



**Rules and Regulations
For the Operation and Development
of the Sanitary Sewer System of the
Town of Gate City, Virginia**

This policy was voted into effect at the regular scheduled Sanitation Authority Board Meeting on

August 13, 2014.

Sanitation Authority Rules and Regulations

Table of Contents

ARTICLE I Authority, Title, and Definitions.....	1
SECTION 1.....GENERAL CONDITIONS	1
SECTION 2.....TITLE	1
SECTION 3.....DEFINITIONS AND WORD USES	1
ARTICLE II Sanitation Authority Policy.....	5
SECTION 4.....MANIDATORY CONNECTION REQUIREMENTS	5
SECTION 5.....IMPROVEMENTS OF PREMISES	5
SECTION 6.....INSPECTION OF CONNECTION.....	5
SECTION 7.....APPLICATION FOR SERVICE	6
SECTION 8.....DECISIONS ON CERTAIN APPLICATIONS.....	6
SECTION 9.....GENERAL TERM AND CONDITIONS CONNECTION PERMITS; REAPPLICATION....	6
SECTION 10.....PERMIT TO INSTALL, ALTER OR REPAIR ANY CONNECTION	7
SECTION 11.....LABOR AND MATERIALS	7
SECTION 12.....DEVELOPMENT OF RESIDENTIAL, INSTITUTIONAL, COMMERCIAL, OR INDUSTRIAL SITES	8
SECTION 13.....APPROVAL OF PLANS, QUALITY OF WORK, INSPECTION	8
ARTICLE III Application for Service	9
SECTION 14.....LOCATION OF PREMISES	9
SECTION 15.....DESIGN AND CONSTRUCTION	9
SECTION 16.....RESIDENTIAL, INSTITUTIONAL AND/OR COMMERCIAL DEVELOPMENTS.....	10
SECTION 17.....INDUSTRIAL DEVELOPMENTS.....	10
SECTION 18.....ENGINEERING SERVICES	11
SECTION 19.....RESERVED	11
ARTICLE IV Disposition of Applications.....	11
SECTION 20.....DECISIONS	11
SECTION 21.....CHANGE OF APPLICATION	11
SECTION 22.....FEES FOR CHANGED APPLICATIONS	12
SECTION 23.....REVISION OF APPROVED PLANS.....	12
ARTICLE V New Construction	12
SECTION 24.....SEWER LINE CONSTRUCTION AND INSPECTION	12
SECTION 25.....ACCEPTANCE OF NEW FACILITIES	13

Sanitation Authority Rules and Regulations

SECTION 26.....AS-BUILD PLANS	13
ARTICLE VI Prohibited or Specially Regulated Waste and Discharge into Sanitary Sewers	14
SECTION 27.....PROHIBITED DISCHARGE.....	14
SECTION 28.....INTERCEPTORS.....	15
SECTION 29.....INDUSTRIAL WASTE	15
ARTICLE VII Engineering Services	16
SECTION 30.....POLICY.....	16
SECTION 31.....BASIC ENGINEERING SERVICES REQUIRED OF OWNER OR DEVELOPER	16
SECTION 32.....SANITATION AUTHORITY CONSULTING ENGINEER TO REVIEW APPLICATIONS	16
ARTICLE VIII Sanitation Authority’s Property	16
SECTION 33.....PROTECTION OF FACILITIES	16
SECTION 34.....OBSTRUCTION TO FACILITIES	17
SECTION 35.....VIOLATIONS AND PENALTIES	17
ARTICLE IX Fees and Charges.....	17
SECTION 36.....ASSESSMENT	17
SECTION 37.....CONNECTION AND HOOK-UP FEES	17
SECTION 38.....NO OBLIGATIONS TO PROVIDE ADDITIONAL SERVICES.....	18
SECTION 39.....INDUSTRIAL DEVELOPMENTS	18
SECTION 40.....SINKING FUND FOR CAPITAL PROJECTS	19
SECTION 41.....MONTHLY SERVICE CHARGES	19
SECTION 42.....SINKING FUND FOR OPERATING RESERVES	19
SECTION 43.....FLOW CRITERIA	19
SECTION 44.....MEASURING CONSUMPTION AND FLOWS.....	19
SECTION 45.....GRACE PERIOD AND PENALTIES.....	20
SECTION 46.....RATES OF CHARGE.....	20
SECTION 47.....DEPOSIT FOR CERTAIN OCCUPIED PROPERTIES	20
SECTION 48.....RECONNECTION OF FEES.....	20
SECTION 49.....MANNER OF BILLING AND COLLECTIONS.....	20
ARTICLE X General Provision	21
SECTION 50.....INSPECTION OF PREMISES.....	21
SECTION 51.....TRANSFER OF OWNERSHIP.....	21
SECTION 52.....INTERPRETATIONS AND APPEALS.....	21

Sanitation Authority Rules and Regulations

SECTION 53.....VIOLATIONS AND PENALTIES..... 21

Sanitation Authority Rules and Regulations

ARTICLE I Authority, Title, and Definitions

SECTION 1.....GENERAL CONDITIONS

A. The purpose of this chapter is to set forth guidelines and provisions for sewage disposal systems in the Town of Gate City. The regulations will ensure that only reliable systems are implemented, that they are utilized in appropriate areas, and that they are properly maintained for the protection of Town surface and ground water resources. The regulations are promulgated for the protection of public health and shall be in conformance with specifications of the Virginia Department of Health and State Water Control Board for public and private sewer and water systems, including, but not limited to the following regulations as amended or superseded: Sewage handling and Disposal Regulation 12 VAC 5-610; Alternative discharging systems shall conform to the Virginia Department of Health Regulations 12-VAC-5-640 and the Virginia Department of Environmental Quality VAC 25-790 SEWAGE COLLECTION & TREATMENT REGULATIONS, and the State Water Control Board NPDES Permit program for public and private sewer.

B. The mission of the Sanitation Authority is to provide safe, high quality sewer services to its customers in an open, honest, and efficient manner and to be good stewards of the resources provided to us.

C. The Sanitation Authority operates in a non-discriminatory basis with regards to race, color, national origin, religion, sex, familial status, age, or handicap. Complaints of discrimination may be sent to the U.S. Secretary of Agriculture, Washington, DC 20250.

D. The Sanitation Authority will not release to anyone other than staff, counsel for the Authority, a collection agent, those persons covered by Section 15.2-5124 of the Code of Virginia, or the customer, any information concerning an account, payment history, address, telephone number, social security number, or other information in the file except in response to a valid court order, valid FOIA request or the customer's direct authorization.

E. This chapter is promulgated and adopted pursuant to the authority granted by Title 21, Chapter 2 of the Code of Virginia, 1950, as amended.

SECTION 2.....TITLE

A. This chapter is titled "Rules and Regulations for the Operation and Development of the Sanitation System of the Town of Gate City, Virginia."

B. Short title. This chapter also shall be known as or may be cited as the "Gate City Sanitary Ordinance."

SECTION 3.....DEFINITIONS AND WORD USES

A. Words and terms. Unless the context specifically indicates otherwise, the meaning of words, terms, phrases and their derivatives used herein shall be as follows below. When not inconsistent with their context, meaning and intent, words used in the present tense include the future tense, words in the

Sanitation Authority Rules and Regulations

plural number include the singular number, and words in the singular number include the plural number. "Shall" is mandatory; "may" is permissive.

B. As used in this chapter, the following terms shall have the meanings indicated:

ADMINISTRATOR

The representative of the governing body of the Sanitation Authority who has been appointed to serve as the agent of the governing body in administering and enforcing this chapter.

APPLICATION

The sanitary sewer service permit forms and all relevant and appurtenant plans, specifications, renderings, information, data and other documentation required by the Sanitation Authority or Administrator of a person formally requesting an expanded, extended, additional or modified sewer service connection to the facilities of the Sanitary System. A complete application also includes all required connection/hookup fees and any other hookup and facility-related charges or assessments.

AUTHORITY

The Sanitation Authority, the governing body of Gate City, Virginia Sanitation System.

AVAILABILITY FEE

A fee that is charged when public sewer service is available but a public sewer connection is not made. This fee represents the cost associated with making public sewer service available to the property owner or user.

BUILDING OFFICIAL (INSPECTOR)

That person or his/her duly authorized representative directed and authorized to supervise and enforce all the provisions of the Uniform Statewide Building Code.

CONNECTION/HOOKUP FEE

A charge paid for the authorization to connect a premises or improvement to the facilities of the Gate City Sanitation System.

CONNECTOR

A person connecting to the facilities of the Gate City Sanitation System.

FACILITIES OF THE SANITATION AUTHORITY

Any and all component and appurtenant parts of the entire vacuum and gravity systems of sanitary sewer lines under the jurisdiction of the Sanitation Authority.

Sanitation Authority Rules and Regulations

FRANCHISE TERRITORY (SERVICE AREA)

The territory included within the boundaries of the Town of Gate City, Virginia.

GPD

Abbreviation for gallons per day.

INDUSTRIAL WASTES

The liquid and water-carried wastes from industrial or heavy commercial processes. This term includes but is not limited to toxic, hazardous, poisonous and flammable wastes and any other waste classified or deemed industrial by state or federal regulatory agencies and any liquid-carried waste from industrial or heavy commercial establishments which when treated by the Scott County Sewage Treatment Plant causes the upset or bypass of the processes or operations thereof or the violation of the Scott County Public Service Authority's fecal effluent standards.

LOCAL FACILITIES

Those portions of the sewer works and systems which are used respectively to collect, transport and convey wastewater from an individual user or individual users in local areas, subdivisions, and developments. Included are local wastewater collection mains, wastewater lateral lines and vacuum valves and tanks to a user's premises and other such facilities and appurtenances as are necessary. Pump stations will be included when in accordance with approved plans and built to serve the individual user or users in local areas, subdivisions and developments.

OWNER or DEVELOPER

Any person having an interest, whether legal or equitable, sole or partial, in any premises which are, or may in the future be, served by the facilities of the Sanitation Authority and who is or may in the future be responsible for the design and construction of facilities to be under the jurisdiction of and to become a part of the public utilities system of the Sanitary System.

PERSON

Any individual, firm, partnership, corporation, association, society, institution, group or legal entity.

PREMISES

Any building, group of buildings, or land upon which buildings are to be constructed which is or may in the future be served by the facilities of the Sanitation Authority.

PERMIT

Permit may take the form of an approved Application and/or written permission from the Administrator or Sanitation Authority.

Sanitation Authority Rules and Regulations

PUBLIC SEWER SYSTEM

A sewer in which all owners of abutting properties have equal rights and which is controlled by the Sanitation Authority.

REMOTE FACILITIES

Those portions of the sewer works and system which are used directly or indirectly to transport, convey, treat and dispose of wastewater from local facilities. Included are sewer mains, pump stations, treatment plants, outfalls and other such facilities and appurtenances as are necessary.

SANITATION AUTHORITY

The Gate City Sanitation Authority, which was created and which functions under the authority granted in Title 21, Chapter 2 of the Code of Virginia, 1950, as amended.

SANITARY SEWAGE (WASTEWATER)

That liquid and water-carried waste which derives from dwellings, business buildings and institutions other than heavy commercial and industrial establishments, exclusive of any storm water, surface water or hazardous, toxic, poisonous or flammable wastes.

SANITARY SEWER LINE

A vacuum or gravity pipe or conduit for carrying sewage.

SEWAGE TREATMENT PLANT

Any arrangement of devices and structures used for treating and, if applicable, for disposing of treated sewage in conformance with applicable federal, state and local laws, regulations and permits. For the purpose of this ordinance, the Sewage Treatment Plant is owned and operated by the Scott County Public Service Authority.

SCOTT COUNTY PUBLIC SERVICE AUTHORITY SEWAGE TREATMENT PLANT (Hereinafter referred to as "Sewage Treatment Plant")

STATE

The Commonwealth of Virginia.

TREASURER

The Treasurer of the Town of Gate City, Virginia.

TOWN

Town of Gate City, Virginia

Sanitation Authority Rules and Regulations

VPDES PERMIT

The Virginia Pollution Discharge Elimination System permit issued by the Virginia Water Control Board to the operators of wastewater treatment facilities authorizing the discharge of treated wastewater into the receiving waters of the Commonwealth of Virginia.

ARTICLE II Sanitation Authority Policy

SECTION 4.....MANDATORY CONNECTION REQUIREMENTS

A. The owners of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes which are situated within the Town limits of Gate City, Virginia shall be required to install suitable toilet and other liquid waste disposal facilities therein and to connect such facilities directly with the public sewer system.

B. A sanitary sewer shall be regarded as available to any building when the building or improvement itself lies within the defined service area of the public sewage line that has the require capacity and is within a reasonable distance.

C. An Availability Fee shall be charge to all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes that are not connected to an available sanitary sewer line. The Availability Fee shall be charged in accordance to §41.

D. Availability Fee waiver may be requested in writing if conditions, i.e.: terrain, geological conditions, conditions which prevent flow, extreme cost prohibited factors, are warranted. Determination will be made by the Sanitation Authority and handled on a case by case basis.

SECTION 5.....IMPROVEMENTS OF PREMISES

The ownership and maintenance of connections between premises and main collection and conveyance lines in the sewer collection system shall be vested in the owners of such premises, and the Sanitation Authority shall not be responsible for the operation and maintenance of the same.

SECTION 6.....INSPECTION OF CONNECTION

A. All connections to the facilities of the Sanitation Authority shall be made under the supervision of the Public Works Supervisor, and all matters pertaining to such connections shall be decided by the Administrator subject to appeal to the Sanitation Authority. Said appeal shall be made pursuant to §56B. Each connection shall be inspected by the Public Works Supervisor, and until approval of such is rendered by the Sanitation Authority it shall remain open without any covering and shall not be subject to use.

B. Any person convicted of violating the provisions of Subsection A shall be guilty of a class 3 misdemeanor and subject to the penalties given in § 53. Each day of such failure shall constitute a separate offense.

Sanitation Authority Rules and Regulations

C. Any person who desires an inspection of a connection shall give the Public Works Supervisor at least 48 hours' notification of the date and hour when such inspection is desired, and in the event that the connection is not approved by the Public Works Supervisor such person shall repair the connection and re-notify the Sanitation Authority for an additional inspection.

SECTION 7.....APPLICATION FOR SERVICE

All applications for sewage service shall clearly indicate the various uses of the various premises for which the services to be rendered by the facilities of the Sanitation Authority and Sanitation Treatment Plant are to be utilized, and no person or owner of a premises may utilize the services of the facilities of the Sanitation Authority for any use other than that for which application for sewage service to that particular premises was indicated and approved without first making application and securing approval thereof and paying related fees, charges and other assessments for sewage service to provide the services of the facilities of the Sanitation Authority for such other use. The Sanitation Authority, Administrator or his/her or its duly authorized agents are authorized to request additional information deemed necessary to review, evaluate and consider applications for sewer service.

SECTION 8.....DECISIONS ON CERTAIN APPLICATIONS

A. The governing body may request that the applicant provide data and information needed to properly consider the application in order to adequately evaluate the proposed connection's effects on the Sanitation Authority, including but not limited to the effects on the collection, conveyance, treatment and disposal facilities thereof and the capability of the Authority to comply with applicable federal and state regulations.

B. The Authority may require review and evaluation of all applications described in Subsections A and B by the Administrator per § 34 prior to rendering a decision on the same.

SECTION 9.....GENERAL TERM AND CONDITIONS CONNECTION PERMITS; REAPPLICATION

A. All applications and reapplications for connection to the Authority's facilities are effective on and after the date of approval given thereon. The improvement(s) for which sanitary sewer service is approved shall be under construction, constructed in a diligent manner to expedite occupancy, and connected to the Authority's facilities within 12 months of the effective date of said permit. If the aforesaid is not accomplished within the specified twelve-month time period, the permit, whether an original or renewal, shall become null and void and reapplication shall be made if sanitary sewer service is still desired. If treatment capacity is still available and if the reapplication is approved, the reapplication shall become and remain effective under the same terms and conditions referenced in this subsection for the original application.

B. Once the approved improvement(s) is (are) connected to the Sanitation Authority's facilities, the permit shall remain valid for the life of said improvement provided it remains connected to the

Sanitation Authority Rules and Regulations

Authority's facilities, is not abandoned for or, if razed, is reinstated within 12 months, and is not changed in use or size from that originally approved for connection.

C. There shall be no fee for reapplication as long as all original application hookup fees and Sanitation Authority construction costs are paid in full and said fees and costs have not increased. If permit fees have increased since the original fees were paid then the applicant shall pay the net difference between the current fees less the original fees paid. If the cost of all local and remote facilities has increased since the application was approved then the applicant shall pay the net difference between the currently required local and remote facilities costs less any original local and remote facility costs paid.

D. If the reapplication is disapproved by the Authority, the Authority shall reimburse the applicant all fees submitted with the original application and/or reapplication less any actual costs (e.g., labor, engineering, equipment, materials and overhead) incurred by the Authority for installation of facilities appurtenant to the connection for which reapplication was subsequently disapproved, withdrawn or not submitted.

E. If an expired permit is renewed or new permit approved, the Authority is empowered to modify, alter or condition such approval or renewal based upon the conditions, factors and requirements then existing and affecting the capacity and the operation of the Authority's facilities. Such conditions shall include, but are not limited to, the assessment of additional hookup fees and related costs pursuant to Subsection C herein and, if deemed necessary, pretreatment or recycling of wastewater.

SECTION 10.....PERMIT TO INSTALL, ALTER OR REPAIR ANY CONNECTION

A. No person or owner shall install, alter, or repair any connection intended to connect the sewage facilities of any premises to the facilities of the Sanitation Authority until an application and/or written permission has first been approved by the Sanitation Authority or Administrator and all other necessary permits obtained.

B. An approved application for the installation of a connection to provide sewage service to any premises shall be issued only after an application for sewage service to such premises is approved by the Sanitation Authority or Administrator and after payment of the connection fee, as fixed by the Authority, and related local and remote facility costs are made to the Treasurer.

C. No one other than the Sanitation Authority and/or approved agents may repair or alter any facilities belonging to the Sanitation Authority. If repairs are made to the Sanitation Authority's facilities without approval, cost for such repairs may not be reimbursed.

SECTION 11.....LABOR AND MATERIALS

All labor, materials, equipment, surveying, engineering and other services and items necessary for installing connections between premises and sewer lines shall be furnished by the owners of such premises at their own cost or expense. New or modified local facilities needed to serve the development or premises shall be provided per §40.

Sanitation Authority Rules and Regulations

SECTION 12.....DEVELOPMENT OF RESIDENTIAL, INSTITUTIONAL, COMMERCIAL, OR INDUSTRIAL SITES

A. The developer of any new subdivision, development, property or site or the expansion thereof or addition thereto intended for residential, institutional or commercial use, or any combination thereof, or the developer of any industrial site shall construct all sanitary sewer lines within his/her subdivision, development property or site at his/her own expense. Sanitary sewer lines must be mapped and approved by the DEQ and meet all local, state, and federal regulations. Immediately upon completion and acceptance of the construction work, the sanitary sewer facilities with necessary easements shall become the property of the Sanitation Authority. Ownership and maintenance of improvements described in § 5 shall be vested in the owners of the premises.

B. Where a public sanitary sewer is not available or is inadequate to serve a new or expanded subdivision, development, property or site, the developer shall construct necessary sewer lines, vacuum stations, treatment plants, disposal facilities or combination thereof. Easements, sufficient to allow the efficient installation, upgrading, maintenance and repair of sewer facilities, shall be provided by the developer. All facilities must be mapped and approved by the DEQ and meet all local, state, and federal regulations. Immediately upon completion and acceptance of such construction, these systems shall become the property of the Sanitation Authority. Ownership and maintenance of improvements described in § 5 shall be vested in the owners of the premises.

SECTION 13.....APPROVAL OF PLANS, QUALITY OF WORK, INSPECTION

A. The Administrator shall, in conjunction with his/her engineers, review and approve, or revise, if necessary, to conform to standards acceptable to the Administrator, as specified in Subsection B, prepared plans for all projects for developing or modifying sanitary sewer lines and all pertinent connections, structures, and accessories proposed thereto within the Sanitation Authority prior to any construction of such projects.

B. Materials, workmanship, and procedures used in work shall be in accordance with the standards and specifications established or approved by the Administrator in accordance with the BOCA Basic Plumbing Code, federal and state sewerage works design criteria, wastewater facility construction standards and practices, and Department of Environmental Quality rules and regulations.

C. During progress of the work, the Administrator or his/her duly authorized engineers, inspectors, or others who are directly concerned with the work shall have access to the locations of construction for the purpose of establishing to their satisfaction that the projects are being constructed to Sanitation Authority requirements and in accordance with approved plans and specifications.

D. After completion of the facilities and following written request of the developer or owner responsible for the construction, the Administrator or his/her agent shall make a final comprehensive inspection of the completed projects and shall be satisfied as to conformance with plans and specifications before accepting the facilities to become a part of the public utilities system of the Sanitation Authority.

Sanitation Authority Rules and Regulations

E. Any developer or owner who proposes to submit an application to the Administrator for review and approval of plans and specifications for construction of facilities classified herein shall procure from the Administrator, prior to submitting his/her application, one set of this publication of the adopted Sanitation Authority Ordinance. The Administrator shall be obligated to furnish this one set of publication on a bona fide request.

F. Additional sets of the adopted Sanitation Authority Ordinance may be supplied by the Administrator to any recipient of the one free set or to any other party not proposing or intending to submit an application for sanitary sewer service at a cost equal to the then current cost of reproduction, including materials, equipment, labor, overhead and, if applicable, postage or shipping.

ARTICLE III Application for Service

SECTION 14.....LOCATION OF PREMISES

Application for sewer service for existing or proposed new residential, institutional, commercial or industrial uses and developments to which the Sanitation Authority service facility is immediately adjacent and available shall be made in duplicate and accompanied by measurements, maps, drawings, and such other data that will clearly establish and indicate the physical location within the Sanitation Authority of the premises for which the application is submitted and the location on the premises of the service or services applied for.

SECTION 15.....DESIGN AND CONSTRUCTION

A. Where service is desired for sewer facilities for an individual building or group of buildings, whether intended for use as residential, institutional, commercial or industrial purposes, and which is not classified as being the development of a new subdivision or site or section thereof, and which will require the design and construction by the owner of new trunk, lateral, or principal lines and any necessary appurtenances thereto in order to reach and connect onto applicable existing facilities of the Sanitation Authority, application shall be made in writing to the Administrator.

B. Such application, stipulated in Subsection A, shall be accompanied by six sets of detailed plans showing accurate plan and profile design drawings of the lines and location, design, and identification of all appurtenances and accessories pertinent thereto. It is preferable that such plans show on the same sheet the plan and profile design of the contiguous sections of street or easement and proposed sewer line as is indicated by the application.

C. The design and detailed plans stipulated in Subsection B, and all subsequent revisions thereof, shall be prepared and properly signed by a professional engineer registered in the Commonwealth of Virginia.

D. The Sanitation Authority or Administrator may waive the requirements of Subsections B and C if it is determined that such detailed plans are not necessary to ensure proper location, installation, operation and maintenance of the subject facilities.

Sanitation Authority Rules and Regulations

SECTION 16.....RESIDENTIAL, INSTITUTIONAL AND/OR COMMERCIAL DEVELOPMENTS

A. Where construction of sanitary sewer facilities is proposed by a developer or owner of any new or expanded residential subdivision, development, property or site, institutional development, area or site or commercial development, area or site or any combinations thereof, and which facilities shall ultimately be accepted into the Sanitation Authority's system, application for review of the design and plans for all such proposed construction shall be made in writing to the Administrator.

B. Such application stipulated in Subsection A shall be accompanied by:

(1) Six prints of the record plat of the subdivision bearing the approval of the Gate City Planning Commission.

(2) Six sets of detailed plans showing accurate plan and profile design drawings, the proposed lines and the location, design, and indication of all their appurtenances and accessories. It is preferable that such plans show on the same sheet the plan and profile design of the proposed sewer facilities. The design and detailed plans stipulated immediately above and all subsequent revisions thereof shall be prepared and properly signed by a professional engineer registered in the Commonwealth of Virginia.

(3) If any facilities other than pipelines and their appurtenances are proposed by the application or required by the Sanitation Authority or Administrator for the complete and satisfactory operation of the proposed utilities, such as, but not limited to, sewage treatment plants, sewage pumping stations, or other like equipment, the application shall be accompanied by six sets of detailed plans and specifications on design, equipment, materials, and construction of such facilities. The plans and specifications stipulated immediately above and all subsequent revisions shall be prepared and properly signed by a Professional Engineer registered in the Commonwealth of Virginia.

(4) The Sanitation Authority or Administrator may require submittal of information regarding projected wastewater volumes, peak and other flow characteristics, flow composition, proposed pretreatment of commercial or industrial wastes, and any other information or data deemed necessary to properly evaluate and render a decision on the application.

(5) The Sanitation Authority or Administrator may waive the requirements of Subsection B(1), (2) and (3) if it is determined that such detailed plans are not necessary to ensure proper location, installation, operation and maintenance of the subject facilities.

SECTION 17.....INDUSTRIAL DEVELOPMENTS

A. Application for proposed sewer facilities to serve any type of industrial establishment within the Sanitation Authority shall be made in writing to the Administrator.

B. The applicant shall submit, in addition to the plans and information denoted in §16B(1), (2) and (3), complete information regarding plant location, type of industry, raw and finished products, approximate volume of utility requirements, wastewater flow characteristics, types and composition of industrial

Sanitation Authority Rules and Regulations

wastes to be discharged, proposed facilities for pretreatment of industrial wastes, facilities or processes to prevent the Sanitation Authority's facilities' upset or bypass or violations of the sewage treatment plant's VPDES permits final effluent standards and other data pertinent to the industry and its generated wastewater.

C. The applicant for sewer service to serve industrial establishments shall conform to the requirements hereinbefore or as may be governed by the location of the proposed industrial site.

D. Any design, plans and specifications required, as stipulated in Subsection B above, and all subsequent revisions thereof shall be prepared and properly signed by a professional engineer registered in the Commonwealth of Virginia.

E. The Sanitation Authority or Administrator may waive the requirements of Subsections B, C and D if it is determined that such detailed plans are not necessary to ensure proper location, installation, operation and maintenance of the subject facilities.

SECTION 18.....ENGINEERING SERVICES

In addition to the other provisions of this article and chapter, engineering services pertaining to applications for new, expanded, extended or changed service shall be provided and fees for same paid in accordance with §30-32.

SECTION 19.....RESERVED

ARTICLE IV Disposition of Applications

SECTION 20.....DECISIONS

A. Except as otherwise provided in this ordinance, on receiving an application as prescribed herein, the Administrator will approve, with or without revision, or disapprove the application and return one of the submitted forms to the applicant so marked to indicate the action taken by the Administrator.

B. Construction of any such approved service facilities shall conform strictly to the returned application form and notations indicated thereon by the Administrator.

SECTION 21.....CHANGE OF APPLICATION

A. On receiving an application, as prescribed herein, the Administrator or his/her agent will review all data, designs, plans and/or specifications and indicate thereon any revisions, additions, changes or deletions as are considered necessary in order that the proposed construction shall conform to the standards and best interests of the Sanitation Authority. One marked set of the submitted plans and/or specifications shall be returned to the applicant.

B. After receiving the returned set of plans and/or specifications, the applicant shall prepare revised plans and/or specifications to conform to such revisions indicated by the Administrator and submit six sets of the revised plans and/or specifications to the Administrator.

Sanitation Authority Rules and Regulations

C. On receipt of the revised plans and/or specifications, the Administrator shall check them for conformity with the initially marked revisions. If satisfactory, one of the revised sets of plans and/or specifications shall be returned to the applicant with written approval for construction.

D. Construction of any public utility facility within the Sanitation Authority and all its appurtenances and accessories shall be in strict conformance with the final approved set of plans and/or specifications stipulated in Subsection C above.

SECTION 22.....FEES FOR CHANGED APPLICATIONS

Fees for changed applications shall be computed and assessed pursuant to the provisions of § 9C.

SECTION 23.....REVISION OF APPROVED PLANS

A. In the event that an applicant desires to deviate from the plans and/or specifications which have been approved by the Administrator for construction or to make any changes or revisions therein, the applicant shall make such request to the Administrator in writing and state the reason for his/her request.

B. Revised plans, specifications, and other data shall accompany the request in such manner, form and quantity as was required for the original application.

C. The procedure for all parties concerned for processing any such request for deviation from or changes and revisions in initially approved plans and/or specifications for construction shall be the same as stipulated for the original application for the project.

ARTICLE V New Construction

SECTION 24.....SEWER LINE CONSTRUCTION AND INSPECTION

A. Scale accuracy, location of manhole invert and top casting elevation and numerical notation of the exact elevations of the same as determined by field survey after construction are to be shown on all plans.

B. It shall be required that a responsible representative of the developer or owner accompany the Administrator or his/her agent on the final inspection. The developer or owner shall furnish whatever labor is necessary for conducting the final inspection.

C. Deficiencies which are found to exist during the inspection shall be pointed out to the developer or owner's representative. Subsequent to the inspection, the developer or owner shall be furnished, in writing if requested by the developer or owner, a summary of the deficiencies found and corrections of which are required.

D. On notification that all construction deficiencies have been completed, the Administrator or his/her agent will inspect all such work.

Sanitation Authority Rules and Regulations

SECTION 25.....ACCEPTANCE OF NEW FACILITIES

A. The Sanitation Authority shall accept newly constructed sanitary sewer service facilities herein described on satisfaction of the following conditions:

(1) The term *accept* and *acceptance* shall mean that the Sanitation Authority shall be given ownership of the newly constructed sanitary sewer service facilities at no cost to the Authority.

(2) That all requirements of this chapter and the approved application and plans have been fulfilled in the opinion of the Administrator.

(3) That all matters relative to specific contracts between the developer or owner and the Sanitation Authority are in order.

(4) That payment has been made by the developer or owner for all fees and facility costs relative to applications and inspections.

(5) That all as-built drawings of facilities installed by the developer or owner shall be certified to the owner, developer, and the Sanitation Authority by a professional engineer registered in the Commonwealth of Virginia. This certification shall state that the professional engineer has inspected the construction of these facilities during all phases of their installation and that the final installation has been made according to the plan and specifications prepared by the professional engineer and approved by the Administrator of the Sanitation Authority.

(6) That an explicit understanding exists between the developer and/or owner and the Sanitation Authority that the developer and/or owner shall be responsible for and obligated to correct any deficiencies in construction for a period of one year from the date of acceptance of the facilities by the Sanitation Authority. This condition shall be stipulated in the written form of acceptance issued by the Administrator.

B. Acceptance of the newly constructed facilities, when approved by the Sanitation Authority, may be made in writing to the developer or owner responsible for the construction. The issuance of the written form of acceptance of any such facilities shall constitute an irrevocable agreement between the developer and/or owner responsible for construction and the Sanitation Authority shall be held and saved harmless by the developer and/or owner from liability and responsibility of any nature and kind for costs of, or payments on, labor, equipment, materials or professional and nonprofessional services used in construction of the accepted facilities or on account of any patented or unpatented invention, process, article or appliance manufactured for or used in construction of or for the intended operation of the accepted facilities.

SECTION 26.....AS-BUILD PLANS

After completion of construction of the public utility facilities from approved plans on any project herein classified, the developer or owner responsible for the construction shall prepare and submit to the Administrator three copies of as-built plans, based on accurate, field-obtained information, to show

Sanitation Authority Rules and Regulations

actual conditions of the finished construction. The as-built plans shall show revisions in and permanently indicate changes on the original tracings or master sheets which were made to the plans and/or specifications approved by the Administrator for construction. As-built plans shall be prepared and certified by a professional engineer registered in the Commonwealth of Virginia.

ARTICLE VI Prohibited or Specially Regulated Waste and Discharge into Sanitary Sewers

SECTION 27.....PROHIBITED DISCHARGE

A. No person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof runoff, subsurface drainage, cooling water, or unpolluted commercial or industrial process waters into any public sanitary sewer.

B. Except as hereinafter provided or under conditions specifically approved and detailed, in writing, by the Sanitation Authority or Administrator, no person shall discharge or cause to be discharged into any public sanitary sewer any of the following described waters or wastes:

(1) Any water or waste which may contain more than 100 parts per million, by weight, of fat, oil, or grease.

(2) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.

(3) Any garbage resulting from preparation, cooking, and dispensing of food which has not been properly shredded.

(4) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works.

(5) Any waters or wastes having a pH value lower than 5.5 or higher than 9.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewerage works.

(6) Any waters or wastes containing a toxic, hazardous, or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any hazard in the receiving waters of the sewage treatment plant.

(7) Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant.

(8) Any noxious or malodorous gas or substance capable of creating a public nuisance.

(9) Any waters or wastes that would require special wastewater testing, monitoring, treatment technologies, operations or facilities or result in new or would require more stringent final effluent standards, conditions and requirements on the Sewage Treatment Plant's VPDES permit.

Sanitation Authority Rules and Regulations

(10) Any waters or wastes prohibited or restricted from being discharged into the Sanitation Authority's facilities by the laws or regulations of the Commonwealth of Virginia or the federal government.

C. Any person convicted of violating the provisions of Subsection A and B shall be guilty of a class 3 misdemeanor and subject to the penalties given in § 53. Each day of such failure shall constitute a separate offense.

SECTION 28.....INTERCEPTORS

A. Grease, oil, and sand interceptors shall be required and installed by the owner of the premise when, in the opinion of the Sanitation Authority, they are necessary for the proper handling of liquid wastes containing such ingredients or any other ingredients of a flammable or harmful nature, except that such interceptors shall not be required for private living quarters or dwelling units. All restaurants, schools, hospitals, nursing homes and other institutional, commercial and industrial food preparers shall install grease interceptors.

B. All interceptors shall be of a type and capacity approved by the Administrator or his/her agent. They shall be of substantial construction, watertight, and equipped with easily removable covers which, when bolted in place, shall be gastight and watertight.

C. Where installed, all grease, oil, and sand interceptors shall be maintained by the owner, at his/her expense, in continuously efficient operation at all times. The Public Works Supervisor or his/her agent(s) may inspect interceptors and appurtenant facilities to ensure proper maintenance and operation by the owner.

SECTION 29.....INDUSTRIAL WASTE

A. The admission or proposed admission into the public sewers of any waters or wastes resulting from any industrial or manufacturing process, product, or comparable activity shall be subject to the review and approval of the Sanitation Authority.

B. When necessary, in the opinion of the Sanitation Authority or Administrator, the owner of any such industrial or manufacturing establishment shall provide, at his/her expense, such preliminary treatment of his/her industrial waters or wastes as may be required to reduce objectionable characteristics or constituents to ensure compliance with the Sewage Treatment Plant's VPDES permit's final effluent standards, conditions and requirements and/or to satisfy any other condition which the Sanitation Authority or Administrator may decide is advisable in order to allow the admission of such waters or wastes into the sanitary sewers.

C. Six copies of plans and specifications and other pertinent information relating to required or proposed preliminary treatment facilities shall be submitted for the review and approval of the Administrator. No construction of any such facilities shall be started until such approval has been obtained in writing.

Sanitation Authority Rules and Regulations

ARTICLE VII Engineering Services

SECTION 30.....POLICY

The following policy is established for engineering services to be provided by the owner or developer of any residential, institutional, commercial or industrial use to ensure proper construction performance and to ensure satisfactory wastewater collection, conveyance, treatment and disposal service to all of the Sanitation Authority connections and users. This policy complements other specific references to this subject.

SECTION 31.....BASIC ENGINEERING SERVICES REQUIRED OF OWNER OR DEVELOPER

All sewer construction for any residential, institutional, commercial or industrial use, whether new or modified, shall be at the expense of the owner or developer, and such expense shall include the preparation of applications, plans and specifications (to be approved by the Sanitation Authority prior to construction), surveying, the securing of all permits and easements, the inspection and testing of the work during construction, and the submission of final as-built drawings at completion of the project. All of this work shall be done under the supervision and certification of a professional engineer registered in the Commonwealth of Virginia who, at the completion of the project, shall submit a statement to the owner or developer and the Administrator indicating that the work was constructed in accordance with the plans and specifications and is complete and ready for acceptance by the Sanitation Authority.

SECTION 32.....SANITATION AUTHORITY CONSULTING ENGINEER TO REVIEW APPLICATIONS

A. The Sanitation Authority shall require review, evaluation and comment by its consulting engineer on any application, including plans and specifications for new or modified service meeting or exceeding 2,000 gallons per day and on any other application for service regardless of projected wastewater flow generation if deemed in the best interest of the Sanitation Authority and its users.

B. If the application for service is preliminarily determined to be approvable, the owner/developer shall reimburse the Sanitation Authority an amount equal to the fees incurred by the Sanitation Authority's consulting engineer per Subsection A prior to the final approval of the application by the Sanitation Authority or Administrator.

ARTICLE VIII Sanitation Authority's Property

SECTION 33.....PROTECTION OF FACILITIES

A. No unauthorized person shall remove or tamper with the cover of any manhole or other opening into the facilities of the Sanitation Authority.

Sanitation Authority Rules and Regulations

B. No person shall obstruct or cause the obstruction of any sewer or discharge into any sewer any substance which will in any way impair the efficiency of operating and maintaining the facilities of the Sanitation Authority.

C. No unauthorized person shall tamper with any manhole, tank, cleanout plugs, valves, sewer lines, vacuum or gravity pump stations, treatment and disposal works or other structures connected to or part of the facilities of the Sanitation Authority.

D. No person shall damage or deface any property of the Authority, cut any trees, or dump any refuse or rubbish upon any part of the property of the Town of Gate City or the Sanitation Authority.

E. Any person convicted of violating the provisions this section shall be guilty of a class I misdemeanor and subject to the penalties given in § 53.

SECTION 34.....OBSTRUCTION TO FACILITIES

No person shall, in any manner, obstruct the full access to any Sanitation Authority-owned sewerage works, including but not limited to vacuum valves or tanks, sewer cleanouts, collection mains, pump stations, or treatment disposal facilities.

Any person convicted of violating the provisions this section shall be guilty of a class I misdemeanor and subject to the penalties given in § 53.

SECTION 35.....RESERVED

ARTICLE IX Fees and Charges

SECTION 36.....ASSESSMENT

Assessment of connection/hookup and monthly sanitary service fees shall apply to all dwelling units, businesses, institutions and industries established either through new building construction or through conversion or modification of an existing structure.

SECTION 37.....CONNECTION AND HOOK-UP FEES

A. Hookup fees.

(1) The minimum hookup fee for single-family detached residential units shall be \$900.00 per dwelling unit.

(2) The minimum hookup fee for all multifamily residential, institutional, commercial and industrial developments shall be the greater of the fees derived by utilizing the methodologies contained in Subsection A(2)(a) and (b) below.

(a) Calculate the maximum projected wastewater flow for the total development, property, area, site, uses or connections per day, then divide the maximum total projected wastewater flow by the

Sanitation Authority Rules and Regulations

equivalent dwelling unit flow figure of 250 gpd; finally multiply the resulting maximum total projected EDU figure by \$900.00.

(b) Multiply \$900.00 by the number of dwelling units and institutional, commercial and industrial uses or enterprises in the same structure or on the same premises.

B. In the event reconstruction is not started within a twelve-month period of the building's razing or removal, a building subsequently erected on the site shall be considered a new connection for which a new application must be submitted and approved, and a new connection fee shall be assessed based upon the new building's or use's total use/occupancy and/or size, i.e., no credit of the fee paid for the previous use/occupancy or size of the building shall be granted. Said new connection shall comply with all other provisions of this chapter.

C. Authority of Sanitation Authority.

(1) The Sanitation Authority may waive a portion of the connection/hookup fees and/or remote facilities costs for sewer facilities installed under federal- or state-funded sewer projects. The portion of the fees and/or costs that are waived shall be considered a Sanitation Authority/Town of Gate City financial participation in the sewer project.

(2) The Sanitation Authority may request payment of part or all of the connection/hookup fees and/or the facilities costs from the general fund with approval from the Gate City Town Council for those commercial or industrial connectors, developers or owners which the governing body determines would be in the best interest of the Town of Gate City's economic development and which would generate significant employment and/or local revenues.

SECTION 38.....NO OBLIGATIONS TO PROVIDE ADDITIONAL SERVICES

Nothing herein shall obligate the Sanitation Authority to provide additional, expanded or extended sewer service to the improvements or premises listed on an approved application for service or a subdivided portion thereof. Nothing herein shall prohibit the Sanitation Authority from charging additional fees or levies for new or modified sewer service provided to the improvement(s) and premises listed on an approved application.

SECTION 39.....INDUSTRIAL DEVELOPMENTS

In addition to the provisions of §§ 36 and 38, the hookup fee for each industrial development user and site shall be evaluated and determined by the Sanitation Authority on a case-by-case basis. The Sanitation Authority may assess an additional hookup fee on industrial users where the Sewage Treatment Plant's VPDES permit requirements and/or the nature, composition, hydraulics, hydrology, flow characteristics and treatment properties of the projected wastewater flows require special or heretofore unavailable local or remote collection, conveyance, treatment and/or disposal facilities, testing, operations, processes or maintenance.

Sanitation Authority Rules and Regulations

SECTION 40.....SINKING FUND FOR CAPITAL PROJECTS

Hookup fees and receipts for local and remote facilities, when collected, shall be deposited into a sinking fund account titled "Enterprise Account, Gate City Sanitation Authority Capital Projects" and shall be used for the future maintenance, improvement, expansion, extension, location or relocation of the Sanitation Authority's facilities and shall not be utilized for funding the normal operation and routine maintenance of the Sanitation Authority.

SECTION 41.....MONTHLY SERVICE CHARGES

A. Sewer charges are assessed based on water consumption. Monthly service charges as per use classification shall be as follows:

Residential and Commercial

0 – 2,000 gallons of treatment (Minimum rate).....\$26.68

2,000 gallons of treatment and above.....\$8.12/1,000 gallons of treatment

Availability Fee.....Minimum Rate

SECTION 42.....SINKING FUND FOR OPERATING RESERVES

Surplus monthly service charges, deposits, reconnection fees and other non-connection-related charges over and above expenditures for any one financial year period shall be deposited in an operating reserve and may be used for the normal and future operation, maintenance and improvement of the Authority's facilities and the payment of other Sanitation Authority financial obligations.

SECTION 43.....FLOW CRITERIA

In projecting or estimating wastewater flows for the purposes of determining connection/hookup fees per §37, determining monthly user fees per § 41, the Sanitation Authority may utilize criteria for design for sewage works, historical data, sanitary sewer studies and other wastewater flow criteria from the Authority, the Virginia Department of Health, the Virginia State Water Control Board, the Environmental Protection Agency, the applicant for service, other wastewater generators of like or similar nature, other public and private sanitary sewerage entities and/or consulting engineers, firms and agencies.

SECTION 44.....MEASURING CONSUPTION AND FLOWS

The Sanitation Authority or Administrator, in order to evaluate and render a decision on a proposed or pending application or as a condition of an approved application to determine and assess hookup fees and monthly charges per §41 or to monitor or regulate the volume of wastewater discharge may require the owner or developer, at his/her expense, to install measuring equipment and monitor the water consumption/sewage flows of any existing or proposed connections, buildings or uses on the premises. The Sanitation Authority shall have access to said measuring and metering facilities at all reasonable times. The owner or developer shall not modify, alter or otherwise tamper with such water or sewer metering equipment whose installation has been required or approved per this section.

Sanitation Authority Rules and Regulations

SECTION 45.....GRACE PERIOD AND PENALTIES

A. The grace period for payment of all bills shall be 10 calendar days. At the expiration of this time, a penalty of 10% of the total bill shall be incurred.

B. In all cases where there are delinquent charges due the Sanitation Authority, the owner of record of the property shall be held responsible or liable for payment of these outstanding accounts.

SECTION 46.....RATES OF CHARGE

Any owner of a premises who has connected, or who shall hereafter connect, the sewerage facilities of such premises to the facilities of the Authority shall be liable for the payment of all charges made for service rendered to such premises until such owner makes application for discontinuance of service on the forms furnished by the Sanitation Authority Administrator or his/her agent and secures the approval of the Sanitation Authority Administrator or his/her agent therefor.

SECTION 47.....DEPOSIT FOR CERTAIN OCCUPIED PROPERTIES

Any premises intended for occupancy shall pay, prior to occupancy of said premises, a deposit per § 14 of the Rules and Regulations for the Operation and Development of the Potable Water System of the Town of Gate City, Virginia. The deposit shall be used to defray part or all of delinquent monthly service charges and late charges and interest on the same accrued by the occupants or owner of said premises.

SECTION 48.....RECONNECTION OF FEES

Any owner of a premises who has requested and been granted disconnection or discontinuance of service per §46 or §51 and who subsequently requests reconnection or resumption of service shall be assessed per § 14 of the Rules and Regulations for the Operation and Development of the Potable Water System of the Town of Gate City, Virginia.

SECTION 49.....MANNER OF BILLING AND COLLECTIONS

A. The Sanitation Authority shall keep an accurate record of all premises and owners thereof which are served by the facilities of the Authority and shall bill each owner every months in accordance with the monthly service charges as fixed by the Authority.

B. The Treasurer shall collect all remittances for connection permit fees, deposit fees, reconnection fees, discontinuance and resumption of service charges, inspection fees, etc., and shall account for them in the same manner as hereinbefore described.

C. The Treasurer shall furnish monthly financial and budget reports to the Sanitation Authority.

D. Any claim made for abatement from any bill, account, or charge shall be filed by the owner in writing with the Sanitation Authority and Administrator and shall not effect an extension of the time for payment, but such disputed bill, account, or charge shall be in arrears from and after the last day allowed for such payment. Adjustment may be made by the Administrator subject to appeal to the Sanitation Authority, and any charge in excess of the amount finally found to be correct will be refunded

Sanitation Authority Rules and Regulations

to the owner by the Authority. Abatements shall be handle in accordance to section 5 of the Rules and Regulations for the Operation and Development of the Potable Water System of the Town of Gate City, Virginia.

ARTICLE X General Provision

SECTION 50.....INSPECTION OF PREMISES

All premises connected to the facilities of the Authority shall, at all reasonable hours, be open to the Sanitation Authority Administrator, Supervisor or their agents for the purpose of inspecting, installing, removing, repairing or maintaining the facilities and appurtenances therein which are connected to the facilities of the Authority.

SECTION 51.....TRANSFER OF OWNERSHIP

A. Any owner of a premises, the sewerage facilities of which are connected to the facilities of the Authority, who sells or otherwise transfers the ownership of such premises shall be liable for the payment of all charges made for service rendered to such premises until such owner makes application for discontinuance of service on the forms furnished by the Authority.

B. No such application shall be approved by the Sanitation Authority Administrator until the new owner makes application for sewerage service on the contract forms furnished by the Authority.

SECTION 52.....INTERPETATIONS AND APPEALS

A. The Administrator may request the Authority's advice, counsel, interpretation and/or direction on all applications for service and/or Sanitation Authority related matters prior to rendering a decision on the same.

B. All interpretations and decisions rendered by the Administrator may be appealed to the Authority upon written notice of the same. Such notice shall describe in detail the nature of the appeal and the basis therefor. Such notice shall be filed with the Administrator within 30 days of the rendering of the interpretation or the decision being appealed. The Authority may require the appellant and Administrator to provide such information it deems necessary to evaluate and to render a decision on the appeal.

SECTION 53.....VIOLATIONS AND PENALTIES

Except as otherwise provided, any person violating any of the provisions contained in this chapter shall be guilty of a Class 3 misdemeanor.

Section 6 – Inspection Connection Violation.....\$50.00 per day.

Section 27 – Prohibited Discharge.....\$100.00 per day.

Section 33 – Protection of Facilities Violation.....Repair Cost plus 20% whichever is greater.

Sanitation Authority Rules and Regulations

Section 34 – Obstruction to Facilities Violation.....\$50.00 per day.