

ORDINANCE NO. 85-10

SEWER USE ORDINANCE

AN ORDINANCE OF MANATEE COUNTY COVERING THE USE OF THE COUNTY WASTEWATER DELIVERY, TREATMENT, AND DISPOSAL SYSTEM

AN ORDINANCE OF MANATEE COUNTY SETTING FORTH THE NECESSITY FOR CONTROL OF THE USAGE OF THE PUBLIC WASTEWATER SYSTEM; MANDATING CONNECTION WHEN SERVICE IS AVAILABLE; PROHIBITING THE DISCHARGE OF CERTAIN SUBSTANCES AND MATERIALS; SETTING LIMITS FOR THE CONCENTRATION OF CERTAIN SUBSTANCES AND MATERIALS; PROVIDING FOR SURCHARGES FOR CONCENTRATIONS EXCEEDING ALLOWABLE LIMITS; ESTABLISHING REQUIREMENTS FOR PRE-TREATMENT PRIOR TO DISCHARGE; ESTABLISHING A REQUIREMENT FOR INDUSTRIAL WASTEWATER DISCHARGE PERMITS; AND SETTING FORTH PENALTIES.

FILED FOR RECORD

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RECORDED  
CLERK CIRCUIT COURT  
MANATEE CO. FLORIDA

SECRETARY OF STATE

MANATEE COUNTY

WHEREAS, the County of Manatee, a political subdivision of the State of Florida, is the owner and operator of the County Water system known as the "Manatee County Public Utilities Department", pursuant to the provisions of Chapter 63-1598 of the Laws of Florida, as amended, the provisions of Chapter 153 of the Florida Statutes the provisions of County Ordinance 82-1 (codified as Chapter 2-31 Article III Sections 51 through 53 Manatee County Code) and other applicable provisions of law, together with resolutions duly adopted by the Board of County Commissioners of Manatee County, Florida; and

*U Utilities / wastewater Sewer Use*

WHEREAS, under Sections 381.272 and 381.273, Florida Statutes the State of Florida Department of Health and Rehabilitative Services is responsible for privately owned on-site sewage disposal including septic systems.

WHEREAS, the County has agreed to an EPA & DER grant requirement to enact a sewer use ordinance and that provisions of the ordinance be in accordance with EPA Regulation 40CFR Part 35.2103;

WHEREAS, the Board gave notice of a public hearing on an ordinance covering the use of the county's wastewater system and held such a hearing on the notice date of February 19, 1985.

In accordance with the foregoing and for the purposes herein stated NOW THEREFORE BE IT RESOLVED by the Manatee County Board of County Commissioners that:

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ARTICLE I

STATEMENT OF PURPOSE

The purpose of these regulations is:

- 1.01 To require, wherever service has been provided, mandatory connection to Manatee County Wastewater System of those residences and facilities generating normal sewage and wastewater.
- 1.02 To prohibit, wherever service has been provided, the use of septic systems and packaged treatment systems.
- 1.03 To prohibit the contribution of wastes of a nature which in any way create, poisonous, flammable, hazardous, or noxious conditions for treatment plant personnel or the general public.
- 1.04 To prohibit the contribution of wastes which create operational or maintenance problems in the collection system, in the treatment plant and in effluent disposal facilities.
- 1.05 To prohibit the contribution of wastes which require greater treatment expenditures than are required for equal volumes of normal sewage and to surcharge such contributors for the increased expenditure.
- 1.06 To prohibit discharge of substances which cannot be removed by the normal treatment process and which adversely effect sludge(s) and effluent(s) making them unfit for reuse.
- 1.07 To require pretreatment of certain wastewaters before discharge to the County's System.
- 1.08 To prohibit unauthorized use of the County System.

- 1.09 To set forth enforcements and penalties for violations.

## ARTICLE II

### DEFINITIONS

Unless the text specifically indicates otherwise the meaning of terms used in this Resolution shall be as follows:

- 2.01 ACT: Means the Federal Water Pollution Control Act, as amended, also known as the Clean Water Act, as amended, Title 33 USC SS1251 et seq.
- 2.02 BOD: (denoting biochemical oxygen demand) - Means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at twenty degrees centigrade, expressed in milligrams per liter.
- 2.03 CATEGORICAL STANDARDS: Means the National Categorical Pretreatment Standards or Pretreatment Standard.
- 2.04 COOLING WATER: Means the water discharged from any use such as air conditioning, cooling, or refrigeration, or for which heat is the major pollutant.
- 2.05 COUNTY: Means the Board Of County Commissioners of Manatee County, Florida.
- 2.06 CUSTOMER: Means the user of the Manatee County Wastewater system.
- 2.07 DIRECT DISCHARGE: Means the discharge of untreated or treated sewage or wastewater directly to the waters of the State Of Florida.

- 2.08 DIRECTOR: Means the Manatee County Director Of The Public Utilities Department who is the administrative official in responsible charge of the Manatee County Wastewater System, or his authorized deputy, agent, or representative.
- 2.09 DISSOLVED SOLIDS OR DISSOLVED MATTERS: Means the solid matter in solution in the wastewater that can be obtained by evaporation of a sample from which all suspended matter has been removed by filtration as determined by the procedures in "Standard Methods".
- 2.10 DOMESTIC SEWAGE: Means the sewage produced from non-commercial or non-industrial activities, and which results from normal human living processes, and which are substantially similar in origin and strength to those typically produced in households, including sewage from sanitary conveniences.
- 2.11 ENVIRONMENTAL PROTECTION AGENCY OR USEPA: Means 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 said agency.
- 2.12 FDER: Means Florida Department Of Environmental Regulation.
- 2.13 GARBAGE: Means solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.

- 2.14 HOLDING TANK WASTE: Means any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump tank trucks.
- 2.15 HRS: Means the State Department Of Health & Rehabilitative Services and its Pollution Control Division.
- 2.16 INDUSTRIAL SEWAGE: Means all liquid wastes and sewage excluding domestic wastewater, and includes all wastewater from any producing, manufacturing, processing, industrial, commercial, agricultural, or other operations from which the wastewater discharged includes wastes of nonhuman origin and is not otherwise classified as domestic sewage.
- 2.17 INTERFERENCE: Means the inhibition or disruption of the treatment processes or operation which contribute to a violation of any requirement of the County's permits. The term includes prevention of sewage sludge use or disposal in accordance with Section 405 of the Act (Title 33 USCS S1345) 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 or local criteria (including those contained in any state sludge management plan prepared pursuant to Title IV of the SWDA) applicable to the method of disposal or use employed by the POTW.
- 2.18 MCPUD Means Manatee County Public Utilities Department.
- 2.19 MAXIMUM CONCENTRATION: Means the maximum permissible amount of a specified pollutant in a defined volume of water or wastewater.

- 2.20 NATIONAL CATEGORICAL PRETREATMENT STANDARDS OR PRETREATMENT STANDARD: Means any regulation containing pollutant discharge limits promulgated by the USEPA in accordance with Section 307(b) and Section 307 (c) of the Act (Title 33 USC 1317) which applies to a specific category of industrial users.
- 2.21 NATURAL OUTLET: Means any outlet into a watercourse, pond, ditch, lake or other body of surface water or groundwater.
- 2.22 NORMAL SEWAGE - NORMAL WASTEWATER: Means the combined bath, laundry, garbage disposal, and sink discharges from residential properties.
- 2.23 MANATEE COUNTY WASTEWATER SYSTEM: Means all facilities and interests in the real and personal property owned, operated, managed or controlled by the County now and in the future and used to provide wastewater service to existing and future customers within the service area of Manatee County.
- 2.24 PERSON: Means any individual, partnership, or co-partnership, firm, company, association, society, corporation, joint stock company, trust, estate, governmental entity or any other legal entity, or their legal representative, agents, or assigns. The masculine gender shall include the feminine, and the singular shall include the plural where indicated by the context.
- 2.25 pH: is a symbol for expressing the degree of acidity or alkalinity, meaning the logarithm (base 10) of the reciprocal of the concentration of hydrogen ions in grams per liter of solution.
- 2.26 POLLUTANT: Means any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge,

munitions, chemicals, biological materials, radioactive materials, heat, rock, sand, dirt, industrial, materials and agricultural waste discharged into water or any other material capable of degrading local normal environmental conditions upon introduction to the environment.

- 2.27 PRETREATMENT: Means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutants, in wastewater to a less harmful state prior to discharging or otherwise introducing such pollutants into the system. The reduction or alteration can be obtained by physical, chemical or biological processes or by other means, except as prohibited by Title 40 CFR 5403.6(d).
- 2.28 PRIVATE SEWAGE DISPOSAL SYSTEM: Means a collecting, treating, and disposal facility installed, maintained and owned by persons other than the County and not connected to the public system.
- 2.29 PROPERLY SHREDDED GARBAGE: Means the wastes from the preparation, cooking, and dispensing of foods that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch in any dimension;.
- 2.30 SEWAGE OR WASTEWATER: Means a combination of the water carried wastes from residences, business buildings, institutions and industrial establishments.
- 2.31 SHALL: When used means that it is mandatory but the term "may" when used means that it is permissive.
- 2.32 STATE: Means the State Of Florida.



- 2.33 STANDARD METHODS: Means the current edition of "Standard Methods For The Examination Of Water And Wastewater" as published or republished from time to time by the American Public Health Association or the current USEPA publication "Methods for Chemical Analysis of Water and Wastes".
- 2.34 STORM DRAIN: (sometimes termed "storm sewer") : Means a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.
- 2.35 STORMWATER: Means any flow occurring during or following any form of natural precipitation and resulting therefrom.
- 2.36 SUSPENDED SOLIDS: Means solids that either float on the surface of, or are in suspension in water, sewage or other liquids, and which are removable by various filtering and settling techniques.
- 2.37 TOXIC POLLUTANT: Means any pollutant or combination of pollutants listed as toxic in regulations promulgated by the Administrator of the USEPA under the provision of Section 307(a) of the Act, or other acts.
- 2.38 USER: Means any person or facility who contributes, causes, or permits the contribution of sewage or wastewater into the Manatee County Wastewater System.
- 2.39 WATERS OF THE STATE: Means any surface or groundwater located within the boundaries of the State Of Florida.

ARTICLE III

USE OF THE PUBLIC WASTEWATER SYSTEM

- 3.01 NECESSITY FOR CONTROL: From a public health, safety and cost of service standpoint, regulation of the use of the public wastewater system is required.
- 3.02 SEPTIC TANKS, PRIVIES, CESSPOOLS: Where County service is available the use of septic tanks, privies, cesspools, and private wastewater systems is prohibited.

The conditions under which septic systems can be used are administered by the Department Of Health and Rehabilitative Services and its Pollution Control Division.

- 3.03 PRIVATE WASTEWATER SYSTEMS: Any private system that is to be turned over to the County for operation must meet Manatee County Public Utilities Department (MCPUD) specifications which include color coding of all pipe. Prior to construction, designs must be approved by MCPUD. During construction the installation will be subject to MCPUD inspection to insure compliance.
- 3.04 MANDATORY CONNECTION: It is mandatory that all residences and all generators of normal wastewater, including private wastewater systems, connect to the County system when service is available.

- 3.05 UNLAWFUL CONNECTION OR USE: No person shall uncover, make any connection with or opening into, use, alter, or disturb any public sewer or appurtenance without first obtaining the required approval and paying the appropriate fees and charges.
- 3.06 DISCONTINUED USE OF LATERAL SEWER: Should a structure be destroyed or moved the lateral sewer must be capped by the owner at the owner's expense. Should the owner neglect to do so, capping will be done by the County and costs paid by the owner.
- 3.07 REUSE OF LATERALS: Lateral sewers capped under 3.06 shall not be reused unless they meet current County and MCPUD specifications and reuse is approved by the County.
- 3.08 SEPARATE LATERALS REQUIRED: Except by approval of MCPUD, each building must be served by at least one lateral sewer line.
- 3.09 UNLAWFUL DISPOSAL: No person shall discharge into any natural outlet within the County, into any storm sewer, or anywhere other than an approved facility waste materials of any nature including but not confined to polluted waters, industrial wastes, septic effluent or overflow, sanitary sewage, hazardous materials, toxic materials, inflammable liquids, solid wastes, pesticides and heavy metals.
- 3.10 OSHA STANDARDS: All construction activity by MCPUD or by Contractors responsible to MCPUD shall be conducted in accordance with safety standards established by the Federal Occupational Safety and Health Agency.

- 3.11 DIRECTOR RESPONSIBLE: Except as otherwise provided herein the Director of the Public Utilities Department shall administer, implement, and enforce the provisions of this Resolution.

ARTICLE IV  
PROHIBITIONS AND LIMITATIONS ON  
USE OF THE COUNTY SYSTEM

- 4.05 APPLICABILITY: The prohibitions and limitations of this article apply to all users of the County system whether or not the user is subject to the National Categorical Pretreatment Standards or any other national, state, or local Resolutions or requirements.
- 4.06 WATERS: No persons shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, sub-surface drainage, uncontaminated cooling water, swimming pool drainage, or unpolluted industrial process waters to any portion of the system.
- 4.07 SUBSTANCES INTERFERING WITH OPERATIONS: No user shall contribute or cause to be contributed, directly or indirectly, any pollutant or sewage which will interfere with the operation or performance of the Manatee County Wastewater System or any of its treatment plants. A user shall not contribute the following substances to any public sewer:
- 4.07a FLAMMABLE & EXPLOSIVE MATERIALS: Any liquids, solids, or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any way to the County Wastewater System or to the operation of said system. At no time shall two successive readings on an explosion hazard meter at the

point of discharge into said system (or at any point in the system) be more than five percent (5%), nor any single reading over ten percent (10%) of the lower explosive limit (LEL) of the meter. Prohibited materials include, but are not limited to, gasoline, kerosene, fuel oil, naphta, benzine, toluene, xylene, ethers, alcohols, solvents, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides, and any other substances which the County, the FDER, the USEPA, or any other local, regional, state, or federal agency having jurisdiction has notified the user as a fire hazard or a hazard to the systems.

4.07b ANY SOLID, SEMISOLID, OR VISCOUS SUBSTANCES which may cause interference with the operation of the wastewater treatment facilities such as, but not limited to, grease, garbage with particles greater than one-half inch in any dimension, animal guts or tissues, pauch, manure, bones, hair, hides, or fleshing, entrails, whole blood, feathers, ashes, cinders, sand, lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags spent grains, spent hops, wastepaper, ground paper products, wood plastics, gas, tar, asphalt residues, residues from refining, or processing of fuel or lubricating oil, mud, or glass grindings or polishing wastes. Specifically prohibited is the heating of the contents of grease traps and discharge to the county system.

4.07c pH 6.0 TO 8.5: No discharge should be made of any sewage having a pH lower than six (6.0) or higher than eight and five-tenths (8.5), or sewage having any other corrosive or scaling property capable of causing damage or hazard to structures, equipment and/or personnel of the Manatee County Wastewater System.

- 4.07d TOXIC POLLUTANTS: Any sewage or wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a toxic effect in the receiving waters of any County Treatment Plant or to exceed the limitations set forth in a categorical pretreatment standard. A toxic pollutant shall include, but not be limited to any pollutant identified pursuant to Section 307(a) of the Federal Water Pollution Control Act as amended and also known as the Clean Water Act, Title 33, VSC SS 1251 & Seq.
- 4.07e NOXIOUS & MALODOROUS MATERIALS: Any noxious or malodorous liquids, gases, or solids other than normal sewage, which either singly or by interaction with other wastes are sufficient to create a public nuisance or hazard.
- 4.07f MATERIALS AFFECTING EFFLUENT & SLUDGE DISPOSAL: Any substances which may cause any effluent or any other sediment product, such as residues, sludges, or scums, to be unsuitable for reclamation and reuse, or to interfere with the reclamation process. In no case shall a substance discharged cause the County to be in non-compliance with sludge use or disposal criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or state criteria applicable to the sludge management method being used.
- 4.07g SUBSTANCE CAUSING VIOLATION: Any substance which will cause any County treatment facility to violate its NPDES and/or FDER permit or the receiving water quality standards.

- 4.07h COLOR: Any sewage or wastewater with objectional color, not removed in the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions.
- 4.07i NON TREATABLE SUBSTANCES: Waters or wastes containing substances, including non-biodegradable detergents, which are not amenable to treatment or reduction by the sewage treatment process employed or are amenable to treatment only to the degree that the sewage treatment plant effluent cannot meet the requirement of other agencies having jurisdiction over discharge or violates any contract, resolution, law, rule, regulation, permit, or approval applicable to the industrial, commercial, or agricultural reuse of reclaimed water.
- 4.07j CONCENTRATION OF SOLIDS: Any concentrations of inert suspended solids (such as, but not limited to, fullers earth, lime slurries, and lime residues) or of dissolved solids such as, but not limited to, sodium chloride and sodium sulfate.
- 4.08 SUBSTANCES INCREASING COST OF OPERATION: No persons shall discharge or cause to be discharged substances, materials, waters or wastes if it appears likely in the opinion of the Director that such wastes can harm either the sewers, wastewater treatment process or equipment, have an adverse effect on effluent disposal facilities or systems, or can otherwise endanger life, limb, public property or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the Director will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The substances prohibited are:

- 4.08a HIGH TEMPERATURE WASTEWATER: Any sewage or wastewater having a temperature which will inhibit biological activity in any treatment plant.
- 4.08b FATS, WAXES, GREASES, OILS: Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of 72 milligrams per liter or containing substances which may solidify or become viscous at temperatures between thirty-two and one hundred degrees Fahrenheit.
- 4.08c UNSHREDDED GARBAGE: Any garbage that has not been properly shredded to the extent that particles are 1/2" and less in size.
- 4.08d PICKLING AND PLATING SOLUTIONS: Any waters or wastes containing strong acids, pickling wastes or plating solutions whether neutralized or not.
- 4.08e SUBSTANCES PRODUCING UNACCEPTABLE ODORS: Any waters or wastes containing phenols or other wastes in such concentrations that after treatment exceed limits which may be established as necessary for reuse of effluent or sludge.
- 4.08f ANY RADIOACTIVE WASTES OR ISOTOPES: None of any description.
- 4.08g UNACCEPTABLE FLOW RATES - SLUGS: Any pollutants, including oxygen demand pollutants (BOD, COD, TOC, etc.), released at a flow rate and/or pollutant concentrations which a user knows or has reason to know will cause interference to treatment. In no case shall a slug load be discharged to the County's wastewater system.



4.09a LIMITS ON CONCENTRATIONS: No person shall discharge sewage or wastewater in excess of the concentrations set forth in the table below unless an exception has been granted in writing by the Director.

<u>Parameter</u>	<u>Maximum Concentration mg/l (24 Hour Flow Proportional Composite Sample</u>	<u>Maximum Instantaneous Concentration mg/l (Grab Sample)</u>
Beryllium	0.2	0.5
Biochemical Oxygen Demand	200	--
Total Suspended Solids	250	--
Arsenic (As)	1.0	2.0
Boron (B)	1.0	2.0
Cadmium (Cd)	1.0	2.0
Chromium- Total (Cr)	1.0	2.0
Chromium- Hexavalent (Cr+6)	0.05	0.10
Copper (Cu)	2.0	4.0
Cyanide (CN)	0.1	0.2
Lead (Pb)	0.05	0.1
Mercury (Hg)	0.005	0.01
Nickel (Ni)	0.2	0.4
Phenol	0.5	1.0
Selenium (Se)	1.0	2.0
Silver (Ag)	1.0	2.0
Zinc (Zn)	5.0	10.0
Oil & Grease (Petroleum and/or Mineral)	72	150
Total Nitrogen	50.0	100.0
Total Phosphorus	10.0	--
Total Dissolved Solids	2,500.0	10,000.0
Fluoride	8.0	16.0
Chlorides	300.0	
Chlorine	25.0	

4.09b SURCHARGES: Concentrations in excess of the amounts specified in the 4.09(a) table will be subject to a surcharge if they can be reduced to an acceptable limit in the treatment process. The formula by which the amount of surcharge is determined is set forth in the County's Rate Resolution.

4.09c PRETREATMENT: Concentration in excess of the amounts specified in table 409(a) must be pretreated to meet the limits set in table 4.09(a).

ARTICLE V  
PROHIBITIONS & REQUIREMENTS FOR  
INDUSTRIAL, COMMERCIAL AND OTHER  
THAN RESIDENTIAL USERS

- 5.01 FEDERAL & STATE PRETREATMENT STANDARDS: Certain industrial users have or will have to comply with Federal and State pretreatment standards specifying quantities concentrations of pollutants or other conditions of pollutants. All such industrial users shall comply with such National and State standards and shall also comply with the additional or more stringent standards contained in this Resolution.
- 5.02 COUNTY STANDARDS: Maximum allowable concentrations of certain materials and elements are listed in the table in Section 4.09(a) of Article IV. Dilution of discharge to meet concentration standards is not an acceptable method of meeting standards without the written approval of the Director and payment of the appropriate surcharge. Such approvals may be withdrawn with 30 days notice. Article IV also specifies discharges to the County's system which are prohibited. Industrial and other users whose wastewater does not meet County standards must establish pretreatment facilities providing discharges meeting County standards.
- 5.03 PRETREATMENT FACILITIES: The following are industries whose wastes shall require pretreatment and/or approval before discharge into public sewers: bleaching and dyeing, bottling, brewing, cotton textile manufacture, processing dairies, dairy products, distilling, fat rendering, film processing, galvanizing, glue manufacturing, laundromats, lens grinding operations, manufacturing of

syrups, jams or jellies, plating facilities, meat packing, metal pickling or plating, munition manufacturing, oil refining, optical goods manufacturing, photographic processing, public laundering, pulp and papermaking, rubber production, salt works, slaughterhouses, soap making, sugar refining, tanning, wood scouring or washing, or any industry producing wastes with strong acid or alkaline reactions or which will form deposits in or cause damage to the sewers or to appurtenances of sewage treatment works.

The Director may place additional industries on this list as needed.

5.04 PRETREATMENT FACILITIES: Users that must provide pretreatment facilities must design, construct, maintain, and monitor them at their own expense. Such facilities must provide protection against accidental discharge and such protection must be approved by the County prior to connection to the County system. Included must be an effluent sampling manhole (control manholes) which must be available to the County at all reasonable times for sampling. User monitoring schedule must be approved by the County and monitoring results made available for review by the County.

5.05 ACCIDENTAL DISCHARGES: Accidental discharges of prohibited materials or substances regulated by this Resolution require immediate phoned notification of the Director of the Manatee County Public Utilities Department or the employee in charge. Such notification does not relieve the discharger of any liability. Within 5 days following the occurrence the user shall provide the Director with a written report describing the cause of the discharge and measures taken to prevent future occurrences.

5.06 MEASUREMENTS, TESTS, ANALYSES: All sampling measurements, tests, and analyses of the characteristics and composition of waters and wastes to which reference is made in this Resolution shall be done in accordance with the latest edition of STANDARD METHODS FOR THE EXAMINATION OF WATER AND WASTEWATER, published by the American Public Health Association, and/or "Methods For Chemical Analysis Of Water And Wastes" and any applicable regulations as published by the USEPA for sampling which shall be at the control manhole.

#### ARTICLE VI

#### PERMITS REQUIRED

- 6.01 PERMIT ESTABLISHED The County hereby establishes an industrial wastewater discharge permit. (see 6.03) The Director may include reasonable and necessary terms, and conditions in the permit. A permit will not be issued until all applicable fees and charges are paid and the provisions of this Resolution met.
- 6.02 LATERAL SEWER PERMITS: Lateral sewer lines from the sewer main to the property line are installed by and the responsibility of MCPUD. The portion of the lateral from the property line to the structure is under the jurisdiction of the Manatee County Planning and Development Department. Specifications for on site laterals are set forth in the Manatee County Plumbing Code. Off site specifications are set forth in MCPUD uniform Sewer Specifications.
- 6.03 WHERE REQUIRED: All industries which discharge into the Manatee County Wastewater system must first obtain a permit. Industrial dischargers connected to the system prior to the effective date of this Resolution have six

(6) months in which to apply for a permit but such discharger is subject to all other provisions of this Resolution.

6.04 PERMIT APPLICATIONS: An application form prescribed by the County must be completed and filed with the Public Utilities Department. Where appropriate the applicant shall submit:

- (a) Name, address, telephone number of applicant, location of the industrial facility, name and address of the owner of the premises from which wastewater is to be discharged.
- (b) A description of the operations and processes utilized by the operations, type and amount of raw materials processed and type of products produced.
- (c) Average daily and peak hourly wastewater flow rates, including daily, monthly and seasonal variations if any, and estimated time and duration of daily and peak flows.
- (d) An analyses of the wastewater as determined by a qualified laboratory acceptable to MCPUD and in accordance with STANDARD METHODS & USEPA regulations for sampling and analysis.
- (e) Site plans, floorplans, mechanical and plumbing plans with details showing drains, sewers, sewer connections and appertenances by size, location and elevation.
- (f) Number and type of employees and hours of operation of the plant.
- (g) Any other information deemed necessary by the Director to evaluate the application.

If an industry changes its operations to the extent that the discharge into the County system is modified a new permit is required prior to the change.

- 6.05 ISSUANCE OF PERMITS: The permit should be issued or denied within 60 calendar days after all required data has been submitted. A permit may contain appropriate restrictions or requirements. Upon denial an applicant has 30 calendar days in which to modify his application or make whatever processing or other changes necessary. Issuance of a permit does not relieve the discharger from complying with all applicable laws, regulations, and Resolutions of governmental authorities.

If pretreatment of a discharge is required to achieve compliance with the limitations in wastewater strength or composition, pretreatment facilities must be in place and approved by the County prior to issuance of a permit.

- 6.06 PERMIT RESTRICTIONS: The restrictions in permits shall be uniformly enforced by the County and may include, but shall not be limited to, the following:
- (a) The maximum permissible concentration of wastewater constituents.
  - (b) Limits on rate and time of discharge, or requirements for flow regulation and equalization.
  - (c) Requirements for inspection, flow metering and sampling facilities, and alternative sample methods.
  - (d) Pretreatment of industrial wastewater before discharge.
  - (e) Compliance Schedules.
  - (f) Specifications for monitoring programs which may include sampling locations, frequency and method of sampling, flow metering, number, types and standards for tests and reporting schedule.

- (g) Prohibition of discharge of certain wastewater constituents.
- (h) Requirements for submission of periodic discharge reports to include information concerning volume, rate of flow, constituent concentrations, peak flow rates, hours of operation, number of employees or other information.
- (i) Requirements for maintaining and retaining plant records relating to wastewater discharge as specified by the County, and affording County access thereof.
- (j) Requirements for notification of the County for 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.
- (k) Requirements for notification of slug or accidental discharges.
- (l) Other conditions as deemed appropriate by the County to ensure compliance with this Resolution.

6.07 DURATION OF PERMITS: Permits shall be issued for a specified period of time not to exceed 5 years.

6.08 MODIFICATION OF PERMITS: The terms and conditions of any permit may be changed by the County during the life of the permit to accommodate changes in local, state, and federal regulations or in the event that data upon which the permit was issued has changed, permits holders shall be notified of change 60 days prior to the effective date of change.

6.09 PERMITS NOT TRANSFERRABLE: Wastewater discharge permits are issued to a specific user for a specific operation. A wastewater permit shall not be transferred to a new owner, new user, or different premises unless approved by the Director.

ARTICLE VII  
FEEES & CHARGES  
USER CHARGE SYSTEM

Treatment rates, fees, surcharges and other charges related to usage of the County's wastewater system are established under a Manatee County Resolution.

The user charge system shall:

- (1) Provide sufficient revenue to fund all operation, maintenance, replacement, and debt service costs of the system.
- (2) Be based on actual quantities and quantities discharged to the system by user.
- (3) Equitable distribution of operation and maintenance costs to each class of customer.
- (4) Be based on experienced and itemized budgeted costs approved by the Board Of County Commissioners.
- (5) Provide for annual or biennial review.
- (6) Provide for annual rate notifications to customers.

ARTICLE VIII  
ENFORCEMENT & PENALTIES

8.01 RIGHT TO ENTER: Duly authorized employees of the County shall be permitted to enter all properties without prior notice for the purposes of inspection, observation, measurement, sampling, and testing. This requirement is hereby made a condition to the issuance of all industrial wastewater discharge permits.

8.02 REJECTION OF CERTAIN WASTES: If any sewage, waters or wastes are discharged to the County's system or are proposed to be discharged which waters in the judgement of



the Director may have a deleterious effect upon the system, create a hazard to life, constitute a public nuisance, or adversely affect reuse of effluent and sludge the Director may:

- (a) Rejects the wastes
- (b) Require pretreatment to an acceptable condition for discharge.
- (c) Require control over quantities and rates of discharge.
- (d) Assess a surcharge to cover added handling, treatment, and disposal costs.

8.03 SUSPENSION OF SERVICE: The Director may suspend wastewater service and/or a permit in order to stop an actual or treated discharge which represents an eminent or substantial endangerment to the health and welfare of persons, to the environment, or to the MCPUD wastewater system and which could cause a treatment facility to be in non-compliance with Federal, State, and Local Regulations.

Any person notified of a suspension of the wastewater service and/or the permit shall immediately stop or eliminate the condition. In the event of a failure of a person to comply voluntarily with the suspension order, the County shall take such steps as deemed necessary including immediate severance of the sewer connection, to prevent or minimize damage and/or endangerment to any individuals. The County shall reinstate the permit and/or the wastewater service upon proof of the elimination on the non-complying 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 County within 5 calendar days of the date of occurrence. In addition to any other penalties, the violator will pay tapping and reconnection costs if such apply.

- 8.04 REVOCATION OF PERMIT: In addition to the revocation condition of 8.03, any user who violates any of the following conditions or applicable federal and state regulations is subject to having his permit revoked.
- (a) Failure to factually report the wastewater discharge constituents and characteristics.
  - (b) Failure to report significant changes in wastewater constituents and characteristics.
  - (c) Refusal of reasonable access to the user's premises.
  - (d) Obtaining a permit by misrepresentation or failure to fully disclose.
  - (e) A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge.
  - (f) Violation of any of the conditions of the permit.
- 8.05 DISCHARGING WITHOUT PERMITS: Any industry discharging to the County's system without permit in addition to all other penalties will be charged twice the normal permit fee. Normal permit fees are given in the County Rate Resolution.
- 8.06 DISCHARGING TOXIC SUBSTANCES: In addition to any other penalties, the full costs to the County of disposal, treatment and all other related costs related to toxic substances in the wastewater will be charged to the discharger.
- 8.07 DISCHARGES RESULTING IN CORRECTIVE MAINTENANCE, REPAIR OR REPLACEMENT: In addition to any other penalties discharges that result in damage to any component of the system, or the clogging of lines will result in all repair, maintenance, and replacement costs being charged to the offender

- 8.08 SURCHARGES: Surcharges for treatment of wastewater of higher than normal strength are set forth in the County Rate Resolution.
- 8.09 UNLAWFUL CONNECTION OR USE OF THE COUNTY SYSTEM: Any person discharging into manholes, or any points of entry to the system, or connecting to the system without approval of the Department shall be subject to a penalty of \$500.00 for each instance, all additional costs resulting from the action, and twice the estimated quantity charge.
- 8.10 SEVERABILITY OF INVALID PROVISIONS: If any one or more of the provisions of this resolution should be held contrary to any express provision of law or shall for any reason whatsoever be held invalid; then such provisions shall be null and void and shall be deemed separate from the remaining provisions and shall in no way affect the validity of other provisions of this resolution.

9.01

EFFECTIVE DATE

This Ordinance shall take effect immediately upon the receipt of official acknowledgement from the Office Of The Secretary Of State, State Of Florida that this Ordinance has been filed with said office.

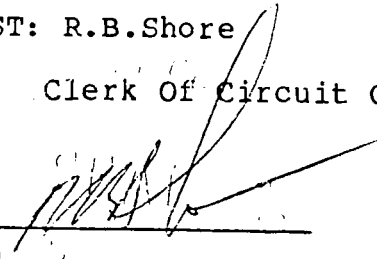
PASSED & DULY ADOPTED By the Board Of County  
Commissioners of Manatee County, Florida the  
19TH \_\_\_\_\_ day of March, 1985.

BOARD OF COUNTY COMMISSIONERS OF  
MANATEE COUNTY:

By Edward W. Chavis

Chairman

ATTEST: R.B. Shore  
Clerk Of Circuit Court

By: 

STATE OF FLORIDA


COUNTY OF MANATEE

I, R. B. Shore, Clerk of Circuit Court, in and for the County of Manatee, State of Florida, do hereby certify that the foregoing is a true copy of an ORDINANCE adopted by the Board of County Commissioners of said County in session on the 19th day of March, 1985.

SUBJECT: ORDINANCE 85-10  
SEWER USE ORDINANCE  
AN ORDINANCE OF MANATEE COUNTY COVERING THE USE OF THE  
COUNTY WASTEWATER DELIVERY, TREATMENT, AND DISPOSAL SYSTEM

AN ORDINANCE OF MANATEE COUNTY SETTING FORTH THE NECESSITY FOR CONTROL OF THE USAGE OF THE PUBLIC WASTEWATER SYSTEM; MANDATING CONNECTION WHEN SERVICE IS AVAILABLE; PROHIBITING THE DISCHARGE OF CERTAIN SUBSTANCES AND MATERIALS; SETTING LIMITS FOR THE CONCENTRATION OF CERTAIN SUBSTANCES AND MATERIALS; PROVIDING FOR SURCHARGES FOR CONCENTRATIONS EXCEEDING ALLOWABLE LIMITS; ESTABLISHING A REQUIREMENT FOR INDUSTRIAL WASTEWATER DISCHARGE PERMITS; AND SETTING FORTH PENALTIES.

WITNESS My Hand and Official Seal this the 21st day of March, 1985, in Bradenton, Florida.

  
\_\_\_\_\_  
R. B. Shore, Clerk of Circuit Court  
Manatee County, Florida



FLORIDA DEPARTMENT OF STATE FOR RECORD

George Firestone  
Secretary of State

85 APR 2 AM 9 59

March 28, 1985

Mr. R. B. Shore  
Manatee County Clerk  
of the Circuit Court  
Post Office Box 1000  
Manatee County Courthouse  
Bradenton, Florida 33506

R. B. SHORE  
CLERK CIRCUIT COURT  
MANATEE CO. FLORIDA

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge:

1. Receipt of your letter/s of March 19 and March 22  
and certified copy/ies of Manatee County  
Ordinance Nos. 85-08 and 85-10
2. Receipt of \_\_\_\_\_ County Ordinance/s  
relative to:
  - (a) \_\_\_\_\_  
which we have numbered \_\_\_\_\_
  - (b) \_\_\_\_\_  
which we have numbered \_\_\_\_\_
3. We have filed this/these Ordinance(s) in this office  
on March 28, 1985.
4. The original/duplicate copy/ies showing the filing date  
is/are being returned for your records.

Cordially,

*Liz Cloud*  
(Mrs.) Liz Cloud, Chief  
Bureau of Administrative Code

LC/  
Enclosures

*Utilities / wastewater Sewer Use* *85-10*