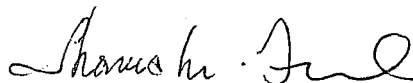


ORDINANCE #408-1986

SEWER USE ORDINANCE

THIS IS A SUMMARY OF ORDINANCE #408-1986
SEWER USE ORDINANCE, PREPARED BY THOMAS M. FUNK,
ATTORNEY AT LAW, DULY LICENSED ATTORNEY AT LAW
IN THE COMMONWEALTH OF KENTUCKY.

"Ordinance #408-1986 is an Ordinance of the City of Dry Ridge establishing a uniform policy for making direct or indirect connections to the wastewater collection and treatment system by the City of Dry Ridge; regulating the types of wastewater which may be discharged into said system; establishing a wastewater discharge permit program; and mandating a wastewater pre-treatment program; establishing parameters for wastewater; and providing a comprehensive regulation of the use of the wastewater treatment system of the City of Dry Ridge."




THOMAS M. FUNK
DRY RIDGE CITY ATTORNEY

PASSED AND ORDERED PUBLISHED BY THE CITY COUNCIL OF THE CITY OF DRY RIDGE, KENTUCKY,
ON THE 25th DAY OF SEPTEMBER, 1986.

First Reading was held on September 8, 1986

Second Reading was held on September 25, 1986.


NORMAN FERGUSON, MAYOR


CINDY L. HARRIS, CLERK

ORDINANCE # 408-1986

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ORDINANCE #408-1986

AN ORDINANCE OF THE CITY OF DRY RIDGE ESTABLISHING A UNIFORM POLICY FOR MAKING DIRECT OR INDIRECT CONNECTIONS TO THE WASTEWATER COLLECTION AND TREATMENT SYSTEM OF THE CITY OF DRY RIDGE; REGULATING THE TYPES OF WASTEWATER WHICH MAY BE DISCHARGED INTO SUCH SYSTEM; ESTABLISHING A WASTEWATER PERMIT(S) PROGRAM; AND MANDATING A WASTEWATER PRETREATMENT PROGRAM; ESTABLISHING PARAMETERS FOR WASTEWATER; PROVIDING A COMPREHENSIVE REGULATION OF THE USE OF THE WASTEWATER TREATMENT SYSTEM OF THE CITY OF DRY RIDGE.

BE IT ORDAINED BY THE CITY OF DRY RIDGE:

ARTICLE I
PURPOSE AND POLICY

1.01 This ordinance sets forth uniform requirements for direct and indirect contributors into the wastewater collection and treatment system of the City of Dry ridge and enables the City of DRY RIDGE in its operation of its wastewater collection and treatment system to comply with all applicable laws of the Commonwealth of Kentucky and of the United States particularly the Clean Water Act of 1977 as amended and all other similar laws and the regulations issued pursuant to these laws.

1.02 The objectives of this ordinance are:

(a) To prevent the introduction of pollutants into the municipal wastewater collection and treatment system which will interfere with the operation of the system or degrade or contaminate the resulting sludge and/or discharges from the Public Owned Treatment Works (POTW).

(b) To prevent the introduction of pollutants into the municipal wastewater collection and treatment system which would or might be harmful to the collection system or treatment plant or subject the POTW operator to harmful effects.

(c) To prevent the introduction of pollutants into the municipal wastewater collection system which will pass through the system, inadequately treated, into receiving water or the atmosphere or otherwise be incompatible with the system.

(d) To improve the opportunity to recycle and reclaim wastewater and sludges from the system.

(e) To provide for the equitable distribution of the cost of the municipal wastewater collection and treatment system.

1.03 This ordinance provides for the regulation of direct and indirect contributors to the municipal wastewater collection and treatment system through the issuance of permits to certain non-domestic users and through the enforcement of general requirements for the other users of such system; authorizes monitoring and enforcement activities; requires user reporting and provides for the setting of fees and charges for the equitable distribution of costs resulting from the program established herein.

1.04 This ordinance shall apply to the City of Williamstown and to all persons, within the City of Williamstown and to all persons and municipalities outside the City who are, by contract or agreement with the City of Williamstown, users of the municipally owned collection, and/or treatment works. Except as otherwise provided herein, the City of Williamstown, acting through its Mayor and/or Council and/or the Superintendent of the Sewer Department, as appropriate shall implement, administer and enforce the provisions of this ordinance.

ARTICLE II DEFINITIONS AND ABBREVIATIONS

2.01 Unless the context specifically indicates otherwise, the following terms shall have the meaning hereinafter set out opposite the term and the abbreviations shall be the abbreviations for the name or term:

(a) Definitions:

1. 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.

2. APPROVAL AUTHORITY. The Secretary of the Kentucky Natural Resources and Environmental Protection Cabinet or an authorized representative thereof.

3. AUTHORIZED REPRESENTATIVE. An authorized representative of a user may be:
(1) A principal executive officer of at least the level of vice president, if the

industrial user is a corporation; (2) a general partner or proprietor if the user is a partnership or proprietorship, respectively; (3) a duly authorized representative of the individual designated above if such representative is responsible for the overall operation of the facilities from which the indirect discharge originates.

An authorized representative of the City may be any person designated by the City to act on its behalf.

4. AVAILABLE. As used in connection with this ordinance, means a public sewer located at the property line or point at which connection may be made with the City sanitary sewage collection facilities.

5. BIOCHEMICAL OXYGEN DEMAND (BOD). The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure, five (5) days at 20° Celsius expressed in terms of weight and concentration in milligrams per liter (mg/l).

6. BUILDING DRAIN. That part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet outside the inner face of the building wall.

7. BUILDING SEWER. The extension from the building drain to the public sewer or other place of disposal, also called "house connection."

8. BUILDING SEWER PERMIT. As set forth in "Building Sewers and Connections" (Article V).

9. CATEGORICAL STANDARDS. National Categorical Pretreatment Standards or Pretreatment Standard. Any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307 (b) and (c) of the Act (33 U.S.C.

1347) which applies to a specific category of industrial users.

10. CITY. The City of DRY RIDGE, its City Council; or the Sewer Department or other entity having responsibility for the POTW.

11. COMBINED SEWER. Any conduit carrying both sanitary sewage and storm water or surface water.

12. SEWER DEPARTMENT. The DRY RIDGE Sewer Department.

13. COMPATIBLE POLLUTANT. Biochemical oxygen demand, suspended solids and fecal coliform bacteria; plus any additional pollutants identified in the POTW's NPDES/KPDES permit, where the POTW is designated to treat such pollutants and, in fact, does treat such pollutants to the degree required by the POTW's NPDES/KPDES permit.

14. COMPOSITE WASTEWATER SAMPLE. A combination of individual samples of water or wastewater taken at selected intervals, generally hourly for some specific period, to minimize the effect of variability of the individual sample. Individual samples may have equal volume or may be proportioned to the flow at the time of the sampling.

15. CONTROL AUTHORITY. The term "control authority" shall refer to the "Approval Authority" defined hereinabove; or the Williamstown Sewer Department if the City has an approved Pretreatment Program under the provisions of 40 CFR, 403.11.

16. COOLING WATER. The water discharged from any use such as air conditioning, cooling or refrigeration, or to which the only pollutant added is heat.

17. COUNTY HEALTH DEPARTMENT. The Grant County Health Center of the Northern Kentucky Health Department.

18. DIRECT DISCHARGE. The discharge of treated or untreated wastewater directly to the waters of the Commonwealth of Kentucky.

19. EASEMENT. An acquired legal right for the specific use of land owned by others.

20. ENVIRONMENTAL PROTECTION AGENCY, or EPA. The U.S. Environmental Protection Agency, or where appropriate the term may also be used as a designation for the Administrator or other duly authorized official of said agency.

21. EQUIPMENT. All movable, non-fixed items necessary to the wastewater treatment process.

22. FEDERAL PRETREATMENT STANDARDS. Federal regulations for pretreatment of industrial wastewater under 40 CFR Part 307, 402, 403, 405 and other applicable regulations, as amended.

23. 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. A wastewater shall be considered free of floatable oil if it is properly pretreated and the wastewater does not interfere with the proper operation of the collection system.

24. GARBAGE. The animal and vegetable waste resulting from the handling, preparation, cooking and serving of food.

25. 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.

26. HOLDING TANK WASTE. Any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks and vacuum-pump tank trucks.

27. INCOMPATIBLE POLLUTANT. All pollutants other than compatible pollutants

as defined in Paragraph 13 of this article.

28. INDIRECT DISCHARGE. The discharge or the introduction of non-domestic pollutants from any source regulated under section 307(b) or (c) of the Act, (33 U.S.C. 1317) into the POTW (including holding tank waste discharged into the system).

29. INDUSTRIAL USER. A source of Indirect Discharge which does not constitute a "discharge of pollutants" under regulations issued pursuant to Section 402, of the Act (33 U.S.C. 1342).

30. INDUSTRIAL WASTES. The wastewater from industrial or commercial processes as distinct from domestic or sanitary wastes.

31. INTERCEPTOR. A device designed and installed so as to separate and retain deleterious, hazardous or undesirable matter from normal wastes while permitting normal sewage or liquid wastes or discharge into the sewer system or drainage system by gravity. Interceptor as defined herein is commonly referred to as a grease, oil, or sand trap.

32. INTERFERENCE. The inhibition or disruption of the POTW treatment processes or operations or which contributes to a violation of any requirement of the City's NPDES/KDPES permit. The term includes prevention of sewage sludge use or disposal by the POTW in accordance with 405 of the Act (33 U.S. C. 1345) or any criteria, guidelines or regulations developed pursuant to the Solid Waste Disposal Act (SWDA), the Clean Air Act, the Toxic Substances Control Act, or more stringent state criteria (including those contained in any State sludge management plan prepared pursuant to Title IV of SWDA) applicable to the method of disposal or use employed by the POTW.

33. MANAGER. The person employed by the City of DRY RIDGE as Manager of the entire municipal sewer system, or his authorized deputy, agent or representative. See also Superintendent.

34. MAXIMUM DAILY CONCENTRATION. The maximum concentration of a pollutant based on the analytical results obtained from a 24 hour composite sample.

35. MAY. This is permissive (see "shall", paragraph 58.)

36. MULTI-USE SEWER CUSTOMER. A location served where there are two or more residential units or apartments, two or more businesses in the same building or complex or where there is any combination of business and residence in the same building or complex.

37. NATIONAL (OR KENTUCKY) POLLUTANT DISCHARGE ELIMINATION SYSTEM OR NPDES/KPDES PERMIT. A permit issued pursuant to Section 402 of the Act (33 U.S.C. 1332), or a permit issued by the Commonwealth of Kentucky under this authority and referred to as KPDES.

38. NATURAL OUTLET. Any outlet, including storm sewers, into a watercourse, pond, ditch, lake, or other body of surface or groundwater.

39. NEW SOURCE. Any source, the construction of which is commenced after the publication of proposed regulations prescribing a Section 307(c) (33 U.S.C. 1317) categorical pretreatment standard which will be applicable to such source, if such standard is thereafter promulgated within 120 days of proposal in the Federal Register. Where the standard is promulgated later than 120 days after proposal, a new source means any source, the construction of which is commenced after the date of promulgation of the standard.

40. OPERATION AND MAINTENANCE EXPENSES. All annual operation and maintenance expenses including replacement related directly to operating and maintaining the sewage works as shown by annual audit.

41. PERSON. Any individual, partnership, co-partnership, firm, company, corporation,

association, joint stock company, trust, estate, governmental entity, or any other legal entity, or their legal representatives, agent or assigns. The masculine gender shall include the feminine, the singular shall include the plural where indicated by the context.

42. PH. The logarithm of the reciprocal of the hydrogen ion concentration. The concentration is the weight of hydrogen ions, in grams, per liter of solution.

43. POLLUTANT. Any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharged into water.

44. POLLUTION. The man-made or man-induced alteration of the chemical, physical, biological, and radiological integrity of water.

45. POTW TREATMENT PLANT. That portion of the POTW designed to provide treatment to wastewater.

46. PRETREATMENT OR TREATMENT. The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration can be obtained by physical, chemical or biological processes, or process changes or other means, except as prohibited by 40 CFR Section 403.6(d).

47. PRETREATMENT REQUIREMENTS. Any substantive or procedural requirement related to pretreatment, other than a National Pretreatment standard imposed on a significant user.

48. PROHIBITIVE DISCHARGE STANDARD. Any regulation developed under the authority of

307 (b) of the Act and 40 CFR, Section 403.(5).

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

50. PUBLICLY OWNED TREATMENT WORKS (POTW). A treatment works as defined by Section 212 of the Act, (33 U.S.C. 1292) which is owned in this instance by the City. This definition includes any sewers that convey wastewater to the POTW treatment plant but does not include pipes, sewers, or other conveyances not connected to a facility providing treatment. For the purposes of this ordinance, "POTW" shall also include any sewer that convey wastewaters to the POTW from persons outside the city who are, by contract or agreement with the city, users of the city's POTW.

51. PUBLIC SEWER. A common sewer controlled by a governmental agency or public utility. In general, the public sewer shall include the main sewer in the street and the service branch to the curb or property line, or a main sewer on private property and the service branch to the extent of ownership by public authority.

52. REPLACEMENT. Expenditures for obtaining and installing equipment, accessories or appurtenances which are necessary during the service life of the treatment works to maintain the capacity and performance for which such works were designed and constructed.

53. SANITARY SEWER. A sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions.

54. SEWAGE. The spent water of a

community. Domestic or sanitary waste shall mean the liquid or water-carried wastes from residences, commercial buildings and institutions as distinct from industrial sewage. The term "sewage" and "wastewater" are used interchangeably.

55. SEWAGE SYSTEM OR WORKS. All facilities for collecting, transporting, pumping, treating and disposing of sewage and sludge, namely the sewerage system and POTW.

56. SEWER. A pipe or conduit that carries wastewater or drainage water.

57. SEWER USER CHARGES. A system of charges levied on users of a POTW for the cost of operation and maintenance, including replacement of such works, expansion and debt service.

58. SHALL. Is mandatory (see "may," paragraph 35).

59. SIGNIFICANT USER. Any user of the City's wastewater disposal system who (i) has a discharge flow of 25,000 gallons or more per average work day, or (ii) has a flow greater than 5 percent of the flow in the City's wastewater treatment system, or (iii) has in his wastes toxic pollutants as defined pursuant to Section 307 of the Act or State Statutes and rules, or (iv) is found by the City, State Control Agency or the U. S. Environmental Protection Agency (EPA) to have significant impact, either singly or in combination with other contributing users, on the wastewater treatment system, the quality of sludge, the system's effluent quality, or air emissions generated by the system.

60. SLUG. Any discharge of water or wastewater which in concentration of any given constituent or the quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flow rate during normal operation and/or adversely affects the POTW.

61. SPECIFICATIONS. The City's specifications for water and sewer system design, construction and inspection, latest revision.

62. STANDARD INDUSTRIAL CLASSIFICATION (SIC). A classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, U. S. Bureau of the Budget, 1972.

63. STANDARD METHODS. The examination and analytical procedures set forth in the most recent edition of "Standard Methods for the Examination of Water and Wastewater." published jointly by the American Public Health Association, the American Water Works Association and the Water Pollution Control Federation and as set forth in the Congressional Record 40 CFR 136.

64. STATE. Commonwealth of Kentucky.

65. STORM DRAIN (SOMETIMES TERMED "STORM SEWER"). A drain or sewer for conveying water, groundwater, surface water, or unpolluted water from any source.

66. STORM WATER. Any flow occurring during or following any form of natural precipitation and resulting therefrom.

67. SUPERINTENDENT. The Superintendent of wastewater facilities, and/or of wastewater treatment works, and/or of water pollution control of the City of DRY RIDGE or his authorized deputy, agent, or representative. (Also see "Manager," paragraph 33).

68. SURCHARGE. A charge for services in addition to the basic sewer user and debt service charges.

69. SUSPENDED SOLIDS (TSS). 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.

70. 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 Clean Water Act Section 307(a) or other Acts.

71. UNPOLLUTED WATER. Water of quality equal to or better than the treatment works effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.

72. USER. Any person who contributes, causes or permits the contribution of wastewater into the POTW.

73. USER CHARGE. The charge levied on all users, including but not limited to, persons, firms, corporations, or governmental entities that discharge, cause, or permit the discharge of sewage into the POTW.

74. WASTEWATER. The spent water of a community; Sanitary or domestic wastes shall mean the liquid and water carried wastes from residences, commercial buildings and institutions as distinct from industrial waste.

75. WASTEWATER CONTRIBUTION PERMIT. As set forth in the Administration Section of this ordinance.

76. WASTEWATER FACILITIES. The structures, equipment, and processes required to collect, carry away, and treat domestic and industrial wastes and dispose of the effluent.

77. WASTEWATER TREATMENT WORKS. An arrangement of devices and structures for treating wastewater, industrial wastes, and sludge. Sometimes used as synonymous with "waste treatment plant" or wastewater

treatment plant" or "water pollution control plant" or "sewage treatment plant."

78. WATERCOURSE. A natural or artificial channel for the passage of water either continuously or intermittently.

79. WATERS OF THE STATE. All streams, lakes, ponds, marshes, water courses, waterways, wells, springs, reservoirs, aquifers, irrigation system, drainage system and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the State or any portion thereof.

(b) Abbreviations:

The following abbreviations shall have the designated meanings:

ADMI - American Dye Manufacturers Institute
ASTM - American Standard Testing Methods
AWWA - American Water Works Association
BOD - Biochemical oxygen demand.
CFR - Code of Federal Regulations.
CWA - Clean Water Act of 1979
EPA - Environmental Protection Agency.
KPDES - Kentucky Pollutant Discharge
Elimination System.
l - Liter
mg - Milligrams
mg/l - Milligrams per liter
NPDES - National Pollutant Discharge
Elimination System.
POTW - Publicly Owned Treatment Works.
SIC - Standard Industrial Classification.
SWDA - Solid Waste Disposal Act, 42 U.S.C.
6901, et.seq.
TSS - Total suspended solids.
USC - United States Code.
WPCF - Water Pollution Control Federation

ARTICLE III
USE OF PUBLIC SEWERS

3.01 Mandatory Sewer Connections

All owners, tenants, occupants of dwelling houses, apartments, apartment buildings, hotels, mobilehomes, housetrailers, mobile-home parks, trailer camps, manufacturing plants, commercial establishments or any other building or structure or unit of any kind or nature used at any time for human occupancy or suitable for human occupancy situated on any lot or lots or parcel of land, through which any publicly owned sewage collection line now or hereafter is installed, or which abuts on any road, street, alley or easement, in which there is now or is hereafter installed a publicly owned sanitary sewage collection line or to which property a publicly owned sanitary sewage line is now or hereafter extended shall at the owner or occupants sole expense install suitable toilet and other facilities therein for the receiving of human and domestic waste and all other impure waters within ninety (90) days after such sewage collection line is placed in operation, or within ninety (90) days of official notice to do so, connect therewith all sanitary sewage drain pipes of such dwelling(s), house(s), apartment(s), hotel(s), motel(s), mobile home(s), house trailer(s), mobile home park(s), trailer camp(s), manufacturing or commercial establishments or other building with said sanitary collection line conveying thereby all the sewage and wastewater therefrom into the available sanitary sewage collection treatment and disposal system, such connection to be made in accordance with such rules and regulations as the City may by ordinance (including this ordinance) from time to time establish and the failure to make such connection is hereby declared unlawful and to constitute a nuisance.

3.02 All Future Buildings to be Fully Served by POTW

No person shall commence the erection of any building or other improvement, which is or the components of which are, capable of emitting liquid waste or sewage, on any lot or parcel of land abutting on any road, street, alley or easement in which there is now or in which there may be hereafter installed and maintained any sanitary sewage collection line;

or any lot or parcel of land through which there is now or there is hereafter installed a sanitary sewage collection line or to which a sanitary sewage collection line is available without first exhibiting to the City Council or such official as it may designate, satisfactory evidence that a means has been or will be provided for connecting the sanitary sewage drain pipes (building drains and building sewer) from such building or other improvements with such sanitary sewage collection line. No storm water or other surface or subsurface water, drain, or any source of unpolluted water shall be connected with any sanitary sewage collection line now or hereafter constructed, nor shall any storm water, surface or subsurface or unpolluted water be otherwise introduced into any such sanitary sewage collection line.

3.03 Unlawful Facilities

It shall be unlawful to construct or maintain or use any pit privy, privy vault, septic tank, cesspool or other facility used or intended to be used for the disposal of wastewater where public sanitary sewer service is available as defined in Section 3.01 hereof; except as provided for in "Private Waste-Water Disposal" (Article IV hereof). The existence within the City, where ever the services of the City sanitary sewage collection, treatment and disposal facilities are now available, of open surface drainage of waste water, pit privy, privy, privy vault, septic tank, cesspool, sewage lateral, earth pits, sanitary waste vaults, sewage drainage fields, private sewage disposal systems, or any other such facility or works for the disposition of the sanitary sewage wastes other than the facilities of the City, is hereby declared to be a menace to the public health, safety and general welfare of the citizens and inhabitants of the City and is hereby determined and declared to constitute a public nuisance. The existence of such facilities as toilets, sinks, wash basins, shower baths, bath tubs, kitchen sinks, any commercial or industrial machinery, facility or device producing a liquid waste product, etc. in or upon any improved property or premises in this City where the facilities of the City's sanitary sewage collection treatment system are available or may hereafter be made available, is declared to be a menace to the public health, safety and general welfare of the citizens and inhabitants of this City and is hereby determined and declared to constitute a public nuisance, unless such facilities and/or devices are connected to the city's sanitary sewage collection and treatment system. The City of Dry Ridge acting through its Mayor or the Superintendent of the Dry Ridge

Sewage Department may prescribe the type and manner of connection to its sanitary sewage collection and treatment system, and may require that each connection be supervised and inspected by an authorized agent of the City.

3.04 Unauthorized Tampering with POTW

No person, not previously authorized by the City Council of the City of Dry Ridge, its mayor, or an agent duly authorized by either of them, shall uncover, make any connection with or opening into, use, alter or disturb any publicly owned sewer, manhole or appurtenance of the City's sanitary sewage collection and treatment system, without first obtaining a written permit from the City of Dry Ridge or an agent of the City duly authorized to issue such permit. Before a permit may be issued for excavating in any road, public street, way, alley or easement in which a sanitary sewer is or may be laid, the person applying for such permit shall have executed and delivered to the City a surety bond, with good and sufficient surety approved by the City's treasurer in the penal sum of not less than FIVE HUNDRED DOLLARS (\$500.00) conditioned that he will faithfully perform all such work, with due care and skill, and skill, and in accordance with all Federal, State and Local laws and regulations relating to plumbing and to the collection treatment and disposal of wastewater. The bond shall state that the person, and his surety, will indemnify and save harmless the City and the owner of the premises and the adjoining premises against all damage, costs, expenses, outlays, and claims of every nature and kind arising out of the unskillfulness and negligence on his part in connection with plumbing or excavating for plumbing or any excavating as prescribed in this ordinance. Such bond shall remain in force and effect for one (1) year, except that on expiration it shall remain in force as to all penalties, claims and demands that may have accrued thereunder prior to such expiration.

3.05 Prohibited Occupancy or Use

Prior to occupancy or use of any building, structure, or other facility constructed, remodeled, added to or otherwise modified located on premises to which a public sewer is available and at such time as a public sewer becomes available to a property or premises served by a private wastewater disposal

system, and not previously served by a public sewer, a direct connection shall be made to the public sewer system (after all necessary permits have been applied for and obtained) in compliance with this ordinance and any septic tanks, cesspools, privy pits and similar private waste water disposal facilities shall be cleared of sludge and filled with suitable material or salvaged and removed.

3.06 Unauthorized Disposition of Waste

No person shall place, deposit or permit to be deposited in any unsanitary manner on any public or private property within the City of Dry Ridge or in any area under the jurisdiction of the City of Dry Ridge or into any sewer which connects to the storm sewer system of the City of Dry Ridge any wastewater, sanitary or domestic waste or industrial waste.

3.07 Prohibited Discharges

No person shall discharge to any natural outlet, or on the surface of the land or into any stream or body of water within the City of Dry Ridge or in any area under the jurisdiction of said City any wastewater or industrial waste or other polluted water except where suitable treatment has been provided in accordance with the provisions of this ordinance. No provision of this ordinance shall be constructed to relieve the owner of a discharge to any natural outlet, or on the surface of the land, or into any stream or body of water from the responsibility of complying with all applicable Federal and State laws and regulations applying to such discharge.

3.08 Compliance With Local, State and Federal Laws

(a) No person shall discharge any wastewater, industrial waste or other polluted waters, except in full compliance with the provisions of this ordinance and any more stringent state or federal standards, incorporated in State and Federal Laws, including but not limited, to the Federal Water Pollution Control Act of 1972 and the Clean Water Act of 1977 and all amendments thereto and the regulations issued pursuant to such statutes.

3.09 Discharge of Unpolluted Waters Into Sewer

(a) No person(s) shall discharge, cause to be discharged, or permit to be discharged, in any manner, including but not limited to leak, defect, or connection, any unpolluted water including but not limited to any storm water, ground water, roof run off, subsurface drainage or cooling water, to any sanitary sewer, building sewer, building drain or building

plumbing. The Superintendent of the Sewer Department of the City of Dry Ridge or his designated representative shall have the right, at any reasonable time to inspect the interior or exterior of buildings or structures and adjacent lands and/or smoke test for connections, leaks or defects to plumbing building drains, building sewers and to require the disconnection or repair of any pipes carrying such water to the building sewer. No sanitary drain, sump or sump pump intake or discharge by manual or automatic switch over of intake or discharge connection shall have a dual use for removal of such water. In case both storm and sanitary sewage is present, separate drainage and/or pumping shall be required.

(b) Storm water, surface water and ground water and all other unpolluted water or drainage may be discharged to storm sewers, approved by the City or its designated agent for such purpose. Unpolluted cooling water and/or unpolluted process water may be discharged to a storm sewer or natural outlet only upon the prior written approval of the City or its agent designated for the purpose of approval or disapproval of such action.

(c) The owner(s) of any plumbing building sewer or building drain having such connections, leaks or defects shall bear all costs incidental to removal, repair or correction of such sources.

3.10 Prohibited Contributions to POTW

No user shall contribute, cause to be contributed or permit to be contributed, directly or indirectly, any pollutant, wastewater or industrial waste which will interfere with the operation of the POTW or endanger the life, health or safety of any personnel engaged in operating and maintaining such POTW or in the operation and maintaining of the sanitary sewage collection systems. These general prohibitions apply to all users of the Williamstown Sanitary Sewer Collection System and the POTW, whether or not the user is subject to National Categorical Pretreatment Standards or any National, State, or Local Pretreatment Standards or Requirements. A user shall not contribute to such sewage collection system or to the POTW any of the following substances.

(a) Any liquids, solids, or gases which by reason of their nature or quantity are, or may be sufficient either alone or by interaction with other substances to cause explosion or fire or to be injurious in any way to the collection system or treatment plant or to the operation of such collection system or treatment plant or to cause a threat to the life, health or safety of the personnel engaged in the operation and maintenance

of such collection system and/or treatment plant. At no time shall such substances be of sufficient volume or strength to cause two (2) successive readings on an explosion hazard meter at the point of discharge into the system (or at any other point) to be more than five percent (5%), nor any single reading to be more than ten percent (10%) of the Lower Explosive Limit (LEL) of the meter. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and any other substance which the City, State or Federal government or any agencies thereof have notified the user is an explosion hazard, fire hazard or a hazard to the system.

(b) Any wastewater or industrial waste containing toxic pollutants, in sufficient quantity either alone or by interaction or reaction with other pollutants, to injure or interfere with the wastewater treatment process, constitute a hazard to life, health or safety of humans or animal and/or to create a toxic effect in the receiving waters of the POTW, and/or to exceed the limitations set forth in the Categorical Pretreatment Standard in effect at the time of discharge. A toxic pollutant shall include, but shall not be limited to, any pollutant identified pursuant to Section 307 (a) of the Act as amended.

(c) Any waters or wastes, wastewaters or industrial wastes having a pH of less than 6.0 or more than 9.0 or having any other corrosive properties capable of causing damage or hazard or injury to the sewage collection system or structures equipment or personnel of the POTW.

(d) Any slug or load of pollutants, including, but not limited to, oxygen demanding pollutants (BOD, etc.) released at a flow or concentration that will cause interference with the operation of the POTW.

(e) Any solid or viscous substances in quantities or of such size to be capable of causing obstructions to the flow in sewers, or to interfere with the proper operation of the wastewater facilities including the collections system and the POTW such as, but not limited to, ashes, bones, cinders, sand, mud, straw, wood shavings, metal shavings, metal, metal grindings, glass, rags, feathers, tar, plastic, wood, whole blood, paunch manure, hair, fleshings, entrails, paper dishes,

cups, milk containers, either whole or ground, spent lime, stone or marble dust, grass clippings, spent grains, spent hops, waste paper, gas, asphalt residues, unground garbage, residues from refining or processing fuel or lubricating oils, or glass or metal grinding or polishing wastes.

(f) Any wastewater with objectional color not readily removable in the POTW, but in no case wastewater with a color at the introduction into the collection system that exceeds 300 ADMI units.

(g) Any wastewater having a temperature which will inhibit biological activity in POTW (treatment plant) resulting in interference with the treatment process, and in no case with a temperature at the point of introduction into the collection system of a temperature exceeding 150 degrees Fahrenheit (65 degrees Celsius).

(h) Any noxious or malodorous liquids, gases or solids which either individually or by interaction or reaction with other wastes are sufficient to create a nuisance or are hazardous to life, health or safety or sufficient to prevent or restrict entry into the sewers or appurtenances for their maintenance or repair.

(i) Any substance which will or may cause the POTW's effluent or any other product of the POTW such as sludges, residues, or scum to be unsuitable for reclamation or reuse, or to substantially interfere with any reclamation process. In no case shall any substance be discharged into the sewage collection system to cause the POTW or any discharge or products from it to be in non-compliance with sludge use or disposal criteria, guidelines or regulations developed under or pursuant to Section 4.05 of the Act; any criteria, guidelines or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substance Control Act or State Criteria applicable to the sludge management method(s) being used by the City of Dry Ridge at the time of the discharge.

(j) Any substance which will cause the City of Dry Ridge and/or its POTW to violate its NPDES/KPDES and/or its sludge disposal system permit or to violate the receiving water quality standards fixed by any state or Federal agency having jurisdiction of such matters.

(k) Any wastewater containing any radioactive wastes or isotopes having a half-life or concentration as may exceed limits established by the City of Williamstown in compliance with applicable State or Federal Laws and/or regulations.

(l) Any wastewater containing concentrations of acids, iron pickling wastes or plating solutions of such strength and concentration as to be injurious to the POTW or any discharge or sludge therefrom.

(m) Any wastewater which constitutes or causes a hazard to human life, health or safety or which is or causes a public nuisance.

ARTICLE IV PRIVATE WASTEWATER DISPOSAL

4.01 Public Sewer Not Available

(a) Where a public sanitary sewer is not available under the provisions of "USE OF PUBLIC SEWER" (ARTICLE III) of this ordinance) the building sewer shall be connected, until the public building sewer connection is available, to a private wastewater disposal system complying fully with all applicable local and state laws and regulations.

(b) The owner of the premises shall maintain and operate the private sewage and disposal facilities at all times, in a sanitary manner, at no expense to the City. When it becomes necessary, the sludge may be removed and disposed of only in a manner approved by the City in accordance with applicable Federal, State and Local laws and regulations by operators licensed by the City. It shall be a condition of such license that such licensee shall maintain at all times a complete record, subject to inspection by officers and representatives of the City of the date, time and place of each removal of and disposition of such sludge.

(c) No statement contained in this article shall be construed to interfere with or lessen any requirement that may be imposed by applicable state or local laws or regulations.

(d) Industries and others with current NPDES/KPDES permits may discharge at permitted discharge points provided they are in compliance with all conditions of such permit.

4.02 Requirements for Installation

(a) The type, capacity, location and lay out of a private sewage disposal system shall comply with all local and state laws and regulations. Before commencement of the construction of a private sewage disposal system, the owner shall first obtain a written permit issued by the Codes Enforcement Officer of the City of Dry Ridge, after approval of the system by state and local authorities as required. The application shall be made on a form furnished by the Codes Enforcement Officer which the applicant shall supplement by any additional plans, specifications and other information as deemed necessary by the Codes Enforcement Officer.

(b) A permit for a private sewage disposal system shall not become effective until the installation has been completed to the satisfaction of the Codes Enforcement Officer and all other required state or local officers. They shall be allowed to inspect the work at any stage of construction, and in any event the applicant for the permit shall notify the Codes Enforcement Officer when the work is ready for final inspection and before any underground portions are covered. The inspection shall be made within forty-eight (48) hours of receipt of notice by the Codes Enforcement Officer, Saturday, Sunday and holidays excepted.

(c) No permit shall be issued for any private wastewater disposal system employing subsurface soil absorption facilities where the absorption area of the lot is less than 21,750 square feet.

(d) No septic tank or cesspool shall be permitted to discharge to any natural outlet.

ARTICLE V BUILDING SEWERS AND CONNECTIONS

5.01 Permits

(a) There shall be two (2) classes or types of building sewer permits required: (a) for residential use, and (b) for service to commercial and industrial establishments. In either case, the owner(s) or his agent shall make application on a form furnished by the City. Applications for service to commercial and industrial establishments shall be required to furnish detailed information about all waste producing activities, all wastewater characteristics and constituents and anticipated quantities. The permit application shall be supplemented by appropriate plans, specification, material to be used, and any other information reasonably required by the Codes Enforcement Officer. Details and

information required to obtain an industrial or commercial permit include, but are not limited to the requirements set out in this ordinance. All permits and inspection fees as set out in Article XII of this ordinance shall be paid to the City at the time the application is filed.

(b) All users having a building sewer permit for an industrial or commercial facility shall notify the Codes Enforcement Officer and the Superintendent of the Sewer Department at the time of any transfer of the property by conveyance, deed, lease or otherwise and at the time any new introduction of increased or different wastewater constituents or any proposed substantial change in the volume or character of the wastewater constituents being or to be introduced into the POTW.

5.02 Prohibited Connections

(a) No person shall make any connection of roof downspouts, basement wall seepage, or floor seepage, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building drain or building sewer, which in turn is connected directly or indirectly to a public sanitary sewer. Any such connection which exists on the effective date of this ordinance shall be completely and permanently disconnected within sixty (60) days following the effective date of this ordinance. The owner(s) of any building drains or building sewers, having such connection, leaks or defects shall bear any and all costs incident to the removal of such source. Pipes, sumps, sump pumps and similar plumbing and equipment for relief from such sources of surface and ground water shall be completely separated from wastewater facilities. Removal of such water or the sources thereof without the presence of separate facilities for the removal of wastewater shall be evidenced by drainage of such waters to the public Sanitary Sewer.

(b) No crawl space drains which is lower than ground surfaces surrounding the building shall be connected to the building sewer. No sanitary inlet which is lower than six (6) inches above the top of the lowest of the two adjacent public sanitary sewer manholes shall be connected by direct drainage to the building sanitary sewer.

5.03 Design and Installation

(a) A separate and independent building sewer shall be provided for each and every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed through an adjacent alley, court yard, driveway or easement provided by the city, the sewer from the front building may be extended to the rear

building and the whole considered as one building sewer; but neither the City nor its Sewer Department assumes any obligation or responsibility for any damage, loss or expense resulting from such single connection.

(b) Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Superintendent of the Dry Ridge Sewer Department or his designated agent, to meet all requirements of this ordinance and all other ordinances, laws, and regulations regulating such matters. Permit and inspection fees and tap-on fees for new buildings using existing building sewer shall be the same as for new building sewers. If additional sewer consumers or additional facilities are added to the old building sewers, additional sewer tap-on fees and inspection fees shall be charged, accordingly, even though no new sewer tap is actually made into the City of Dry Ridge POTW.

(c) The extension of user service lines from any point on the user side of the tap for delivery into a wastewater from any location other than that of the user in whose name the tap is registered is hereby prohibited.

(d) Each building sewer shall be constructed of either:

(i) cast iron soil pipe ASTM A-74, latest revision;

(ii) PVC (polyvinyl-chloride) sewer pipe. ASTM d-3034 latest revision.

(iii) Ductile Iron Pipe, cement lined AWWA specification C-151 latest revision

and shall meet all requirements of all state and local plumbing codes at the time of installation. The size, slope alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing the pipe, jointing and testing, and backfilling of the trench, shall all conform to the requirements, in effect at the time of the work, of the Local and State Building and Plumbing Codes and all other applicable regulations of the City of Dry Ridge. In the absence of local code provisions or in amplification thereof, the materials and procedure set forth in appropriate specifications of the ASTM and WPCF Manual of Practice No. 9. Latest revision shall apply.

(e) All costs and expenses incidental to the installation and construction of the building sewer shall be borne by the owner(s). The owner(s) shall indemnify the City for any loss, expense or damage that may, directly or indirectly be occasioned to the City by the installation of the building sewer.

The owner(s) shall pay to the City a tap-on fee at the time of the application for a tap-on permit as provided in Article XII of this ordinance.

(f) The owner(s) shall ensure that all excavations for building sewer installation are, at all times, adequately guarded with barricades and lights so as to protect the public and all persons from hazard or danger. Streets, sidewalks, parkways and all other public property disturbed shall be restored in a manner approved by the City's Code Enforcement Officer.

(g) In all buildings in which any sanitary facility drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such drain shall be lifted by an approved means and discharged to the building sewer. Drain pipe and sump for collection of such sanitary drainage shall be above the basement floor or in a separate water tight sump and shall be so designed and constructed and maintained so as to exclude all surface or subsurface waters.

(h) No person working on any building drain or the Williamstown POTW, with a cleaning rod shall use a rod not previously approved by the Superintendent of the Sewer Department in cleaning any connections to the POTW sewer.

(i) All excavations required for the installation of building sewers shall be by open trench unless otherwise approved by the Superintendent of the Sewer Department and the Codes Enforcement Officer and all such trenches shall be kept open until the pipe and all associated work has been inspected, tested and approved by the Codes Enforcement Officer. Except where the use of bends is approved and bends are supplied, trenches shall be straight in both direction and grade to accommodate prefabricated joints. Trenches shall be not less than twenty (20) inches in width; at right angles to the center line of the pipe. Building sanitary sewers laid in undisturbed ground must be laid on at least six (6) inches of pea gravel, sand or other approved grillage to support the pipe. The trench shall be filled with the same approved grillage on each side of the pipe and six (6) inches over the pipe. Building sewers laid in disturbed earth, fill dirt or mud shall be embedded to the lower quadrant with at least a four (4) inch concrete pad below the invert and/or with such other support as may be necessary in accordance with good engineering practices. Backfill shall be carefully tamped in and around the pipe in not over four (4) inch layers to the top of the pipe to provide proper support. Backfill shall be hand placed in layers of not more than four (4) inches for eighteen (18) inches above the pipe. No back fill shall be placed over the pipe until the pipe laying has been inspected and tested by the Codes Enforcement Officer or his duly authorized representative.

(j) All joints and connections shall be made gas tight and water tight. All joints and connections shall be made in full compliance with the manufacturer's recommendation and in accordance with ASTM standards for the material used as provided by the current revision in effect at the time the work is done.

(k) The building sewer shall be connected into the public sewer at the easement or property line. If no properly located sewer service branch is available, an authorized agent of the Williamstown Sewer Department shall cut a neat hole into the main line of the public sewer and a suitable wye or tee saddle shall be installed to receive the building sewer. The invert of the building sewer at the point of connection with such saddle shall be in the upper quadrant of the mainline of the public sewer. A neat workmanlike connection, not extending past the inner surface of the public sewer shall be made and the saddle made secure and water tight and gas tight by encasement in epoxy cement specially prepared for this purpose. A wye and H bend fitting shall be made at the easement line or property line between the public sewer and the building sewer. This fitting shall serve the purpose of a clean out and for applying the smoke test during inspection of the line. After testing a cast iron or ductile iron riser shall be inserted into this fitting, properly sealed to make the joint water tight, and brought flush with the surface of the ground. A stopper or plug outfitted with a type of joint appropriate for the pipe used shall be affixed to seal the riser against the intrusion of ground or surface water.

(l) All building sanitary sewer lines will be installed to meet or exceed the then current standards of the State Plumbing Codes, latest revision.

5.04 Inspection

(a) The applicant(s) for a building sewer permit shall notify the Superintendent of the Sewer Department and the Codes Enforcement Officer when the building sewer is ready for inspection, testing and connection to the public sewer. The connection, testing and inspection shall be made under the supervision of the superintendent of the Sewer Department and the Codes Enforcement Officer or the authorized representatives of each of them. All connections shall be made gas tight and water tight and verified by proper testing.

ARTICLE VI
POLLUTANT DISCHARGE LIMITS

6.01 General Conditions

The following described substances, materials, waters, or waste shall be limited in discharges to the Dry Ridge Sanitary Sewage Collection and Treatment System, to concentrations or quantities which will not harm either the sewers, or the wastewater treatment plant or the wastewater treatment process or equipment, or will not have an adverse effect on the waters of the receiving stream or the aquatic life therein, or will not at any point in the collection or treatment process or after discharge have an adverse effect on the life, health or safety of humans or animals, or have an adverse effect on the sludge discharges of the treatment plant or constitute a public nuisance. The Superintendent of the Dry Ridge Sewer Department and/or the Dry Ridge City Council may set additional and/or more stringent limits than those set forth in this ordinance, if in his or their opinion such additional or more severe limitations are necessary to meet the above stated objectives. In forming his or their opinion as to the acceptability of such material, waters, substances or wastes he or they shall give consideration to such factors as the quantity of the subject material, substances waters or wastes in relation to the flows and velocities in the sewers, materials of construction of the sewers, the wastewater treatment process employed, capacity of the wastewater treatment plant, materials employed in the construction of the wastewater treatment plant, the terms of NPDES/KPDES permit for the wastewater treatment plant, and other pertinent factors.

No person shall discharge into the public sewers of the City of Dry Ridge any material, waters, substances or wastes containing any matter prohibited by the standards set forth herein or hereafter established or in excess of the limits set forth herein or hereafter provided, without the written approval of the Superintendent of the Sewer Department.

6.02 Restricted Discharges

(a) Wastewater or wastes, including industrial and commercial wastewaters, containing more than 25 milligrams per liter of petroleum oil, nonbiodegradable cutting oils, or products of mineral oil origin.

(b) Wastewater from industrial plants or commercial businesses containing floatable oils, fat, or grease, whether emulsified or not, in excess of one hundred milligrams per liter

(100 mg/l) or containing substances which may solidify or become viscous at temperatures 32°-150° F (0°-65° C).

(c) Any garbage that has not been properly shredded. Garbage grinders may be connected to sanitary sewers from homes, motels, institutions, restaurants, hospitals, catering establishments, or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers. The installation and operation of any garbage grinder equipped with a motor of 3/4 HP or greater shall be subject to review and approval by the Superintendent.

(d) Any waters or wastes containing odor-producing substances exceeding limits established by Section 3.10 (h) of this ordinance or which may hereafter be established as provided in Section 6.01 of this Ordinance.

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

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

(g) Any waters or wastes containing cadmium, chromium, copper, cyanide, iron, lead, nickel, zinc, or similar objectionable or toxic substances to such degree that they inhibit or damage the wastewater treatment processes, or tend to concentrate in the wastewater sludge to such a level that prevents the use of acceptable sludge disposal methods, or pass through the treatment process unremoved and at such concentration as to cause a violation of effluent limitations or water quality standards which are or may be established by State and Federal Agencies having jurisdiction.

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

(i) Any water or waste which has characteristics based on a 24 hour composite sample, or a shorter period composite sample if more representative which exceed the following normal

maximum domestic wastewater parameter concentrations:

Parameter	Maximum Allowable Concentration Without Surcharge
BOD	200 mg/l
TSS	200 mg/l
NH ₃ -N	30 mg/l

(j) The following limitations are established for characteristics of any wastewaters to be discharged into the municipal sewer system:

Parameter	Max. Daily Concentration (mg/l)	Parameter	Max Daily Concentration (mg/l)
Arsenic, total	0.05	Lead, total	0.13
Barium, total	6.00	Magnesium, total	14.00
Beryllium, total	0.50	Manganese, total	1.43
Boron, total	1.00	Mercury, total	0.008
Cadmium, total	0.02	Nickel, total	1.06
Chloride, total	250.00	Oil & grease, hydrocarbons	25.00
Chromium, hexavalent	0.20	Oil & grease, total	150.00
Chromium, total	0.50	PH	6.00-9.0
COD	750.00	Phenols	0.50
Color 300 ADMI units		PCB	0.00
Copper, total	0.20	Selenium, total	0.02
Cyanide, amenable	0.02	Silver, total	0.05
Cyanide, total	0.04	Sulfate, total	250.00
Dissolved Solids, total	1500.00	Sulfide	5.00
Fluoride	2.00	Total Toxic Organics	2.13
Iron, total	8.75	Zinc, total	1.35

6.03 DILUTION OF WASTEWATER DISCHARGE

No user shall at any time, in any manner 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 contained in the Federal Categorical Pretreatment Standards, or in any other pollutant specific limitation developed by the City or State.

6.04. GREASE, OIL, AND SAND INTERCEPTORS:

Grease, oil, and sand interceptors shall be required and provided by the owner(s) when, in the opinion of the Superintendent they are necessary for the proper handling of

liquid wastes containing floatable grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Superintendent and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors the owner(s) shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates, and means of disposal. The Superintendent may require reporting of such information for his review. Any removal and hauling of the collected materials not performed by owner(s) personnel must be performed by currently licensed waste disposal firms. Required interceptors shall also comply with all applicable regulations of the County Health Department.

6.05 SPECIAL INDUSTRIAL PRETREATMENT REQUIREMENTS:

(a) Pursuant to the requirements imposed on publicly owned wastewater treatment works by the Federal Water Pollution Control Act Amendments of 1972 and later amendments, all pretreatment standards promulgated by the U. S. Environmental Protection Agency for new and existing industrial dischargers to public sewer systems are hereby made a part of this ordinance. Any industrial waste discharge which violates these EPA Pretreatment Standards shall be in violation of this ordinance, and is prohibited.

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

(c) Any person who transports septic tank, seepage pit or cesspool contents, liquid industrial waste or other batch liquid waste and wishes to discharge such waste to the public sewer system of the City of Dry Ridge shall first obtain permission for such discharge from the Superintendent. All persons receiving such permission shall abide by all applicable provisions of this ordinance, and any other special provisions that may be established by the superintendent as necessary for the proper operation and maintenance of the sewerage system, (POTW).

It shall be illegal to discharge any batch liquid waste into any manhole or other part of the public sewer system (Dry Ridge - POTW), or any building sewer or other facility that discharges to the public sewer system (Dry Ridge - POTW), except at designated points of discharge specified by the Superintendent for such purposes.

Waste haulers who have been granted permission to discharge to the public sewer system shall pay fees for such discharge in accordance with a fee schedule established by section 9.02(c) of this ordinance and payment of such fees shall be made to the City Treasurer prior to such discharge.

Any liquid waste hauler illegally discharging to the public sewer system shall be subject to immediate revocation of discharge privileges (if granted) and further subject to the penalties prescribed in Article XIV of this ordinance.

Nothing in this ordinance shall relieve waste haulers of the responsibility for compliance with County Health Department, State or Federal Regulations.

(d) No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the City and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the City for treatment provided applicable, local, State and Federal Pretreatment Regulations or the City's NPDES/KPDES Permit are not violated.

6.06 PROTECTION FROM ACCIDENTAL DISCHARGE:

(a) Each significant user shall provide protection from accidental discharge of prohibited materials or other substances regulated by this ordinance. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner or user's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the City and the Superintendent for review, and shall be approved by the City before construction of the facility. All existing users shall complete such a plan within ninety (90) days after the effective date of this ordinance. Construction shall be completed within one hundred twenty (120) days of approval of plans and notification by the Superintendent. No user who commences contribution to the POTW after the effective date of this ordinance shall be permitted to introduce pollutants into the system until accidental discharge procedure and equipment have been approved by the City and necessary equipment has been installed. Review and approval of such plans and operating procedures shall not relieve the user from the responsibility to modify the user's facility as necessary to meet the requirements of this ordinance. In the case of an accidental discharge, it is the responsibility of the user to immediately (within five (5) minutes of discovery) telephone and notify the POTW of the incident. The notification shall include location of discharge, type of waste, concentration and

volume, and corrective actions.

(b) WRITTEN NOTICE: Within five (5) days following any accidental discharge, the user shall submit to the Superintendent a detailed written report describing the cause of the discharge, detailed description of character and amount of discharge and the measures taken and 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 ordinance or other applicable law.

(c) NOTICE TO EMPLOYEES: A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees of the person and number to call in the event of an accident or dangerous discharge. Employers shall insure that all employees who may cause or suffer or permit such accident or dangerous discharge to occur are advised of the emergency notification procedure.

6.07 STATE REQUIREMENTS

State requirements and limitations on discharges shall apply in any case where they are more stringent than Federal requirements and limitations or those in this ordinance.

6.08 CITY'S RIGHT OF REVISION

The City reserves the right at the recommendation of the superintendent, or engineers employed by the City, to establish by majority vote of its council members present at a regular or called meeting, more stringent limitations or requirements on discharges to the POTW if deemed necessary to comply with the objectives presented in this ordinance.

6.09 FEDERAL CATEGORICAL PRETREATMENT STANDARDS

(a) Upon the promulgation of the Federal Categorical Pretreatment Standards for a particular industrial subcategory, the Federal Standard, if more stringent than limitations imposed under this ordinance for sources in that subcategory, shall immediately supersede the limitations imposed under this ordinance. The Superintendent shall notify all affected users of the applicable reporting requirements under 40 CFR, Section 403.12.

6.10 MODIFICATION OF FEDERAL CATEGORICAL PRETREATMENT STANDARDS

(a) When the City's wastewater treatment system achieves consistent removal of pollutants limited by Federal Pretreatment Standards, the City may apply to the Approval Authority for modification of specific limits in the Federal Pretreatment Standards. "Consistent removal" shall mean reduction in the amount of the pollutant or alteration of the nature of the pollutant by the wastewater treatment system to a less toxic or harmless state in the effluent which is achieved by the system in 95 percent of the samples taken when measured according to the procedures set forth in Section 403. (7) (c) (2) of (Title 40 of the Code of Federal Regulations, Part 403) "General Pretreatment Regulations for Existing and New Sources of Pollution" promulgated pursuant to the Act. The City may modify pollutant discharge limits in the Federal Pretreatment Standards if the requirements contained in 40 CFR, Part 403, Section 403(7), are fulfilled and prior approval from the Approval Authority is obtained.

ARTICLE VII PRETREATMENT PROGRAM ADMINISTRATION

7.01 WASTEWATER DISCHARGERS

It shall be unlawful to discharge without a city permit to any natural outlet within the City, or in any area under the jurisdiction of said city, and/or to the POTW any wastewater except as authorized by a NPDES/KPDES permit or by the Superintendent in accordance with the provision of this ordinance.

7.02 WASTEWATER CONTRIBUTION PERMITS

(a) GENERAL; All significant users now connected or proposing to connect to, or now contributing or proposing to contribute to, the POTW shall obtain a Wastewater Contribution Permit before connecting to or contributing to the POTW. All existing significant users presently connected to or contributing to the POTW shall obtain a Wastewater Contribution Permit within 90 days after the effective date of this ordinance.

(b) PERMIT APPLICATION: Users required to obtain a Wastewater Contribution Permit shall complete and file with the City, an application in the form prescribed by the City, and accompanied by a permit fee. Existing users shall apply for a Wastewater Contribution Permit within 30 days after the effective date of this ordinance, and proposed new users shall apply for a Wastewater Contribution Permit at least 90 days prior to connecting to or contributing to the POTW. In support of the

application, the user shall submit, in units and terms appropriate for evaluation, the following information:

1. Name, address, and location, if different from the address;
2. SIC numbers(s) according to the Standard Industrial Classification Manual, United States Bureau of the budget, 1972, as amended;
3. Wastewater constituents and characteristics as determined by an analytical laboratory acceptable to the City; sampling and analysis shall be performed in accordance with procedures established by the EPA pursuant to Section 304 (g) of the Act and contained in 40 CFR, Part 136, as amended; or if a new user not engaged in similar activities elsewhere an estimate of such constituents and characteristics based upon similar processing by other firms.
4. Time and duration of contribution.
5. Average daily and 30 minute peak wastewater flow rates, including daily, monthly and seasonal variation if any;
6. Site plans, floor plans, mechanical and plumbing plans and details to show all sewers, sewer connections, and appurtenances by the size, location and elevation;
7. Description of activities, facilities and plant processes on the premises including all materials which are or could be discharged;
8. Where known, the nature and concentration of any pollutants in the discharge which are limited by City, State or Federal Pretreatment Standards, and a statement regarding whether or not the pretreatment standards are being or will be met a consistent basis and if not, whether additional pretreatment is required for the user to meet applicable Pretreatment Standards;
9. If additional pretreatment will be required to meet the Pretreatment Standards; the shortest schedule by which the user will provide such additional pretreatment. The completion date of this schedule shall not be later than the compliance date established for the applicable Pretreatment Standard;

The following conditions shall apply to this schedule:

(a) The schedule must be acceptable to the City.

(b) The schedule shall contain increments of progress in the form of dates of 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.

(c) Not later than 14 days following each date in the schedule and the final date for compliance, the user shall submit a progress report to the Superintendent including, as a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment of progress the reason for delay, and the steps being taken by the user to return the construction to the schedule established.

10. Each product produced by type, amount, process or processes, and rate of production;

11. Type and amount of raw materials processed (average and maximum per day);

12. Number of employees, and hours of operation of plant and proposed or actual hours of operation of pre-treatment system;

13. A copy of the industry's written environmental control program, comparable document, or policy.

14. Any other information as may be deemed by the City to be necessary to evaluate the permit application.

7.03 ISSUANCE

The City shall evaluate the data furnished by the user and may require additional information. After evaluation and acceptance of the data furnished, the City may issue a Wastewater Contribution Permit subject to terms and conditions provided herein.

7.04 PERMIT MODIFICATIONS

Within 9 months of the promulgation of a National Categorical Pretreatment Standards, the Wastewater Contribution

Permit of users subject to such standards shall be revised to require compliance with such standard within the time frame prescribed by such standard. Where a user, subject to National Categorical Pretreatment Standards, has not previously submitted an application for a Wastewater Contribution Permit as required, the user shall apply for the Wastewater Contribution Permit within 90 days after the promulgation of the applicable National Categorical Pretreatment Standard. In addition, the user with an existing Wastewater Contribution Permit shall submit to the Superintendent within 90 days after the promulgation of an applicable Federal Categorical Pretreatment Standard the information required by this ordinance.

7.05 PERMIT CONDITIONS

Wastewater Contribution Permits shall be expressly subject to all provisions of this ordinance and all other applicable regulations, user charges and fees established by the City. Permits may contain the following:

(a) The unit charge or schedule of user charges and fees for the wastewater to be discharged to a POTW sewer;

(b) Limits on the average and maximum wastewater constituents and characteristics;

(c) Limits on average and maximum rate and time of discharge or requirements for flow regulation and equalization;

(d) Requirements for installation and maintenance of inspection and sampling facilities;

(e) Specifications for monitoring programs which may include sampling locations; frequency of sampling; number, types and standards for tests; and reporting schedule;

(f) Compliance schedules;

(g) Requirements for submission of technical reports or discharge reports. (See Section 7.07)

(h) Requirements for maintaining and retaining for a minimum of three years plant records relating to wastewater discharge as specified by the City, and affording city access thereto;

(i) Requirements for notification to the City of

any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater constituents being introduced into the wastewater treatment system.

(j) Requirements for notification of slug discharges.

(k) The permit may require the user to reimburse the City for all expenses related to monitoring, sampling and testing performed at the direction of the Superintendent and deemed necessary by the City to verify that the user is in compliance with said permit.

(l) Other conditions as deemed appropriate by the City to ensure compliance with this ordinance.

7.06 PERMIT DURATION

(a) Permits shall be issued for a specified time period, not to exceed three (3) years. A permit may be issued for a period less than a year, or may be issued to expire on a specific date. The user shall apply for permit reissuance a minimum of 120 days prior to the expiration of the user's existing permit. The terms and conditions of the permit shall be subject to modification by the City during the term of the permit as limitations or requirements as identified in Article VI are modified or other just cause exists. The user shall be informed of any proposed changes in their permit at least 30 days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

7.07 PERMIT TRANSFER

Wastewater Contribution Permits are issued to a specific user for a specific operation. A Wastewater Contribution Permit shall not be assigned or transferred or sold to a new owner, new user, different premises, or a new or changed operation without the prior approval of the City. Any succeeding owner or user shall also comply with the terms and conditions of the existing permit.

7.08 REPORTING REQUIREMENTS FOR PERMITTEE

(a) COMPLIANCE DATA REPORTING:

Within 90 days following the date for final compliance with applicable Pretreatment Standards or, in the case of a new user, following commencement of the introduction of wastewater

into the POTW, any user subject to Pretreatment Standards and Requirements shall submit to the Superintendent a report indicating the nature and concentration of all pollutants in the discharge from the regulated process which are limited by Pretreatment Standards and Requirements and the average and maximum daily flow of these process units in the user facility which are limited by such Pretreatment Standards or Requirements. The report shall state whether the applicable Pretreatment Standards or Requirements are being met on a consistent basis and, if not, what additional pretreatment and time schedule is necessary to bring the user into compliance with the applicable Pretreatment Standards or Requirements. This statement shall be signed by an authorized representative of the user.

(b) PERIODIC COMPLIANCE REPORTS:

(1) Any user subject to a Pretreatment Standard, after the compliance date of such Pretreatment Standard, or, in the case of a new user, after commencement of the discharge into the POTW shall submit to the Superintendent during the months of June and December unless required more frequently in the Pretreatment Standard or by the Wastewater Contribution Permit, a report indicating the nature and concentration, of pollutants in the effluent which are limited by such Pretreatment Standards. In addition, this report shall include a record of all daily flows which during the reporting period exceeded the average daily flow. At the discretion of the Superintendent and in consideration of such factors as local high or low flow rates, holidays, budget cycles, etc., the Superintendent may agree to alter the months during which the above reports are to be submitted.

(2) The Superintendent may impose mass limitations on users where their imposition is appropriate. In such cases, the report required by Section 7.07(a) of this article shall indicate the mass of pollutants regulated by Pretreatment Standards in the effluent of the user. These reports shall contain the results of sampling and analysis of the discharge, including the flow and the nature and concentration, or production and mass where requested by the Superintendent of all pollutants contained therein which are limited by the applicable Pretreatment Standards. The frequency of monitoring shall be prescribed in the applicable Pretreatment Standard. All analyses shall be performed by a laboratory acceptable to the City. Analytical procedures shall be in accordance with procedures established by the U.S. EPA Administrator pursuant to Section 304(g) of the Act and contained in 40 CFR, Part 136 and amendments thereto or with any other test procedures established by the U.S. EPA Administrator. Sampling shall be performed in accordance with the techniques approved by the U.S. EPA Administrator.

(3) Where 40 CFR, Part 136 does not include a sampling or analytical technique for the pollutant in question sampling and analysis shall be performed in accordance with the procedures set forth in the EPA publication, "Sampling and Analysis Procedures for Screening of Industrial Effluents for Priority Pollutants," April, 1977, and amendments thereto, or with any other sampling and analytical procedures approved by the U.S. EPA Administrator.

7.09 MONITORING FACILITIES:

(a) The City shall require significant users to provide and operate at the user's own expense, monitoring facilities to allow inspection, sampling, and flow measurement of the building sewer and/or internal drainage system. The monitoring facility should normally be situated on the user's premises, but the City may, when such a location would be impractical or cause undue hardship on the user, allow the facility to be constructed in a public right of way. The superintendent shall review and approve the location, plans and specifications for such monitoring facilities and may require them to be constructed to provide for the separate monitoring and sampling of industrial waste and sanitary sewage flows.

(b) There shall be ample room in or near such sampling manhole or facility to allow accurate sampling and preparation of samples for analysis. The facility, sampling, and measuring equipment shall be maintained at all times in a safe and proper operating condition at the expense of the user.

(c) Whether constructed on public or private property, the sampling and monitoring facilities shall be provided in accordance with the City's requirements and all applicable local construction standards and specification. Construction shall be completed within 90 days following approval of the location, plans and specifications.

7.10 INSPECTION AND SAMPLING

(a) The City shall inspect the facilities of any user to ascertain whether the purpose of this ordinance is being met and all requirements are being complied with. Persons or occupants of premises where wastewater is created or discharged shall allow the City or their representative ready access at all reasonable times to all parts of the premises for the purposes of inspection, sampling, copying records, record examination or in the performance of any of their duties.

(b) The City, Approval Authority, and EPA shall have

the right to set upon the users property such devices as are necessary to conduct sampling inspection, compliance monitoring and/or metering operations. Where a user has security measures in force which would require proper identification and clearance before entry into their premises, the user shall make necessary arrangements for their security guards so that upon presentation of suitable identification, personnel from the City, Approval Authority and EPA will be permitted to enter, without delay, for the purposes of performing their specific responsibilities.

7.11 PRETREATMENT

(a) Users shall provide necessary wastewater treatment as required to comply with this ordinance and shall achieve compliance with all Federal Categorical Pretreatment Standards within the time limitations as specified by the Federal Pretreatment Regulations. Any facilities required to pretreat wastewater to a level acceptable to the City shall be provided, operated, and maintained at the user's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the City for review, and shall be acceptable to the City before construction of the facility. The review of such plan and operating procedures will in no way relieve the user from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the City under the provisions of this ordinance. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the City prior to the user's initiation of the changes.

(b) The City is required by Federal regulation to keep the public informed of all cases of significant violation. To accomplish this the City shall annually publish in a newspaper of local circulation a list of the users which were not in compliance with any Pretreatment Requirements or Standards at least once during the 12 previous months. A significant violation shall meet one or more of the following conditions:

(1) Results in the exercise of emergency authority;

(2) Remains uncorrected 45 days after notice of noncompliance is given;

(3) Involves failure to report accurately.

(c) The notification shall also summarize any enforcement action taken against the user(s) during the same 12 months.

(d) All records relating to compliance with Pretreatment Standards shall be made available to officials of the EPA or Approval Authority upon request.

7.12 CONFIDENTIAL INFORMATION:

(a) Information and data on a user obtained from reports, questionnaires, permit applications, permits and monitoring programs and from inspections shall be available to the public or other governmental agency without restrictions unless the user specifically requests in writing and is able to demonstrate to the satisfaction of the City that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets of the user.

(b) When requested by the person furnishing a report, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public but shall be made available upon written request to governmental agencies for uses related to this ordinance, the NPDES/KPDES Permit, Sludge Disposal System Permit and/or the Pretreatment Programs; provided, however, that such portions of a report shall be available for use by the State or any State agency in judicial review or enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics shall not be recognized as confidential information.

Information accepted by the City as confidential, shall not be transmitted to any governmental agency or to the general public by the City until and unless a ten day notification is given to the user.

ARTICLE VIII POWERS AND AUTHORITY OF INSPECTORS

8.01 RIGHT TO ENTER PREMISES

The Superintendent and other duly authorized employees and representatives of the City and authorized representatives of applicable Federal and State regulatory agencies bearing proper

credentials and identification shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling, and testing pertinent to discharges to the public sewer system in accordance with the provisions of this ordinance.

8.02 RIGHT TO OBTAIN INFORMATION REGARDING DISCHARGE

Duly authorized employees and representatives of the City and authorized representatives of Federal and State regulatory agencies are authorized to obtain information concerning character, strength and quantity of industrial wastes which have a direct bearing on the kind and source of discharge to the wastewater collection system.

8.03 ACCESS TO EASEMENTS

Duly authorized employees and representatives of the City and authorized representatives of applicable Federal and State regulatory agencies bearing proper credentials and identification shall be permitted to enter all private properties through which the City holds a duly negotiated easement for the purpose of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the wastewater facilities lying within said easement. All entry and subsequent work, if any, on said easement shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

8.04 SAFETY

While performing the necessary work on private properties referred to in Section 8.01 of this Article, the Superintendent and duly authorized employees of the City shall observe all safety rules applicable to the premises established by the company, and the company shall be held harmless for injury or death to the City employees, and the City shall indemnify the company against loss or damage to its property by City employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safety conditions as required in Article VII Section 7.08.

ARTICLE IX
CONSTRUCTION AND APPLICATION

9.01 CONSTRUED WITH EXISTING ORDINANCES

It is the intent of the City Council of the City of Dry Ridge that this ordinance shall not constitute an express or implied repeal of any existing ordinance of the City of Dry Ridge or any part of an existing ordinance of the City of Dry Ridge, except as expressly set forth herein. This ordinance shall be read and applied insofar as possible as supplementary to such existing ordinances relating to the same subject matter; in those instances of a conflict; the ordinance setting the higher or more restrictive standard for a user of the POTW shall apply, the ordinance setting the greater charge for the treatment of wastewater, domestic, industrial or commercial, shall apply.

9.02 SEVERABILITY

Should any Article, section, paragraph, sentence or phrase of this ordinance be declared by a court of competent jurisdiction to be in violation of the Federal or State Constitution or in violation of any Federal or State law or otherwise unenforcible, it is the intent of the City Council that all remaining parts of this ordinance shall remain in full force and effect and enforceable in accordance with the terminology used.

9.03 HEADINGS AND INDEX

The heading and index set out herein are provided only as a convenience to the user of this ordinance and shall not constitute a part of this ordinance, and shall not be used as a guide or limitation in the construction and application of the provisions of this ordinance.

This ordinance shall be in full force and effect when it is adopted, signed and published as required by law.

The foregoing Ordinance # 408-1986 was read aloud by its title only and a summary of the ordinance prepared by Thomas M. Funk was also read aloud, at a regular meeting held on the 8th day of September, 1986.

Cindy L. Harris
CINDY HARRIS, CLERK
CITY OF DRY RIDGE

The foregoing ordinance # 408-1986 was read aloud by its title only together with a summary of the ordinance prepared by Thomas M. Funk, Attorney at Law, and on a roll call vote the vote was as follows:

Jim Middleton - yes, Ervin Jump - yes, Omer Vest - yes, Roger Rash - yes, Vernon Webster - yes, George Hedges, Jr. - absent.

on the 25th day of September, 1986 at a special called meeting.

Cindy L. Harris
CINDY HARRIS, CLERK
CITY OF DRY RIDGE

Approved this the 25th day of September, 1986.

Norman Ferguson
MAYOR, CITY OF DRY RIDGE