

EXHIBIT H

CITY OF BEAVER FALLS
ORDINANCE NO. 4081

AN ORDINANCE OF THE CITY OF BEAVER FALLS (THE "CITY"),
BEAVER COUNTY, PENNSYLVANIA, ESTABLISHING RATES AND
BILLING PROCEDURES FOR BOTH JOINT SEWER USERS AND
PROPERTY OWNERS WITHIN IN THE CITY OF BEAVER FALLS

WHEREAS, under the Third Class City Code, 53 P.S. § 37435, City Council has the "power to enact, make, adopt, alter, modify, repeal and enforce...ordinances, resolutions, rules and regulations, not inconsistent with or restrained by the Constitution of Pennsylvania and laws of this Commonwealth, that are either of the following: (1) expedient or necessary for the proper management, care and control of the city and its finances and the maintenance of peace, good government, safety and welfare of the city and its trade, commerce and manufactures; (2) necessary to the exercise of the powers and authority of local self-government in all municipal affairs."

WHEREAS, the City Council of the City of Beaver Falls desires to exercise its authority under the aforementioned statutory provision and other provisions of the laws of the Commonwealth of Pennsylvania to set forth the following rate schedule and billing procedures for the City and Joint Sewer Users (JSU) concerning water, sewer, waste and fire hydrant fees as applicable.

1. Residents living within the city limits of the City of Beaver Falls shall pay the following rates where applicable which is collected by the Beaver Falls Municipal Authority:

Quarterly accounts for city residents:

\$41.14 minimum fee for 0-3,000 gallons; \$8.21 for 3,000+ gallons

\$68.00 waste/refuse bill

\$6.00 fire hydrant fee

Monthly commercial and industrial:

\$13.71 minimum fee for 0-1000 gallons
\$8.21 per thousand for 1000+ gallons.
\$22.67 waste/refuse
\$2.00 fire hydrant fee

2. Joint Sewer User (JSU) Rates

Upon receipt of three (3) months of potable water readings, invoices for each JSU municipality is sent calculated by the current rate of \$4.41 per 1,000 gallons in the following formula: (Total potable water usage for three (3) months/1000)x (\$4.41)- amount due.

See attached pages B1-B5 for Procedures.

3. JSU- The City shall increase each JSU municipality's sewer charge by three (3%) effective January 1, 2023 and every year thereafter.
4. City- The City shall increase the City residents' sewer charge by three (3%) effective January 1, 2023 and every year thereafter.
5. The tap-in fee for property owners within the JSU municipalities is hereby set at Six Hundred and Fifty (\$650.00) Dollars per tap-in.
6. The tap-in fee for property owners within the City of Beaver Falls is hereby set at Two Thousand (\$2,000.00) Dollars per tap-in.
7. JSU municipalities shall be subject to a late fee assessed in an amount equal to five (5%) percent of the outstanding and late bill. The late fee will be imposed the day after the bill is due and will be incorporated in the following quarterly bill.
8. The city residents shall be subject to a late fee assessed in the following bills:
 - Five (5%) percent of the outstanding water bill
 - Ten (10%) percent of the outstanding sewer bill
 - Ten (10%) percent of the outstanding fire hydrant bill
 - Ten (10%) percent of the outstanding waste/refuse billThe late fee will be imposed seven (7) days after the bill is due and will be incorporated on their next bill.

9. This Ordinance shall take effect immediately upon final passage.

10. Any Ordinance or Resolution, or parts of any Ordinance or Resolution inconsistent herewith are hereby repealed.

PASSED AND ADOPTED by the Council of the City of Beaver Falls this 8th day of November, 2022.

ATTEST:



Paula J. Durish, City Clerk

CITY OF BEAVER FALLS:



Kenya Johns, Ph.D., Mayor

The billing process at the Joint Sewer Users Beaver Falls (aka: JSU; aka: Beaver Falls Sewage Treatment Plant; aka: Beaver Falls Water Pollution Control Plant)...

- Around the first of every month, I receive an emailed excel spreadsheet from the Beaver Falls Municipal Authority (aka: Water Company) that shows the potable water usage for the following municipalities: City of Beaver Falls, Eastvale, White Township, West Mayfield, Patterson Township, Patterson Heights, and Big Beaver (which includes Homewood). After three months of potable water readings, I generate an invoice for each municipality and send it to them. The invoice states that it is from "City of Beaver Falls, Water Pollution Control Plant, 715 15th St, Beaver Falls, PA 15010. The amount due on each invoice is calculated by taking the current rate (\$4.41 per 1,000 gallons) and applying it to the following formula:

$$(\text{Total potable water usage for three months}/1,000) \times (\$4.41) = \text{amount due}$$

For example, if the City of Beaver Falls, as a whole, used 25,000,000 gallons of potable water in three months, they would owe:

$$(25,000,000/1000) \times (\$4.41) = \$110,250.00 \text{ due}$$

- North Sewickley Township Sanitary Authority emails me around the first of each month with their potable water readings. They are billed the exact same way as mentioned above, but they are billed monthly.
- Dalton's Service Co. emails me around the first of each month with detailed spreadsheets of every single load that is dumped into the system. They are billed exactly the same way as mentioned above, but they are billed for gallons dumped into the system and they are billed monthly.

For example, if Dalton has a monthly total of 1,000,000 gallons dumped into the system, I will generate an invoice based on the current rate of \$4.41 per 1,000 gallons...

$$(1,000,000/1,000) \times (\$4.41) = \$4,410.00 \text{ due}$$

- Valley Waste Service emails me their monthly monitoring report around the first of every month. The last page of the report shows a breakdown of how they calculated the amount of gallons that were discharged into the system. I generate an invoice for them each month by using the following formula:

$$\text{Total gallons} \times \text{industrial surcharge rate of 1 cent per gallon} = \text{amount due}$$

For example, if Valley Waste discharges 10,000 gallons, they would owe:

$$10,000 \times 0.01 = \$100.00 \text{ due}$$

CITY OF BEAVER FALLS
INDUSTRIAL PRETREATMENT PROGRAM

SELF-MONITORING REPORT
MONTHLY REPORTS

(DUE THE 8TH DAY EACH MONTH)

Industry Name _____

Permit No. 5-C

Reporting Period March 2022

Permit Requirements vs Sample Results

Outfall 001			
Pollutant	Daily Maximum (mg/L)	Monthly Average (mg/L)	Concentration (mg/L) Sample Results and Dates (also attach laboratory sheets as backup)
Flow (Total Flow) (1)	Report (gal)	Report (gal)	15,259
Total Susp. Solids (TSS)	275	275	22
Oil & Grease	100	100	78
5-day Biochemical Oxygen Demand (BOD5)	300	300	44
Arsenic (As)	Report	Report	< 0.02
Cadmium (Cd)	Report	Report	< 0.002
Chromium, total (Cr)	3.5	3.5	< 0.01
Cyanide, total (CN)	1.0	1.0	< 0.020
Copper (Cu)	2.0	2.0	0.01
Lead (Pb)	2.0	2.0	< 0.02
Mercury (Hg)	Report	Report	< 0.0002
Nickel (Ni)	3.0	3.0	0.01
Silver (Ag)	5.0	5.0	< 0.005
Zinc (Zn)	2.0	2.0	0.07
Phenolic compounds	1.0	1.0	0.027
pH - range (pH units)	5.5 - 10.5	5.5 - 10.5	7.01

(1) NOTE: For flow, report elapsed time (hours) x 60 x 11.56 gpm = gallons

Violations Noted

<u>Date</u>	<u>Constituent</u>	<u>Concentration</u>
None	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

FLOW and SURCHARGE CALCULATIONS (show below or on a separate sheet):

BOD Rate per 1000 gallons = 0.00834 P (BOD - 300); where P = 25 cents

TSS Rate per 1000 gallons = 0.00834 B (TSS - 275); where B = 15 cents

Industrial Surcharge Rate = 1 cent per gallon.

See attached.

Calculate the appropriate surcharges and attach a check for that amount payable to: **Joint Sewer User's Account.**

Process Information

Has the Type of process changed? _____ Yes No

Have the waste chemical characteristics changed? _____ Yes No

Has the waste volume changed? _____ Yes No

Has the treatment utilized changed? _____ Yes No

Person Filing Report**

Name _____

Title Maintenance Manager

Date April 4, 2022

Phone _____

** Must be a responsible corporate officer or a letter must be on file authorizing the signer to sign for the company.

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

Signature _____

Laboratory Results

Geochemical Testing

Date: 15-Mar-22

CLIENT:

Client Sample ID: Outfall 001

Lab Order:

Project:

Sampled By:

Lab ID:

Collection Date: 3/2/2022 8:30:00 AM

Matrix: WASTE WATER

Received Date: 3/3/2022 10:15:21 AM

Analyses	Result	QL	Q	Units	DF	Date Prepared	Date Analyzed
PH BY SM 4500 H+B		Analyst: LAP				SM 4500-H+ B	
Lab pH	7.01		H	S.U.	1		03/07/22 12:02 PM
PHYSICAL TESTS		Analyst: ACW				SM 2540 D SM 2540 D	
Total suspended solids	22	2		mg/L	1	03/03/22 11:45 AM	03/03/22 12:10 PM
INDICATOR ORGANIC PARAMETERS		Analyst: MJR				SM 5210 B SM 5210 B	
BOD 5-day	44	3	L2	mg/L	3	03/03/22 1:22 PM	03/08/22 8:18 AM
NOTES:							
L2 - LCS below the acceptance limits. Result may be biased low							
INORGANIC NON-METALS		Analyst: CML				ASTM D7511-12	
Cyanide, total	< 0.020	0.020		mg/L	1		03/10/22 4:29 PM
INORGANIC NON METALS		Analyst: CML				EPA 420.4	
Phenolics	0.027	0.020		mg/L	1		03/10/22 4:04 PM
INORGANIC METALS		Analyst: MAS				SM 3112 B SM 3112 B	
Mercury	< 0.0002	0.0002		mg/L	1	03/04/22 10:50 AM	03/07/22 9:44 AM
INORGANIC METALS		Analyst: LEB				EPA 200.2 EPA 200.7 REV 4.4	
Arsenic	< 0.02	0.02		mg/L	1	03/04/22 8:20 AM	03/07/22 3:38 PM
Cadmium	< 0.002	0.002		mg/L	1	03/04/22 8:20 AM	03/07/22 3:38 PM
Chromium	< 0.01	0.01		mg/L	1	03/04/22 8:20 AM	03/07/22 3:38 PM
Copper	0.01	0.01		mg/L	1	03/04/22 8:20 AM	03/07/22 3:38 PM
Lead	< 0.02	0.02		mg/L	1	03/04/22 8:20 AM	03/07/22 3:38 PM
Nickel	0.01	0.01		mg/L	1	03/04/22 8:20 AM	03/07/22 3:38 PM
Silver	< 0.005	0.005		mg/L	1	03/04/22 8:20 AM	03/07/22 3:38 PM
Zinc	0.07	0.01		mg/L	1	03/04/22 8:20 AM	03/07/22 3:38 PM
INDICATOR ORGANIC PARAMETERS		Analyst: HBB				EPA 1664A EPA 1664 B	
Oil & Grease	78	5		mg/L	1.08	03/07/22 8:57 AM	03/08/22 12:57 PM



March 2022

Flow Calculations

NOTE: For flow, report elapsed time (hours) x 60 x 11.56 gpm = gallons

Hour Meter Reading - Pump #1	1015
Hour Meter Reading - Pump #2	1086
Current Month Sum	2101
Prior Month Sum	2079
Elapsed Time (Hours)	22
Total Flow (gallons)	15,259

Surcharge Calculations

BOD Rate per 1000 gallons = 0.00834 P (BOD-300); where P = 25 cents
TSS Rate per 1000 gallons = 0.00834 B (TSS-275); where B = 15 cents
Industrial Surcharge Rate = 1 cent per gallon

Current Month BOD Sample Result	44
BOD Permit Requirement	300
BOD Surcharge	\$0.00
Current Month TSS Sample Result	22
TSS Permit Requirement	275
TSS Surcharge	\$0.00
Current Month Flow (gallons)	15259
Industrial Surcharge	\$152.59
Total Surcharge Due	\$152.59

CITY OF BEAVER FALLS
RESOLUTION NO. 1576

A RESOLUTION OF THE CITY OF BEAVER FALLS, BEAVER COUNTY, PENNSYLVANIA, AMENDING RESOLUTION 1423 DETERMINING THE JOINT SEWER USER'S CHARGE RATE COMMENCING JANUARY 1, 2021 AND TO RE-IMPLEMENT THE AUTOMATIC JOINT SEWER USER'S CHARGE BY 3% ANNUALLY.

WHEREAS, the City desires to amend provisions contained in Resolution 1423 which assessed a suspension in the automatic annual increase in the JSU's charge per 1,000 gallons of water consumption and the JSU's charge;

BE IT RESOLVED by the Council of the City of Beaver Falls, it is hereby resolved by virtue of the authority of the same as follows:

1. That Paragraph 1 of Resolution 1423 shall reflect the 3% increase (beginning January 1, 2021) and is now \$4.28 per 1,000 gallons of water consumption.
2. That the Council of the City of Beaver Falls, hereby re-implements Paragraph 4 of Resolution 1256 which reads: The City shall, effective January 1, 2021, and every year thereafter, increase the Joint Sewer User's charge by 3%.

All other provisions of Resolution No. 1256 and Resolution No. 1423 shall remain in full force and effect.

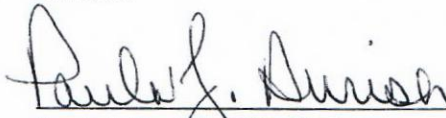
The City may, from time to time, amend this resolution as deemed necessary and appropriate by Council.

Any and all ordinances, parts of ordinances, resolution or parts of resolutions in conflict with the terms, conditions and provisions of this Resolution are hereby repealed to the extent of such conflict.

That this Resolution shall take effect immediately upon its passage.

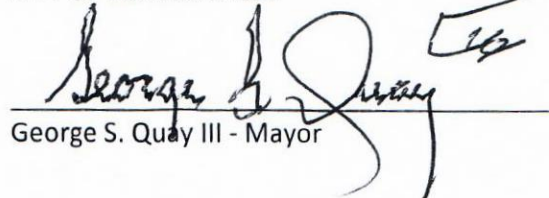
PASSED AND ADOPTED BY THE COUNCIL of the City of Beaver Falls this 8th day of December, 2020.

ATTEST:



Paula J. Durish - City Clerk

CITY OF BEAVER FALLS:



George S. Quay III - Mayor

CITY OF BEAVER FALLS
RESOLUTION 1589

A RESOLUTION OF THE CITY OF BEAVER FALLS,
BEAVER COUNTY, PENNSYLVANIA, AMENDING RESOLUTION NO.
1256, TO ELIMINATE THE MINIMUM JOINT SEWER USER'S CHARGE
ESTABLISHED AT \$16.00 PER QUARTER

WHEREAS, the City of Beaver Falls ("City") is authorized by The Third Class City Code (53 P.S. § 35101, et seq.) to adopt resolutions setting fees and charges;

WHEREAS, the City desires to amend a provision contained in Resolution No. 1256 which assessed a minimum joint sewer user charge for any user of the City of Beaver Falls Sanitary Sewer System;

BE IT RESOLVED by the Council of the City of Beaver Falls, it is hereby resolved by virtue of the authority of the same as follows:

That the Council of the City of Beaver Falls, hereby suspends paragraph 2 of Resolution No. 1256 which reads: "The minimum joint sewer user's charge for any user of the City of Beaver Falls Sanitary Sewer System is established by \$16.00 per quarter.."

All other provisions of Resolution No. 1256 shall remain in full force and effect.

The City may, from time to time, amend this resolution as deemed necessary and appropriate by Council.

Any and all ordinances, parts of ordinances, resolutions or parts of resolutions in conflict with the terms, conditions and provisions of this Resolution are hereby repealed to the extent of such conflict.


That this Resolution shall take effect immediately upon its passage.

PASSED AND ADOPTED BY THE COUNCIL of the City of Beaver Falls, this 25th day, of May, 2021.

ATTEST:


Paula J. Durish - City Clerk

CITY OF BEAVER FALLS:


George S. Quay III - Mayor

CITY OF BEAVER FALLS
RESOLUTION NO. 1506

A RESOLUTION OF THE COUNCIL OF THE CITY OF BEAVER FALLS, BEAVER COUNTY, PENNSYLVANIA, DETERMINING THE MINIMUM WATER CONSUMPTION USAGE FOR THE RESIDENTS OF THE CITY OF BEAVER FALLS AND ESTABLISHING QUARTERLY FEES FOR SUCH USAGE, ESTABLISHING THE CITY SEWER USER'S CHARGE AND INCREASING THE RATES FOR SOLID WASTE COLLECTION AND FIRE HYDRANT FEES.

This Resolution provides that the Council of the City of Beaver Falls will annually compute the sewer rental charge payable by the owner and/or occupier of premises served by the Beaver Falls Sanitary Sewer System.

Now therefore, be it resolved by the Council of the City of Beaver Falls, Beaver County, Pennsylvania, and it is hereby resolved by the authority of the same as follows:

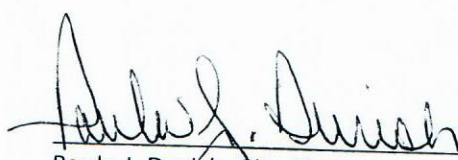
1. The minimum City residents sewer charge is established at \$38.78 per quarter for use of 3,000 gallons or less of water consumption.
2. For use above the minimum 3,000 gallons per quarter, the City residents sewer charge shall be \$7.74 per 1,000 gallons of water consumption.
3. The charge for Solid Waste shall be \$56.00 per quarter.
4. The charge for Fire Hydrant fee shall be \$4.00 per quarter.
5. These rates will take effect January 1, 2019 based on actual metered water usage.
6. The City shall, effective January 1, 2021, and every year thereafter, increase the City residents sewer charge by 3%.

2021
\$ 39.94
\$ 7.97

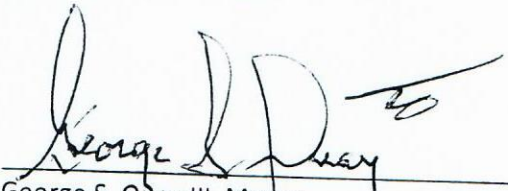
PASSED AND ADOPTED BY THE COUNCIL of the City of Beaver Falls this 27th day of December, 2018.

ATTEST:

CITY OF BEAVER FALLS:



Paula J. Durish, City Clerk



George S. Quay III, Mayor

AN ORDINANCE amending Section 2 of Ordinance No. 1227, passed February 27, 1967, as amended by Ordinance No. 1268, passed December 22, 1970 entitled "AN ORDINANCE of the City of Beaver Falls imposing upon each property in the City of Beaver Falls, served by the Beaver Falls sanitary sewer system, a sewer rental charge, payable by the owner and/or occupier of said premises; providing for the collection thereof and the filing of liens therefor; providing for rules and regulations; and providing for surcharges on delinquent accounts." By providing for computation of the rate for sewer usage based on a ratio between operation and maintenance costs and meter reading volume:

BE IT ORDAINED AND ENACTED by the Council of the City of Beaver Falls, hereinafter sometimes referred to as "City" and it is hereby ordained and enacted by authority of the same as follows:

Section I. Section 2 of Ordinance No. 1227, passed February 27, 1967, entitled " An Ordinance of the City of Beaver Falls imposing upon each property in the City of Beaver Falls served by the Beaver Falls sanitary sewer system, a sewer rental charge, payable by the owner and/or occupier of said premises; providing for the collection thereof and filing of liens therefor; providing for rules and regulations; and providing for surcharges on delinquent accounts." as amended, is hereby amended to read as follows:

Section 2 (a) The rate for said sewer usage shall be reviewed annually and computed as follows:

The total anticipated yearly flow, as reflected by the actual total sewage treated at the sewage treatment plant of all users for the preceding year, shall be divided into the total projected cost of operation and maintenance (as approved by City Council) of the City's treatment works for the coming calendar year to determine ratio "r". Ratio "P" is expressed numerically by the following:

$$R = \frac{\text{Total Projected Operation and Maintenance Costs (\$)}}{\text{Total Sewage Treated (gallons)}}$$

The above rate ratio shall be used exclusively for determination of user charges (based upon each users water meter readings) except when the total users metered flow is less than or greater than the actual total volume of wastewater treated at the City's treatment works for the preceding year. In such case, the difference of the yearly revenues generated by the rate ratio "R" (Revenue = R x Total users metered flows) and the projected total cost of operation and maintenance for the treatment works shall be determined. This difference is labeled herein as 'd' and is calculated as follows:

$$d = (\text{Projected Total Operation and Maintenance Cost, \$}) - (R \times \text{Total Users Metered Flows, \$})$$

To incorporate this cost difference, "d", into each users treatment works charges, a new rate ratio "R₁" shall be determined and calculated as follows:

$$R_1 = \frac{d, \$}{\text{Total Users Metered Flows, gallons}}$$

Therefore, the actual user billing rate (\$/gallons recorded by water meter readings), P₁, shall be determined by the summation of rate ratios R and R₁. The user billing rate, P₁, can be expressed mathematically as follows:

$$P_1 = R + R_1$$

Section II (b)

1. The rate ratios (R and R₁) applied to each users treatment works charges shall be reviewed annually by the City of determine the need to adjust the rate ratios based upon the actual annual operation and maintenance costs incurred by the /City, the actual quantity of wastewater flow treated by the City's treatment works, and the total revenue generated by the existing rate ratios. Upon evaluating the revenues required to meet the projected annual operation and maintenance costs, the rate ratios shall be adjusted periodically as determined necessary by the City to generate suitable funds to meet all operation and maintenance costs of the City's treatment works.

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2. Records of all information pertaining to the annual review of the rate ratios and all components utilized to determine said rate ratios shall be maintained on file and open for public review during normal working hours at the City's Municipal Building.

3. The following general items (but not limited to these alone) shall be included in determining the annual operation and maintenance costs associated with the City's treatment works:

- (a) Wages and salaries
- (b) Materials and supplies
- (c) Utility requirements
- (d) Repairs - replacement
- (e) Administrative
- (f) Debt service charges
- (g) Reserve fund costs

4. The basis for actually determining the operation and maintenance costs for each of the items detailed above shall be made by the plant superintendent and approved by City Council based upon expenditures incurred for the same items over the past years of operation as well as projected expenditures for the next calendar year of operation.

Section II (c)

1. In instances where an industrial or commercial user consumes large quantities of water for processing, cooling, or heating, and said water is not discharged into the City's sewerage system for treatment, then said industrial or commercial users may install separate water meters for all fixtures which will eventually contribute wastewater to the City's treatment works or said user may install a separate sewage flow meter (as approved by the City of Beaver Falls) at any and all connection points within the City's sewerage system. Any and all costs (including City inspection costs) to be incurred by the industrial or commercial user shall totally and solely be borne by said user."

Section II. All other provisions of said Ordinance 1227 shall remain in full force and effect.

Section III. All Ordinance or parts thereof inconsistent herewith are hereby repealed.

Section IV. This Ordinance shall become effective the 9th day of November 1976.

PASSED FINALLY by the Council of the City of Beaver Falls, this 9th day of November, 1976.

Nick L. Camp
Mayor
Nick L. Camp

Attest:

Robert D. Yoho
City Clerk - Coordinator
Robert D. Yoho

DDH597

CITY OF BEAVER FALLS
RESOLUTION NO. 1256

A RESOLUTION OF THE COUNCIL OF THE CITY OF BEAVER FALLS,
BEAVER COUNTY, PENNSYLVANIA, DETERMINING THE JOINT SEWER
USER'S CHARGE RATE COMMENCING JANUARY 1, 2013.

WHEREAS, the City of Beaver Falls provides that the Council will annually compute the sewer rental charge payable by the joint sewer users served by the Beaver Falls Sanitary Sewer System.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Beaver Falls, Beaver County, Pennsylvania, and it is hereby resolved by the authority of the same, as follows:

1. The annual joint sewer user's charge will be \$3.81 per 1,000 gallons of water consumption.
2. The minimum joint sewer user's charge for any user of the City of Beaver Falls Sanitary Sewer System is established at \$16.00 per quarter.
3. These rates will take effect January 1, 2013 based on actual metered water usage.
4. The city shall, effective January 1, 2013, and every year thereafter, increase the Joint Sewer User's charge by three percent (3%).

This Resolution shall be effective immediately.

PASSED AND ADOPTED BY THE COUNCIL of the City of Beaver Falls this 16th
day of August 2011.

ATTEST:

CITY OF BEAVER FALLS:

Paul J. Bendine
City Clerk

[Signature]
Mayor

RESOLUTION NO. 567

RESOLUTION adopting rules and regulations for the use and operation of the City's sewer system.

WHEREAS, the Council of the City of Beaver Falls, by Section 8 of Ordinance No. 1227 of the City of Beaver Falls, has reserved the right to adopt, revise and amend rules and regulations for the use and operation of the City's sewer system, and;

WHEREAS, the Council of the City desires to adopt certain rules and regulations for the discharge of industrial and processed wastewater into the City's sewer system;

NOW THEREFORE, be it resolved by the Council of the City of Beaver Falls that the following rules and regulations for the use and operation of the City's sewer system are hereby adopted and made a part of Ordinance 1227, as amended;

1. The discharging to industrial and processed wastewater into the City's sewerage system is strictly prohibited except as provided for herein.

2. In order for the City to consider any industrial user's connection into the City's treatment works, the following information shall be provided in duplicate to the City for evaluation of the proposed industrial wastewater discharge.

- (a) Name of Institution.
- (b) Address and Desired Location.
- (c) Desired Tap-in Location.
- (d) Estimated Quantity of Flow - include maximum gallons per minute discharge flowrate.
- (e) Description of the process which generated the wastewater.
- (f) Amount of sanitary wastes in the industrial wastewater and, if any, in what concentrations.
- (g) A complete chemical analysis of the proposed wastewater discharge providing as a minimum the following: BOD₅, COD, SS, D.S., D.O., Chlorine Demand, NH₃-N, Total N, NO₃-N, oil and grease, pH, PO₄-P, phenols, cyanide-total and amenable, mercury total, temperature, heavy metals, and any other tests which will more appropriately describe the true characteristics of the proposed wastewater discharge.

3. The following conditions shall apply to all industrial wastewater contributors to the City's sewage treatment facilities which are approved by the City:

(a) Any user of the treatment works whose applied loading to the treatment plant exceeds any one of the following criteria shall be classified to the conditions of this program:

BOD ₅	>	230 mg/l
SS	>	220 mg/l
Dissolved Solids (D. S.)		300 mg/l
Flow	≥	10% of Average Design Flow of Treatment Works
Delivery Flowrate	≥	175 GPM
pH	-	> 8.0 or > 6.0
Phenols	-	Any amount
Heavy Metals	-	Any amount
Cyanides	-	Any amount

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(b) Each industrial user of the said treatment works shall be required to pay its share of the total amount of the grant and any grant amendment awarded to the City pursuant to Federal Project No. C-420676-01 divided by the recovery period.

(c) The industrial recovery period is defined as the useful design life of the treatment works (until 1995) or 19 years based upon the treatment plant additions being completed in 1976.

(d) Payments shall be made by the industrial users no less often than annual. The first payment by the said user shall be made not later than one (1) calendar year after such time the user begins using the treatment works.

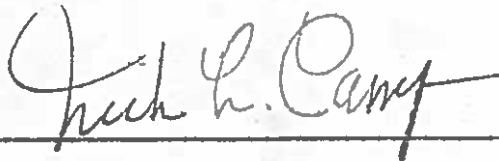
8 (e) The industrial user's share of the grant amount shall be based upon the following factors: strength (BOD, Suspended Solids, Dissolved Solids, etc), volume, and delivery flowrate. These factors shall be proportioned in relation to the existing design parameters allocated for the existing sewage treatment facility. (Since the City presently accepts no industrial wastewater discharges, the actual proportioning of the costs will be determined by the City at the time of proposed industrial tap-in). If throughout the recovery period there is a substantial change in the strength, volume, and, or delivery flowrate characteristics introduced into the treatment works by said industrial user, such user's share shall be adjusted accordingly. As a minimum, an industrial user's share shall be proportional to its flow, in relation to the treatment works flow capacity.

(f) If there is an expansion or upgrading of the treatment works, each existing industrial user's share (at the time of the expansion or upgrading) shall be adjusted accordingly.

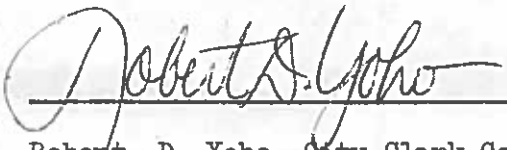
(g) The City shall retain 50 percent of the amounts recovered from said industrial user. The remainder, together with any interest earned thereon, shall be returned to the U. S. Treasury on an annual basis.

(h) The City shall use a minimum of 80 percent of the retained amounts, together with interest earned thereon, for the expansion and/or reconstruction which may be required of the treatment works. The City shall obtain the written approval of the retained amounts for any expansion and reconstruction. The remainder of the retained amounts shall be used, as the City sees fit. Pending use, the City shall invest the retained amounts for reconstruction and expansion in: (1) obligations of the U. S. Government; or (2) obligations guaranteed as to principal and interest by the U. S. Government or any agency thereof; or (3) shall deposit such amounts in accounts fully collateralized by obligations to the U. S. Government or obligations fully guaranteed as to principal and interest by the U. S. Government or any agency thereof.

ADOPTED BY COUNCIL OF THE CITY OF BEAVER FALLS, this 12th day of October, 1976.



Nick L. Camp, Mayor


Robert D. Yoho, City Clerk-Coordinator

plm

CITY OF BEAVER FALLS

BILL NO. 1

ORDINANCE NO. 1348

AN ORDINANCE AMENDING SECTION 2 AND SECTION 3 OF ORDINANCE NO. 1227, PASSED AND ADOPTED FEBRUARY 27, 1967, ENTITLED "AN ORDINANCE OF THE CITY OF BEAVER FALLS IMPOSING UPON EACH PROPERTY IN THE CITY OF BEAVER FALLS, SERVED BY THE BEAVER FALLS SANITARY SEWER SYSTEM, A SEWER RENTAL CHARGE, PAYABLE BY THE OWNER AND/OR OCCUPIER OF SAID PREMISES; PROVIDING FOR THE COLLECTION THEREOF AND THE FILING OF LIENS THEREFOR; PROVIDING FOR RULES AND REGULATIONS; AND PROVIDING FOR SURCHARGES ON DELINQUENT ACCOUNTS"; AND FURTHER AMENDING SECTION 2 OF ORDINANCE NO. 1288, PASSED AND ADOPTED DECEMBER 22, 1970, WHICH INCREASED THE RATE FOR SEWER USAGE FROM 25% TO 50% OF THE WATER BILL RENDERED SAID OWNER OR OCCUPIER, AND BY CONTINUING TO PROVIDE FOR THE PAYMENT OF SAID SEWER BILLS TO THE OFFICE OF THE CITY TREASURER OF THE CITY OF BEAVER FALLS, BY HEREIN PROVIDING FOR THE FUTURE PAYMENT OF ALL SEWER BILLS TO A SEWAGE CLERK EMPLOYED BY THE PUBLIC WORKS DEPARTMENT OF THE CITY OF BEAVER FALLS, AND RESPONSIBLE TO SAID DEPARTMENT RATHER THAN TO THE CITY TREASURER AS HERETOFORE PROVIDED AND REQUIRED.

BE IT ORDAINED AND ENACTED by the Council of the City of Beaver Falls, and it is hereby ordained and enacted by virtue of the authority of the same as follows:

SECTION 1. Sections 2 and 3 of Ordinance No. 1227, passed and adopted February 27, 1967, entitled " An Ordinance of the City of Beaver Falls imposing upon each property in the City of Beaver Falls, served by the Beaver Falls sanitary sewer system, a sewer rental charge, payable by the owner and/or occupier of said premises; providing for the collection thereof and filing of liens therefor; providing for rules and regulations; and providing for surcharges on delinquent accounts", is hereby amended to read as follows:

"Section 2. The rates for said sewer usage shall be made payable to the Office of the Sewage Clerk at the City Building, who shall be employed by the Public Works Department of said City."

"Section 3. Said Sewage Clerk shall keep complete records of all amounts due, paid and unpaid, and report the status of said accounts to City Council upon request. Said Sewage Clerk shall be employed in such capacity on a regular salary basis by the City of Beaver Falls and not upon the basis of commission."

SECTION II. All other provisions of said Ordinance No. 1227, as originally enacted or subsequently amended, shall remain in full force and effect.

SECTION III. Section 2 of Ordinance No. 1288, passed and adopted December 22, 1970, which was an Ordinance amending Ordinance No. 1227 by increasing the rate for sewage usage from 25% to 50% of the water bill rendered said owner and/or occupier, and continuing to provide payment of said sewage bill to the Office of the City Treasurer of the City of Beaver Falls, is hereby amended to read as follows:

"Section 2. The rate for said sewage usage shall be 50% of the water bill rendered the owner and/or occupier by the Beaver Falls Municipal Authority, payable at the Office of the Sewage Clerk, employed by the Public Works Department of the City of Beaver Falls, by the tenth of the month following the month of issue. The Sewage Clerk so employed shall keep complete records of all amounts due, paid and unpaid, and report the status of said accounts to City Council upon request. Said Sewage Clerk shall be employed in such capacity on a regular salary basis by the City of Beaver Falls and not upon the basis of commission."

SECTION IV. All other provisions of said Ordinance No.

1288 shall remain in full force and effect.

SECTION V. All Ordinances or parts thereof inconsistent herewith are hereby specifically repealed.

SECTION VI. This Ordinance shall become effective January 28th, 1975.

PASSED FINALLY by the Council of the City of Beaver Falls this 28th day of January, 1975.

Nick L. Camp
Nick L. Camp, Mayor

ATTEST:

Robert D. Yoho
Robert D. Yoho, City Clerk-
Coordinator

BILL NO. 23

ORDINANCE NO. 1288

AN ORDINANCE amending Section 2 of Ordinance No. 1227, passed February 27, 1967, entitled "An Ordinance of the City of Beaver Falls imposing upon each property in the City of Beaver Falls, served by the Beaver Falls sanitary sewer system, a sewer rental charge, payable by the owner and/or occupier of said premises; providing for the collection thereof and filing of liens therefor; providing for rules and regulations; and providing for surcharges on delinquent accounts." by increasing the rate for sewer usage from twenty-five (25%) per cent to fifty (50%) per cent of the water bill rendered said owner or occupier.

Introduced and read at length:


Date: December 8, 1970



City Clerk

Passed finally and certified
for record:

Date: December 22, 1970



City Clerk

AN ORDINANCE amending Section 2 of Ordinance No. 1227, passed February 27, 1967, entitled "An Ordinance of the City of Beaver Falls imposing upon each property in the City of Beaver Falls, served by the Beaver Falls sanitary sewer system, a sewer rental charge, payable by the owner and/or occupier of said premises; providing for the collection thereof and filing of liens therefor; providing for rules and regulations; and providing for surcharges on delinquent accounts." by increasing the rate for sewer usage from twenty-five (25%) per cent to Fifty (50%) percent of the water bill rendered said owner or occupier.

BE IT ORDAINED AND ENACTED by the Council of the City of Beaver Falls and it is hereby ordained and enacted by authority of the same as follows:

Section I. Section 2 of Ordinance No. 1227, passed February 27, 1967, entitled "An Ordinance of the City of Beaver Falls imposing upon each property in the City of Beaver Falls, served by the Beaver Falls sanitary sewer system, a sewer rental charge, payable by the owner and/or occupier of said premises; providing for the collection thereof and filing of liens therefor; providing for rules and regulations; and providing for surcharges on delinquent accounts." is hereby amended to read as follows:

"Section 2. The rate for said sewer usage shall be fifty (50%) per cent of the water bill rendered said owner or occupier by the Beaver Falls Municipal Authority, payable at the office of the City Treasurer of the City of Beaver Falls by the tenth of the month following month of issue.

Section II. All other provisions of said Ordinance No. 1227 shall remain in full force and effect.

Section III. All ordinances or parts thereof inconsistent herewith are hereby repealed.

Section IV. This ordinance shall become effective,

January 1, 1971

PASSED FINALLY by the Council of the City of Beaver
Falls this 22 day of December 1970 .

ATTEST:

Chert R. P. [Signature]
City Clerk

[Signature]
Mayer


BILL NO. 7

ORDINANCE NO. 1227

AN ORDINANCE of the City of Beaver Falls imposing upon each property in the City of Beaver Falls, served by the Beaver Falls sanitary sewer system, a sewer rental charge, payable by the owner and/or occupier of said premises; providing for the collection thereof and the filing of liens therefor; providing for rules and regulations; and providing for surcharges on delinquent accounts.

Introduced and read at length:

Date: February 14, 1967



City Clerk

Passed finally and certified
for record:

Date: February 28, 1967



City Clerk

BILL NO. 7
ORDINANCE NO. 1227

AN ORDINANCE of the City of Beaver Falls imposing upon each property in the City of Beaver Falls, served by the Beaver Falls sanitary sewer system, a sewer rental charge, payable by the owner and/or occupier of said premises; providing for the collection thereof and the filing of liens therefor; providing for rules and regulations; and providing for surcharges on delinquent accounts.

BE IT ORDAINED AND ENACTED by the Council of the City of Beaver Falls, and it is hereby ordained and enacted by virtue of the authority of the same as follows:

Section 1. There is hereby imposed upon each property in the City of Beaver Falls, served by the Beaver Falls sanitary sewer system and having use thereof, an annual sewer rental charge, payable by the owner and/or the occupier of said premises as hereinafter provided, for the use, whether direct or indirect, of the sanitary sewer system, based on the rate hereinafter set forth.

Section 2. The rate for said sewer usage shall be twenty-five (25%) per cent of the water bill rendered said owner or occupier by the Beaver Falls Municipal Authority, payable at the office of the City Treasurer of the City of Beaver Falls by the tenth of the month following month of issue.

Section 3. The City Treasurer shall keep complete records of all amounts due, paid and unpaid and report the status of said accounts to City Council as requested.

Section 4. (a). For purposes of this ordinance, the amount of water supplied by the Beaver Falls Municipal Authority and billed to a property shall be prima facie evidence of water consumed thereon during any billing period.

(b). If any property served by the City sanitary sewer system shall have a source of supply of water other than, or in addition to water supplied by the Beaver Falls Municipal Authority, or should the amount of water used on said premises not bear a reasonably proportionate relationship to the amount of sewage discharged into the sewer system, then the City Engineer of the City of Beaver Falls, shall, and he is hereby authorized and empowered to determine the amount of water consumed upon said property and the amount of sewage discharged by said property into the City sewers by any recognized and expedient method, and the sewer rental charge upon such property shall be based upon such determination using the same rate as herein provided.

(c). Should meters or any other kind of installation on the premises of the owner or occupier become necessary to assist in determining the proper sewer rental charge, same shall be furnished, installed and maintained by said owner or occupier.

Section 5. Said sewer rental charge shall be a lien on the properties charged with the payment thereof and, if not paid after thirty day's notice, may be collected by an action in assumpsit in the name of the City against the owner of the property charged or by distress of personal property on the premises, or by a lien filed in the nature of a municipal lien.

Section 6. If said sewer rental charges are not paid by due date a surcharge of ten (10%) per cent of said bill shall be paid.

Section 7. The funds received by the City from the collection of sewer rental charges, and surcharges thereon as herein provided shall be segregated and kept apart from all other funds of the City and shall be used only: (1) for the payment for the operation, maintenance, repair, alteration, Page 28 of 76 and reconstruction

depreciation or other expenses, including billing and collection expense, in relation to said sanitary sewer system, (2) for the payment of any present or future indebtedness and interest thereon on said sanitary sewer system, and (3) for the creation and maintenance of a separate capital reserve fund for any anticipated legal capital expenditures in connection with said sanitary sewer system.

Section 8. Council reserves the right to, and may from time to time, adopt, revise and amend, such rules and regulations as it deems necessary and proper for the use and operation of the sewer system, which rules and regulations shall be and become a part of this ordinance.


Section 9. If any of the provisions, sections, sentences, clauses or parts of this ordinance or the application of any provision hereof shall be held invalid, such invalidity shall not affect or impair any of the remainder of this ordinance, it being the intention of the City Council that such remainder shall be and remain in full force and effect.

Section 10. All ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

Section 11. This ordinance shall become effective immediately upon final passage.

PASSED FINALLY by Council this 28 day of February, 1967.

ATTEST:



City Clerk



Mayor

Ordinance No. 123

An ordinance laying out and providing sanitary sewers in streets, lanes, alleys and through or over private property in the Borough of College Hill, County of Beaver and State of Pennsylvania, and authorizing the construction of the same; subject to the approval of the State Board of Health.

Be it enacted and ordained by the Town Council of the Borough of College Hill, County of Beaver and State of Pennsylvania, and it is hereby enacted and ordained by authority of the same:

First: That sanitary sewers, consisting of main trunk line sewers and branch sewers, be laid out in streets, lanes, alleys and through or over private property within the Borough of College Hill, conforming approximately to the following courses and distances:

1. Two (2) trunk lines connecting into Sewer System of the Borough of Beaver Falls, Pa., on 25th Street at intersection of Ninth Avenue and 24th Street extension; said two trunk lines extending northwardly along said avenue and street to the Southerly borough line of College Hill.

Also a trunk line connecting into the first aforesaid trunk line at Ninth Avenue and 26th Street, Beaver Falls, and extending northwardly in Ninth Avenue to College Avenue, and in College Avenue to 29th Street, thence northeastwardly through property of J. T. Reeves & Company, an unnamed Street to Park Place, eastwardly along Park Place, northwardly through properties of Geneva College, McCartney Heirs, Boyle Heirs, Hunt Partington, Whiteside Plan of lots and along ridge of ground near Fourth Avenue to Fourth Avenue at the easterly end of 44th Street.

Also a trunk line connecting into the second aforesaid trunk line at the southerly Borough line of College Hill and 24th Street extension and extending in a northerly direction along Walnut Run to the westerly end of 34th Street near Eighth Avenue.

2. Also, a line from 26th Street and Eighth Avenue, Beaver Falls, thence northwardly along College Avenue to the intersection of Ninth Avenue, Beaver Falls, extended to College Avenue.

3. Also a line in College Avenue extending from trunk line on 29th Street northwardly to 40th Street.

4. Also a line extending eastwardly from the intersection of College

Avenue and 36th Street, along 36th Street to Second Avenue; along Second Avenue to 39th Street; along 39th Street to Fourth Avenue.

5. Also a line extending along 38th Street from Fourth Avenue to Second Avenue.

6. Also a line extending along 40th Street from Fourth Avenue to College Avenue.

7. Also a line extending from the intersection of 25th Street and Tenth Avenue, Beaver Falls, northwardly along said Tenth Avenue to 28th Street in College Hill.

8. Also a line extending along 28th Street from College Avenue westwardly to Sixth Avenue.

9. Also a line extending from 28th Street northwardly along Fourth Avenue to the southerly line of Morado Park.

10. Also a line extending from the southerly borough line College Hill northwardly along Fifth Avenue to 37th Street.

11. Also a line extending from the southerly borough line northwardly along Sixth Avenue to 37th Street.

12. Also a line extending from 33rd Street northwardly along Seventh Avenue to 37th Street.

13. Also a line extending from 33rd Street northwardly along Eighth Avenue to 35th Street.

14. Also a line extending from College Avenue westwardly along 29th Street to Sixth Avenue.

15. Also a line extending from College Avenue westwardly along 30th Street to Sixth Avenue.

16. Also a line extending from College Avenue westwardly along 31st Street to Sixth Avenue.

17. Also a line extending from College Avenue westwardly along 32nd Street to Sixth Avenue.

18. Also a line extending from Fourth Avenue westwardly along 33rd Street to Eighth Avenue.

19. Also a line extending from Fourth Avenue westwardly along 34th Street to Eighth Avenue.

20. Also a line extending from Fourth Avenue westwardly along 34th Street to Eighth Avenue.

21. Also a line extending from Fourth Avenue westwardly along 36th Street to Eighth Avenue.

22. Also a line extending from Fourth Avenue westwardly in 37th Street to Eighth Avenue.

23. Also a line extending from Fourth Avenue westwardly along 39th Street to Penn Bridge Company property.

24. Also a line extending from Fourth Avenue westwardly in 40th Street to Penn Bridge Company property.

25. Also a line extending from Fourth Avenue westwardly along 42nd Street to Fifth Avenue.

26. Also a line extending from Fourth Avenue westwardly along 43rd Street to Pittsburgh, Fort Wayne & Chicago Railroad.

27. Also a line extending from Fourth Avenue westwardly along 44th Street to Pittsburgh, Fort Wayne & Chicago Railroad.

28. Also a line extending westwardly from Fourth Avenue along 45th Street to Pittsburgh, Fort Wayne & Chicago Railroad.

30. Also a line extending from Fourth Avenue westwardly along 46th Street to Pittsburgh, Fort Wayne & Chicago Railroad.

31. Also a line extending from 42nd Street northwardly along Fifth Avenue to Morado Park.

32. Also a line extending in Fifth Avenue from M. Smith property to Penn Bridge Company property.

33. Also a line extending from College Avenue eastwardly in first alley south of Park Place to an unnamed fifty foot street.

34. Also a line extending in Locust Street southwardly from 28th Street.

Second: That the proper borough officers are hereby empowered to make and execute a contract with the Frank George Company of Pittsburgh, Pa., for the construction of such parts of said sanitary sewers according to the plans and specifications under which said sanitary sewer: are to be constructed as determined upon by said borough engineer and town council; said contract to be approved by the Town Council and Burgess and to be entered of record in the minute book of said borough; also subject to approval of the State Board of Health.

Enacted and ordained into an ordinance this 6th day of May, A. D. 1919.

H. E. SHILLITO,
President of Council.

Attest:

J. C. LEIPER,

Secretary of Council.

Approved this 14th day of May, A. D. 1919.

G. M. GRAHAM,
Burgess.

CITY OF BEAVER FALLS

ORDINANCE NO. 4044

AN ORDINANCE OF THE CITY OF BEAVER FALLS (THE "CITY"), BEAVER COUNTY, PENNSYLVANIA, ESTABLISHING REGULATIONS FOR THE OWNERSHIP AND MAINTENANCE OF LATERAL SEWER LINES WITHIN THE CITY.

WHEREAS, under the Third Class City Code, 53 P.S. § 37435, City Council has the "power to enact, make, adopt, alter, modify, repeal and enforce...ordinances, resolutions, rules and regulations, not inconsistent with or restrained by the Constitution of Pennsylvania and laws of this Commonwealth, that are either of the following: (1) expedient or necessary for the proper management, care and control of the city and its finances and the maintenance of peace, good government, safety and welfare of the city and its trade, commerce and manufactures; (2) necessary to the exercise of the powers and authority of local self-government in all municipal affairs."

WHEREAS, the City Council of the City of Beaver Falls desires to exercise its authority under the aforementioned statutory provision and other provisions of the laws of the Commonwealth of Pennsylvania to amend Ordinance No. 1688: An Ordinance of the City of Beaver Falls Setting Forth Uniform Requirements for Direct and Indirect Contributors into the Wastewater Collection and Treatment System of the City, Enabling the City to Comply with all Applicable State and Federal Laws and Prohibiting for Penalties for Violations; as follows:

SECTION I.

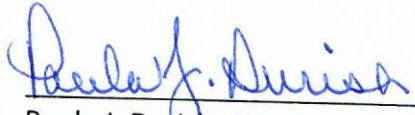
1. Every sewer lateral of improved property shall be maintained in a sanitary and safe operating condition.
2. The owners of any improved premises shall at his/her expense be responsible to repair, replace and/or maintain the sewer lines on the owner's property from the owner's side of the street curb line to their residence.

3. The City shall own the sewer lines from the curb to the main line and at its expense be responsible to repair, replace and/or maintain the sewer lines from the street curb line or the right-of-way line where the lateral is constructed to the main line.

That this Ordinance, when adopted, shall be incorporated in and made a part of the Codified Ordinances of the City of Beaver Falls, Pennsylvania.

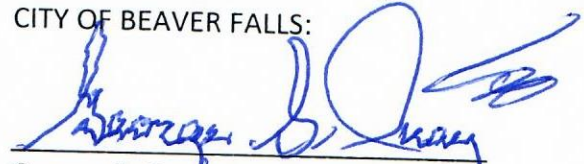
PASSED AND ADOPTED by the Council of the City of Beaver Falls this 27th day of July, 2021.

ATTEST:



Paula J. Durish, City Clerk

CITY OF BEAVER FALLS:



George S. Quay III, Mayor

AN ORDINANCE

AMENDING AND SUPPLEMENTING ORDINANCE NO. 1688: AN ORDINANCE OF THE CITY OF BEAVER FALLS SETTING FORTH UNIFORM REQUIREMENTS FOR DIRECT AND INDIRECT CONTRIBUTORS INTO THE WASTEWATER COLLECTION AND TREATMENT SYSTEM OF THE CITY, ENABLING THE CITY TO COMPLY WITH ALL APPLICABLE STATE AND FEDERAL LAWS AND PROVIDING FOR PENALTIES FOR VIOLATION; SECTION IV GENERAL DISCHARGE PROHIBITIONS, SUBSECTION (b) SPECIFIC PROHIBITIONS, SUBPARAGRAPH (3) OF THE CODIFIED ORDINANCES OF THE CITY OF BEAVER FALLS, PENNSYLVANIA.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE COUNCIL OF THE CITY OF BEAVER FALLS, PENNSYLVANIA, that the Codified Ordinances of the City of Beaver Falls, Pennsylvania, Ordinance No. 1688: An Ordinance of the City of Beaver Falls Setting Forth Uniform Requirements for Direct and Indirect Contributors into the Wastewater Collection and Treatment System of the City, Enabling the City to Comply with all Applicable State and Federal Laws and Providing for Penalties for Violation; is hereby amended as follows:

SECTION 1. That Subparagraph (3) of Subsection (b) Specific Prohibitions of Section IV GENERAL DISCHARGE PROHIBITIONS is hereby amended to read as follows:

- (3) "Any wastewater having a pH less than 5.5 or greater than 10.5 unless the POTW is specifically designed to accommodate such wastewater, or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment and/or personnel of the POTW.

That this Ordinance, when adopted, shall be incorporated in and made a part of the Codified Ordinances of the City of Beaver Falls, Pennsylvania.

INTRODUCED this 19th day of November, 2002.

ADOPTED this 3rd day of December, 2002.

APPROVED this 3rd day of December, 2002.

[Signature]
MAYOR Chairman

CERTIFIED this 3rd day of December, 2002.

[Signature]
City Clerk

CITY OF BEAVER FALLS,
ORDINANCE NO. 1688

AN ORDINANCE OF THE CITY OF BEAVER
FALLS SETTING FORTH UNIFORM
REQUIREMENTS FOR DIRECT AND
INDIRECT CONTRIBUTORS INTO THE
WASTEWATER COLLECTION AND
TREATMENT SYSTEM OF THE CITY,
ENABLING THE CITY TO COMPLY WITH
ALL APPLICABLE STATE AND FEDERAL
LAWS AND PROVIDING FOR PENALTIES
FOR VIOLATION

BE IT ORDAINED AND ENACTED by the Council of the City of Beaver Falls, and
it is hereby ordained and enacted by virtue of the authority of the same as follows:

SECTION I. PURPOSE AND POLICY.

(a) This ordinance sets forth uniform requirements for direct and indirect contributors into the Wastewater collection and treatment system of the City of Beaver Falls and enables the City to comply with all applicable State and Federal laws.

(b) The objectives of this ordinance are:

(1) To prevent the introduction of pollutants into the City's wastewater system which will interfere with the operation of the system or contaminate the resulting sludge;

(2) To prevent the introduction of pollutants into the City's wastewater system which will pass through the system, inadequately treated, into receiving waters or the atmosphere or otherwise be incompatible with the system;

(3) To improve the opportunity to recycle and reclaim wastewaters and sludge from the system; and

(4) To provide for equitable distribution of the cost of the City's wastewater system.

(c) This ordinance provides for the regulation of direct and indirect contributors to the City's wastewater system through the establishing of and providing for the enforcement of requirements for users, authorizes monitoring and enforcement activities, requires user reporting, assumes that existing customer's capacity will not be preempted, and

provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

(d) This ordinance shall apply to the City of Beaver Falls and to persons who are, by contract or agreement with the City, users of the City's POTW. Except as otherwise provided herein, the City shall administer, implement and enforce the provisions of this ordinance.

SECTION II. DEFINITIONS.

(a) Unless the context specifically indicates otherwise, the following terms and phrases, as used in this ordinance, shall have the meanings hereinafter designated:

- (1) "Act" means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251 et seq.
- (2) "Authorized Representative of Industrial User". An authorized representative of an industrial user may be:
 - A. A principal executive officer of at least the level of vice-president, if the industrial user is a corporation.
 - B.. A general partner or proprietor if the industrial user is a partnership or proprietorship, respectively; or
 - C. 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.
- (3) "Biochemical Oxygen Demand (BOD)" means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure, five days at twenty degrees (20°) centigrade, expressed in terms of parts per million (p.p.m.) or milligrams per liter (mg/l) by concentration. BOD shall be determined by one of the acceptable methods described in the latest edition of "Standard Methods for the Examination of Water, Sewage and Industrial Wastes", published jointly by the American Public Health Association, the American Water Works Association, and the Federation of Sewage and Industrial Wastes Association, hereinafter termed an "acceptable method".

- (4) "Building Sewer" means a sewer conveying wastewater from the premises of a user of the POTW.
- (5) "Categorical Standards" means national categorical pretreatment standards or pretreatment standard.
- (6) "City" means the City of Beaver Falls, Beaver County, Pennsylvania and its successors and assigns.
- (7) "Compatible Pollutant" means biochemical oxygen demand, suspended solids, pH and fecal coliform bacteria, and such additional pollutants as are now or may be in the future specified and controlled in the City's NPDES permit, where the City's POTW is designed to pollute to the degree required by the City's NPDES permit.
- (8) "Composite Sample" means a sample consisting of several effluent portions collected during a specific time period and combined to constitute a representative sample.
- (9) "Cooling Water" means the water discharged from any use such as air conditioning, cooling or refrigeration, or to which the only pollutant added is heat.
- (10) "Council" means the City Council of Beaver Falls, now or hereafter constituted, and any duly appointed agent or representative of the City.
- (11) "Direct Discharge" means the discharge of treated or untreated wastewater directly to the waters of the Commonwealth of Pennsylvania.
- (12) "Discharge" means the releasing, spilling, leaking, pumping, pouring, emitting, emptying or dumping of a pollutant into the waters of the Commonwealth or onto the land or into wells from which the pollutant might flow or drain into such waters, and includes the release of any pollutant into the City's POTW.
- (13) "Domestic Wastewater" means the liquid waste or liquid borne waste resulting from the noncommercial preparation, cooking and handling of food, and/or consisting of human excrement and similar wastes from sanitary conveniences.

- (14) "Dwelling Unit" means a single-family home, a single apartment or condominium with sanitary facilities, or a trailer attached to sanitary facilities, or a single unit of a duplex, even if there is only one sanitary facility for both units of the duplex.
- (15) "Environmental Protection Agency", or "EPA" means the U.S. Environmental Protection Agency, or where appropriate the term may also be used as a designation for the Administrator or other duly authorized official of such agency.
- (16) "Garbage" means solid wastes from the preparation, cooking and dispensing of food and from the handling, storage and sale of food products and produce.
- (17) "Grab Sample" means a sample which is taken over a period of time not to exceed fifteen minutes from a waste stream on a one-time basis with no regard to the flow in the waste stream.
- (18) "Holding Tank Waste" means any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks and vacuum pump tank trucks.
- (19) "Incompatible Pollutant" means any pollutant which is not a "compatible pollutant" as defined in subsection (a)(7) hereof.
- (20) "Indirect Discharge" means the discharge or the introduction of pollutants from any nondomestic source regulated under Section 307(b), (c) or (d) of the Act, (33 U.S.C. 1317), into the POTW, including holding tank waste discharged into the system.
- (21) "Industrial Process Wastewater" means, in addition to any ground water, surface water and storm waters from the site which is introduced into a treatment works, the liquid waste or liquid borne waste resulting from the processes employed by any person identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented under one of the following divisions (Division A, B, C, D, E, G, J, K and I).
- (22) "Industrial User" means any person who discharges, causes or permits the discharge of nondomestic wastewater into the treatment works and/or is a source of indirect discharge which

does not constitute a discharge or pollutants under regulations issued pursuant to Section 402 of the Act (33 U.S.C. 1342).

(23) "Interference" means:

- A. A discharge which, alone or in conjunction with a discharge or discharges from other sources or inhibits or disrupts the operation of the POTW, its treatment process or its sludge processes so as to contribute to, or cause a violation of any condition of the City's NPDES Permit under which the POTW operates, or prevent the use or disposal of sewage sludge from the City's treatment plant; or
- B. Discharging industrial process wastewater which, in combination with existing domestic flows are of such volume and/or strength as to exceed the POTW design capacity; or
- C. Exceeding the threshold concentrations of organic or inorganic pollutants that are inhibitory to biological treatment processes as specified in the "Federal Guidelines for State and Local Pretreatment Programs", EPA-430/9-76-017a, Volume 1, 1977 (or the latest revision thereof); or
- D. Preventing the use or disposal of sludge produced by the POTW in accordance with Section 405 of the Federal Clean Water Act of 1977 (33 U.S.C. 1251 et seq.), any regulations, criteria or guidelines developed pursuant to the Federal Resource Conservation and Recovery Act of 1976 (42 U.S.C. 3251 et seq.), the Federal Clean Air Act (42 U.S.C. 7401 et seq.), the Federal Toxic Substances Control Act (15 U.S.C. 2601 et seq.), Marine Protection Research and Sanctuaries Act, or more stringent State 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.

(24) "National Categorical Pretreatment Standard" or "Pretreatment Standard" means any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307(b)

and (c) of the Act (33 U.S.C. 1317) which applies to a specific category of Industrial Users. (See 40 CFR Chapter 1, Subchapter N or 40 CFR 401-471).

- (25) "National Pollution Discharge Elimination System or NPDES Permit" means a permit issued pursuant to Section 402 of the Act (33 U.S.C. 1342).
- (26) "National Prohibitive Discharge Standard or Prohibitive Discharge Standard" means any regulation developed under the authority of Section 307(b) of the Act and 40 CFR, Section 403.5.
- (27) "New Source" means:
 - A. Any building, structure, facility or installation from which there is or may be a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under Section 307(c) of the Act which will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that:
 - 1. The building, structure, facility or installation is constructed at a site at which no other source is located; or
 - 2.. The building, structure, facility or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
 - 3. The production of wastewater generating processes of the building, structure, facility or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source should be considered.

B. Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility or installation meeting the criteria of subsections (a)(27)A.2. or 3. hereof but otherwise alters, replaces, or adds to existing process or production equipment.

C. Construction of a new source as defined under this subsection has commenced if the owner or operator has:

1. Begun, or caused to begin as part of a continuous onset construction program:

a. Any placement, assembly, or installation of facilities or equipment, or

b. Significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or

2. Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

(28) "Pass Through" means a discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, which is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation).

(29) "Person" means any individual, partnership, copartnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity, or their

legal representative, agents or assigns. The masculine gender includes the feminine, the singular includes the plural where indicated by the context.

- (30) "pH" means the logarithm (base ten) of the reciprocal of the concentration of hydrogen ions in grams per liter of solution. Solutions with a pH greater than seven are said to be basic; solutions with a pH less than seven are said to be acidic; pH equal to seven is considered neutral. Analysis shall be performed in accordance with an approved test procedure.
- (31) "Pollutant" means any dredged spoil, solid waste, incinerator residue, sewage, garbage, refuse, oil, grease, sewage sludge, munitions, chemical wastes, medical wastes, biological materials, radioactive substance, thermal waste, wrecked or discarded equipment, rock, sand, cellar dirt, industrial municipal and agricultural waste and certain characteristics of wastewater (such as pH, temperature, TSS, turbidity, color, BOD, COD, toxicity or odor).
- (32) "Pollution" means the man-made or man-induced alteration of the chemical, physical, biological and radiological integrity of water.
- (33) "Pretreatment or Treatment" means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a 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).
- (34) "Pretreatment Requirements" mean any substantive or procedural requirement related to pretreatment, other than a national pretreatment standard imposed on an industrial user.
- (35) "Pretreatment Standards" means prohibited discharge standards, categorical pretreatment standards and local limits.
- (36) "Publicly Owned Treatment Works (POTW)" means a treatment works as defined by Section 212 of the Act (33 U.S.C. Sect. 1292) which is owned by the City. This definition includes any devices or systems used in collection, storage, treatment,

received from a user, and in accordance with procedures in 40 CFR 403.8(f)(6), determine that such user should not be considered a significant industrial user.

- (41) "Significant Noncompliance" means:
- A. Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of wastewater measurements taken during a six month period exceed the daily maximum limit or average limit for the same pollutant parameter by any amount;
 - B. Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken for each pollutant parameter during a six month period equals or exceeds the product of the daily maximum limit or the average limit multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);
 - C. Any other discharge violation that the Superintendent believes has caused, alone or in combination with other discharges, interference on pass through, including endangering the health of POTW personnel or the general public.
 - D. Any discharge of pollutants that has caused imminent endangerment to the public or to the environment, or has resulted in the Superintendent's exercise of its emergency authority to halt or prevent such a discharge.
- (42) "Slug Load" or "Slug" means any discharge of a nonroutine episodic nature or at a flow rate or concentration which could cause a violation of the prohibited discharge standards in Section IV.
- (43) "State" means the Commonwealth of Pennsylvania.
- (44) "Standard Industrial Classification (SIC)" means a classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1972.

- (45) "Storm Water" means any flow occurring during or following any form of natural precipitation and resulting therefrom.
- (46) "Superintendent" means the person designated by the City to supervise the operation of the publicly owned treatment works and who is charged with certain duties and responsibilities by this ordinance, or his duly authorized representative.
- (47) "Suspended Solids" means the total suspended matter that floats on the surface of, or is suspended in, water. Wastewater or other liquids, and which is removable by laboratory filtering. Quantitative determination of suspended solids shall be made by an acceptable method.
- (48) "Tenant" means lessee, guest, or occupant other than owner.
- (49) "Toxic Pollutant" means any pollutant or combination of pollutants listed as toxic in regulations promulgated by the Administrator of the Environmental Protection Agency under the provision of CWA 307(a) or other Acts.
- (50) "User" means any person who contributes, causes or permits the contribution of Wastewater into the City's POTW.
- (51) "Wastewater" means the liquid and water-carried wastes from dwellings, commercial buildings, industrial facilities, and institutions, together with any ground water, surface water and storm water that may be present, whether treated or untreated, which is discharged into or permitted to enter the City's treatment works.
- (52) "Waters of the State" mean all streams, lakes, ponds, marshes, water courses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the State or any portion thereof.
- (53) "Water Utility" means the Beaver Falls Municipal Authority or any other utility, public or quasi-public corporation supplying water within the territorial limits of the City.

SECTION III. ABBREVIATIONS.

The following abbreviations shall have the designated meanings:

BOD	means Biochemical Oxygen Demand
CFR	means Code of Federal Regulations
DER	means PA Department of Environmental Resources
EPA	means Environmental Protection Agency
l	means Liter
mg	means Milligrams
mg/l	means Milligrams per Liter
NPDES	means National Pollutant Discharge Elimination System
POTW	means Publicly Owned Treatment Works
p.p.m.	means Parts Per Million
SIC	means Standard Industrial Classification
SWDA	means Solid Waste Disposal Act, 42 U.S.C. 6901 et seq.
USC	means United States Code
TSS	means Total Suspended Solids

SECTION IV. GENERAL DISCHARGE PROHIBITIONS.

(a) **General Prohibition.** No user shall introduce or cause to be introduced directly or indirectly into the POTW, any pollutant or wastewater which causes pass through or interference. These general prohibitions apply to all such users of the City's POTW whether or not the user is subject to national categorical pretreatment standards or any other national, State or local pretreatment standards or requirements.

(b) **Specific Prohibitions.** A user may not contribute the following substances to the POTW:

- (1) Any liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the POTW or to the operation of the POTW. At no time, shall two successive readings on an explosion hazard meter, at the point of discharge into the system or at any point in the system be more than five percent (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, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, adelhydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides and any other

substances which are a fire hazard or a hazard to the system and any wastestream with a closed cup flashpoint of less than 140 degrees Fahrenheit or 60 degrees Centigrade using test methods specified in 40 CFR 261.21.

- (2) Solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities such as, but not limited to: grease, garbage with particles greater than one-half inch in any dimension, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rage, spent grains, spent hops, waste paper, wood, plastics, gas, tar, asphalt residues, residues from refining, or processing of fuel or lubricating oil, mud or glass grinding or polishing wastes.
- (3) Any wastewater having a pH less than 5.5 or greater than 9.0, unless the POTW is specifically designed to accommodate such wastewater, or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment and/or personnel of the POTW.
- (4) Any 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 the POTW, or to exceed the limitation set forth in a categorical pretreatment standard. A "toxic pollutant" includes but is not limited to any toxic pollutant identified pursuant to Section 307(a) of the Act.
- (5) Any noxious or malodorous liquids, gases or solids which either singly or by interaction with other wastes are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers or POTW for operation, maintenance or repair or any pollutants which result in the presence of toxic gases, vapors or fumes within the POTW or the sanitary sewers in a quantity that may cause acute worker health and safety problems.
- (6) Any substance which may cause the POTW's effluent or any other product of the POTW such as residues, sludge or scums, to

be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case, shall a substance discharged to the POTW cause the POTW to be in noncompliance with the sludge use or disposal criteria, guidelines or regulations developed under Section 405 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 being used.

- (7) Any substance which will cause the POTW to violate its NPDES and/or State disposal system permit or the receiving water quality standards.
- (8) Any wastewater with objectionable color not removed in the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions.
- (9) Any wastewater having a temperature which will inhibit biological activity in the POTW treatment plant resulting in interference, but in no case wastewater with a temperature at the introduction into the POTW which exceeds 40°C (104°F).
- (10) Any pollutants, including oxygen demanding pollutants (BOD, etc.) released at a flow rate and/or pollutant concentration which will cause interference to the POTW. In no case shall a slug load have a flow rate or contain concentration or quantities of pollutants that exceed for any time period longer than fifteen minutes more than five times the average twenty-four hour concentration, quantities or flow during normal operation.
- (11) Any storm water, surface drainage, ground drainage, roof runoff or subsurface drainage, including ground water from sump pumps and cellar drains.
- (12) Any oil or grease in concentrations or amounts violating pretreatment standards (this includes petroleum based hydrocarbons, as determined by silica gel absorption); wastewater containing floatable fats, wax, grease, or oil; total fats, wax, grease or oil concentration of more than 100 mg/l, whether emulsified or not, or containing substances which may solidify or become viscous at temperatures between 32° and 104°F (0° and 40°C) at the point of discharge into the POTW.

- (13) Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the City in compliance with applicable State or Federal regulations.
- (14) Any wastewater which causes a hazard to human life or creates a public nuisance.
- (15) Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through.
- (16) Any trucked or hauled pollutants except at discharge points designated by the POTW.

SECTION V. SPECIFIC POLLUTANT LIMITATIONS.

(a) No person shall discharge wastewater containing in excess of:

<u>Milligrams Per Liter</u>	<u>Substance</u>
1.0	cyanide
3.5	chromium, total
0.5	chromium, hexavalent
2.0	copper
2.0	lead
3.0	nickel
5.0	silver
2.0	zinc
1.0	phenolic compounds

(b) The above limits apply at the point where the wastewater is discharged to the POTW. All concentrations for metallic substances are for "total" metal unless indicated otherwise. The City may impose mass limitations.

SECTION VI. STATE REQUIREMENTS; CITY'S RIGHT OF REVISION.

(a) 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.

(b) The City reserves the right to establish by ordinance more stringent limitations or requirements on discharges to the wastewater disposal system if deemed necessary to comply with the objectives presented in Section I (b).

SECTION VII. EXCESSIVE DISCHARGE.

No user shall ever increase the use of process water or, in any way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in the Federal Categorical Pretreatment Standards, or in any other pollutant-specific limitation developed by the City or State unless expressly authorized by an applicable pretreatment standard or requirement. The City may impose mass limitations on users who are using dilution to meet applicable pretreatment standards or requirements, or in other cases where the imposition of mass limitations is appropriate.

SECTION VIII. CITY POWERS AND DUTIES; INSPECTION AND REMEDIAL ACTION.

(a) Sewer Capacity and Exclusion. The City reserves the right to determine the adequacy and capacity of sewers as well as exclude unpolluted waters and cooling waters from sewer systems within its service area.

(b) Right of Access for Inspection. The City shall have the right of access, at all reasonable times, to dwelling units, residences, business and other buildings, institutions, schools, churches and industrial or commercial establishments connected to the City's sewer system and/or treatment works, and to any water meters measuring water used in such places and establishments to inspect such meters, the connection with the sewer system and/or treatment works, and/or the discharge of domestic wastewater, water of any kind and industrial wastes into the sewer and/or treatment works.

(c) Regulatory Actions. The City reserves the right to refuse connection to the sewer system for the discharge of deleterious industrial wastes.

If wastewater containing any substance prohibited, exceeding prescribed limits, or violating restrictions imposed by this ordinance is discharged into the City's POTW, the City shall advise the user of the impact of the contribution on the POTW and take all actions necessary to:

- (1) Prohibit the discharge of any such wastewater;
- (2) Require the user to demonstrate that in-plant modifications will reduce or eliminate the discharge of such substances so as to be in conformance with this ordinance;

- (3) Require pretreatment, including storage facilities, or flow equalization necessary to insure complete compliance with this ordinance;
- (4) Require the person making, causing or allowing the discharge to pay all the additional cost or expense incurred by the City for any damages caused by excess loads imposed on the POTW; and
- (5) Take such other remedial action, including discontinuation of service, as may be deemed to be desirable or necessary to achieve the purpose of this ordinance.

(d) **Hauled and Unsewered Wastes.** The City may allow wastewater which is hauled via truck or other conveyance to be discharged to the City's POTW. Prior to such discharge, the City may require a written report from the hauler describing the quantity, source of wastewater, laboratory analysis of the pollutants/constituents, and other information as deemed necessary by the City. The City shall require that written permission and discharge conditions be issued by the City to the hauler prior to discharge of any hauled wastewater. Hauled waste should only be introduced into the POTW at locations designated by the City.

(e) **Garbage Disposals.** The City reserves the right to approve garbage grinders or disposers; however, no private dwelling unit shall operate more than one grinder or disposer, which shall not be greater than three horsepower in size, and, when so required by the City, shall be equipped with an approved water meter and limited in use to the consumption of an average of not more than 1,500 gallons of water per day.

(f) **Grease, Oil and Sand Interceptors.**

- (1) The City reserves the right to require that grease, oil and sand interceptors shall be provided for outlets connected with the public sanitary sewers, when, in the opinion of the City they are necessary for the proper handling of liquid wastes containing 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 City, and shall be located so as to be readily and easily accessible for cleaning and inspection.
- (2) Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight and equipped with easily removable covers which when bolted in

place shall be gastight and watertight.

- (3) All oil, grease and sand interceptors, where required, shall be installed and maintained by the owner or user at his expense. Such units shall be operated and maintained so that they shall be continuously efficient and shall be cleaned and repaired as required to maintain such efficient operation.

SECTION IX. ACCIDENTAL DISCHARGES; NOTICE TO CITY AND EMPLOYEES.

(a) Protection Procedures and Plan. Each 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's or user's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the City for review, and shall be approved by the City before construction of the facility. All existing users shall complete such a plan within ninety days of the effective date of this section. No user who commences contribution to the POTW after the effective date of this section shall be permitted to introduce pollutants into the system until accidental discharge procedures have been improved by the City. Review and approval of such plans and operating procedures shall not relieve the industrial user from the responsibility to modify the user's facility as necessary to meet the requirements of this ordinance. In the case of an accidental discharge (intentional or accidental) that could cause a problem to the POTW, it is the responsibility of the user to immediately telephone and notify the POTW of the incident. The notification shall include location of discharge, type of waste, concentration and volume, and corrective actions. In the event the City or its agents determine a new or revised plan is necessary, the user shall complete a new plan within ninety days of notification.

(b) Written Notice. Within five days following an accidental discharge the user shall submit to the City a detailed written report describing the cause of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage or other liability which may be incurred as a result of damage to the POTW, fish kills or any other damage to person or property; nor shall such notification relieve the user of any fines, civil penalties, or other liability which may be imposed by this 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 whom to call in the event of a dangerous discharge. Employers shall insure that all employees who may cause such a dangerous discharge to occur, or who may suffer from such a discharge, are advised of the emergency notification procedure.

SECTION X. CHARGES AND FEES.

(a) Sewer Service Charges.

- (1) Imposition of sewer service charge. There is hereby imposed upon the owners of, or the users of water in or on, all properties situated within the corporate limits of the City and served by the sewer system, an annual sewer rental charge, payable by the owner or user of said properties as hereinafter provided, for the use, whether direct or indirect, of the sewer system, based on the rates hereinafter set forth. Such owners and users shall be jointly and severally liable for the payment of the sewer service charge and the penalty herein prescribed for delinquent payment thereof.
- (2) Schedule of sewer service charges. The sewer service charge for the collection, transportation, treatment and disposal of industrial and domestic wastewater in every case shall be based on the volume of water used in or on such properties, shall be reviewed annually and shall be computed as follows:

- A. The total anticipated yearly flow, as reflected by the actual total sewage treated at the sewage treatment plant of all users of the preceding year, shall be divided into the total projected cost of operation and maintenance (as approved by Council) of the City's treatment works for the succeeding calendar year to determine ratio "R." Ratio "R" is expressed numerically by the following:

$$R = \frac{\text{Total Projected Operation and Maintenance Costs (\$)}}{\text{Total Sewage Treated (gallons)}}$$

- B. The above rate shall be used exclusively for determination of user charges (based upon each user's water meter readings) except when the total users' metered flow is less than or greater than the actual volume of wastewater treated at the City's POTW for the preceding year. In such case, the difference of the yearly revenues generated by the rate ratio (R) (Revenue = R x total users' metered flows) and the projected total cost of operation and maintenance for the treatment works shall be determined. This difference is labeled herein as "d" and is calculated as follows:

$$d = (\text{Projected Total Operation and Maintenance Cost, \$}) - R \times \text{Total Users' Metered Flows, \$}$$

- C. To incorporate this cost difference, "d," into each user's treatment works charges, a new rate ratio "D" shall be determined and calculated as follows:

$$D = \frac{d.\$}{1 \text{ Total Users' Metered Flows, gallons}}$$

- D. Therefore, the actual user billing rate (\$/gallons recorded by water meter readings), D shall be determined by the summation of rate ratios R and D. The user billing rate R_s can be expressed mathematically as follows:

$$R_s = R + R_1$$

(b) The rate ratios R and R_1 applied to each user's treatment works charges shall be reviewed annually by the City to determine the need to adjust the rate ratios based upon the actual annual operation and maintenance costs incurred by the City, the actual capacity of wastewater flow treated by the City's POTW, and the total revenue generated by the existing rate ratios. Upon evaluating the revenues required to meet the projected annual operation and maintenance costs, the rate ratios shall be adjusted periodically as determined necessary by the City to generate suitable funds to meet all operation and maintenance costs of the City's POTW.

1. Records of all information pertaining to the annual review of the rate ratios and all components utilized to determine said rate ratios shall be maintained on file and open for public review during normal working hours at the City's Municipal Building.
2. The following general items, but not limited thereto, shall be included in determining the annual operation and maintenance costs associated with the City's POTW:
 - A. Wages and salaries.
 - B. Materials and supplies.
 - C. Utility requirements.
 - D. Repairs; replacement.
 - E. Administrative.
 - F. Debts service charges.
 - G. Reserved fund costs.
3. The basis for actually determining the operation and maintenance costs for each of the items detailed above shall be made by the

plant supervisor and approved by the Council based upon expenditures incurred for similar items over the past years of operation as well as projected expenditures for the next calendar year of operation.

(c) Sewage Clerk. A Sewage Clerk shall be employed by the City and shall keep complete records of all amounts due, paid and unpaid, and shall report the status of sewage accounts to the Council upon request. The Sewage Clerk shall be paid a salary and shall not be paid on the basis of commission.

(d) Determination of Sewer Charges.

1. For purposes of this Ordinance, the amount of water supplied by the Water Utility and billed to the a property shall be prima facie evidence of water consumed thereon during any billing period.
2. If any property served the City's sewer system shall have a source or supply of water other than, or in addition to, water supplied by a Water Utility, or should the amount of water used on the property not bear a reasonably proportionate relationship to the amount of sewage discharged into the sewer system, then the City Engineer of the City shall, and he is hereby authorized and empowered to, determine the amount of water consumed upon said property and the amount of sewage discharged by said property into the City sewers by any recognized and expedient method, and the sewer charge upon such property shall be based upon such determination using the same rate as herein provided.
3. Should meters or any other kind of installation on the premises of the owner or user become necessary to assist in determining the proper sewer charge, the same shall be furnished, installed and maintained at the sole cost of the owner or user.

(d) Sewer Charge Constitutes Lien Against Property. The sewer charges provided for herein shall be a lien on the properties charged with the payment thereof and, if not paid after thirty (30) days' notice, may be collected by an action in assumpsit in the name of the City against the owner of the property charged or by distress and sale of personal property on the property, or by the filing of a municipal lien.

(e) Use of Sewer Rental Charges and Surcharges.

1. The funds received by the City from the collection of sewer charges, and the surcharges thereof as herein provided, shall be segregated and kept apart from all other funds of the City and shall be used only for:
 - A. The payment for the operation , maintenance, repair, alteration, inspection, depreciation or other expenses, including billing and collection expense, in relation to the sewer system.
 - B. The payment of any present or future indebtedness and interest thereon on the sewer system.
 - C. The creation and maintenance of a separate capital reserve fund for any anticipated legal capital expenditures in connection with the sewer system.
 2. Notwithstanding the foregoing, sewer charges and surcharges may be applied to the general fund of the City at the discretion of the Council.
- (e) **Industrial Wastewater Records.** The City reserves the right to require every person discharging any industrial wastewater into the public sanitary sewer or sewers connected thereto, to keep and maintain records to consist of the following minimum information:
- A. Name and address.
 - B. Title of official making report.
 - C. Location of establishment.
 - D. The nature of the business conducted in such establishment.
 - E. The volume of industrial wastewater and domestic wastewater discharged by each establishment to sanitary sewers and to storm sewers respectively.
 - F. The average daily number of employees employed in each establishment by shifts.

- G. The source of water supply of each establishment and the volume of water used by each establishment, daily.
- H. Such additional information as is deemed applicable to ascertain the volume, nature and composition of the waste so discharged.

Such records shall be available for inspection during regular business hours by authorized representatives or employees of the City, upon presenting written credentials of their City, and such representatives or employees shall be permitted to make and retain copies of such records.

(f) **Testing.** The City may conduct such tests as are necessary to enforce this ordinance, and employees of the City may enter upon any property for the purpose of taking samples, obtaining information or conducting surveys or investigations relating to such enforcement. Entry shall be made during operating hours unless circumstances require otherwise. In all cases where tests are conducted by the City for the purpose of checking to determine if a previously found violation of this ordinance has been corrected, the cost of such tests shall be charged to the user's sewer charge. In those cases where the City determines that the nature of volume of a particular user's wastewater requires more frequent than normal testing, the City may charge such user for the tests, after giving the user ten days written notice of its intention to do so and the cost thereof shall be added to the user's sewer charge. In any case where industrial wastes are discharged to a public sewer, the City may require the user, at his own expense, to test his discharge on a regular basis and to report the test results to the City within a reasonable time. All such tests shall be as ordered by the City and shall be conducted by qualified personnel in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater" and also Regulation 40 CFR, Part 136, Guidelines Establishing Test Procedures for Analysis of Pollutants.

(g) **Surcharges for BOD and SS.** There shall be a surcharge imposed upon the owners of, and the users of water in or on, all properties discharging or permitting to be discharged or infiltrated into the sewer system and/or treatment works abnormal industrial wastewater, which surcharge is intended to cover the additional cost to the sewer system and/or the treatment works resulting from the treatment and disposal of such abnormal industrial wastewater. Such surcharges shall be in addition to the regular sewer service charge set forth in subsection (a)(2) hereof, and shall be payable as hereinafter provided in the amount hereinafter provided.

- (1) **Sampling to Determine Waste Strength for Surcharge.** The strength of any industrial wastewater, the discharge of which is subject to surcharge, shall be determined monthly, or more frequently, from samples taken either at the monitoring facility referred to in Section XV or at any other sampling point mutually agreed upon by the City and the producer of such wastewater.

The frequency and duration of the sampling period shall be such as, in the opinion of the City, will permit a reasonably reliable determination of the average composition of such wastewater, exclusive of storm water runoff, surface water and ground water. Samples shall be collected by the City in proportion to the flow of wastewater, exclusive of storm water runoff, surface water and ground water, and composited for analysis in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater" as published by the American Public Health Association. Except as hereinafter provided, the strength of such wastewater so found by analysis shall be used for establishing the surcharge or surcharges. The City may, if it so elects, accept the results of routine sampling and analysis by the producer of such wastewater in lieu of making its own sampling and analysis.

(2) **BOD Surcharge Rate and Determination.** In the event any sample has a BOD in excess of 300 p.p.m., the owners of and the users of water in or on, the property from which such wastewater is discharged shall be surcharged an amount equal to the product of:

A. The actual volume of wastewater in thousand gallons per billing period, exclusive of storm water runoff, surface water and ground water, discharged to the sewer system and/or the treatment works; and

B. The "BOD Surcharge Rate". The "BOD Surcharge Rate" shall be determined by the following formula:

$$R_c = 0.00834 P^{0.75} - 300)$$

Where R_c = the BOD surcharge rate in cents per 1,000 gallons of waste discharged.

P = the average annual fixed, operating and maintenance cost of treatment processes per pound of BOD received at the treatment works, including chlorination.

C = the average BOD of the industrial wastewater expressed in p.p.m. as determined in accordance with subsection (b)(1) hereof.

The figure 300 appearing in the above formula corresponds to the maximum BOD permissible without surcharge. The figure 0.00834 is the factor to convert parts per million to pounds per 1,000 gallons. No discount shall be permitted for domestic or industrial wastewaters having a BOD less than 300 p.p.m.

(3) **Suspended Solids Surcharge Rate and Determination.** In the event any sample has an average suspended solids concentration in excess of 275 p.p.m., the owner of, and the users of water in or on, the property from which such wastewater is discharged shall be surcharged an amount equal to the product of:

A. The actual volume of wastewater in thousand gallons per billing period, exclusive of storm water runoff, surface water and ground water, discharged to the sewer system, and/or the treatment works; and

B. The "suspended solids surcharge rate". The "suspended solids surcharge rate" shall be determined by the following formula:

$$Rs = 0.00934 \times B (S - 275)$$

Rs = the suspended solids surcharge rate in cents per 1,000 gallons of wastewater discharged.

B = the average annual fixed, operating and maintenance cost of the sludge digestion, sludge drying and sludge disposal operations per pound of suspended solids received at the treatment works.

S = the average suspended solids concentration of the abnormal industrial wastewater expressed in the p.p.m.

The figure 275 appearing in the above formula corresponds to the maximum suspended solids concentration permissible without surcharge. The figure 0.00834 is the factor to convert parts per million to pounds per 1,000 gallons. No discount shall be permitted for domestic or industrial wastewaters having a suspended solids concentration less than 275 p.p.m.

- (4) Surcharge Additional. The surcharges provided for in this subsection (b) shall be added to the service charges set forth in subsection (a) hereof. They shall be billed monthly or quarterly, as the City determines and shall be due at the same time and subject to the same penalty asset forth in subsection (j) hereof.

(h) Surcharge for Pretreatment. There shall be a surcharge imposed upon the industrial users of the City's treatment works to provide for the recovery of costs expended by the City in connection with any pretreatment required by this ordinance. This surcharge shall be added to the service charges set forth in subsection (a)(1) and (2) hereof and any applicable surcharges as set forth in subsection (b) hereof, and shall include, but not be limited to, the following charges and fees:

- (1) Fees for monitoring, inspections and surveillance procedures;
- (2) Fees for reviewing accidental discharge procedures and construction;
- (3) Fees for consistent removal by the City of pollutants otherwise subject to Federal pretreatment standards;
- (4) Other fees as the City may deem necessary to carry out the requirements contained herein.

Such fees and charges shall be based on each individual discharge or application for actual costs incurred by the City. An estimate of such costs shall be placed in a separate escrow account with the City or the City may enter into an agreement with such users for payment of costs. All funds remaining in the escrow account upon completion of work by the City shall be returned to such users. If ongoing costs for monitoring and testing are required, an annual cost will be estimated which will be funded by such users based on the estimate the first year and actual costs for each year thereafter.

SECTION XI. WASTEWATER DISCHARGES COMPLIANCE.

No person shall discharge without a permit to any natural outlet or in any area under the jurisdiction of the City, and/or to the POTW any wastewater except as authorized by

the City in accordance with the provisions of this ordinance. Analysis completed for all industrial user reports shall be in accordance with 40 CFR Part 136 or with procedures approved by EPA. Sample results shall be representative of daily operations.

SECTION XII. WASTEWATER DISCHARGE APPROVAL REQUIRED.

All significant users proposing to connect to or to contribute to the POTW shall obtain approval from the City before connecting to or contributing to the POTW. Any existing significant user connected to or contributing to the POTW who has not obtained such approval shall not cause or allow discharges to continue. The City may require other users to obtain the City's approval as necessary to carry out the purpose of this ordinance.

SECTION XIII. APPROVAL REQUIREMENTS.

(a) Users subject to the requirements of Section XII of this ordinance shall complete and file with the City, an application in the form and within the time frame prescribed by the City, and accompanied by a fee of three hundred dollars (\$300.00). Existing users shall apply for approval permit immediately upon notification. Proposed new users shall apply at least ninety 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 number according to the Standard Industrial Classification Manual, Bureau of the Budget, 1972, as amended, and a list of any environmental control permits held by or for the facility;
- (3) Wastewater constituents and characteristics including but not limited to any substance which if otherwise disposed of would be hazardous if required by 40 CFR 403.12(p) and to those mentioned in Section II all of which are to be determined by a reliable analytical laboratory; sampling and analysis shall be performed in accordance with procedures established by the EPA pursuant to Section 304(g) of the Act and contained in 40 CFR Part 136, as amended;

- (4) Time and duration of contribution;
- (5) Average daily and thirty minute peak wastewater flow rates to the POTW, including daily, monthly and seasonal variations, if any, and any other streams, as necessary to allow use of the combined waste stream formula set out in 40 CFR 403.1(e);
- (6) Site plans, floor plans, mechanical and plumbing plans and details to show all sewers, sewer connections, and appurtenances by size, location and elevation;
- (7) Description of activities, facilities, and plant process 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 from each regulated process which are limited by any local, state or federal pretreatment standards, and a statement regarding whether or not the pretreatment standards are being met on a consistent basis and if not, whether additional operation and maintenance (O & M) and/or additional pretreatment is required for the user to meet applicable pretreatment standards.
- (9) If additional pretreatment and/or O & M will be required to meet the pretreatment standards; the shortest schedule by which the user will provide such additional pretreatment. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard. The following conditions shall apply to this schedule:
 - A. The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (e.g. hiring an engineer, completing preliminary plans, completing final plans, executing contract

for major components, commencing construction, completing construction, etc.)

- B. No increments referred to in subsection (a)(9)(A). hereof shall exceed nine months.
- C. Not later than fourteen days following each date in the schedule and the final date for compliance, the user shall submit a progress report to the City 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 reasons for delay, and the steps being taken by the user to return the construction to the schedule established. In no event shall more than nine months elapse between such progress reports to the City.

- (10) Each product produced by type, amount, process or processes and rate of production;
- (11) Type and amount of raw material processed including average and maximum per day;
- (12) Number and type of employees, and hours of operation of plant and proposed or actual hours of operation of pretreatment system;
- (13) Any other information as may be deemed by the City to be necessary to evaluate the permit application or is required by 40 CFR Section 403.12(p).

(b) Incomplete or inaccurate applications will not be processed and will be returned to the user for revision.

(c) The City will evaluate the data furnished by the user and may require additional information. After evaluation and acceptance of the data furnished, the City may issue or deny a wastewater discharge permit subject to terms and conditions provided herein.

SECTION XIV. HAZARDOUS WASTE AND CHANGES IN WASTEWATER CHARACTERISTICS.

Any industrial user shall notify the City, the EPA Regional Waste Management Divisional Director, and the State hazardous waste authorities of any discharge of a substance which, if otherwise disposed, would be a hazardous waste (providing it is required under 40 CFR 403.12(p)), of any new introduction of wastewater constituents; or any substantial change in the volume or character of the wastewater constituents, including hazardous waste, and receive the City's approval prior to it being introduced into the wastewater treatment system. The user shall comply with all requirements of 40 CFR 403.12 for hazardous waste.

SECTION XV. MONITORING FACILITIES.

(a) The City may require to be provided and operated at the user's own expense, monitoring facilities to allow inspection, sampling and flow measurement of the building sewer, internal drainage systems, and/or any other point of discharge of process water. The monitoring facility shall normally be situated on the user's premises, but they City may, when such a location would be impractical or cause undue hardship on the user, allow the facility to be constructed in the public street or sidewalk area and located so that it will not be obstructed by landscaping or parked vehicles.

(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. Monitoring facilities shall be located and operated at appropriate times so as to collect samples representative of the user's discharge of process wastes to the POTW.

(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 specifications. Construction shall be completed within ninety days following written notification by the City.

SECTION XVI. 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, records examination or copying, or in the performance of any of their duties.

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

SECTION XVII. 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 plans and operating procedures will in no way relieve the user from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the City under the provisions of this 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) All records relating to compliance with pretreatment standards shall be made available to officials of the EPA upon request.

SECTION XVIII. 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 restriction unless the user specifically requests and is able to demonstrate to the satisfaction of the City that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets of the user.

(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 upon proper request to government agencies for uses related to this ordinance, the National Pollutant Discharge Elimination System (NPDES) Permit, State disposal system and/or the pretreatment programs.

(c) Information accepted by the City as confidential will only be transmitted to the EPA or their agents upon proper request. The EPA is regulated by Section 308(a) of the Clean Water Act which prescribes penalties for disclosure of confidential information under the act. The information shall not be transmitted to any other governmental agency or to the general public by the City until and unless a ten day notification is given to the user.

SECTION XIX. RECORDS RETENTION.

(a) All industrial users subject to this ordinance shall retain and preserve for no less than three years, any records, books, documents, memoranda, reports, correspondence, and any and all summaries thereof, relating to monitoring, sampling and chemical analysis made by or in behalf of a user in connection with its discharge.

(b) All sampling records shall include:

- (1) The date, exact place, method and time of sampling and the names of the person or persons taking the samples;
- (2) The dates analysis were performed;
- (3) Who performed the analysis;
- (4) The analytical techniques/methods used; and
- (5) The results of such analysis.

(c) All records which pertain to matters which are the subject to any enforcement or litigation activities brought by the City or EPA pursuant hereto shall be retained and preserved by the user until all enforcement activities have concluded and all periods of limitation with respect to any and all appeals have expired.

SECTION XX. APPLICATION AND REPORT SIGNATURES AND CERTIFICATION.

All wastewater discharge applications and user reports shall be signed by an authorized representative of the user and contain the following certification statement:

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

SECTION XXI. ENFORCEMENT; SERVICE SUSPENSION.

(a) Misdemeanor. Any person violating a provision of this ordinance shall be guilty of a misdemeanor.

(b) Harmful Contributions.

(1) The City may suspend the wastewater treatment service when such suspension is necessary, in the opinion of the City in order to stop an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health and welfare of persons, to the environment, causes interference to the POTW or causes the City to violate any condition of its NPDES permit. In the event the users actions are such as to prevent the City from making such determination the City may also suspend service and/or the permit until the user permits the City to make a determination on the potential of the endangerment.

(2) Any person notified of a suspension of the wastewater treatment service shall immediately stop or eliminate the contribution. In the event of a failure of the person to comply voluntarily with the suspension order, the City shall take such steps as deemed necessary including immediate severance of the sewer connection, to prevent or minimize damage to the POTW system or endangerment to any individuals. The City shall reinstate the wastewater treatment service upon proof of the elimination of the noncomplying discharge. A detailed written statement submitted by the user describing the causes of the harmful contribution and the measures taken to prevent any future occurrence shall be submitted to the City within fifteen days of the date of occurrence or prior to the date of any show cause or termination hearing.

SECTION XXII. APPROVAL REVOCATION.

Any user who violates the following conditions of this ordinance, or applicable State and Federal regulations, is subject to having his approval revoked in accordance with the procedures of Sections XX through XXIV.

(a) Failure of a user to factually report the wastewater constituents and characteristics of his discharge;

(b) Failure of the user to report significant changes in operations or wastewater constituents and characteristics;

(c) Refusal of reasonable access to the user's premises for the purpose of inspection of monitoring; or

(d) Violation of conditions of the approval.

SECTION XXIII. VIOLATION NOTICE.

Whenever the City finds that any user has violated or is violating this ordinance, wastewater discharge permit, or any prohibition, limitation or requirement contained herein, the City may serve upon such person a written notice stating the nature of the violation. Within thirty days of the date of the notice, a plan for the satisfactory correction thereof shall be submitted to the City by the user.

SECTION XXIV. ORDERS.

The City may, at its discretion, order the user to accomplish certain steps within a specified time frame to comply with EPA pretreatment regulations and may assess administrative penalties for reasons described in Section XXIII(b).

SECTION XXV. LEGAL ACTION.

If any person discharges domestic or industrial wastewater or other wastes into the City's POTW which causes personal injury or property damage; or is contrary to the provisions of this ordinance, Federal or State Pretreatment Requirements, or any order of the City; or, if any person

does not comply with any pretreatment standard or requirement or any permit condition, the City's attorney may commence an action for appropriate legal and/or equitable relief in the appropriate court of this country including the issuance of a temporary or permanent injunction.

SECTION XXVI. SEVERABILITY.

If any provision, paragraph, word, section or ordinance of this ordinance is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections and chapters shall not be affected and shall continue in full force and effect.

SECTION XXVII. CONFLICT.

All other ordinances and parts of other ordinances inconsistent or conflicting with any part of this ordinance are hereby repealed to the extent of such inconsistency or conflict.

SECTION XXIII. PENALTY.

(a) Civil Penalties. Any user who is found to have violated an order of the City or who failed to comply with any provisions of this ordinance, and the orders, rules, regulations and approvals issued hereunder, shall be fined no more than one thousand dollars (\$1,000.00) for each offense. Each day on which a violation occurs or continues shall be deemed a separate and distinct offense. In addition to the penalties provided herein, the City may recover reasonable attorney's fees, court costs, court reporters' fees and other expenses of litigation by appropriate suit at law against the person found to have violated this ordinance or the order, rules, regulations and permits issued hereunder. The City may also seek or assess criminal and administrative penalties for noncompliance.

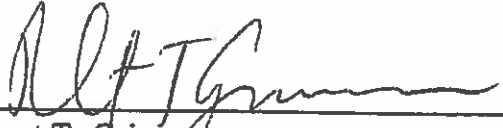
(b) Administrative Penalties. When the City finds that a user has violated, or continues to violate, any provision of this ordinance, the City may fine such user in an amount not to exceed one thousand dollars (\$1,000.00). Such fines shall be assessed on a per violation, per day basis. In the case of monthly or other long-term average discharge limits, fines shall be assessed for each day during the period of violation.

(c) Falsifying Information. Any person who knowingly makes any false statement, representation or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to this ordinance, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this ordinance, shall upon conviction, be punished by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment for not more than six months, or both.

SECTION XXIX. This Ordinance shall take effect immediately upon final passage.

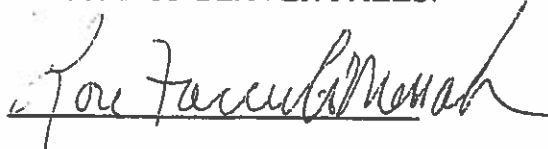
PASSED AND ADOPTED BY THE COUNCIL of the City of Beaver Falls this 10th day
of February, 1998.

ATTEST:



Robert T. Grimm
City Manager

CITY OF BEAVER FALLS:



Mayor

CITY OF BEAVER FALLS
ORDINANCE NUMBER 2033

AN ORDINANCE OF THE CITY OF BEAVER FALLS, BEAVER COUNTY, PENNSYLVANIA, AMENDING ORDINANCE NO. 1781, WHICH ESTABLISHED THE JOINT SEWER USERS PROPORTIONAL SHARE OF THE CAPITAL COST FOR THE SEWER PLANT AND INTERCEPTOR LINE IN THE FORM OF A CAPACITY COMPONENT TO BE PART OF THE TOTAL SERVICE CONNECTION FEE IMPOSED ON ANY NEW RESIDENTIAL CONNECTION

WHEREAS, the City previously adopted Ordinance No. 1781 and now desires to amend the same in accordance with Act 203, which permits the City to recover a portion of embedded fixed capital investment costs from new customers served by the City's sewage treatment plant services to include outlying municipalities known as the Joint Sewer Users;

WHEREAS, it has been determined that sewage tap-in regulations need to be addressed and enforced by the City with respect to the Joint Sewer Users;

BE IT ORDAINED AND ENACTED by the Council of the City of Beaver Falls, a Third Class City under the laws of the Commonwealth of Pennsylvania, and it is hereby ordained and enacted by virtue of the authority of the same as follows:

SECTION IX. Joint Sewer Users must be notified of all tap-ins, including residential, commercial and industrial prior to approval of the tap-in.

SECTION X. Applicants for any tap-in must obtain appropriate discharge permits, if any are required, from the City's Engineer.

SECTION XI. All fees for tap-ins and permits must be paid in full to Joint Sewer Users, to include engineering, legal and administrative fees if any, prior to the approval of a tap-in.

SECTION XII. The names and addresses of all tap-ins must be supplied to the Joint Sewer Users and the City for accurate record keeping.

SECTION XIII. Any violation of this Ordinance shall be deemed a summary offense and, upon conviction thereof in a summary proceeding, a person or persons as convicted in proceeding before a district magistrate or court of competent jurisdiction shall be sentenced to a fine of not less than One Hundred (\$100.00) dollars, nor more than Three Hundred (\$300.00) dollars for each violation, together with costs, and in default of payment thereof or any part of said fine and costs, to undergo imprisonment of not more than thirty (30) days.

Each day a violation is continued, or each violation which occurs of a provision of this Ordinance shall be deemed a separate offence and be subject to a separate fine and imprisonment for each offence. All fines shall be collectible in accordance with the Third Class City Code, and Act 57 of 2003 and fines collected shall be repaid to the Joint Sewer Users.

SECTION XIV. All ordinances or parts thereof inconsistent herewith are hereby specifically repealed.

SECTION XV. This Ordinance shall become effective immediately upon final passage.

PASSED AND ADOPTED BY THE COUNCIL of the City of Beaver Falls, this 25th day of February, 2014.

ATTEST:

Paula J. Burdine
Paula J. Burdine
City Clerk

CITY OF BEAVER FALLS:

By: George S. Quay III
George S. Quay III, Mayor

CITY OF BEAVER FALLS
ORDINANCE NO. 1781

AN ORDINANCE OF THE CITY OF BEAVER FALLS, BEAVER COUNTY, PENNSYLVANIA, ESTABLISHING THE JOINT SEWER USERS PROPORTIONAL SHARE OF THE CAPITAL COST FOR THE SEWER PLANT AND INTERCEPTOR LINE IN THE FORM OF A CAPACITY COMPONENT TO BE PART OF THE TOTAL SERVICE CONNECTION FEE IMPOSED ON ANY NEW RESIDENTIAL CONNECTION.

BE IT ORDAINED AND ENACTED by the Council of the City of Beaver Falls, a Third Class City under the laws of the Commonwealth of Pennsylvania, and it is hereby ordained and enacted by virtue of the authority of the same as follows:

SECTION I. That on December 19, 1990, Act 203 became law. The purpose of the Act is to provide Municipalities and Authorities with a uniform methodology for determining fees on a fair, just and reasonable basis.

SECTION II. That the concept of Act 203 is to recover a portion of embedded fixed capital investment costs from new customers. The fee(s) charged to new customers should reflect the initial costs required to provide service, as well as recover a portion of the embedded capacity available to provide service.

SECTION III. That the City of Beaver Falls authorized Widmer Engineer, Inc. to prepare recommendations relating to the Connection Fee and Tapping Fee Components pursuant to the provisions of Act 203.

SECTION IV. That Widmer Engineering, Inc., as part of the Connection Fee, examined the Capacity Component of that Fee which is intended to provide for cost sharing of general system facilities, including both existing and future service facilities. The Capacity Component

is restricted to the cost of such facilities, less any outstanding debt and contribution-in-aid-of-construction.

SECTION V. That Widmer Engineering, Inc. recommended as part of the Act 203 Study that the City of Beaver Falls impose on all joint sewer users a \$214.00 Capacity Component as part of a total service connection fee to be imposed upon any new connection to an existing or developer installed sanitary sewer system.

SECTION VI. That said \$214.00 Capacity Component is to be collected by the respective joint sewer user municipality and forwarded onto the City of Beaver Falls prior to connection, which, upon receipt, is to be deposited into the Joint Sewer User Account only.

SECTION VII. All Ordinances or parts thereof inconsistent herewith are hereby specifically repealed.

SECTION VIII. This Ordinance shall become effective immediately upon final passage.

PASSED AND ADOPTED BY THE COUNCIL of the City of Beaver Falls, this 6th day of August, 2002.

ATTEST:

Paul J. Burdine
City Coordinator

CITY OF BEAVER FALLS:

By: Karl Boak
Karl Boak, Mayor

CITY OF BEAVER FALLS
RESOLUTION 1210

A RESOLUTION OF THE COUNCIL OF THE CITY OF BEAVER FALLS ESTABLISHING THE RATE OF THE SEWER TAP-IN FEES FOR BOTH JOINT SEWER USERS AND PROPERTY OWNERS IN THE CITY OF BEAVER FALLS.

WHEREAS, the Council of the City of Beaver Falls pursuant to the Third Class City Code is empowered to establish and adjust certain fees collected by the City of Beaver Falls; and

WHEREAS, it has been determined that the sewage tap-in fees collected by the City of Beaver Falls need adjusted; and

WHEREAS, the City of Beaver falls Sewage treatment plant services not only City users but also outlying municipalities known as Joint Sewer Users.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Beaver falls, and it is hereby resolved by virtue of the authority of the same as follows:

1. The tap-in fee for property owners within the municipalities that are part of the Joint Sewer Users is hereby set at Six Hundred and Fifty (\$ 650.00) Dollars per tap-in.
2. The tap-in fee for property owners within the City of Beaver Falls is hereby set at Two Thousand (\$ 2,000.00) Dollars per tap-in.
3. Any Resolution conflicting with the provisions of this Resolution is hereby repealed so far as the same affects this Resolution.
4. This Resolution shall be effective immediately upon passage.

PASSED AND ADOPTED BY THE COUNCIL of the City of Beaver Falls this
8th Day of September, 2009.

ATTEST:

Paul J. Boudine
City Clerk

CITY OF BEAVER FALLS

Neil P. Bick
Mayor

CITY OF BEAVER FALLS
RESOLUTION NO. 1209

A RESOLUTION OF THE COUNCIL OF THE CITY OF BEAVER FALLS, BEAVER COUNTY, PENNSYLVANIA APPROVING THE IMPOSITION OF A LATE FEE ON ALL JOINT SEWER USER MUNICIPALITIES TO BE APPLIED THE DAY FOLLOWING THE PAYMENT'S DUE DATE AND TO BE ADDED TO THE FOLLOWING QUARTERLY BILL.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Beaver Falls, Beaver County, Pennsylvania, and it is hereby resolved by the authority of the same as follows:

1. In order to insure prompt receipt of fees due and owing from Joint Sewer User municipalities, it has become necessary to implement a late fee.
2. That said late fee is to be assessed in an amount equal to the five percent (5%) of the outstanding and late bill. The late fee will be imposed the day after the bill was due and will be incorporated into the following quarterly bill.
3. That this Resolution shall be effective immediately.

PASSED AND ADOPTED BY THE COUNCIL of the City of Beaver Falls this 8th day of Sept., 2009.

ATTEST:

Paula J. Burdine
City Clerk

CITY OF BEAVER FALLS:

By: [Signature]
Mayor

CITY OF BEAVER FALLS
ORDINANCE NO. 1652

AN ORDINANCE OF THE CITY OF BEAVER FALLS
AMENDING CHAPTER 18, PART 3 OF THE CODE OF
ORDINANCES OF THE CITY PROHIBITING THE
DISCHARGE OF STORM WATER RUNOFF INTO SANITARY
SEWERS

BE IT ORDAINED AND ENACTED by the Council of the City
of Beaver Falls, and it is hereby ordained and enacted by virtue
of the authority of the same as follows:

Section 1. Chapter 18, Part 3 of the Code of
Ordinances of the City is hereby amended by adding thereto the
following:

§302. Exclusion of Storm Water Runoff.

A. The discharge of storm water runoff into sanitary sewers
is prohibited.

B. No person owning any occupied building connected to a
sanitary sewer shall connect any roof drain or foundation drain
thereto or permit any such drains to remain connected thereto,
nor shall he permit, allow or cause to enter into any sanitary
sewer, any storm water, spring water or surface water from any
other source.

C. The provisions of this Part do not prohibit the present
or future discharge of storm water runoff to storm sewers or to
natural watercourses.

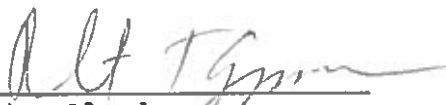
Section 2. All ordinances or parts of ordinances which
are inconsistent herewith are hereby repealed.

Section 3. If any sentence, clause, section, or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared as the intent of the City of Beaver Falls that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.


Section 4. This Ordinance shall take effect immediately upon final passage.

PASSED AND ADOPTED BY THE COUNCIL of the City of Beaver Falls, this 16th day of April, 1996.

ATTEST:


City Clerk

CITY OF BEAVER FALLS:

By: 
Thomas G. Berger
Mayor