater utility services to areas outside the corporate limits.
- (b) Connection charges: Water and sewer service outside the corporate limits of the city shall be surcharged 25% above the then existing rates in accordance with F.S. 180.191(1)(a).
- (c) Rates: Water and sewer service outside the corporate limits of the city shall be surcharged 25% above the then existing rates in accordance with F.S. 180.191(1)(a).

5.2 Water Rates

Water rates charged and collected for potable water furnished by the city to consumers shall be in accordance with the rates established annually by resolution of the City Commission.

Water Fees and Charges for potable water service shall be in accordance with fees and charges approved by resolution of the City Commission.

5.3 Unmetered Fire Lines (Private Fire Service Protection)

- (a) The charges and surcharges or rates for special private fire service protection shall be based upon the size of the connection made to the city's distribution system in accordance with the fee schedule.
- (b) Services outside the corporate limits of Lake Worth shall be surcharged 25% in accordance with F.S. Ch. 180.191(1)(a).
- (c) Water used through fire service meters will be charged at meter rates, but there will be no charge for water used in case of fire. When fire line valves or connections are used in case of fire or for any other reason whatsoever, the owner shall immediately notify the Water Utilities Department.

5.4 Sale of Water in Bulk to Municipal Utilities

The city is hereby authorized to sell potable water in bulk to municipal utility providers that own water utilities located outside the potable water service area of the City through an interlocal agreement in accordance with a price schedule to be determined by the city on a case by case

basis at the time such sale is initiated and included in the approved agreement. Service to entities within the City's water service areas and to private entities outside the City's water service area shall be provided by the city under retail rate structures, which are approved by Resolution of the City Commission.

5.5 Water Meters, Tampering With, Altering.

- (a) Should it appear that water has been stolen by altering the pipes, altering the meter or otherwise, the Water Utilities Director or his/her designee shall have the right to discontinue the service until the defect is corrected and the service approved by the appropriate inspector.
- (b) Diversion cut-back charge. When a water meter is found to have been tampered with, service shall be subject to immediate disconnection. Before service may be restored, the estimated consumption as defined in subsection (c) of this section shall be paid by cash, postal money order or cashier's check or equivalent, or satisfactory arrangements for payment shall be made. Upon payment of the diversion cut-back charge, service shall be restored. If the customer's deposit has been previously refunded, a new deposit may be required.
- (c) Estimated Consumption and Billing. When a water meter is found to have been tampered with or water has been otherwise diverted, the consumer shall be billed for the estimated water consumed, based on the rate in effect at the time of such billing. The consumption shall be estimated on the basis of previous consumption, consumption after replacement of the meter, or any other method in accordance with generally accepted utility practices which produces a reasonable estimate. In addition, the consumer shall be billed for the actual cost of the investigation of the meter tampering, including cost associated with the estimation of consumption and the labor, supplies, materials and equipment used in connection with such investigation. The consumer shall also be liable to the city for the cost of collection, including agency, attorneys' fees and court costs if the account is placed in the hands of an agency or attorney for collection or legal action because of the customer's failure to pay any amount due.
- (d) Prima Facie Evidence. The presence, on property in the actual possession of the consumer where the meter tampering has occurred, of any connection, pipe, meter alteration, or device whatsoever which affects the diversion or use of water so as to avoid the registration of such use by or on a meter installed or private provided by the city shall be prima facie evidence of an intent to violate this section if:
 - (1) The presence of such a device or alteration can be attributed only to a deliberate act in furtherance of an intent to avoid payment for utility services.
 - (2) The customer charged with the violation of this section has received the direct benefit of the reduction of the cost of such utility service.

5.6 Wastewater Rates

Rates charged and collected for wastewater collection, treatment and disposal, furnished by the city to consumers shall be in accordance with rates established annually by resolution of the City Commission.

Fees and Charges for wastewater collection, treatment and disposal service shall be in accordance with fees and charges approved by resolution of the City Commission.

5.7 Irrigation Water and Other Water Consumption Not Returned to the Wastewater System

Any water customer may have the city install a separate water meter for the measurement of water not returned to the wastewater system or for irrigation purposes. The water used through this separate meter will be billed as a separate service and under the same provisions applicable to any existing water service but will not be subject to a monthly wastewater consumptive use charge or initial wastewater connection charges.

5.8 Treatment of Wastewater in Bulk from Municipalities and Utility Companies; Price Schedule

The city is hereby authorized to collect wastewater in bulk from other municipalities that own wastewater utilities located outside the City's sewer service area for transport to a wastewater treatment facility in accordance with an interlocal agreement including a price schedule to be determined by the city at the time such sale is initiated and included in the approved agreement. The sub-regional wastewater agreement with municipalities is one such acceptable agreement. Service to entities within the City's sewer service area shall be provided by the city under retail rate structures.

CHAPTER 6: DEPOSITS, CHARGES, FEES AND PENALTIES

6.1 Purpose

To establish requirements for handling security deposits, establishing deposits at account opening, providing a process for increasing deposits based upon customer account activity to ensure adequate assurance of payment, establishing applicable charges and fees and establishing appropriate penalties.

6.2 Policy

Unless otherwise exempted herein, a security deposit shall be required on all utility accounts to establish, re-establish, continue, or maintain services with the City, which shall be paid in full prior to receiving any services unless an alternative is authorized by the Director. Deposits, charges, fees and penalties, including policies related to each shall be the same as those

established by the Electric Utility Department for use by the Customer Service office, as revised and as supplemented herein.

6.3 Connection Charges, Water (Meter, Distribution Line and/or Tapping) or Sanitary Sewer (Collection Line and/or Tapping)

- (a) Owner/Applicant shall pay a connection charge immediately upon connection to the water distribution and/or sanitary sewer system; in the case of new construction, however, the connection charge shall be payable prior to the issuance of the certificate of occupancy.
- (b) The water meter charge shall be to set or activate the water meter, and shall be charged for all new accounts.
- (c) The tapping charge shall cover the costs of the tap line from the water or sewer line to the property line. If a property owner has previously been charged for the cost of such water service or sewer lateral connection, he or she shall not be required to pay such charge.
- (d) The charge for the water service tap shall be in accordance with fees and charges approved by resolution of the City Commission.
- (e) The charge for the sewer tap shall be based on an individual, itemized bill issued for each sewer tap, based on the total cost to the city for performing such connection, including materials, labor, cost of fringe benefits and an administrative processing fee. The labor charge shall be the actual salary paid to city workers for the actual time required to do the work. The fringe benefit costs, to cover the cost of the city employees' pension benefits, insurance and social security, shall be assessed at a flat rate of 50% of salary. An administrative processing fee shall also be assessed. The total of each of these four items shall constitute the sewer tapping charge.
- (f) Connection fees for water distribution lines installed by the City to expand service shall be paid over a 10 year period as an additional charge on the water bill; established for the following conditions:
 - a. Water service available adjacent to property at least three years prior to connection.
 - b. Water service available within 1000 feet of property three years prior to connection, and piping extended adjacent to property.
 - c. Water service available more than 1000 feet away from property three years prior to connection, and piping extended adjacent to property.
- (g) Connection fees for sewer collection lines installed by the City to expand service shall be paid over a 10 year period as an additional charge on the sewer bill; established for the following conditions:

- a. Sewer service available adjacent to property at least three years prior to connection.
- b. Sewer service available within 1000 feet of property three years prior to connection, and piping extended adjacent to property.
- c. Sewer service available more than 1000 feet away from property three years prior to connection, and piping extended adjacent to property.

6.4 Connection/Disconnection Charge

- (a) A turn-off charge shall be made in all instances where the city disconnects a utility service to a customer, except where a customer's utilities are shut off for nonpayment of a delinquent account.
- (b) If a new customer turns on his or her own service without applying for service, the city shall assess the customer a tampering fee plus the cost of any damage to city property, and shall further charge the customer a disconnection fee if said customer does not submit an application for new service within five days of being notified by the city.
- (c) If an established customer turns off his or her own service at the curb stop without city assistance for any reason and damages the City water facilities, the city shall assess the customer the cost of any damage to city property. Additionally, in the case of a customer who has unlawfully restored his or her service where the city identified leaks and waste of water, the customer shall be responsible for payment of the charges for all wasted water resulting from the unlawful connection.
- (d) Any customer or individual who unlawfully connects into the city's utility systems by installing a bypass or by any other means shall be subject to all penalties prescribed herein and a service charge for removing the bypass or other tapping mechanism. Additionally, the city shall estimate usage and charges for the unmetered service unlawfully used and the customer or individual shall be responsible for payment of said billing.
- (e) The city shall immediately disconnect any device found connected to an adjacent property owner's utility service or to any other source that is supplying a customer whose service has been disconnected due to nonpayment, leaks or wasteful use of water, and said customer shall be subject to any penalty prescribed herein and shall be charged the cost of any damage to city property. Said adjacent property owner, if found to have facilitated the illegal hook up, shall additionally be subject to discontinuation of service for unlawfully supplying utilities and shall be responsible for payment of any damage to city property.

6.5 Responsibility for Taxes or Assessments.

The customer shall be liable for any taxes or assessments that are lawfully imposed by any governmental authority on any service. Exemptions from such taxes or assessments shall be granted only by the taxing or assessing authority having jurisdiction. It shall be the customer's responsibility to secure and document such exemption on a continuous basis to the satisfaction of the city. A failure by the city to levy or collect any such tax or assessment, does not relieve the customer of the responsibility for the payment of such tax or assessment.

6.6 Penalties

- (a) Except as provided in (e)(4) of this section, any violation of this PPM-W is a civil infraction.
- (b) Any person who has committed an act in violation of this PPM-W shall receive a citation from any employee of the city who has probable cause to believe that the person has committed a civil infraction in violation of this PPM-W.
- (c) The city shall:
 - (1) Accept designated fines and issue receipts therefore;
 - (2) Provide a uniform citation form for notifying alleged violators to appear and answer to charges of violation of this PPM-W.
- (d) Violation of any provision of this PPM-W shall be punishable by a fine not to exceed an amount set by resolution of the city commission. Any person who has violated any provision of this PPM-W shall be fined an amount as follows:
- (e) Any property owner violating the provisions of this PPM-W shall be deemed guilty of a civil infraction. During a one-year period, each violation shall constitute a separate offense. Each day in violation shall constitute a separate offense. Violations of these sections shall be punished in accordance with the latest edition of the city's fees and charges, as approved by resolution of the city commission.
- (f) Each day in violation of this division shall constitute a separate offense. For purposes of this PPM-W, no person shall be found to have committed a repeat violation based upon a violation of the provisions of this PPM-W that occurred during a prior water shortage or water shortage emergency which is no longer in effect.
- (g) Except as provided in (e)(4) of this section, any person issued a citation shall be deemed to be charged with a civil violation and shall comply with the directives on the citation.
- (h) (Payment shall be made, either by mail or in person, to the city at the location and within the time specified on the citation. If a person follows this procedure, s/he shall be deemed

to have admitted the infraction and to have waived his/her right to a hearing on the issue of commission of the infraction.

- (i) Any person who fails to make payment within the specified period shall be deemed to have waived his/her right to pay the civil penalty as set forth in the citation.
- (j) Any person who elects to appear before a hearing officer or special magistrate to contest the citation shall be deemed to have waived his/her right to pay the civil penalty. The hearing officer or special magistrate, after a hearing, shall make a determination as to whether a violation has occurred and may impose a civil penalty plus court costs.
- (k) If a person fails to pay the civil penalty, or fails to appear before the hearing officer or special magistrate to contest the citation, s/he shall be deemed to have waived his/her right to contest the citation; and in such case, the hearing officer or special magistrate shall enter a fine at the time of the scheduled hearing, and the city may pursue a judgment against the violator for the maximum civil penalty.
- (l) Any person cited for an infraction under this PPM-W shall sign and accept the citation indicating a promise to pay the fine or appear at a hearing before the hearing officer or special magistrate. Any person who willfully refuses to sign and accept a citation issued by an officer shall be guilty of a misdemeanor of the second degree, punishable as provided by Florida Statutes, § 775.082 or 775.083.
- (m) As provided in (e)(4) of this section, a officer may require mandatory court appearances for violations resulting in the issuance of a fourth or subsequent citation to a person. The citation shall clearly inform the person of the mandatory court appearance. The city or law enforcement officer shall maintain records to prove the number of citations issued to the person. Persons required to appear in court do not have the option of paying the fine instead of appearing in court.
- (n) The provisions of this PPM-W are an additional and supplemental means of enforcing this PPM-W. Nothing contained herein shall prohibit enforcement by any other means, including, but not limited to, emergency injunctive action to enforce the provisions of this PPM-W.

CHAPTER 7: RESERVE CAPACITY CHARGES

7.1 Purpose

To recover from new users of the city's water and sewer systems the proportionate share of the cost of expanding, or constructing additional water production, treatment and distribution facilities, and additional wastewater collection, treatment and disposal facilities to serve additional connections to the systems.

7.2 Types of Reserve Capacity Charges

(a) Water Reserve Capacity Charge

The Water Reserve Capacity Charge is for meeting the impacts of additional connections upon the expansion or construction of water production, treatment and distribution capital improvements to the potable water system.

(b) Sanitary Sewer Reserve Capacity Charge

The Sanitary Sewer Reserve Capacity Charge is for meeting the impacts of additional connections upon the expansion or construction of wastewater collection, treatment and disposal capital improvements to the sanitary wastewater systems.

7.3 Charge Based on Equivalent Residential Unit.

As used in this article, "ERU" shall stand for "Equivalent Residential Unit" and shall mean one equivalent residential customer, for purposes of establishing Reserve Capacity charges and Base Facility Charges. An Equivalent Residential Unit shall be defined to require water system capacity to meet the peak daily potable water demand for the equivalent single family residential unit. For an average potable water use of 7,000 gallons per month, the defined peak daily potable water demand is 350 Gallons per day (GPD). One ERU is, by definition, equal to each single family residence; and each residential unit in a master metered single family development. Each residential unit in a multi-family complex, and each mobile home park unit on a property shall be defined to be 66% of one ERU, due to the lower average potable water usage of these residential units. Master meter accounts serving residential properties shall be considered as residential customers.

For non-residential properties, including but not limited to commercial, industrial, and government uses, the number of ERUs shall be calculated based on the appropriate meter size serving the property, in accordance with the table included in this paragraph. For meter sizes larger than those shown in the table, the Director shall determine the Equivalent Residential Units on a case by case basis. The same number of potable water ERUs calculated herein shall also apply to wastewater ERUs unless the sanitary flow is determined by the city to be inconsistent due to additional contributions to the wastewater stream.

Meter Size	# of ERUs
$\frac{3}{4}$ " x $\frac{5}{8}$ "	1
1"	2.5
1½"	5
2"	10
3"	20
4"	40
6"	80

7.4 Potable Water Reserve Capacity Charge per ERU.

A Water Reserve Capacity charge per ERU shall be imposed for new connections, by resolution of the City Commission. These charges are not refundable. The Water Reserve Capacity Charge for existing structures that connect to the water system may be paid as part of the monthly bill over a 10 year period of time after such connection.

7.5 Sanitary Sewer Reserve Capacity Charge per ERU.

A Sewer Reserve Capacity charge per ERU shall be imposed by resolution of the City Commission for new connections located on existing gravity sewers. These charges are not refundable. The Sewer Reserve Capacity Charge for existing structures that connect to the sewer system may be paid as part of the monthly bill over a 10 year period of time after such connection.

7.6 Prior Use.

In calculating the reserve capacity charges, a credit shall be applied for any prior reserve capacity charges paid for existing structures that are connected to the water or sewer system, or structures disconnected or demolished within twenty-four (24) months of application at the same location. Any credit shall apply only to the service location and shall not be transferred or applied to any other service locations. For purposes of clarification, no reserve capacity charges were collected prior to October 1, 1982, and therefore no credits for these facilities would apply.

7.7 Change in Use; Additional Capacity Charge.

Should there be a change in any of the factors upon which a reserve capacity charge is based, the owner or developer shall pay to the city, within ninety (90) days after notification, any additional reserve capacity charge required as calculated herein. If such additional payment is not made, the city water and/or sewer service may be terminated.

7.8 Time of Payment.

- (a) Each owner or consumer who, acting on his own behalf or through authorized agents, makes application for a building permit for any new construction or any addition or alteration that results in additional reserve capacity necessary for the water treatment plant shall incur and pay before issuance of any such permit, in addition to the tapping charge, a water reserve capacity charge.
 - (1) For projects inside the City: Reserve Capacity Charges shall be payable at time of Building Permit application
 - (2) For projects outside the city limits Reserve Capacity Charges shall be payable at time of service application.

- (b) The reserve capacity charges shall constitute a lien against the property, and the agreement shall provide for the city to record a claim of lien for said charges immediately upon execution of the agreement:
- (c) The applicable reserve capacity charges shall be paid in addition to all other fees, charges and assessments due, and is intended to provide funds to pay for the fair share portion of the water utility system necessitated by system growth and expansion.
- (d) Abandonment of a Project. For the purpose of this section, a project will be determined to be abandoned in accordance with the following:
 - (1) If capacity has been reserved pursuant to paragraph (a)(1), a project shall be deemed to be abandoned if the building permit has expired and was not renewed within 180 days of expiration;
 - (2) If the capacity has been reserved pursuant to paragraph (a)(2) a project shall be deemed to be abandoned if the site plan approval, including any extensions thereto for the project has expired.

7.9 Refund of Capacity Charges.

No refund or credit shall be afforded after a reserve capacity fee has already been paid.

7.10 Use of Funds.

- (a) The city shall establish separate capital accounts for water and sewer reserve capacity charges collected pursuant to this article, and shall recognize such accounts separate and apart from all other accounts of the city. Immediately upon receipt, all such water reserve capacity charges received by the city shall be deposited into the water reserve capacity charge capital account, and all sewer reserve capacity charges received by the city shall be deposited into the sewer reserve capacity charge capital account.
- (b) The use of all funds collected pursuant to this paragraph, as well as all similar capacity charges collected prior to the effective date of this article pursuant to Resolution Number 19-85 of the city and water and wastewater service policies of the city utilities authority, shall be used solely for the purpose providing the necessary utility facilities and improvements required by new development and growth of the water and sewer service area and shall include, but not be limited to, the following expenditures:
 - (1) Design or construction plan preparation;
 - (2) Permitting and related fees;
 - (3) Land acquisition, including any costs of acquisition or condemnation;

- (4) Construction of water and sewer buildings, facilities, structures, or improvements and additions thereto;
 - (5) Relocating utilities required by the construction of buildings, facilities, structures, or improvements and additions thereto;
 - (6) Cost of construction management, inspection, or both;
 - (7) Surveying, soils and materials testing, and the evaluation and development of raw water resources and supplies;
 - (8) Acquisition of plant or equipment necessary or convenient to expand the water and/or sewer system; and
 - (9) Payment of principal and interest, reserves and costs of issuance under any bonds or other indebtedness issued by the city to fund growth-impacted improvements, and additions to the water and sewer systems.
- (c) Funds on deposit in the water and sewer reserve capacity charge accounts shall not be used for any expenditures that would be classified as routine maintenance, operation or repair expenses. Expansion or upsizing of existing facilities may be considered an improvement.
- (d) Any funds on deposit which are not immediately necessary for expenditure may be invested by the city. All income and earnings derived from such investments shall be deposited in the water and sewer reserve capacity charge accounts, respectively, and be used as provided herein.

CHAPTER 8: POTABLE WATER

8.1 Purpose and Policy.

The following rules and regulations for the sale and distribution of water by the city, shall hereafter be observed by the city and by consumers of water supplied by the city.

8.2 Automatic Car Washes.

The connection of automatic car washes to the city water and/or sanitary sewer system shall comply with County and City requirements that the car wash incorporates and uses a wash water recycling system of a type, design and efficiency approved by the water utilities department.

8.3 Approval of Plumbing and Connections Required.

No water service shall be connected until the plumbing and connections incident thereto shall have been inspected and approved by the building official, or his/her designee, as follows:

- (a) Water Service to a Residence. Approval of a dwelling for water service must be obtained prior to initial provision of service.
- (b) Water Service to Other Buildings. Approval of a building for water service must be obtained prior to initial provision of service or transfer of water service.
- (c) Copy of Approval. Each applicant for new water service must submit a copy of such approval where required as part of the application for service.

8.4 Supplying Separately Owned Properties Through One Meter Prohibited

- (a) Separately owned properties shall be served by separate meters. Supplying multiple properties through one meter is prohibited. Multiple use of privately owned water systems is also prohibited.
- (b) No person other than the owner/tenant of a water system located on his/her property shall be furnished with water from the water system for any purpose.
- (c) This section shall not, however, prohibit single metering of property owned as a cooperative or condominium, or unless the customer is a municipal or private water utility served by a bulk meter service, as long as service is provided to and metered on common property and there is an association or corporation to apportion, collect and remit all fees and charges and accept notices. Such corporation or association shall demonstrate to the city that they have the legal authority to charge or collect from property or unit owners for the fees and charges billed.

8.5 Size of Service Connections

The Water Utilities Department in every instance reserves the right, at its option, to designate and prescribe the size of a service connection, either upon original installation of a new connection and in any case, where a size of service other than that applied for by the owner, or previously existing, is so designated and prescribed by the Department, the owner shall be bound thereby. In case the service supplying a house or building is found not to be large enough due to additions to the building or an increase in the number of fixtures, the Water Utilities Department will make the larger tap and install the larger service upon the payment of the tapping charge for the size of the new service. No credit will be given for the service already in place that is found to be insufficient in size.

8.6 Water Meter Up/Downsizing

- (1) Increase in size. A customer desiring a water meter larger than the size of the water meter then in service shall pay to the city the estimate for material, labor and equipment costs plus overhead for installing the larger meter. In addition, the customer shall also pay the difference in the cost of the associated water and wastewater reserve capacity charges, if applicable, of the larger and smaller water meters.

- (2) Reduction in size. A customer desiring a water meter smaller than the size of the meter then in service shall pay to the city the estimate for material, labor and equipment costs plus overhead for installing this smaller size water meter.

8.7 City Employees only to turn on water service

The city curb stop on any and all service connections shall only be used by the owner, his employees or agents for turning off the water supply. All turning on of the water supply at the meter shall be done exclusively by the city.

8.8 Authority of City to Require Owner to install Backflow Preventers or the Like on Service Connection

The city reserves the right, as necessary for public health and welfare, to require the following owners to install on his service connection at the location designated by the city, a backflow preventer or other appliances, apparatus or equipment of such type and design as is approved by the city.

- (a) Residential properties with irrigation systems
- (b) Residential properties with separate well systems
- (c) Commercial properties
- (d) Industrial properties

8.9 Duty of Consumer as to Leaks or Waste

- (a) Duty of Owner or Tenant; Report to Utility Customer Service Office

- (1) It shall be the duty of every owner, his or her agent or tenant, to at all times exercise due diligence to prevent the waste of water, and to this end shall immediately stop all leaks on his or her premises, and shall notify the utility customer service office promptly of any leak discovered other than upon his or her premises, thus to enable the prompt stopping thereof.
- (2) Persisting in any willful waste, or neglect to promptly stop water through leaks on part of any owner, his or her agent or tenant, shall be sufficient cause to authorize the city to discontinue its service and shut off the water supply from and to the premises in question, without notice.
- (3) Whenever the water supply to and for any premises has been shut off because of leaks or waste, the same shall not be turned on again until all cause for shut-off shall have been remedied or removed, and until satisfactory assurance shall be given to the city that the condition causing the shut-off will not again exist by the owner, or his or her agent or tenant, and the charge for service disconnection shall have been paid to the city to cover the cost of turning on said water supply again.

8.10 Meters to be Furnished, Installed by Water Utilities Department

- (a) All meters shall be furnished and installed by the Water Utilities Department upon the application of any owner or responsible party for utility service and payment of the minimum service charge. All meters furnished and/or installed shall be and remain subject to the absolute and exclusive control of the Department.
- (b) The Water Utilities Department in every instance reserves the right, at its option, to designate the location that, in the judgment of the city, will provide protection of the installation and will provide ease of access for replacement and the reading of the meter, and prescribe the size of a water meter either upon original installation of a new connection, or upon any renewal or replacement of any old connection and in any case, where a size of meter other than that applied for by the owner, or previously existing, is so designated and prescribed by the Department, the owner shall be bound thereby.

8.11 Water Meter Access

- (a) In every instance of metered water supply service, the owner shall maintain the area in and around the water meter acceptable and accessible to the Water Utilities Department. Property owners who do not provide access to the meter or who do not keep physical access to the meter free and clear of debris and other obstacles so that the city can access the meter will be subject to the code enforcement citation and special hearing procedures.
- (b) Once any meter has been placed, its position shall not be changed, except by the Water Utilities Department with its consent and at the cost of the owner, and in the event any owner makes any change in his premises, which in the discretion of the Department requires any change in the location or position of the meter or meter box, such change in location or position shall be made by the Department at the cost and expense of the owner.

8.12 Water Meter Repairs

Repairs, renewals and replacements of water meters and meter boxes with connections and appliances shall be made by the Water Utilities Department.

8.13 Reading of Water Meters

- (a) Reading of meters shall be made monthly and if meter is in good order and has been in good condition since the last previous reading, bills shall be rendered in accordance therewith.
- (b) Should the customer, at any time, question the accuracy of the reading of his or her meter, unless that reading is an estimated reading, the utility customer service office shall, upon the customer's request, reread the meter. If it is determined that the reading was correct, a meter test charge will be made for the rereading service on the next billing.

In the event that the meter is found to be faulty or the reading is found to be erroneous, the customer shall not be required to pay said charge.

8.14 Testing, Changing Meters

- (a) The Water Utilities Department reserves the right to routinely test or replace existing meters at any time for any reason.
- (b) Meters under three inches in size. Should the owner, at any time, question the accuracy of the meter on his or her service, the Department shall, upon his or her written request, remove the meter and test it. If it is determined that the meter is functioning properly and is not over-registering by more than 1.5% (that is, the differential between billed flow and tested flow is less than 1.5% of the billed flow), the city will charge the customer a meter test fee to test the meter.
 - (1) As a result of the test, if it is determined that the meter is over-registering or under-registering by more than 1.5%, the customer will not be charged the service fee to test the meter.
 - (2) In addition, if it is determined that the meter is registering above 101.5% of accuracy (over-registering), the customer will receive a credit for the overbilling that is above the 101.5%.
- (c) Meters that are three inches in or more in size. The Department shall test all meters of three inches or more in size once each year.. The Department will notify the customer at least five working days in advance of its intent to test a meter. The Department will test the meter in the field on location. If it is determined that the meter is not functioning within acceptable parameters of accuracy, the city will repair or replace the meter. Additional tests within the same annual period may be performed upon the written request of the customer at an extra cost per test.
- (d) The Department reserves the right to remove and test any meter at any time, and if such meter is found to be inaccurate, to substitute another meter of the same size in its place, either permanently or temporarily. In the event of such test as last mentioned, the Department further reserves the right to make any correction in the bill rendered based on the last reading of such meter, in accordance with the result of such test.

8.15 Defective Water Meters

- (a) The quantity of water recorded by the meter shall be conclusive on both the customer and the city except when the meter has been found to be defective, or ceases to register.
- (b) In case the meter has been found to be defective or has ceased to register, the amount of usage to be billed for the period that the meter was not functioning properly shall be determined by taking the average monthly usage recorded by the new or repaired meter

for a minimum of 90 days. The city can bill for past unbilled usage as herein determined for a period of up to 12 months.

8.16 Fire Flow; Fire Hydrants

- (a) The Water Utilities Department may install, at any location on any public or private highway or thoroughfare, a standard fire hydrant or plug, having two, two and one-half-inch hose nozzle, and one four and one-half-inch nozzle, six-inch ductile-iron branch pipe and six inch isolation valve from the Department's street main, and provided further the size of the street main and the surrounding distributing system and the available pressure on said street main and the surrounding distributing system is, in the discretion of the Department, sufficient to enable the giving of proper service at the fire hydrant under normal and ordinary conditions.
- (b) All fire hydrants or plugs shall be used for fire protection purposes exclusively, unless the usage is approved by the local fire department having jurisdiction or the Department. All use of fire hydrants or plugs for sprinkling, watering, filling of other carts or receptacles, by persons other than the Fire Department or City personnel are prohibited, unless any such other use is permitted, in writing, by the Department.

CHAPTER 9: CROSS-CONNECTION CONTROL PROGRAM

9.1 Purpose

Under the rules of the Florida Department of Environmental Protection, Section 62-555.360, F.A.C., relating to cross connection, the city has the primary responsibility to prevent water from unapproved sources, or any other substances, from entering the water system. Therefore, upon detection of a prohibited cross-connection, the city is directed to either eliminate the cross-connection by requiring the installation of an appropriate backflow prevention device, or discontinue service until the contamination source is eliminated.

9.2 Water Utilities Department to Administer.

- (a) The Water Utilities Department shall be responsible for the protection of the public potable water distribution system from contamination or pollution due to the backflow or back-siphonage of contaminants or pollutants through the water service connection.
- (b) The Water Utilities Department shall establish policies and procedures to require an approved backflow prevention device at the city's water service connection if required for public safety of the water system. The Director of Water Utilities or his/her designated agent shall give notice in writing to the customer to install such an approved backflow prevention device at each service connection to his premises, if required by these policies and procedures. The customer shall immediately install such approved device or devices at his own expense; the failure, refusal, or inability on the part of the customer to install

such device or devices immediately, shall constitute a ground for discontinuing water service to the premises until such device or devices have been properly installed.

- (c) The Water Utilities Department shall annually complete and submit a Cross-connection Control Program Annual Report, Form 62-555.900(13), effective January 2016, in accordance with paragraph 62-555.360(2)(b) FAC. The Department shall take all necessary steps to collect and store data required to complete this report.

9.3 Interconnection of Private Water System/Irrigation Well to City Water System Prohibited.

Private water systems are prohibited from use for domestic potable water, where potable water is supplied by the City. If private water systems (wells) are used for irrigation purposes, the potable water system shall have an approved backflow device installed by the customer immediately downstream of the meter. Service of water to any premise may be disconnected by the city if a required backflow prevention device is not installed, tested and maintained. Water service will not be restored until such conditions or defects are corrected. All turn-off and turn-on service charges shall be paid by the consumer.

9.4 Backflow Prevention Devices Required

- (a) Generally. The following new users of the city's water system shall install and maintain appropriate backflow prevention devices:
 - (1) Any user having a fire line connected to the city's water system, with the backflow prevention device to be installed in the fire line.
 - (2) Any user located in a building that is more than two (2) stories in height.
 - (3) Any commercial or industrial user.

An approved backflow prevention device shall be installed on each service line to a customer's water system at or near the property line or immediately inside the building being served and, in all cases, before the first branch line leading off the service line, whenever the above conditions exist:

- (b) High-Risk Users. It is recognized that certain existing users of the city's water system may pose a high risk to the system. Accordingly, the following existing users shall, within six (6) months of receipt of notice from the city, install and maintain appropriate backflow prevention devices; the type and size to be determined by the city:
 - (1) Nursing homes;
 - (2) Hospitals;
 - (3) Medical offices;
 - (4) Dental offices;

- (5) Mortuaries;
- (6) Funeral parlors;
- (7) Restaurants;
- (8) Sewage lift stations;
- (9) Automobile paint shops;
- (10) Automobile body shops;
- (11) Radiator repair shops;
- (12) Waterfront facilities;
- (13) Veterinary establishments;
- (14) Manufacturing and processing plants;
- (15) Car washes;
- (16) Chemical plants;
- (17) Film laboratories;
- (18) Laundries;
- (19) Dry cleaning establishments;
- (20) Pest exterminating companies;
- (21) Automobile filling and service stations;
- (22) Schools with laboratories;
- (23) Any commercial and industrial user handling, on a continuing or frequently recurring basis, corrosive, toxic, infectious, radioactive or other substances that would be a health hazard if they entered the drinking water supply;
- (24) Any user located in a building that is more than two (2) stories in height; and
- (25) Any user having a fire line connected to the city's water system, with the backflow prevention device to be installed in the fire line.

- (c) Exemption for single-family structures. Single-family structures are exempt from the above requirements unless the city determines that a special health hazard exists.
- (d) Type and size of required device. The type and size of each required backflow prevention device will be determined by the city.
- (e) Grounds for termination of water service. The failure of a user of the city's water system to install or maintain backflow prevention devices as provided in this article will be grounds for termination of water service. In the case of an immediate hazard to the public health, water service may be terminated without notice, but upon request, the user will be entitled to a prompt hearing to determine the propriety of the termination.

9.5 Inspection by City

- (a) The customer's system shall be open for inspection at all reasonable times to authorized representatives of the water utilities department to determine whether cross-connections or other structural or sanitary hazards, including violations of these regulations, exist. When such a condition becomes known, the Director of Water Utilities shall deny or immediately discontinue service to the premises by providing for a physical break in the service line until the customer has corrected the condition in conformance with state and

city laws relating to plumbing and water supplies and the regulations adopted pursuant thereto.

9.6 Backflow Prevention Devices; When Required; Specifications.

- (a) Type and size of required device. The type and size of each required backflow prevention device will be determined by the city.
- (b) The term “approved backflow prevention device” shall be a device that has been manufactured in full conformance with the standards established by the American Water Works Association and entitled “AWWA C510 Double Check Valve Backflow Prevention Assembly” or “AWWA C511 Reduced Pressure Principle Backflow Prevention Assembly” and which has met completely the laboratory and field performance specifications of the Foundation for Cross Connection Control and Hydraulic Research of the University of Southern California established by the Manual of Cross-Connection Control, 10th Edition, or the most current issue. These standards and specifications have been adopted herein.

9.7 Backflow Protection Device Testing.

- (a) It shall be the duty of the customer-user at any premises where backflow prevention devices are installed, to have certified inspections and operational tests made at least once per year. These inspections and tests shall be at the expense of the customer and shall be performed by the device manufacturer's representative, by a certified tester or plumber approved by the state for such purpose.
- (b) If a user of the city's water system fails to have a required backflow prevention device tested within thirty (30) days of receipt of notice from the city, the city may issue a second notice to have the device tested.

9.8 Backflow Protection Device Repair

- (a) If a backflow prevention device fails a test required by this section, the user of the city's water system who is responsible for the proper operation of the device shall, within fourteen (14) days of receipt of notice of such failure, have it repaired and submit certification of proper operation to the city.
- (b) These devices shall be repaired, overhauled, or replaced at the expense of the customer-user whenever such devices are found to be defective. Records of such tests, repairs and overhauls, shall be submitted to the Water Utilities Director or designee.

9.9 Notice of Violation; Failure to Remedy; Termination of Service

The Director or designee, shall notify the owner or authorized agent of the owner of the building or premises in which there is found a violation of this chapter, of such violation. The director shall set a reasonable time for the owner to have the violation removed or corrected (thirty (30)

days maximum, or as determined by degree or hazard. On failure of the owner to have the violation corrected by the end of a specified time interval, the director may, if in his judgment an imminent health hazard exists, cause the water service to the building or premises to be terminated and/or charge additional fees provided in applicable resolutions approving fees and charges.

CHAPTER 10: CONSERVATION PROGRAMS

10.1 Conservation Policy.

- (a) It is the policy of the city to reduce the consumption of fresh raw water required to provide adequate, safe, economic, reliable and environmentally sound potable water utility services. It is also the policy of the city to develop and provide cost effective services, information, and incentives which will reduce the consumption of and demand on potable water utility resources by consumers.
- (b) The Water Utilities Director or his/her designee may designate procedures for the provision of financial incentives through rate structures to utility customers encouraging the wise use of potable water and the installation of conservation measures, which are consistent with the water conservation policies and objectives of the city. Financial incentives through rate structures may also be used to encourage conservation measures within the city's water utility system service area outside municipal boundaries.

CHAPTER 11: EMERGENCY WATER USE, WATER RESTRICTIONS AND THE WATER SHORTAGE PLAN

11.1 Intent and Purpose.

It is the intent and purpose of this chapter to protect the water resources of the city from the harmful effects of over-utilization during periods of water shortage and allocate available water supplies by assisting the South Florida Water Management District in the implementation of its water shortage plan.

11.2 Applicability.

The provisions of this chapter shall apply to all persons using the water resource within the geographical areas subject to the "water shortage" or "water shortage emergency", as determined by the district, whether from public- or privately-owned water utility systems, private wells or private connections with surface water bodies. This chapter shall not apply to persons using only salt water.

11.3 Water-Use Restrictions Phases (Levels)

The District has established specific water-use restrictions according to the severity of the water shortage – Phase I, moderate; Phase II, severe; Phase III, extreme; and, Phase IV, critical. Each level requires an increasingly larger reduction in water use. The District correlates each phase of the restrictions to the overall percentage of reductions needed.

- (a) Phase I, Moderate: Phase I water restrictions require water users to limit outdoor water use. Residential irrigation water uses are generally limited to three days per week. These actions have a goal to produce a 15 percent reduction in overall demand on our water resources by all users.
- (b) Phase II, Severe: Phase II water restrictions require water users to limit outdoor water use. Residential irrigation water uses are generally limited to two days per week. These actions have a goal to produce a 30 percent reduction in overall demand on our water resources by all users.
- (c) Phase III, Extreme: Phase III water restrictions require water users to limit outdoor water use. Residential irrigation water uses are generally limited to one day per week. These actions have a goal to produce a 45 percent reduction in overall demand on our water resources by all users.
- (d) Phase IV, Critical: Phase IV water restrictions require water users to limit outdoor water use. Residential irrigation water uses are generally not allowed. These actions have a goal to produce a 60 percent reduction in overall demand on our water resources by all users.

11.4 Declaration of Water Shortage or Water Shortage Emergency.

The declaration of a water shortage or water shortage emergency within all or any part of the county by the governing board or the executive director of the district shall invoke the provisions of this article. Upon such declaration, all water use restrictions or other measures adopted by the district applicable to the city, or any portion thereof, shall be subject to enforcement action pursuant to the Code. Any violation of the provisions of chapter 40E-21, Florida Administrative Code, or any order issued pursuant thereto, shall be a violation of the Code.

11.5 System-Based Water Shortages.

The city manager may declare a water shortage and impose water restrictions in accordance with the district's water shortage plan, when necessary to curtail water use within the city water system due to a mechanical failure or other operational problem with said system.

11.6 Permanent Restrictions on Lawns and Landscaping Irrigation

For the purpose of permanent restrictions on lawns and landscaping irrigation, the City of Lake Worth shall be considered under Phase I Modified (three day per week) restrictions as defined

herein and by the most updated detailed restrictions imposed by South Florida Water Management District.

11.7 Enforcement

Residential and commercial water restrictions are mandatory and are enforced by South Florida Water Management District staff, local governments and law enforcement agencies. Every sheriff's deputy having jurisdiction in the area governed by this chapter shall, in connection with all other duties imposed by law, diligently enforce the provisions of this chapter. In addition, the City Manager may also delegate enforcement responsibility for this chapter to agencies and departments of city government in accordance with state and local law.

Violations of water restrictions may be reported to local law enforcement or city code enforcement personnel. If you choose to notify the local law enforcement agency, please call their non-emergency number

CHAPTER 12: WASTEWATER (SANITARY SEWERAGE) UTILITY SERVICE

12.1 Purpose and Policy.

To set forth uniform requirements for users of the city wastewater system (local sewer), the subregional wastewater collection system (regional sewer) and the East Central Regional Wastewater Treatment Facility (ECR) and to enable the city and the ECR to comply with all applicable State and Federal laws, including the Clean Water Act and Rule 62-625, F.A.C. (Pretreatment Requirements for Existing and Other Sources of Pollution). The objectives of this article are:

- (a) To prevent the introduction of pollutants into the wastewater facilities that will interfere with its operation;
- (b) To prevent the introduction of pollutants into the wastewater facilities that will pass through the wastewater facilities without adequate treatment and receiving waters, or otherwise be incompatible with the wastewater facilities;
- (c) To protect wastewater facility personnel who may be affected by the wastewater in the course of their employment;
- (d) To promote reuse and recycling of industrial wastewater and sludge from the wastewater facilities;
- (e) To prevent the introduction of pollutants into the waters of the state from private wastewater facilities;
- (f) To provide for fees for the equitable distribution of the cost of operation, maintenance, and improvement of the wastewater facilities; and

- (g) To enable the City of West Palm Beach, which holds the National Pollutant Discharge Elimination System permit on behalf of the ECR, to comply with the NPDES permit conditions, sludge use and disposal requirements, and any other federal or state laws to which the wastewater facilities are subject.

12.2 Public Information

Information and data on a user obtained from reports, surveys, wastewater discharge permit applications, wastewater discharge permits, and monitoring programs, and from the director's inspection and sampling activities, shall be available to the public without restriction, unless the user specifically requests, and is able to demonstrate to the satisfaction of the director, that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets under applicable state law. Any such request must be asserted at the time of submission of the information or data. When requested and demonstrated by the user furnishing a report that such information should be held confidential, 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 immediately upon request to governmental agencies for uses related to the NPDES program or pretreatment program, and in enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics and other "effluent data" as defined by 40 CFR 2.302 will not be recognized as confidential information and will be available to the public without restriction.

12.3 Use of public sewers required- See requirements of Chapter 18, Municipal Code

12.4 Suitable Toilet Facilities Required.

- (a) Buildings and establishments shall be provided by the owner thereof, with at least one flush toilet as required by Chapter 64E, FAC. All flush toilets shall be kept clean and in a sanitary working condition.
- (b) All owners, as defined herein, are hereby required, at their expense, to install suitable toilet facilities.
- (c) Flush toilets shall be provided at all times with sufficient running water under pressure to flush the toilet clean after each use.
- (d) No person shall dispose of human excrement except in a flush toilet.
- (e) It shall be unlawful to discharge to any natural outlet within the city, or in any area under the jurisdiction of said city, any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with provisions of this chapter.

12.5 Powers and Authority of Inspectors.

- (a) Authorized representatives of the city, the FDEP, and the EPA bearing proper credentials shall be permitted to enter upon any property without prior notification for the purpose of

inspection, observation, measurement, sampling, testing review and/or photocopying of records, or investigation as may be necessary in the enforcement of this chapter. Entry shall be made during daylight or operating hours unless abnormal or emergency circumstances require otherwise.

- (b) The city may seek issuance of a search warrant(s) from any court of competent jurisdiction for the following reasons:
 - (1) Refusal of access to a building, structure or property or any part thereof.
 - (2) If the city is able to demonstrate probable cause to believe that there may be a violation of this article.
 - (3) If there is a need to inspect and/or sample as part of a routine inspection and sampling program of the city.
 - (4) To protect the public health, safety and welfare of the city.

12.6 Authority to Refuse/Disconnect Service.

The city reserves the right to terminate wastewater disposal services and disconnect a customer from the system when:

- (a) Acids or chemicals damaging to wastewater facilities are released into the sewer causing rapid deterioration of these structures or interfering with proper conveyance and treatment of wastewater;
- (b) A governmental agency informs the city that the effluent from the wastewater treatment plant is no longer of a quality permitted for discharge into a watercourse, and it is found that the customer is delivering wastewater to the city's system that cannot be sufficiently treated or requires treatment that is not provided by the city as normal domestic treatment; or
- (c) The customer:
 - (1) Discharges industrial waste or wastewater that is in violation of the permit issued by the approving authority,
 - (2) Discharges wastewater at an uncontrolled, variable rate in sufficient quality to cause an imbalance in the wastewater treatment system.
 - (3) Discharges wastewater from a commercial or industrial customer, which contains excessive quantities of fats, oils or grease that may cause sewer backups or cause problems for the wastewater treatment system.
 - (4) Fails to pay monthly bills for water and sanitary sewer services when due, or

- (5) Repeats a discharge of prohibited wastes into public sewers.

12.7 Depositing Objectionable Wastes on Public and Private Property.

See requirements of Chapter 18, Municipal Code.

12.8 Discharge Prohibited to Sanitary Sewer System.

- (a) No person shall discharge or cause to be discharged any unpolluted waters such as exterior foundation drains, or untreated cooling water to any sanitary sewer.
- (b) No person shall discharge or cause to be discharged any stormwater, groundwater, roof runoff, subsurface drainage, to any sanitary sewer. No person shall make connection of roof downspouts, area drains or other sources of surface run-off or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to the public sanitary sewer system.
- (c) No person shall discharge or cause to be discharged any of the following described wastes to any public sewers:
- (1) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.
 - (2) Any waters containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any 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 greater than 9.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel.
 - (4) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the wastewater facilities such as, but not limited to, ashes, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.
- (d) All such existing connections shall be removed and corrected at the expense of the user.

12.9 Discharging into Natural Outlets.

See requirements of Chapter 18, Municipal Code.

CHAPTER 13: INDUSTRIAL PRETREATMENT PROGRAM

13.1 Purpose

To regulate industrial waste pretreatment facilities and discharge of industrial waste into the East Central Regional Wastewater Reclamation Facility and providing for pollutant limitations, data collection, monitoring, and sampling, and providing for penalties for the violation thereof for the following purposes:

- (a) To prevent the introduction of pollutants into the city's wastewater system which will interfere with the normal operation of the wastewater collection system or the wastewater treatment plant, or which will contaminate the resulting municipal sludge;
- (b) To prevent the introduction of pollutants into the city's wastewater collection system which do not receive adequate treatment by the ECRWRF, and which will pass through the system into receiving waters or the atmosphere or otherwise be incompatible with the system;
- (c) To protect the Wastewater Facility workers and the general public;
- (d) To provide for fees for the equitable distribution of the costs of operation, maintenance, and improvement of the Wastewater Facility;
- (e) To improve the opportunity to recycle and reclaim wastewater and sludge from the system; and
- (f) To enable the city to comply with its National Pollutant Discharge Elimination System permit conditions, sludge use and disposal requirements, and any other federal or state laws to which the ECRWRF is subject.

13.2 Policy

The policy is established that the provisions of this chapter will be enforced to the fullest extent possible under the provisions of Federal Pretreatment Regulations 40 CFR Part 403 and Florida Administrative Code Rules, 62-302, 62-600, 62-604, 62-610, and 62-625 issued by the Florida Department of Environmental Protection, and the Industrial Pretreatment Program administered on behalf of the ECRWRF by the City of West Palm Beach. The standards set forth are minimum requirements to ensure the general health and welfare of the public. Except as otherwise provided herein, the City of West Palm Beach shall administer, implement, and enforce the provisions of this chapter as controlling authority of the ECRWRF.

13.3 Compliance with Provisions or More Stringent Regulations.

The more stringent of ECRWRF, State or Federal requirements and limitations on discharges shall apply in any case where they are more stringent than requirements and limitations or those in this chapter.

13.4 Prohibited Discharge Standards.

Users shall not discharge pollutants into the ECRWRF unless in accordance with this chapter and Chapter 18 of the Municipal Code.

Discharge prohibitions. No user shall discharge into the WWF any waste or wastewater which may cause pass-through or interfere with the operation or performance of the WWF. No user shall discharge into the WWF or any waste or wastewater containing any of the following:

- (1) Toxic or poisonous substances, chemical elements or compounds, taste or odor-producing substances, or any other substances which are not amenable to treatment or reduction by the wastewater treatment processes employed by the ECRWWTF. Toxic pollutants shall include, but not be limited to, any pollutant identified pursuant to 40 CFR Part 116(4).
- (2) Noxious, or malodorous solids, liquids, or gases or other wastewater which, either singly, or by interaction with other waste or wastewater:
 - a. Are capable of creating public nuisance or hazard to human or animal life,
 - b. Are or may be sufficient to prevent entry into a sewer for its maintenance, inspection, or repair, or
 - c. May create any hazard in the receiving waters of the ECRWWTF.
- (3) 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 WWF or to its operation. Prohibited materials include but are not limited to, petroleum oil and non-biodegradable cutting oil, pollutants with a closed cup flashpoint of less than one hundred forty (140) degrees Fahrenheit [sixty (60) degrees Centigrade], as determined by a Pensky-Martens Closed Cup Tester, using the test method specified in ASTM Standard D-93-79 or D-93-80k or a Setaflash Closed Cup Tester, using the test method specified in ASTM Standard D-3278 and pollutants which cause an excess of ten (10) percent of the lower explosive limit (LEL) at any point in the WWF, Specific products include, but are not limited to; gasoline, kerosene, fuel oil, motor oil, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides, and sulfides or any other substance which the city, the state, or any federal agency has determined is a fire hazard or hazard to the WWF.
- (4) Radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by regulations within the F.A.C. issued by the Florida

Department of Health and Rehabilitative Services and which will or may cause damage or hazards to the WWF or its operating personnel.

- (5) Storm water, surface water, groundwater, artesian well water, roof runoff, subsurface drainage, swimming pool discharges, uncontaminated cooling water, unpolluted industrial process waters, air-conditioning condensate, unless specifically authorized by the city in writing.
- (6) Domestic wastes from septic tanks, portable toilets, or other similar facilities, unless approved by the control authority in writing. Such discharges shall only be made at a site approved by the control authority.
- (7) Mineral oil in excess of fifty (50) mg/L or animal/vegetable fats, wax, grease, or oils in excess of one hundred (100) mg/L, whether emulsified or not; or substances which may solidify or become viscous at temperatures lower than or equal to one hundred fifty (150) degrees Fahrenheit.
- (8) All trucked or hauled pollutants are prohibited except at discharge points designated by the city.
- (9) Inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate) in such concentrations as to pass through or cause interference with the operations of the WWF.
- (10) Waste or wastewater having a pH lower than 5.5 exhibiting any corrosive property which either singly or by interaction with other wastes is capable of causing damage or hazard to structures, processes, equipment, or personnel of the WWF.
- (11) Waste or wastewater having a pH higher than 9.5 which either singly or by interaction with other wastes is capable of causing damage or hazard to structures, processes, equipment or personnel of the WWF.
- (12) BOD, COD, or chlorine in such concentration and/or flow as to constitute a significant load on or shock to the ECRWWTF or cause interference.
- (13) Volume of flow or concentrations of wastes constituting "slugs" as defined herein.
- (14) Liquid or vapor having a temperature higher than one hundred fifty degrees Fahrenheit (150° F) or that causes influent temperature to the ECRWWTF to

exceed one hundred four degrees Fahrenheit (104° F), except where higher temperatures are required by law.

- (15) Solid or viscous substances in such quantities or of such size as to be capable of causing obstruction to the flow in a sewer, or other interference with the proper operation of any connected system, such as but not limited to; particles greater than one-half (½) inch in any dimension, grease, uncomminuted food wastes, animal entrails or tissues, paunch manure, bones, hair, hides or fleshings, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains or hops, waste paper, wood plastics, rubber stoppers, tar asphalt residues from refining or processing of fuel or lubricating oil, gasoline, naphtha, and similar substances either whole or ground.
 - (16) Excessive discoloration which cannot be removed by the treatment process, such as but not limited to dye, printing wastes, and vegetable tanning solutions which imparts color to the ECRWWTF effluent thereby violating the NPDES permit held by the City of West Palm Beach on behalf of ECRWWTF. The discoloration (in combination with turbidity) shall not cause the ECRWWTF effluent to reduce the depth of the compensation point for photosynthetic activity by more than ten (10) percent from the seasonably established norm for aquatic life.
 - (17) Medical wastes, except as authorized by the city in a permit.
 - (18) Detergents, surface-active agents, or other substances which may cause excessive foaming in the WWF.
 - (19) Any sludges, screenings, or other residuals from the pretreatment of industrial wastes.
 - (20) Toxic gases, vapors, or fumes in a quantity that may cause acute worker health and safety problems.
- (a) *Compliance with national and local standards.* It shall be unlawful for any person to discharge any pollutant into the WWF except when such discharge is in compliance with federal standards promulgated pursuant to the Act, and any other more stringent state and local standards. Wastes containing concentrations in excess of the National Categorical Pretreatment Standards are prohibited.

- (b) Local pretreatment standards. Any wastes containing concentrations in excess of the local pretreatment standards included in the PPM-W are prohibited.
- (c) Right of revision. The city reserves the right to establish, by ordinance or in permits, more stringent limitations or requirements on discharges to the ECRWRF if deemed necessary to comply with the requirements of this article.
- (d) Dilution. No user shall ever 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 the limitations unless expressly authorized by an applicable Federal Categorical Pretreatment Standard, or in any other pollutant-specific limitation developed by the state. The control authority may impose mass limitations on users which are using dilution to meet applicable pretreatment standards or requirements, or in other cases when the imposition of mass limitations is appropriate.
- (e) Septic and industrial waste hauling.
 - (3) Septic tank waste may be introduced into the ECRWRF only at the septic receiving station located at the ECRWRF.
 - (4) Any industrial or septic waste haulers shall have a discharge permit issued under conditions specified herein.
 - (5) No hauled load may be discharged without prior written consent from the city. Samples may be collected from each load to ensure compliance with applicable standards. The industrial or septic waste hauler may be required to provide waste analysis of any load prior to discharge.
 - (6) Industrial and septic waste hauler must provide a waste tracking form for every load. The form shall include, at a minimum, the name and address of the waste hauler, permit number, truck identification, names and addresses of sources of waste, volume and characteristics of waste. This form shall identify the type of industry known or suspected waste constituents and whether any wastes are RCRA hazardous wastes.
- (f) Control of discharge. If any wastes or wastewaters are discharged, or are proposed to be discharged, to the ECRWRF which contain the substances or possess the characteristics enumerated in section 18-20 as prohibited by this article, does not meet applicable pretreatment standards and requirements, and/or which may have a deleterious effect upon the ECRWRF, its processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the city may:
 - (1) Reject the wastes or deny or condition the introduction of new sources of wastewater to the ECRWRF; or

- (2) Require the industrial user to demonstrate that in-plant improvements will modify the discharge to such a degree as to be acceptable; and/or
- (3) Require pretreatment of the industrial user's discharge to ensure compliance with this article; and/or
- (4) Require payment of an industrial waste surcharge to cover the added cost of handling and treating excess loads imposed on the ECRWRF by such discharge. These special surcharges shall be approved by the city as stated in the existing schedule of rates and fees to the ECRWRF. Approval of industrial waste surcharges for the recovery of treatment costs does not replace or supersede the requirements for pretreatment facilities, should they be found necessary by the city.

13.5 Pretreatment.

- (a) Local pretreatment standards. Any wastes containing concentrations in excess of the local pretreatment standards defined in this chapter are prohibited:

PARAMETER	MAXIMUM ALLOWABLE CONCENTRATION DURING A 24-HOUR PERIOD (mg/L)
Aluminum	16.0
Ammonia	50.0
Antimony	0.2
Arsenic	0.45
Barium	3.0
Beryllium	8.8
Biochemical Oxygen Demand (BOD)	400.0
Bismuth	0.05
Cadmium	0.32
Carbonaceous Biochemical Oxygen Demand (CBODs)	400.0
Chloride	600.0
Chemical Oxygen Demand (COD)	800.0
Chromium Total	30.00
Cobalt	1.0
Cooper	11.00
Cyanide	1.80
Cyanide Amendable to Chlorination	0.5
Hydrogen Sulfide	5.0
Iron	10.0
Lead	1.90
Manganese	1.0

Mercury	0.07
Molybdenum	0.80
Nickel	2.99
Oil, and Grease	100.0
Petroleum Hydrocarbons	15.0
pH (Standard Units)	5.5 9.5
Phenol	5.0
Phenolic Compound	0.5
Selenium	1.25
Silver	4.10
Strontium	0.2
Temperature (F)	150.0
Tin	0.6
Total Suspended Solids	400.0
Zinc	2.70

The above limits apply at the point where the wastewater is discharged to the ECRWRF. The control authority may impose mass limitations, instantaneous maximum limitations, maximum monthly average values, or maximum four-day average values, in addition to, or in place of, the limitations listed above.

- (b) Pretreatment facilities. Users shall provide wastewater treatment as necessary to comply with Article 18 of the Municipal Code and this Chapter. Users shall achieve compliance with all categorical pretreatment standards, local limits, and the prohibitions set out in this article within the time limitations specified by EPA, the state or the city, whichever is more stringent. Any pretreatment facility shall be provided, operated, and maintained at the user's sole cost and expense. Detailed plans prepared by a registered engineer in the state describing such facilities and operating procedures must be approved in writing by the city before such facilities are constructed. The review and approval of such plans and operating procedures shall not relieve user from the responsibility of modifying such facilities as necessary to produce a discharge in compliance with this article.
- (c) Additional pretreatment measures.
- (1) Whenever deemed necessary, the city may require users to restrict their discharge during peak flow periods, designate that certain wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage waste streams from industrial waste streams, and such other conditions as may be necessary to protect the ECRWRF and determine the user's compliance with the requirements of this article.
 - (2) The city may require any person discharging into the ECRWRF to install and maintain, on their property and at their sole cost and expense, a suitable storage and flow-control facility to ensure equalization of flow. A permit may be issued solely for flow equalization.

- (3) Users with the potential to discharge flammable substances shall be required to install and maintain an approved combustible gas detection meter.
- (4) All records relating to compliance with the referenced pretreatment standards shall be made available to the city, the state, and the EPA for examination and duplication upon request at no charge.
- (d) Pretreatment facilities - approval. If the city permits the pretreatment or equalization of waste flows, the design and installation of the equipment shall be subject to the review and approval of the city, and subject to the requirements of all applicable codes, ordinances, and laws.
- (e) Pretreatment facilities - maintenance. Where preliminary treatment or flow equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at the owner's expense.

13.6 Other Interceptors/Traps.

Sand and/or lint interceptors shall be provided when, in the opinion of the city, they are necessary for the proper handling of liquid wastes containing excessive amounts of grit material or lint, except that such interceptors shall not be required for private living quarters or dwellings or dwelling units. All interceptors shall be of a type and capacity approved by the city, and shall be located as to be readily and easily accessible for cleaning and inspection. The minimum size of interceptors shall be in conformance with the FBC Plumbing Code.

13.7 Measurements/Tests.

- (a) Measurements, tests. 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 the latest edition of "Standard Methods for the Examination of Water and Wastewater," Published by the American Public Health Association; shall be determined at the control manhole provided upon suitable samples taken at the control manhole; and 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 24 hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24 hour composites of all outfalls whereas pHs are determined from periodic grab samples.)
- (b) Control manhole. When required by the city, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be constructed in accordance with plans approved by the city. The manhole shall be

installed by the owner at his/her expense, and shall be maintained by the owner so as to be safe and accessible at all times.

13.8 Uncontrolled Discharges.

- (a) Each user shall provide the city protection from uncontrolled discharge of prohibited materials or other substances regulated by this chapter.
- (b) In the case of an uncontrolled discharge, it is the responsibility of the user to immediately telephone and notify the ECRWRF of the incident. The notification shall include location of discharge, type of waste, concentration and volume, and corrective actions.
- (c) Within five days following a slug discharge, the user shall submit to the Control Authority 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 POTW, 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.
- (d) 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 dangerous discharge. Employers shall ensure that all employees who may cause or suffer such a dangerous discharge to occur are advised of the emergency notification procedure.
- (e) Accidental uncontrolled discharge control plans. All IPP facilities, shall, to prevent uncontrolled discharges of prohibited materials, provide and maintain at the owner's cost and expense an accidental uncontrolled discharge control plan. 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. At least once every two (2) years, the Control Authority shall evaluate whether to require each significant industrial user to adopt an accidental discharge/slug control plan. Alternatively, the Control Authority may develop such a plan for any user. 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. An accidental uncontrolled discharge control plan shall address, at a minimum, the following:
 - (1) Description of discharge practices, including non-routine batch discharges;
 - (2) Description of all stored chemicals;
 - (3) Procedures for immediately notifying the city of any accidental or uncontrolled discharge; and

- (4) Procedures to prevent adverse impact from any accidental or uncontrolled discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.

13.9 Industrial Wastewater Discharge Permit.

- (a) An Industrial Wastewater Discharge Permit shall be obtained as required by Article 18 of the Municipal Code and this PPM-W which shall govern in all respects.
- (b) Application for discharge permit.
 - (1) It is unlawful to discharge industrial waste without a permit. Any violation of the terms and conditions of a permit shall be deemed a violation of this division and shall subject the permit holder to sanctions set out in sections 18-50 and 18-51. Obtaining a permit does not relieve a permittee of its obligation to comply with all federal and state pretreatment standards or requirements or with any other requirements of federal, state, and local law. The city may require other users, including liquid waste haulers and non-discharging users to obtain permits as necessary to carry out the purposes of this division.
 - (2) All prospective users must submit to the city the application fee and information on the nature and characteristics of their wastewater by completing a permit application/wastewater survey at least one hundred and eighty (180) days prior to the date upon which any discharge will begin. The city is authorized to prepare a form for this purpose and may periodically require users to update the survey. Information to be provided with the survey may include description of the industrial activity, specifications of the constituents inherent to the processes and wastes, identification of the wastewater characteristics, plumbing diagrams, location of sampling points, number of employees and hours of operation, and any other information deemed necessary by the city to evaluate the permit application. Failure to complete this survey shall be reasonable grounds for terminating service to the user and shall be considered a violation of this division.
 - (3) Within ninety (90) days of receipt of a complete permit application, the city will determine whether or not to issue a permit. The city may deny any application for a permit.
 - (4) All users which discharge industrial waste into the WWF prior to the effective date of this division are granted temporary authority to continue to discharge in

compliance with the existing codes, regulations, and policies of the city. Those users who wish to continue such discharges, shall apply for a permit within ninety (90) days after the effective date of this division. The user shall not cause or allow discharges to the WWF to continue after one hundred eighty (180) days of the effective date of this division, except in accordance with a permit issued by the city.

- (c) Application signatories and certification. All permit applications and user reporting must be signed by an authorized representative of the user and contain the following certification statement:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with 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."

All categorical industrial users must comply with the signatory requirements of Rule 62-625.600(11) F.A.C.

- (d) Permit issuance process.

- (1) Permits shall be expressly subject to all provisions of this division and all other applicable regulations. The cost of said permit shall be incurred by the user in accordance with the fee schedule as approved by resolution of the City Commission.
- (2) Permit duration shall not exceed five (5) years from the date of issuance and upon expiration of same, a renewal permit may be issued which shall be effective for an additional five (5) years provided that the conditions of the existing permit have not changed and the appropriate renewal fees have been paid. The permit shall be displayed by the user in a location at the permitted facility so as to be seen and read by the general public.
- (3) Permits shall contain at a minimum, the following conditions:
 - a. A statement that indicates permit duration;
 - b. A statement of non-transferability;

- c. Pretreatment standards and effluent limits applicable to the user based on applicable standards in federal, state and local law;
- d. Self monitoring, sampling, reporting, notification, and record keeping requirements;
- e. Statement of applicable civil, criminal, and administrative penalties for violation of pretreatment standards and requirements.

(4) Permits may contain the following additional comments:

- a. The unit charge or schedule of user charges and fees for management of the wastewater to be discharged to the WWF.
- b. Limits on the instantaneous, daily, monthly average and/or four-day maximum concentration, mass, or other measure of identified wastewater constituents and characteristics;
- c. Limits on the average and/or maximum rate and time of discharge and/or requirements for flow regulations and equalization;
- d. Requirements for installation and maintenance of inspection facilities, and flow metering and sampling equipment;
- e. Requirements for the installation of pretreatment technology, pollution control, or construction of appropriate containment devices, designed to reduce, eliminate, or prevent the introduction of pollutants into the WWF;
- f. Development and implementation of spill control plans or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or routine discharges;
- g. Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the WWF;
- h. A statement that compliance with the permit does not relieve the permittee of responsibility for compliance with all applicable federal and state pretreatment standards, including those which become effective during the term of the permit;
- i. Other conditions as deemed appropriate by the city to ensure compliance with this division, and federal and state laws, rules, and regulations.

- (e) Compliance schedules. If additional pretreatment and/or operation and maintenance will be required to meet the pretreatment standards, the user shall submit to the city for approval and incorporation in the permit the shortest schedule by which the user is to provide additional pretreatment. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standards. The compliance schedule shall meet the requirements set out in this PPM-W.

- (f) Permit transfer. Permits are issued to a specific user for a specific operation. A permit may not be reassigned, transferred or sold to a new owner or new user unless the permittee gives at least ninety (90) days advance written notice to the city and the city approves the permit transfer. The notice to the city shall include a written certification by the new owner and/or user that:
- (1) States that the new owner and/or user has no immediate intent to change the facility's operations and processes;
 - (2) Identifies the specific date on which the transfer is to occur;
 - (3) Acknowledges full responsibility for complying with the terms and conditions of the existing permit.

Failure to provide advance notice of a transfer renders the permit voidable on the date of facility transfer.

(g) Permit appeal.

- (1) The city shall provide public notice of the issuance of a permit. Any person, including the user, may petition the water utilities director to reconsider the terms of a permit within fifteen (15) days of its issuance. Failure to submit a timely petition for review shall be deemed to be a waiver of the administrative appeal.
- (2) In its petition, the appealing party must indicate the wastewater discharge provisions objected to, the reasons for the objection, and the alternative condition, if any, it seeks to place in the permit.
- (3) The effectiveness of the permit shall not be stayed pending the appeal.
- (4) If the water utilities director fails to act within fifteen (15) days, a request for reconsideration shall be deemed to be denied. Decisions not to reconsider a permit, not to issue a permit, or not to modify a permit, shall be considered final administrative action for purposes of judicial review.

(h) Permit modification. Permits may be modified by the city for good cause including, but not limited to, the following:

- (1) To incorporate any new or revised federal, state, or local pretreatment standards or requirements;

- (2) To address significant alterations or additions to the user's operation, processes, or wastewater volume or character since the time of permit issuance;
- (3) A change in the WWF that requires either a temporary or permanent reduction or elimination of the authorized discharge;
- (4) Information indicating that the permitted discharge poses a threat to the WWF, city personnel, or the receiving waters;
- (5) Violations of any terms or conditions of the permit;
- (6) Misrepresentations or failure to fully disclose all relevant facts in the permit application or in any required reporting;
- (7) Revision of or a grant of variance from categorical pretreatment standards pursuant to 40 CFR 403.13 and Rule 62-625.700, F.A.C.;
- (8) To correct typographical or other errors in the permit;
- (9) To reflect a transfer of the facility ownership and/or operation to a new owner/operator; or
- (10) Upon request of the permittee, provided such request does not create a violation of any applicable requirements, standards, laws, or rules and regulations.

User requests for permit modifications shall be made in writing and include facts or reasons which support the request. When modifying a permit, the city shall allow a reasonable time frame for the user to comply with the new or changed conditions if the user cannot meet them at the time of the modification and if permitted by law. If the new or changed conditions are the result of new or changed pretreatment regulations, those regulations will stipulate the compliance period. The filing of a request by the permittee for a permit modification does not stay any permit condition.

(i) Permit revocation. Permits may be revoked for the following reasons:

- (1) Failure to notify the city of significant changes to the wastewater prior to the changed discharge.
- (2) Failure to provide prior notification to the city of changed condition pursuant to this PPM-W.

- (3) Misrepresentation or failure to fully disclose all relevant facts in the permit application.
- (4) Falsifying self monitoring reports.
- (5) Tampering with monitoring equipment.
- (6) Refusing to allow the city timely access to the facility premises and records.
- (7) Failure to meet effluent limitations.
- (8) Failure to pay penalties.
- (9) Failure to pay sewer charges.
- (10) Failure to meet compliance schedules.
- (11) Failure to provide advance notice of the transfer of a permitted facility.
- (12) Violation of any pretreatment standard or requirement, or any terms of the permit or this PPM-W.
- (13) Indication that the discharge presents a threat to the environment or threatens to interfere with the operation of the WWF.

Permits shall be voidable upon nonuse, cessation of operations, or transfer of business ownership (except as addressed herein). All permits are void upon the issuance of a new permit.

(j) Appeal of permit revocation.

- (1) Authorization to discharge industrial waste into the WWF shall continue in effect unless or until rescinded by the water utilities director in writing. In the event that the water utilities director revokes the authorization of any user to discharge wastes into the WWF, notification of such revocation shall be delivered to the user by certified mail or by hand delivery.
- (2) Any system user whose authorization to discharge has been revoked may appeal the decision of the city manager. The appeal shall be sent in writing by certified mail, return receipt requested, to the water utilities director within fifteen (15) days of receipt of the city's notification to cease discharge.

- (3) The city manager may affirm, reverse, or modify the order of the water utilities director and shall issue its decision in writing. The water utilities director order to cease discharge of wastes into the WWF shall not become effective until the period for appeal has expired, or in the event that an appeal has been filed, until the city manager has rendered a decision, unless the water utilities director has made a finding that continued discharge by the user into the WWF constitutes a clear and present danger to the operations of the WWF or to the health of the public, or to the environment. Any such finding shall be included in the city's notification to cease discharge, and in such event, the revocation of authorization to discharge wastes shall become effective immediately.
- (k) Permit renewal. All permittees must apply for a permit renewal a minimum of ninety (90) days prior to the expiration of the existing permit. The reapplication for a permit shall consist of a written request for reissuance of the permit. The request shall state if all terms and conditions of the existing permit and PPM-W are complied with and must be signed by an authorized representative of the user.
- (l) Special agreements. The city reserves the right to enter into special agreements with users setting out special terms under which they may discharge to the WWF. In no case will a special agreement waive compliance with a categorical pretreatment standard or requirement.
- (m) Regulation of discharge from other jurisdictions. In the event another jurisdiction or municipality contributes all or a portion of its wastewater to the WWF, the city shall require the jurisdiction or municipality to enter into a multi-jurisdictional agreement with the city or the control authority. Prior to entering into a multi-jurisdictional agreement, the city may request the contributing jurisdiction provide the following information:
 - (1) A description of the quality and volume of the wastewater(s) at the point where it enters the WWF from the contributing jurisdiction.
 - (2) An inventory of all industrial users within the contributing jurisdiction.
 - (3) Such information as may be required by the city.
- (n) Multi-jurisdictional agreement. A multi-jurisdictional agreement as required in subsection (l) of this section, shall contain the following conditions:
 - (1) A requirement for the contributing jurisdiction to adopt an ordinance which is at least as stringent as this division and local limits which are at least as stringent as those set out in Chapter 18 of the municipal code and this PPM-W for those users

that discharge in the WWF. The requirement shall specify that the ordinance and limits must be revised as necessary to reflect changes made to this division.

- (2) A requirement for the contributing jurisdiction to submit a revised industrial user inventory on at least an annual basis.
- (3) A requirement for the contributing jurisdiction to:
 - a. Conduct pretreatment implementation activities including industrial user permit issuance, inspection and sampling, and enforcement; or
 - b. Authorize the control authority to take or conduct the activities on its behalf.
- (4) A requirement for the contributing jurisdiction to provide the control authority with access to all information that the contributing jurisdiction user or municipal user obtains as part of its pretreatment activities associated with the WWF.
- (5) Limits on the nature, quality, and volume of the contributing jurisdiction wastewater at the point where it discharges to the WWF.
- (6) Requirements for monitoring the discharge.
- (7) A provision ensuring the control authority access to the facilities of WWF users located within the contributing jurisdiction's jurisdictional boundaries for the purpose of inspection, sampling, and any other duties deemed necessary by the control authority.
- (8) A provision specifying remedies available for breach of the terms of the multi-jurisdictional agreement.

13.10 Reporting Requirements.

- (a) Baseline monitoring reports. Within either one hundred eighty (180) days after the effective date of a categorical pretreatment standard, or the final administrative decision on a category determination under Rule 62-625.410(2)(d), F.A.C., whichever is later, existing categorical industrial users currently discharging to or scheduled to discharge to the ECRWRF shall submit to the city a report which contains the information listed numerically below. At least ninety (90) days prior to commencement of their discharge, new sources, and sources that become categorical industrial users subsequent to the promulgation of an applicable categorical standard, shall submit to the city a report which contains the information listed numerically below. A new source shall report the method of pretreatment it intends to use to meet applicable categorical standards. A new source

also shall give estimates of its anticipated flow and quantity of pollutants to be discharged.

- (1) Identifying information. The name and address of the facility, including the name of the operator and owner.
- (2) Environmental permits. A list of any environmental control permits held by or for the facility.
- (3) Description of operations. A brief description of the nature, average rate of production, and standard industrial classifications of the operation(s) carried out by such user. This description should include a schematic process diagram which indicates points of discharge to the ECRWRF from the regulated processes.
- (4) Flow measurement. Information showing the measured average daily and maximum daily flow, in gallons per day, to the ECRWRF from regulated process streams and other streams, as necessary to allow use of the combined waste stream formula set out in Rule 62-625.410(6), F.A.C.
- (5) Measurement of Pollutants.
 - a. The categorical pretreatment standards applicable to each regulated process.
 - b. The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the standard or by the city, of regulated pollutants in the discharge from each regulated process. Instantaneous, daily maximum, and long-term average concentrations, or mass, where required, shall be reported. The sample shall be representative of daily operations and shall be analyzed in accordance with approved procedures.
 - c. Sampling must be performed in accordance with procedures set out in the Municipal Code Chapter 18.
- (6) Certification. A statement, reviewed by the user's authorized representative and certified by a qualified professional, indicating whether pretreatment standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required to meet the pretreatment standards and requirements.
- (7) Compliance Schedule. 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 and/or O&M. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard.

- (8) Signature and Certification. All baseline monitoring reports must be signed and certified.
- (b) Compliance Schedule Progress Reports. The following conditions shall apply to the compliance schedule:
- (1) The schedule shall contain progress increments 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 (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation);
 - (2) No increment referred to above shall exceed nine (9) months;
 - (3) The user shall submit a progress report to the city no later than fourteen (14) days following each date in the schedule and the final date of compliance, including, as a minimum, whether or not it complied with the increment of progress, the reason for any delay, and, if appropriate, the steps being taken by the user to return the established schedule; and
 - (4) In no event shall more than nine (9) months elapse between such progress reports to the city.
- (c) Reports on compliance with categorical pretreatment standard deadline. Within ninety (90) days following the date for final compliance with applicable categorical pretreatment standards, or in the case of the new source following commencement of the introduction of wastewater into the ECRWRF, any user subject to such pretreatment standards and requirements shall submit to the city a report. For users subject to equivalent mass or concentration limits established in accordance with the procedures in Rule 62-625,410(4), F.A.C., this report shall contain a reasonable measure of the user's long-term production rate. For all other users subject to categorical pretreatment standards expressed in terms of allowable pollutant discharge per unit of production (or other measure of operation), this report shall include the user's actual production during the appropriate sampling period. All compliance reports must be signed and certified.
- (d) Periodic Compliance Reports.
- (1) All significant industrial users shall, at a frequency determined by the city but in no case less than twice per year (in June and December), submit a report indicating the nature and concentration of pollutants in the discharge which are limited by pretreatment standards and the measured or estimated average and maximum daily flows for the reporting period. All periodic compliance reports must be signed and certified.

- (2) All wastewater samples must be representative of the user's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a user to keep its monitoring facility in good working order shall not be grounds for the user to claim that sample results are unrepresentative of its discharge.
 - (3) If a user subject to the reporting requirement in this section monitors any pollutant more frequently than required by the city, the results of this monitoring shall be included in the report.
- (e) Reports of Changed Conditions. Each user must notify the city of any planned significant changes to the user's operations or system which might alter the nature, quality, or volume of its wastewater at least thirty (30) days before the change.
- (1) The city may require the user to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a permit application.
 - (2) The city may issue a permit or modify an existing permit in response to changed conditions or anticipated changed conditions.
 - (3) For purposes of this requirement, significant changes include, but are not limited to, flow increases of twenty-five percent (25%) or greater, and the discharge of any previously unreported pollutants.
- (f) Reports of Potential Problems.
- (1) In the case of discharge, including, but not limited to, accidental discharges, discharges of a non-routine, episodic nature, a non-customary batch discharge, or a slug load, that may cause potential problems for the city, the user shall immediately telephone and notify the city of the incident. This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and corrective actions taken by the user.
 - (2) Within five (5) days following such discharge, the user shall, unless waived by the city, submit a detailed written report describing the cause(s) 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 ECRWRF, natural resources, or any other damage to person or property; nor shall such notification relieve the user of any fines, penalties, or other liability which may be imposed pursuant to this article.
 - (3) 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 discharge

described in subparagraph (1) above. Employers shall ensure that all employees, who may cause a discharge to occur, are advised of the emergency notification procedure.

- (g) Reports from Unpermitted Users. All users not required to obtain a permit shall provide appropriate reports to the city as the city may require.
- (h) Notice of Violation/Repeat Sampling and Reporting. If sampling performed by a user indicates a violation, the user must notify the city within twenty-four (24) hours of becoming aware of the violation. The user shall also repeat the sampling and analysis and submit the results of the repeat analysis to the city within thirty (30) days after becoming aware of the violation. The user is not required to resample if the city monitors at the user's facility at least once a month, or if the city samples between the user's initial sampling and when the user receives the results of this sampling.
- (i) Notification of Discharge of Hazardous Waste.
 - (1) Any user who commences the discharge of hazardous waste shall notify the city, the EPA Regional Waste Management Ordinance Director, and state hazardous waste authorities, in writing, of any discharge into the ECRWRF of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CRF Part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the user discharges more than one hundred (100) kilograms of such waste per calendar month to the ECRWRF, the notification also shall contain the following information to the extent such information is known and readily available to the user; an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the waste stream discharged during that calendar month, and an estimation of the mass of constituents in the waste stream expected to be discharged during the following twelve (12) months. All notifications must take place no later than one hundred and eighty (180) days after the discharge commences. Any notification under this paragraph needs be submitted only once for each hazardous waste discharged. However, notifications of changed conditions must be submitted under section 18-23(e). The notification requirement in this section does not apply to pollutants already reported by users subject to categorical pretreatment standards under the self-monitoring requirements of Article 18 Municipal Code.
 - (2) Discharges are exempt from the requirements of paragraph (1), above, during a calendar month in which they discharge no more than fifteen (15) kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than fifteen (15) kilograms of nonacute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-

time notification. Subsequent months during which the user discharges more than such quantities of any hazardous waste do not require additional notification.

- (3) In the case of any new regulations under Section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the user must notify the city, the EPA Regional Waste Management Waste Ordinance Director, and state hazardous waste authorities of the discharge of such substance within ninety (90) days of the effective date of such regulations.
 - (4) In the case of any notification made under this section, the user shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.
 - (5) This provision does not create a right to discharge any substance not otherwise permitted to be discharged by this article, a permit issued thereunder, or any applicable federal or state law.
- (j) Analytical Requirements. All pollutant analyses, including sampling techniques, to be submitted as part of a permit application or report shall be performed in accordance with the techniques prescribed in 62-625,600(1)(e), F.A.C., unless otherwise specified in an applicable categorical pretreatment standard; or the sampling or analytical techniques for the pollutant in question is not given for the pollutant in question, sampling and analyses must be performed in accordance with procedures approved by EPA.
- (k) Sample Collection.
- (1) Except as indicated in paragraph (2), below, the user must collect wastewater samples using flow proportional composite collection techniques. In the event flow proportional sampling is infeasible, the city may authorize the use of time proportional sampling or a minimum of four (4) grab samples where the user demonstrates that this will provide a representative sample of the effluent being discharged. In addition, grab samples may be required to show compliance with instantaneous discharge limits.
 - (2) Samples for oil and grease, temperature, pH, cyanide, phenols, sulfides, and volatile organic compounds must be contained using grab collection techniques.
- (l) Timing. Written reports will be deemed to have been submitted on the date postmarked. For reports which are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, the date of receipt of the report shall govern.
- (m) Records. Any industrial user subject to the reporting requirements in this article is requested to retain for a minimum of three (3) years any records of monitoring activities and results, and shall make records available for inspection or photocopying by the city or state or federal officials. Records shall include the date, exact place, method and time

of sampling and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analysis, the analytical techniques or methods used and the results of said analyses. The three-year period shall be automatically extended for the duration of any litigation concerning the user, the city or where the user has been specifically notified of a longer retention period by the city.

13.11 Protection from Damage.

See requirements of Chapter 18, Municipal Code.

13.12 Enforcement Actions.

See requirements of Chapter 18, Municipal Code and this PPM-W.

The following escalating enforcement strategy shall be used by the city when industrial users are out of compliance with this PPM-W. The various types of enforcement actions, including the industrial discharger enforcement procedure (IDEP), shall be used as determined by the city depending on the circumstances of the violation and the PPM-W. Applicable fines required by this chapter shall be added to the monthly water utility bill and collected in accordance with billing and collection procedures.

- (a) *Intermediate threat to public health.* The water utilities director may require the immediate halt of a discharge if it is deemed as an immediate threat to public health or the WWF.
- (b) *Self-monitoring.* The industrial user will review its self-monitoring data to determine whether a violation of this division and/or of its permit limitations has occurred. If a violation has occurred, the industrial user must provide to the city:
 - (1) 24-hour notification that a violation has occurred.
 - (2) Magnitude and nature of the violation.
 - (3) Details regarding analytical quality assurance.

Failure to comply with the 24-hour notification requirement will result in administrative fines per occurrence.

- (c) *Resampling.* Upon the determination that a violation has occurred, the industrial user must resample the final discharge for the violated parameter. The resampling data must be submitted to the city within thirty (30) days of discovery. Failure to resample and report within thirty (30) days is a violation of this division and Rule 62-625.600(6)(b), F.A.C. If the industrial user fails to resample and submit the report within thirty (30) days, the water utilities director will issue a notice of violation (NOV). Failure to comply with the NOV will result in a single administrative fine per violation. Continued failure

to comply within sixty (60) days from original violation thereafter will result in a monthly fine.

- (d) *WWF monitoring.* The water utilities director, or his designee, will conduct periodic, independent compliance monitoring of industrial users as appropriate. If the violation is not significant, as defined in this division, the city will issue a NOV and a 45-day compliance schedule including the requirement to resample in order to determine whether a violation is significant. The results of the resampling must be submitted to the city within thirty (30) days of receipt of the compliance schedule. Failure to comply will result in a Notice of Significant Violation. Continued failure to comply sixty (60) days after issuance of the NOSV will result in a monthly fine.
- (e) *Significant noncompliance.* The water utilities director, or designee will review sampling data obtained to determine whether significant noncompliance as defined in this division has occurred; in which case a notice of significant violation (NOSV) will be assessed per violation.
- (f) *Formal notice.* If significant noncompliance is determined to have occurred, the water utilities director will issue a notice of significant violation (NOSV), requiring the industrial user to submit within fifteen (15) days of the receipt of the notice, a 90-day compliance schedule to determine the need to install or construct pretreatment facilities. Failure to respond within fifteen (15) days will result in a single fine per violation. Upon receipt of the draft compliance schedule, the water utilities director will issue the compliance schedule as a condition of continued operation. A demonstration of compliance (DOC) will be included as the final item in the compliance schedule. If at any time during the 90-day schedule, the industrial user determines that pretreatment facilities are required, the industrial user will inform the water utilities director of such and submit a draft construction schedule.
- (g) *DOC.* Upon completion of the 90-day compliance schedule, the water utilities director will review the DOC data to determine whether compliance has been achieved. Failure to demonstrate compliance during the 90-day schedule will result in the water utilities director issuing another NOSV requiring the industrial user to submit within fifteen (15) days of receipt of the NOSV a draft compliance schedule for the construction of new pretreatment facilities or the improvement, modification or expansion of existing facilities. Failure to respond within fifteen (15) days will result in a single fine per violation. Continued failure to comply within sixty days of the NOSV thereafter will result in a monthly fine. Upon receipt of the draft compliance schedule, the water utilities director will issue the compliance schedule as a condition of continued operation. Approval of the facility design engineer by the water utilities director is required prior to design of the pretreatment facility. A DOC will be included as the final item in the

compliance schedule. Upon completion of the construction compliance schedule, the water utilities director will review the DOC data to determine whether compliance has been achieved.

- (h) *Final schedule of compliance.* If the construction of pretreatment facilities does not achieve compliance, the water utilities director will assess a fine and will issue a notice of monthly fine (NMF). Fines of the same amount will continue to be assessed on a monthly basis until compliance is achieved or service is terminated. The NMF will require that the industrial user submit a draft final compliance schedule within fifteen (15) days of receipt of the NMF. Upon receipt of the draft compliance schedule, the water utilities director will issue the final schedule of compliance as a condition of continued operation. A DOC period will be included as the final item in the compliance schedule. Upon completion of the compliance schedule, the water utilities director will review the DOC data to determine whether compliance has been achieved.

- (i) *Show cause hearing.* If the final compliance schedule does not achieve compliance, the water utilities director will issue a notice to show cause (NSC) why the discharge permit should not be revoked and service terminated, in accordance with law. The NSC will be served on the user specifying the time and place of the hearing, the proposed facts of the action, the reasons for such actions and a request that the user show cause why the proposed enforcement action should not be taken. The notice of hearing shall be served personally or by registered or certified mail (return receipt requested) at least ten (10) days prior to the hearing on the user or posted at the location where the alleged violation is occurring or has occurred. Whether or not the user appears as notified, immediate enforcement action may be pursued following the hearing. The water utilities director will hold the show cause hearing to determine whether the permit should be revoked and sewer services terminated.
 - (1) If the industrial user shows cause for its failure to comply, service shall not be terminated nor the permit revoked. The monthly fine will increase to an amount equal to the NMF and a new final compliance schedule will be issued.
 - (2) If the industrial user fails to show cause why its permit should not be revoked and service terminated, the industrial user's permit shall be revoked and its sewer service will be terminated by the city.
 - (3) Violations not addressed. Penalties for violations of this division and/or the user's permit not addressed in this section will be assessed at the discretion of the city.

13.13 Permit fees, surcharges and penalties.

- (a) Permit fees, industrial surcharges and penalties shall be in accordance with the provisions of the PPM-W and as approved by resolution.
- (b) Any person who violates a provision of this PPM- W may be prosecuted in the name of the state in a court having jurisdiction of misdemeanors by the prosecuting attorney thereof, and upon conviction shall be punished by a fine not to exceed the amount set by resolution of the city commission per day for each offense or by imprisonment not to exceed sixty (60) days or by both such, fine and imprisonment. If a violation continues, each day of such violation shall constitute a separate offense.
- (c) Any person who knowingly makes any false statement, representation or certification in any record or other document submitted under this division of industrial user permits shall be subject to fines or by imprisonment for not more than sixty (60) days, or both.

13.14 Civil and Criminal Remedies.

See requirements of Chapter 18, Municipal Code and this PPM-W.

13.15 Notification Requirements and Affirmative Defenses to Accidental Discharge, Upset, and Bypass.

See requirements of Chapter 18, Municipal Code.

13.16 Violations.

See requirements of Chapter 18, Municipal Code and this PPM-W.

- (a) The water utilities director may suspend the water service and/or the wastewater service and may revoke a wastewater contribution permit when such suspension or revocation is necessary, in the opinion of the water utilities director, to stop an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health and welfare of persons, or to the environment, causes or may cause interference to the POTW, or causes or may cause the POTW to violate any condition of its NPDES permit.
- (b) Any person notified of a suspension of the wastewater treatment service and/or the wastewater contribution permit shall immediately stop or eliminate the contribution. In the event of a failure of the person to comply voluntarily with the suspension order, the water utilities director shall take such steps as deemed necessary including initiation of legal action by the city attorney and immediate severance of the sewer connection, to

prevent or minimize damage to the wastewater facilities and endangerment to any individuals. The water utilities director shall reinstate the wastewater contribution permit and/or the wastewater treatment service upon proof of the elimination of the noncomplying discharge. A detailed written statement submitted by the User describing the causes of the harmful contribution and the measures taken to prevent any future occurrence shall be submitted to the water utilities director within fifteen (15) calendar days of the date of occurrence.

- (c) Any user who violates the following conditions of this chapter or applicable state and federal regulations, is subject to having his permit revoked in accordance with the procedures of Chapter 18 of the Municipal Code and this PPM-W.
 - (1) Failure of a user to report factually the wastewater constituents and characteristics of his discharge.
 - (2) Failure of the user to report significant changes in operations, or wastewater constituents and characteristics.
 - (3) Refusal of reasonable access to the user's premises for the purpose of inspection or monitoring.
 - (4) Violation of conditions of the permit.
- (d) Whenever the water utilities director finds that any user has violated or is violating this division, his wastewater contribution permit, or any prohibition, limitation or requirement contained herein, the water utilities director may serve upon such person a written notice stating the nature of the violation. Within thirty (30) days of the date of the notice, a plan for the satisfactory correction thereof shall be submitted to the water utilities director by the user.
- (e) In the event of violation of this PPM-W, the water utilities director or authorized employees may verbally instruct the owner as to the necessary corrective action. If the owner fails to carry out verbal instructions in a timely manner or if a serious violation or hazard to public health exists, the water utilities director, may issue to the owner a written order stating the nature of the violation, the corrective action and the time limit for completing the corrective action. This time limit will be not less than twenty-four (24) hours nor more than six (6) months, depending upon the type and severity of the violation. The offender shall within the period of time stated in such notice, permanently cease all violations. The record of the mailing of said notice or order shall be prima facie evidence thereof and failure of said owner or owners to receive same shall in no way affect the validity of any proceedings conducted pursuant to this chapter.

- (f) A person violating any provision of this section resulting in the disconnection of water and/or wastewater services by the water utilities director shall be charged the normal and usual charges for disconnection of said water and sewer services and the usual charges for connection of said water and wastewater services.

13.17 Authority to disconnect service.

The city reserves the right to terminate water and wastewater disposal services and disconnect a customer from the system when:

- (1) Acids or chemicals damaging to wastewater facilities are released into the sewer causing rapid deterioration of these structures or interfering with proper conveyance and treatment of wastewater;
- (2) A governmental agency informs the city that the effluent from the wastewater treatment plant is no longer of a quality permitted for discharge into a watercourse, and it is found that the customer is delivering wastewater to the city's system that cannot be sufficiently treated or requires treatment that is not provided by the city as normal domestic treatment; or
- (3) The customer:
 - a. Discharges industrial waste or wastewater that is in violation of the permit issued by the approving authority,
 - b. Discharges wastewater at an uncontrolled, variable rate in sufficient quality to cause an imbalance in the wastewater treatment system.
 - c. Fails to pay monthly bills for water and sanitary sewer services when due, or
 - d. Repeats a discharge of prohibited wastes into public sewers.

CHAPTER 14: FATS, OILS AND GREASE PROGRAM

14.1 Purpose

To regulate and reduce the discharge of fats, oils and greases from commercial, and industrial facilities into the sanitary sewer system. Such discharges contribute to sewer backups, excessive sewer cleaning, lift station cleaning and wastewater treatment plant problems.

14.2 Fats, Oils and Grease.

- (a) Wastewater containing such amounts of fats, oils or greases (FOG) as may be determined by the Water Utilities Director or his/her designee to be detrimental to the wastewater system shall not be directly discharged into the wastewater system. An efficient grease trap, grease interceptor or oil/water separator shall be utilized prior to discharge to the wastewater system and maintained as required in this section.
- (b) Wastewater from restaurants or food service facilities shall be presumed to contain grease and grease traps or grease interceptors shall be required at all such locations.
- (c) Automotive-related facilities including but not limited to car-washes and automobile repair shops, truck maintenance facilities and bus storage facilities, which may contribute petroleum-based oil to the collection system, are required to have an approved oil/water separator.
- (d) Commercial facilities which use oils or grease may be required to furnish an oil or grease separator when, in the opinion of the city building official or Director of Water Utilities, an interceptor (separator or grease trap) is necessary for the proper handling of wastes containing matter considered harmful to the sanitary sewer system.
 - (1) All interception units shall be of type and capacity approved in writing by the city and shall be installed at a location on the premises to be easily accessible for cleaning and inspection. The minimum size of interceptors shall be in conformance with the FBC Plumbing Code, except that interceptors for restaurants of all types shall be 25 gallons of capacity per restaurant seat.
 - (2) All nonresidential facilities that prepare, process or serve food as determined by the Water Utilities Director or his/her designee are required to have an approved grease interceptor or approved grease trap. Such facilities shall follow all Certified Professional Food Management (CPFM) laws and rules required by the Health Department.
 - (3) A grease interceptor (separator or grease trap) shall be installed in the waste water line leading from the sinks, floor drains, mop sinks, service sinks or funnel drains in a food service facility.
 - (4) An oil interceptor (separator or grease trap) shall be installed in the storm and/or sanitary sewer drains of car washes, service stations, automotive repair facilities, truck maintenance facilities and bus storage yards when, in the opinion of the city building official or Director of Water Utilities, a potential hazard exists in that oils or other flammables could be introduced or admitted into the drainage system.
 - (5) The specifications of the Plumbing and Drainage Institute shall be utilized for the sizing of interceptors (separators or grease traps). The size, type material and location of interceptors shall be approved by the building official.

- (6) Each interceptor shall be installed as to provide ready accessibility for service and maintenance, and to be separate from food service areas.
- (7) No waste other than that requiring treatment or separation (no sanitary waste) shall be discharged into any interceptor.
- (8) Grease interceptors, grease traps, and oil/water separators shall be installed solely at the customer's expense. Proper operation, maintenance, and repair of grease interceptors, grease traps, and oil/water separators shall be done solely at the customer's expense.
- (9) The owner or operator shall maintain a maintenance log for the grease interceptors, grease traps, or oil/water separators on site that includes the previous 12-months activity. The log shall be available upon request by the city and include the date, time, maintenance performed, volume removed each pump out, and the name, signature, and contact information of the person who performed the maintenance.
- (10) No chemicals shall be added to grease traps, including:
 - a. Solvents
 - b. Emulsifiers
 - c. Caustics
 - d. Acids
 - e. Enzymes
 - f. Bacteria
- (11) Grease traps shall be cleaned at least monthly, and as follows:
 - a. When there is 6 inches of grease on top of the water
 - b. When solids are 8 inches above the bottom of the grease trap.
- (12) Grease traps shall not have grease removed by decanting, skimming or back-flushing.
- (13) Customers shall repair, retrofit or replace any existing grease trap within 90 days of notice by the City that the customer is contributing unacceptable levels of FOG to the sanitary sewer system.
- (14) If grease accumulates in the wastewater collection system lines or damage to the wastewater system is caused by the discharge of FOG from a commercial facility required to have a grease trap, the owner or operator may be billed for cleaning the collection lines or any other expense incurred by the city.

- (15) Interceptors shall not be required for residential connections.
- (16) The City shall establish a fats, oils and grease (FOG) collection surcharge to be applied to the wastewater account of all commercial accounts that have a required grease trap. The surcharge for periodic removal of fats, oils and greases from the grease trap shall be established as part of the fees and charges for sewer service approved by resolution of the City Commission. The required oil and grease collection surcharge may be waived, if the commercial customer submits an annual written contract and invoices demonstrating that they have monthly private collection service for oil and grease traps from a vendor approved by the City and listed in the attachments to the PPM-W. The Director or designee shall inspect all grease traps annually. Any facility or person found in violation of this chapter shall be charged the FOG collection surcharge until the facility is found to be in compliance.

CHAPTER 15: PRIVATE WASTEWATER DISPOSAL SYSTEMS

15.1 On-Site Disposal Systems.

- (a) Where a public sanitary sewer is not available as defined above, the building sewer shall be connected to a private wastewater disposal system complying with the provisions of this section. No person shall construct a septic tank or other wastewater disposal facility without prior permitting by the PBCPHU.
- (b) The city will not issue a building permit involving the generation and discharge of effluents unless the applicant has previously obtained permit and/or approval from the PBCPHU.
- (c) It shall be unlawful for any person to construct or maintain any privy, privy vault or cesspool.
- (d) It shall be unlawful to maintain or construct any septic tank where a public sewer is available.
- (e) The type, capacities, location, minimum areas and layout of a private wastewater disposal system shall comply with all regulations of the State Department of Health, as related in Chapter 64E, FAC, and to all state and local regulation. No septic tank or cesspool shall be permitted to discharge to any natural outlet.
- (f) The owners shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times, at no expense to the city.
- (g) Restrictions and permits for removing septic tank contents: It shall be unlawful to empty, dump, throw or otherwise discharge into any manhole, catch basin or other collection

system opening, the contents of any septic tank, sludge, sewage or other similar matter or material, except as approved by the ECRWRF.

- (h) No statement contained in this section shall be construed to interfere with any additional requirements that may be imposed by the Health Officer, PBCDERM, or Utilities Director.
- (i) At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided above, a direct connection shall be made to the public sewer within 180 days after date of official notice by the city so to do in compliance with this chapter, and any septic tanks, and similar private sewage disposal facilities shall be abandoned and filled with suitable material, as outlined in Chapter 64E-6, F.A.C.

15.2 Septic Tank Inspections.

- (a) Septic tank inspections: Any residential property utilizing a septic tank system for the disposal of sanitary wastes will be required, prior to the sale of said property, to pass a septic tank inspection by a licensed septic tank service firm to verify the integrity of the system.

15.3 Private Sanitary Sewer Systems Constructed to Serve Subdivisions and the like

- (a) General Requirements.
 - (1) Any person desiring to design and construct a sanitary sewer system to serve a subdivision, lot or parcel and to have such system included in the city's sanitary sewer system must comply in every and all respects with the provisions of this chapter.
 - (2) In the case of a collection system to serve a subdivision, the developer shall first submit to the city Utilities Director a preliminary subdivision plat showing all details of the topography thereon.
 - (3) In the case of a collection system to serve an existing lot or parcel for which a subdivision plat is not required the developer must submit a preliminary site plan to the city Utilities Director showing the improvements proposed and all details of the topography thereon.
 - (4) Upon receipt of such preliminary subdivision plat or site plan, the city Utilities Director will advise the developer as to the availability of a receiving sewer line.
 - (5) In the event a new lift station, an increase in capacity of an existing lift station, a new force main or a gravity main is required, the city Utilities Director will determine location, capacity and limits of the area the facility is intended to serve.

- (6) The city Water Utilities Director will designate the portions of the new collection system, if any, that will become a part of the city's POTW.
- (7) All costs for planning, designing, permitting and constructing the system in accordance with the drawings accepted by the City Water Utilities Director shall be borne by the developer.
- (8) Developers are required to maintain the new collection system in accordance with this chapter until completion of the associated project.
- (9) Upon completion of the installation, and prior to connection to the city POTW, the developer shall submit to the city Water Utilities Director signed and sealed as-built drawings, copy of FDEP certification form, and copy of PBCPHU as-built approval.
- (10) At the option of the city Water Utilities Director, he may designate portions of a new collections system to become part of the city's POTW. In such event, the developer, upon completion of the new collection system installation, shall be required to transfer ownership of such portion, including right-of-ways and easements, to the city at no charge to the city. The city Water Utilities Department shall be responsible for the operation and maintenance of any such newly acquired portions.
- (11) If a new collection system is to be privately owned and operated, the owner must comply in every and all respects with the provisions of this chapter.

(b) Construction Standards.

- (1) The city Water Utilities Director shall develop and maintain specific design criteria that shall govern the review and approval of plats and site plans submitted in accordance with division (A) of this section. Such design criteria shall be made available for the use and benefit of developers, engineers and the citizens of Lake Worth.
- (2) The new collection system shall be designed in strict accordance to FAC Chapter 62 requirements, and city standards created per subdivision (1) hereof.
- (3) The developer shall engage the services of a professional engineer registered in the state for the preparation of the required drawings, and shall obtain all necessary permits for the construction of the new collection system.

15.4 Operation and Maintenance of Private Sewage Disposal Facilities.

- (a) The owners of all private sewer collection systems within the city shall be responsible for the proper maintenance and operation of said systems to prevent sewer backups, prevent

sewer overflows and minimize inflow and infiltration, in accordance with section 62-604.500 of the Florida Administrative Code (FAC).

- (b) Any person seeking a permit from the city for the installation of a private collection system shall provide drawings showing the private collection system and indicating the exact location of any and all lift stations included within the system. The Department will maintain documents pertaining to private collection systems located within city limits.
- (c) The owners of all private collection systems shall be required to develop and follow a sewage spill contingency plan for such systems addressing and remediating sewage spills caused by but not limited to line failure, line collapse, line obstruction, surcharge, power failure and/or mechanical failure.
- (d) The owners of all private lift stations shall enter into an agreement for the regular servicing and maintenance of said lift stations. All required work shall be performed by a person holding a State of Florida master plumbing certificate of competency, a Palm Beach County master plumber certificate of competency, or a wastewater collection technician license, or by a person approved by the Director to do such work. The maintenance contract shall provide for the maintenance of said lift stations a minimum of once per month and the availability of 24 hours per day emergency service to maintain said lift stations in full operating condition at all times. The owners of all private lift stations shall, in addition, maintain a written maintenance record and shall make same available to the city to assist in the enforcement of the provisions of this section.
- (e) Any owners of all private collection systems shall obtain an operating permit from the Department. Said permit shall be renewable on an annual basis 90 days prior to the expiration date specified on the existing permit at a charge to be established by resolution of the City Commission.
 - (1) As a condition requisite for the obtaining of an initial operating permit, the owner of such private collection system shall be required to submit a copy of the following to the city:
 - a. A document delineating the private collecting system as required in subdivision (b) hereof,
 - b. A copy of the private lift station service and maintenance agreement, as per subdivision (d) hereof
 - c. A sewage spill contingency plan as required by subdivision (c) hereof, and as defined by the city,
 - d. As a condition requisite for renewing the operating permit, the owner of such private collection system shall be required to submit copies of the system maintenance records for the 12 month period prior to the operating permit renewal date, a copy of the private lift station service and maintenance agreement as required and an updated sewage spill contingency plan.

- (f) The owners of all private lift stations shall comply with the provisions of this chapter within 90 days of the effective date of this chapter.
- (g) The Department shall perform an annual video inspection of all private gravity sewer collection systems, and a visual inspection of all lift stations. An annual inspection fee to be established by resolution of the City Commission shall be assessed for each private collection system and for each lift station. Private collection systems shall be inspected for evidence of sewer backups, sewer overflows, excessive inflow and infiltration. Based on the findings of these inspections, appropriate enforcement action may be taken, including code enforcement actions.

REVISION LIST

REVISION 1

Revisions are highlighted for purposes of clarity.

Par. 1.7: Added definition of Equivalent Residential Unit (ERU).

Par 7.3: Revised paragraphs redefining Equivalent Residential Units for residential and non-residential properties. ERUs for single family residential uses are based on number of units. ERUs for multi-family residential uses are based on 66% of number of units. ERUs for non-residential uses are based on meter size per revised Table in 7.3.

Date: 12/16/15

Recommended by: Larry A. Johnson Approved by: Michael Bornstein

Larry A. Johnson, Director

Michael Bornstein, City Manager