

**AN ORDINANCE ESTABLISHING THE
RULES AND REGULATIONS
GOVERNING THE USE AND OPERATION OF THE
AMELIA COURTHOUSE SANITARY DISTRICT
AMELIA, VIRGINIA**



Adopted May 24, 2007
Amended July 16, 2008

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SECTION 1 – GENERAL CONDITIONS

1.1 Introduction

The purpose of this ordinance is to establish and furnish information on the rules and regulations, which have been adopted by the County Board of Supervisors for use by the Amelia Courthouse Sanitary District of Amelia County, Virginia in accordance with Section 15.1-1239 to Section 15.1-1270, inclusive, of the Code of Virginia 1950, as amended, and which are applicable to the public water and sanitary sewerage facilities now existing or which may in the future be under the jurisdiction of the Amelia Courthouse Sanitary District. This ordinance, along with the Construction Specifications and Standards, establishes the rules and regulations which govern the use of the public water and sanitary sewerage facilities and provides the standards and specifications to which all planning, construction and connection of these utilities shall conform when such utilities are proposed for use of residential, business, commercial, or industrial purposes within the Jurisdictional Area of the Amelia Courthouse Sanitary District.

Inquiry for information or clarification of any item herein pertinent to other matters concerning these facilities shall be directed to the Administrator, Amelia Courthouse Sanitary District, Post Office Box A, Amelia, Virginia 23002.

1.2 Validity

If any sections, subsections, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of any other part of the ordinance which can be given effect without such invalid part or parts.

No statement nor obligation contained in this ordinance shall be construed to interfere with any additional requirements which may be imposed by County Ordinances, Commonwealth of Virginia, Virginia Department of Health, Virginia Department of Environmental Quality, or the State Water Control Board. The District may revise this ordinance as may be required by majority vote of the Board of Supervisors.

In the event of any variance between the rules and regulations in this ordinance and applicable rules, regulations and specifications of the Virginia Department of Environmental Quality or the State Water Control Board or the Virginia Department of Health, it shall be understood that any such rules, regulations, and specifications of said State agencies shall prevail unless more rigid requirements are dictated by these regulations.

1.3 Definitions

Unless the context specifically indicates otherwise the meaning of terms used herein shall be as follows:

- A. “Act” shall mean the Federal Clean Water Act, 33.U.S.C. 1251 et. Seq.
- B. “Administrator” shall mean the County of Amelia Board of Supervisors’ duly appointed agent responsible for the administration of the Amelia Courthouse Sanitary District and such authority shall extend to his/her representative.
- C. “ASTM” shall mean the American Society for Testing and Materials.
- D. “Bimonthly” shall mean once every two months.
- E. “Board” shall mean the Board of County Supervisors, the governing body of Amelia County, Virginia.
- F. “BOD” (Biochemical Oxygen Demand) shall mean the quantity of oxygen used in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20 degrees C., expressed in milligrams per liter.
- G. “Capacity Charge” is the minimum monthly assessment charges to each user of the water and/or sewage system and includes the first 2,000 gallons of product carried.
- H. “Categorical Pretreatment Standard or Categorical Standard” shall mean any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Sections 307 (a) and 307 (c) of the Act, which apply to specific category of industrial users which appear in 40 CFR Chapter I, Subchapter N, Parts 405 –471.
- I. “Class I User” shall mean all residential premises used only for human wastewater and which are connected to the treatment works.
- J. “Class II User” shall mean all other premises which are connected to the treatment works.
- K. “Connection Fee”: The charge assessed to physically connect to the service in accordance with the fee and rate schedule.
- L. “Construction Specifications and Standards”: Guidance policy established by the Amelia Courthouse Sanitary District for all water and/or sewer connection and operations.
- M. “County” shall mean the County of Amelia, Virginia.

N. “Discharger” shall mean person or persons, firm, company, industry or other similar sources of wastewater who introduce such into the POTW.

O. “District” shall mean the Amelia Courthouse Sanitary District.

P. “Domestic Wastes” shall mean the water-carried liquid or solid wastes which are derived principally from residential dwellings and commercial buildings.

Q. “Easement” shall mean an acquired legal right for the specific use of land owned by others.

R. “EPA” shall mean the United States Environmental Protection Agency.

S. “ERU” is the calculation for equivalent residential unit.

T. “Existing Source” shall mean any source of discharge, the construction or operation of which commenced prior to the ordinance of proposed categorical pretreatment standards which will be applicable to such source if the standard is thereafter promulgated in accordance with Section 307 of the Act.

U. “Facilities of the District” shall mean any and all components and pertinent parts of the entire utility system of the water and sanitary sewerage facilities under the jurisdiction of the Amelia Courthouse Sanitary District, such as water mains and their appurtenances, water storage tanks, filtration or treatment facilities and pumping station, sewers and their appurtenances, sewage pumping stations and treatment plants, including these items and others now constructed, installed, operated or maintained by the District, or any which may be approved and accepted in the future as additions or extensions of the systems.

V. “Facility Fee” is the assessment made for every connector to the water and/or sewer system to reserve the right of connection. Fees are assessed in accordance with the fee and rate schedule.

W. “Fire Lines” are independent and dedicated connections to the water mains used specifically to support fire suppression systems. The charges associated with these systems shall be in accordance with the fee and rate schedule.

X. “Garbage” shall mean the solid animal or vegetable wastes resulting from the domestic or commercial handling, storage, dispensing, preparation, cooking and serving of foods.

Y. “Ground Water” shall mean any water beneath the land surface in the zone of saturation.

Z. “Indirect Discharge” shall mean the introduction of (nondomestic) pollutants into the POTW from any nondomestic source regulated under Section 307 (b) (c) or (d) of the Act.

AA. “Industrial Wastes” shall mean the water-carried liquid or solid wastes from industrial plant processes as distinct from domestic wastes.

BB. “Industry” shall mean any industrial establishment, mill, factory, tannery, paper or pulp mill, mine, coal mine, colliery, breaker or coal processing operations, quarry, oil refinery, boat, vessel, and each and every other industry or plant or works the operation of which produces industrial wastes or other wastes or which may otherwise alter the physical, chemical or biological properties of any state waters.

CC. “Interference” shall mean an inhibition or disruption of the POTW, its treatment processes or operations, or its sludge of any requirement of the POTW’s VPDES permit, including those discharges that prevent the use or disposal of sludge by the POTW in accordance with any federal or state laws, regulations, permits or sludge management plans.

DD. “Jurisdictional Area” shall mean the territory included within the boundaries of the Amelia Courthouse Sanitary District and in which the District has been authorized to provide and regulate existing and future water and/or sanitary sewerage facilities.

EE. “New Source” shall have the same meaning as provided in 40 CFR Part 403.3(k) (1990).

FF. “Non-Potable or Raw Water” shall mean water classified as unsuitable for human consumption.

GG. “Owner, Developer or Subdivider” shall mean any person, firm, partnership, corporation, association, society or group owning or having an interest, whether legal or equitable, sole or partial, in any premise or tract, lot or parcel of land which is or may be in the future developed or subdivided.

HH. “Pass-Through” shall mean the discharge of pollutants through a POTW into State waters in quantities or concentrations, which are a cause in whole or in part of a violation of any requirement of the POTW’s VPDES permit, including an increase in the magnitude or duration of a violation.

II. “Person” shall mean any individual, firm, partnership, corporation, association, society, group and unit of local, state or federal government.

JJ. “pH” shall mean the logarithm of the reciprocal of the hydrogen concentration expressed in grams per liter of solution as determined by Standard Methods.

KK. “Pollutant” shall mean any dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, medical waste, chemical waste, industrial waste, biological materials, radio active material, heat, wrecked or discarded equipment, rock, sand, cellar dirt, agricultural and industrial waste, and certain characteristics of the wastewater (i.e., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, odor).

LL. “Potable or Finished Water” shall mean water classified as suitable for human consumption.

MM. “POTW, Publicly Owned Treatment Works” shall mean any sewage treatment works and water works that are owned by a State or municipality. Sewers, pipes, or other conveyances are included in this definition only if they convey wastewater to a POTW providing treatment.

NN. “Premise” shall mean any building or group of buildings, or any tract, lot or parcel of land upon which buildings are to be constructed which is or may be served by the facilities of the District.

OO. “Pretreatment” shall mean the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to discharge to the District’s treatment works.

PP. “Pretreatment Standard” shall mean any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307 (b) and (c) of the Act, which applies to Industrial users.

QQ. “Residential Equivalents” or “Single Family Residential Equivalents” shall provide a basis of water consumption or sewage discharge to which all other classes of user are to be compared. Subject to revisions, a residential equivalent is considered to have an average water consumption of 250 gallons per day at the time of this writing.

RR. “Sanitary Wastewater” shall mean wastewater discharged from the sanitary conveniences of dwellings, office buildings, industrial plants, or institutions.

SS. “Service Area” shall include all of the land area as defined by the Jurisdictional Area, plus those areas within other Jurisdictions in which the District has been authorized to provide service.

TT. “Sewer” shall mean a pipe or conduit for the collection and transmission of sewage or wastewater.

UU. “Sewerage Works” or “Sanitary Sewerage Facilities” shall mean all facilities for the collection, pumping, transmission, treatment, and disposal of sewage or wastewater.

VV. “Shall” is mandatory.

WW. “May” is permissive, or conditional.

XX. “Significant Industrial User” shall be defined as follows:

- (a) Has a process wastewater* flow of 25,000 gallons or more per average work day:

*(Excludes sanitary, non-contact cooling and boiler blowdown wastewater.)

- (b) Contributes a process waste stream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the POTW;
- (c) Is subject to categorical pretreatment standards; or
- (d) Has significant impact, either singularly or in combination with other significant dischargers, on the treatment works or the quality of its effluent.

YY. “Slug Load” shall mean any discharge at a flow rate or concentration which could cause a violation of the prohibited discharge standard in Section 3.3 of this ordinance or any discharge of a nonroutine, episodic nature, including but not limited to, an accidental spill or a non-customary batch discharge.

ZZ. “Sewage”: See “Wastewater”.

AAA. “Sewage Treatment Plant”: See “Wastewater Treatment Plant”.

BBB. “Standard Methods” shall mean the latest edition of Standard Methods for the Examination of Water and Wastewater, published by the American Public Health Association, Water published by the American Public Health Association, Water Pollution Control Federation and American Water Works Association.

CCC. “State” shall mean the Commonwealth of Virginia.

DDD. “Storm Sewer” shall mean a sewer for conveying storm, surface, and other waters, which is not intended to be transported to a treatment works.

EEE. “Surface Water” shall mean:

- (a) All water which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;
- (b) All interstate waters, including interstate “wetlands”;
- (c) All other waters such as inter/intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, “wetlands”, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds the use, degradation, or destruction of which would affect or could affect interstate or foreign commerce including any such waters:
 - (1) Which are or could be used by interstate or foreign travelers for recreational or other purposes;
 - (2) From which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or
 - (3) Which are used or could be used for industrial purposes by industries in interstate commerce.

- (d) All impoundments of waters otherwise defined as surface waters under this definition;
- (e) Tributaries of waters identified in paragraphs (a) - (d) of this definition;
- (f) The territorial sea; and
- (g) “Wetlands” adjacent to waters, other than waters that are themselves wetlands, identified in paragraphs (a) – (f) of this definition.

FFF. “Suspended Solids” shall mean the total suspended matter that either floats on the surface of, or is in suspension in, water or wastewater as determined by Standard Methods.

GGG. “Toxics” shall mean any of the pollutants designated by Federal regulations pursuant to Section 307 (a) (1) of the Act.

HHH. “User” shall mean a source of wastewater discharge into a POTW.

III. “User Permit” shall mean a document issued by the District to the User that permits the connection and/or introduction of wastes into the treatment works under the provisions of this Ordinance.

JJJ. “VPDES” shall mean Virginia Pollutant Discharge Elimination System permit program, as administered by the Commonwealth of Virginia.

KKK. “Wastewater” shall mean any combination of domestic and industrial wastes together with any groundwater, surface water or storm water that may be present.

LLL. “Wastewater Treatment Plant” shall mean any arrangement of devices and structures used for the treatment of sewage or wastewater.

MMM. “Water Filtration Plant” shall mean any arrangement of devices and structures used for the treatment and/or purification of non-potable or raw water.

NNN. “Water Treatment Plant”: See “Water Filtration Plant”.

OOO. “Water Main” shall mean a pipe or conduit for transmission or distribution of potable or finished water.

PPP. “Water Line”: See “Water Main”.

QQQ. “Water Works” shall mean all facilities for the treatment and/or purification of non-potable or raw water and the transmission, pumping and distribution of potable or finished water.

RRR. “Water Facilities Improvements”: See “Water Works”.

1.4 Administration

Except as otherwise provided herein, the Administrator of the District's treatment works shall administer, implement and enforce the provisions of this Ordinance.

1.5 Inspections

A. The Administrator or authorized State or Federal officials, bearing the proper credentials and identification, shall be permitted to enter all premises where an effluent source or treatment system is located at any reasonable time for the purposes of inspection, observation, measurement, sampling and/or copying records of the wastewater discharge to ensure that discharge to the treatment works is in accordance with the provisions of this Ordinance.

B. The Administrator, bearing proper credentials and identification, shall be permitted to enter all private property through which the District holds an easement for the purposes of inspection, observation, measurement, sampling, repair, and maintenance of any of the District's treatment works lying within the easement. All entry and subsequent work on the easement, shall be done in full accordance with the terms of the easement pertaining to the private property involved.

C. While performing any necessary work on private properties referred to in Section 1.5(A) and (B) above, the Administrator shall observe all safety and occupational rules established by the owner or occupant of the property and applicable to the premises.

1.6 Protection of Property

A. No unauthorized person shall unlawfully remove the cover from any manhole or other opening into the facilities of the Sanitary District.

B. No person shall unlawfully obstruct or cause the obstruction of any sewer or discharge into any sewer any substance which will in any way impair the operation and/or maintenance of the Sanitary District facilities.

C. No unauthorized person shall unlawfully tamper with any manhole, tank, clean-out-plugs, valves, sewer lines, vacuum station, or other structures connected to the facilities of the Sanitary District.

1.7 Vandalism

No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any property or structure, appurtenance or equipment to include cutting of trees, or dumping of any refuse or rubbish upon any part of the property which is a part of the Sanitary District.

1.8 Penalty for Violations

Except as herein provided, any person violating any of the prohibitions contained in this Ordinance shall be guilty of a misdemeanor, punishable by a fine not to exceed Twenty-five Hundred (\$2500) Dollars or by confinement in jail of not more than twelve (12) months or by both fine and confinement.

SECTION 2 – WATER AND SEWERAGE SERVICES

2.1 Policy

A. Who is Required to Connect to District's Water and Sewer Systems: The Owners of all residential dwellings, commercial buildings, industrial plants, institutional establishments, structures and properties used for human occupancy, business, employment, recreation or other purposes, presently existing or constructed subsequent to the passage of this ordinance and located within the Jurisdictional Area of the Authority and abutting on any street, alley, right-of-way, or easement in which there is located a District owned public water main and/or sanitary sewer at a distance not greater than 500 feet from such properties, shall be required to: (a) request water and/or sewer service by application to the District on a prescribed form, (b) install suitable toilet, drain and other disposable liquid wastes facilities therein and (c) connect such facilities directly with the public sewer and/or water facility. No person shall receive free service. Upon application approval and the payment of the prescribed connection fee, the District will inspect all service line connections.

The ownership of connections between premises and sewer main connection points shall be vested in the owner(s) of such premises, and the Sanitary District Board shall not be responsible for their operation and maintenance.

Any owner(s) of properties within the service area of the Sanitary District and whose structure(s) is connected to the treatment works, shall not demolish any such structure(s) unless they have first applied for a demolition permit from the Administrator. All sewer connections to be abandoned must be inspected for proper seal and condition prior to disconnection and abandonment.

B. Requirements for Developers who Intend to Utilize District's Water and Sewerage Works: The Developer of any new subdivision or commercial or industrial site intended for any of the purposes indicated in Section 2.1.A, or any combination thereof, and located where a District owned public water facilities and/or sanitary sewerage facilities are available, shall be required to: (a) obtain one copy of this ordinance and the Construction Specifications and Standards of the Amelia Courthouse Sanitary District and acknowledge in writing, the receipt of same, prior to submitting an application; (b) request public water and/or sewer service and utility construction authorization by application to the District; and (c) upon receipt of notification of application approval, design and construct all necessary water facilities including both service connections and meters and/or all necessary sanitary sewerage facilities including service connections within his subdivision or development at his own expense.

Subsequent to the approval of such construction, the new facilities may become the property of the District when service is provided.

C. Where District's Facilities Have Inadequate Capacity: The Developer of any new subdivision or commercial or industrial site, where the facilities of the District are inadequate in size or not readily available, shall be required to request both public water and sewer service by application to the District. The District will notify the Developer, within 30 calendar days of receipt of the application, as to whether or not the services requested can be provided. If it is determined that the services can be made available within a reasonable period of time, then the Developer shall comply with Section 2.1.B.

Where construction of water mains or sewers is deemed to be either necessary, feasible or advisable to connect the applicable systems of the subdivision or development to the suitable facilities of the District, the financial responsibility, location and details of such construction shall be determined in conference by the Developer and District. Any and all agreements so established shall be acknowledged in writing by both the Developer and the District. Each proposed item of construction shall be a separate matter for discussion and agreement, and shall be in accordance with the Construction Specifications and Standards. All prescribed connection fees must be paid before connection will be made.

Regardless of the decision to participate in the development, the plans and specifications of any proposed central water and sewerage system referred by the County Board of Supervisors to this District and within the District's Jurisdiction with the potential of serving any Class I or II connection shall be in conformance with this ordinance, Construction Specification Standards and subject to approval of the District and subsequent construction inspection by the District.

Subsequent to the approval of such construction, the new facilities may become the property of the District when service is provided.

D. Extension of Mains Across Private Property: The District shall not be required to extend its mains across private property for the purpose of providing any service, which may be desired, except under mutually acceptable arrangements to defray the related installation or construction costs to the District.

No future service commitment will be made by the District to an applicant in an area where adequate flow and pressure is not provided by the system.

Applicants for service to areas of unusual or difficult field conditions requiring booster pumping, additional storage or facilities not herein provided for, shall be individually advised of procedures necessary to obtain approved services.

Nothing contained in this ordinance shall be construed to limit or prevent the District from extending or supplementing its facilities whenever it is determined that circumstances so warrant.

E. Construction in Utility Easement Prohibited: No person shall build any structure on a District utility easement unless the person has obtained written permission from the Administrator to build the structure.

The Administrator may remove any structure that is built on a utility easement when the structure impedes the Administrator's access to any portion of the utility system. The person who is responsible for building the structure shall be liable to the county for the cost of removing the structure.

This section shall not supersede the terms of any easement agreement between the District and a property owner.

F. Wastewater Pump Stations: All developments that are connected to the wastewater system shall use gravity wastewater lines unless transporting the wastewater by force, lifting or pressure from a pump station is the only practical method to provide wastewater service to the property. The Administrator may approve the use of a pump station to serve property if the Administrator finds that:

1. It is economically impractical to extend the gravity wastewater line and the use of a pump station will not adversely affect the District's ability to serve the area with a gravity wastewater line at a future time;
2. The proposed design and plan for the pump station and connecting lines do not adversely affect the current financial status of the utility system or the future ability of the District to install a gravity wastewater line;
3. The proposed design of the pump station allows the District to replace the pump station with a gravity wastewater line without incurring a significant future cost; and
4. The pump station will not overload existing wastewater facilities and will not otherwise negatively affect the Administrator's ability to efficiently manage the wastewater system.

G. Use of Private Wastewater Facilities or Pump Stations: Any individual or group that proposes to connect a pump station or other private wastewater facilities to the District's wastewater system shall comply with the provisions of Code of Virginia 1950, as amended, § 15.1-1216 et. Seq., and the policies of the Administrator.

H. Monitoring Manholes: A monitoring manhole must be provided and installed at the owner's expense for the purpose of monitoring sewage from the following establishments:

1. Restaurants and fast food establishments;
2. Carwashes and laundry mats;
3. Hospitals;

4. Churches, senior citizen care facilities, or any establishment that has a large kitchen or laundry facility;
5. Service stations and maintenance repair shops;
6. Industries; and
7. Other businesses as required by the Administrator.

Monitoring manholes shall be installed at or near the owner's property line prior to discharge into the District wastewater system and downstream of all pretreatment facilities including facilities such as grease traps, oil and water separators and grit removal systems.

2.2 Dedicated Facilities

A. New Systems: If the potential exists that the initial connections to the water and sewerage system is insufficient to support the operation and maintenance cost incurred by the District, the developer or owner shall provide such guarantees in the form of sureties or other negotiable instruments as agreed by both parties, to insure support of the operation and maintenance cost until sufficient connections are supporting the systems.

The builder, developer, or contractor shall install the water/sewerage facilities system, including meters, all to the Construction Standards and Specifications, and subject to approval of the District and at the sole expense of said developer.

During progress of the work, the members of the District or their 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 the District's requirements and in accordance with approved plans and specifications.

After completion of the facilities and, on written request of the developer or owner responsible for the construction, the District shall make a final comprehensive inspection of the completed projects and shall be satisfied as to conformance to plans and specifications before accepting the facilities to become a part of the systems of the District.

Upon approval of the water/sewer system so installed and with acceptance of the same, with all connection charges paid in full and operation and maintenance guarantees, the developer shall deed, convey, dedicate and turn over (if agreed to) the system, components, land title, and easements connected therewith to the District in good and sufficient form, free of encumbrances.

Upon compliance with the above, the District shall thereafter supply, maintain, service and operate said system and collect all fees from said system, and user charges, according to its existing Fee and Rate Schedule. However, no connection charges will be made to those lots that the developer has paid the connection fee provided the building permit is issued within ten years of the acceptance of the systems by the District.

B. Existing Systems: Where the District has acquired by deed from a private source, by grant and dedication, a water or sewer treatment and distribution system to which existing

customers and users are connected at the time of acquisition, no further facility fee, connection, or hookup charge shall be made to said existing consumers or users. Provided, however, the foregoing shall not preclude the assessment or levy of fees for resumption of sewer or water service in the event service is discontinued due to nonpayment of accounts, change or customer account, misuses, deficiencies, or damage to the entire system, or any part thereof.

Under circumstances as set forth above, a facility charge shall be made, assessed and collected by the District in advance of the service supply of sewer or water, to any consumer or user requiring service to a site not previously served. Such charge shall be computed according to the fee and rate schedule of the District in effect at the time of connection. No connection shall be made and no service commenced unless the work is done in compliance with all District requirements and the Construction Specifications and Standards and subject to District inspection and approval.

Where, as of the date of the adoption of this policy by the District, a builder, developer, or contractor has at some prior time installed a water/sewer system to serve customers and has begun to serve the same, either in whole or part of the capacity of said system, and does request the District to take over, maintain and operate said water/sewer system, the following shall apply:

1. Builder, developer, or contractor shall, with said request, deliver to the District all engineering plans, as-built drawings, specifications, etc. relating to said system.
2. The District shall inspect the water/sewer system plans and upon approval, but not before, may accept the same provided such system is in accordance with this ordinance, and the Construction Specifications and Standards, for future operation, maintenance, and supply, provided that builder/developer shall grant, deed, or dedicate all title to real and personal property, easements, etc., therein, free of encumbrances, and in addition to meet District standards and pay over to the District by certified or cashier's check a sum equal the established facility fees multiplied by the number of lots which may be potential customers of the existing system according to the District and Department of Environmental Quality standards and regulations. Potential customers shall be those vacant lots adjacent to the existing water/sewer lines.

Furthermore, if the initial connections to the water and sewerage systems are insufficient to support the operation and maintenance cost incurred by the District, the developer or owner shall provide such guarantee in the form of sureties or other negotiable instruments as agreed to by both parties to insure support of the operation and maintenance cost until sufficient connections are supporting the systems.

The District will, from acceptance and payment of the fee as set forth above, operate, maintain and service the system collecting all fees and charges henceforth.

C. Water and Sewer Line Extensions: Where a developer, builder, contractor or persons require water/sewer line extension or expansion of existing facilities, the following shall apply.

Said applicant shall, at the time of filing, file therewith a preliminary detail statement of plans, specifications, potential number of customers, route, long term expansion plans and any other matters deemed to be helpful to the District. Upon preliminary approval, parties making such request shall deposit the amount of any facility fees and expenses as required, together with proof of financial responsibility and such other information as may be required by the District in order to secure estimates for the overall project cost.

Extensions of existing lines shall be at the expense of the applicants or jointly of the applicants and Service District. The cost of such extensions shall be determined as follows:

1. Should the applicants design and perform the construction themselves, either with their personnel or by contractor, the cost to the applicants shall be that actual construction cost for lines of sufficient size to serve the proposed customer plus any applicable facility fees and any cost incurred by the District. These additional costs generally will involve plan review, inspection, easement recordation and outside consultants and attorney's fees.
2. The additional construction cost for lines of sizes greater than those required to serve the customers and as determined necessary by the District's Engineers shall be borne by the District. Other than service connections, the minimum size line considered acceptable shall be six inch for water and eight inch for sewer.
3. Similar policies shall apply to other required improvements such as, but not limited to, pumping stations, pretreatment and sampling facilities, and flow metering devices.

Where the applicants elect and have caused the District to extend lines to areas to be served and normal facility fees, as revised from time to time, are deemed insufficient to support such extension, the District will require a Contributions-in-Aid of Construction for users of such extension. The additional contribution shall be applicable to all original applicants and shall be spread proportionately between them.

The additional contribution shall be determined by considering the potential connections resulting from such extensions, the costs of such extensions, the cost of maintenance of such extensions, available financing to the District, the public need for such facility, and such other matters as the District may deem pertinent. The methodology for determining such a contribution shall be as follows:

The Gross Annual Revenues from the subscribers shall be estimated based upon flows or single family residential equivalents. From that amount shall be subtracted the subscribers cost of water or sewage treatment and the subscriber's cost of operation and maintenance expressed on a

unit basis of flow or number of connections. The resultant will be Net Revenues available for Debt Service. Depending upon the prevailing financial terms available to the District an annual debt service is determined. The level of debt that Net Revenues will support can then be determined by dividing the Net Revenues by the Debt Service. The amount of the Contributions-in-Aid of Construction for each subscriber is then determined by subtracting from the Total Project Cost (including engineering, interest, legal, administration of 10%, etc.), the total Facility Charges and the Level of Debt to be financed and that resultant divided by the number of original subscribers. Expressed mathematically as:

- (1) Gross Annual Revenues – Annual Cost of Water/Sewerage Treatment – Annual Cost of Operation and Maintenance = Net Annual Revenue Available for Debt Service.
- (2) $\frac{\text{Net Annual Revenue}}{\text{Annual Debt Service}} = \text{Level of Debt Net Revenues will support}$
- (3) Total Contribution-in-Aid of Construction = Total Project Cost – Facility Charges – Level of Debt supported by Net Revenues.
- (4) $\frac{\text{Total Contribution-in-Aid of Construction}}{\text{Number of Original Subscribers}} = \text{Contribution per Connection}$

Adjustments shall be made if the project cost shall exceed or be less than the bid; or if additional subscribers make application within and until ninety days of the construction period.

Any of the foregoing shall be subject to actual contract and approval by the District at the time of request on a case-by-case basis. Provided further, that approval by the District shall be contingent upon availability of facilities, supply and financing.

D. Off-site and Oversized Mains Credit Policy: Credits will be allowed only against the water and sewer facility charge for any off-site water and/or sewer extension in excess of three hundred (300) feet from the developer's property line and sized in excess of six (6) inches for water and eight (8) inches for sewer. Credits will be allowed against the water and sewer facility charge for any off-site water and/or sewer extensions within three hundred (300) feet from the developer's property line and on-site water and/or sewer extension only where the water and sewer line is required to be oversized by the District. Credits will be computed based on the District's annual contract, recent bids received by the District or other public bids for similar work performed in the area. Credits for oversizing shall be limited to the difference in pipe material cost only and shall be determined by the Administrator based on the District's annual contract, recent bids received by the District or other public bids for similar work performed in the area. No credits will be due where a larger main size is required by District design standards to adequately serve the developer. In no event shall credits exceed the applicable sewer facility charge.

2.3 Application for Services

A. Application for services will be available at the Amelia Courthouse Sanitary District, Post Office Box A, 16360 Dunn Street, Suite 101, Amelia, Virginia 23002 during normal business hours. These prescribed forms shall be completed and submitted to the District at least seven days before a new connection is desired to be made.

The District will furnish copies of the Construction Specifications and Standards in accordance with the fee and rate schedule, on a bona fide request.

The District shall accept, review and render decision on all applications for public water and/or sanitary sewer service to the premises described in the application from any persons who are owners, legal representatives of the owners, or tenants of land within the Jurisdictional Area.

B. Applications for water and/or sewer services for existing or proposed new individual or multiple residential dwellings, commercial buildings, industrial plants, institutional establishments, structures and properties shall be made in duplicate on a form prescribed and furnished by the District for the purpose of such application. Each form shall be accompanied by any measurements, maps, drawings or other such data that will clearly establish and indicate the physical location within the Jurisdictional Area of the premise for which the application is submitted. If the proposed or physical location of the available service (services) is known, it (they) shall be indicated on the same map, drawing or data submittal. Drawings shall have a minimum scale of one inch equals 100 feet.

If the application is for the provision of water and/or sewer service to a property which does not abut a service facility of the District, then the following shall be provided by the applicant:

1. A statement signed by the applicant which sets forth the names of all owners of the real property which is located between the property to which service is requested, and the facility of District to which the connection is to be made.
2. Proof of recordation of a Deed of Easement by which each owner conveys to the applicant (s) an easement authorizing the necessary utility lines to traverse the property of said deed which bears the deed book and page number of recordation, or a copy of the executed, notarized deed together with a recording receipt evidencing recordation of the original thereof. Each such easement shall follow title the term of ownership of the current owner(s), but also each successor in title thereto.

Applicants for industrial establishments shall also submit with their application complete written information regarding plant location, type of industry, raw and finished products, approximate magnitude of utility requirements, types of industrial wastes to be discharged, proposed facilities for pretreatment of industrial wastes, and any other data pertinent to the industry's utility requirements.

C. Where construction of water and/or sanitary sewerage facilities is required of a Developer or Owner by Section 2.1, B, the related application shall be accomplished by:

1. Four legible prints of the record plat of the development area or subdivision or applicable section thereof, which bear the approval of the Board of County Supervisors.
2. Four sets of detailed plans showing accurate plan and profile design drawings, the proposed water mains, and/or sewers and the location, design and the indication of all appurtenances and accessories. It is preferable that such drawings show on the same sheet, the plan and profile design of the contiguous sections of new streets or easements and proposed water and/or sewer facilities as well as the location of any other existing or proposed underground or buried utilities. These plans, and all subsequent revisions thereof, shall be properly sealed and signed by a Professional Engineer registered in the Commonwealth of Virginia.
3. If any facilities other than piping and its appurtenances are proposed by the Applicant or required by the District for the complete and satisfactory operation of the proposed facilities, such as water storage or pumping equipment, sewage pump stations, or other like equipment, the application shall be accompanied by four sets of detailed plans and specifications on the design equipment, materials and construction of such facilities. These plans and specifications, and all subsequent revisions thereof, shall be sealed and signed by a Professional Engineer registered in the Commonwealth of Virginia.

D. Where construction of water and/or sanitary sewerage facilities is required by a developer or owner by Section 2.1, C. or is proposed by a person owning or legally representing the owner of a premise not classified as being the development of a new subdivision, or section thereof, the related application shall be accompanied by all items of Section 2.3.C.

E. The District in conjunction with its Engineer shall review and approve, or reject, prepared plans and/or specifications for all projects for developing, extending or constructing water mains, and or sanitary sewers, and all pertinent connections, structures and accessories thereto within the Jurisdictional Area, prior to any construction of such projects.

The District reserves the right to approve, revise and request additional data, design or other information or to disapprove any service application or plans pertinent thereof, as the opinion or best interest of the District and the County may dictate. If for example, it is determined that it is not economically feasible or would jeopardize continued service to present customers, then no additional service applications would be approved.

F. Connection Permit: No person shall uncover, make any connections with, use, alter, or disturb any water or wastewater sewer without first obtaining a written permit from the Administrator.

There shall be two (2) classes of permits for connections to the District's treatment works and treatment facilities.

- Class I – residential
- Class II – all other

In all cases, the owner shall make application for a permit to connect to the District's treatment works on a form furnished by the District. The permit application shall be supplemented by water/wastewater information required to administer this Ordinance.

G. Conformance to Applicable Codes: The connection of a building sewer into a treatment works shall conform to the requirements of the building and plumbing code or other applicable requirements of the District, or the procedures set forth in appropriate specifications of the Commonwealth of Virginia Sewage Collection and Treatment Regulations, the Commonwealth of Virginia Waterworks Regulations, the International Building Code, and American Society of Testing Materials. The connections shall be made gastight and watertight and verified by proper testing. Any deviation from the prescribed procedures and materials must be approved in writing by the Administrator before installation.

H. Connection Inspection: The applicant for utility service shall notify the Administrator at least 24 hours prior to such utility connection being ready for inspection and prior to its connection to the District's facilities. Such connection inspections and testing as deemed necessary by the Administrator shall be made by the Administrator.

2.4 Disposition of Applications

A. On receiving the application as previously described in Section 2.2, B, the District will approve, with or without revisions or disapprove the application, so marked to indicate the decision of the District and return one copy of each of the submitted items to the Applicant.

The Applicant receiving a returned application marked "Approved with Revisions" shall conform strictly with the notations indicated thereon by the District.

B. On receiving applications as previously prescribed in Section 2.2, C, the District will review all data, design, plans and/or specifications and indicate thereon any revisions, additions, changes or deletions, as is considered necessary in order that the proposed construction shall conform to the standards and best interest of the District. One marked set of the submitted items shall be returned to the Applicant.

After receiving the returned submittal items, the Applicant shall prepare revised plans and/or specifications to conform with such revisions indicated by the District and submit four sets of the revised items to the District.

On receipt of the revised items, the District 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.

C. In the event that an Applicant desires to deviate from the plans and/or specifications, which have been approved by the District for construction, or to make any changes or revisions therein, the applicant shall submit a written request to the District stating the reasons for his request. Revised plans, specifications and other substantiating data, shall accompany the request in such manner, form and quantity as was required for the original application.

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

2.5 Construction Requirements

A. General: The construction of any public water or sanitary sewerage facilities and their appurtenances and accessories, including, but not limited to, all materials, workmanship and procedures, within the Jurisdictional Area shall be in strict accordance with:

1. The final approved set (or revised set) of plans and specifications returned to the applicant;
2. The Construction Specifications and Standards established and adopted by the District; and
3. All applicable State and Local ordinances governing such construction.

During progress of construction, the District members or their authorized Engineers, inspectors or representatives who are directly concerned with the project shall have access to the locations of construction for the purpose of establishing to their satisfaction that the project is being constructed in accordance with the three items, stipulated above.

B. As-Built Plans: After completion of construction of the facilities from approved plans and/or specifications, the Developer or Owner responsible for the construction shall prepare as-built plans, based on accurate, field-obtained information, to show actual conditions of the finished construction. The as-built plans shall be revisions to, and permanently indicated changes on the original tracings or master sheets from which were made the plans and/or specifications.

The as-built plans shall show, but may not be limited to, the following:

1. Water Main Construction

- a. Scale accuracy location in plan of the main and all installed fittings, such as elbows, tees, crosses and reducers, and all cradle, encasement, or special construction.
- b. Exact measurement to show positive location of all valve boxes, meter setting, blowoffs and ARV, blind or blank-flanged fittings and plugged terminals of mains.

The measurement taken for these positive locations shall be taken from at least two reasonably adjacent and available, fixed and permanent objects or reference points such as fire hydrants, centers of sanitary or storm sewer manhole casting covers, corners or extended lines of buildings, power or telephone poles, etc.

2. Sewer Construction

- a. Scale accuracy location of manhole invert and top casting elevations and numerical notation of the exact elevations of same as determined by field survey after construction.
- b. Scale accuracy indication of lengths and grades of lines between manholes and numerical notation of the exact lengths and grades, as determined after construction.
- c. Scale accuracy location of concrete cradle, encasement or special construction.

3. Water Pump Stations, Sewage Lift Stations and Building Structures.

- a. As-built plans and specifications shall accurately indicate all approved deviation from or changes in location or type of equipment installed and material used.
- b. Complete listings of the name of the manufacturer of all operating equipment installed, together with model or style numbers, ratings, pump curves capacities, and other pertinent information shall be provided as part of the as-built plans for the project.
- c. At least three complete sets of shop drawings and operation and maintenance manuals of all operating equipment, and all Certificates of Inspections, Approvals, Warranties and Guarantees of Equipment, Materials and Installations thereof, required by the project specifications which were approved by the District, shall be provided as a part of the as-built plans on the project.

C. Final Inspections: At the completion of any construction project of water and/or sanitary sewerage facilities, the Developer or Owner responsible for construction shall notify the District in writing that the project has been completed. A Professional Engineer registered in the Commonwealth of Virginia shall seal and sign a letter of certification stating that the facilities have been constructed in accordance with the approved plans and specifications, and with this ordinance and the Construction Specifications and Standards. The Developer's or Owner's letter of notification shall be accompanied by the Engineer's letter of certification, all as-built plans as required by Section 2.5.B. above, final specifications and other such data and addenda relative thereto as may be required by the District.

On receipt of such notification of completion and as-built plans, and on written request of the Developer or Owner responsible for the construction, the District shall make a final comprehensive inspection of the completed facilities, including detailed examination of conformance of the work with the approved plans and/or specifications, alignment of sewers, infiltration, leakage, workmanship, operation of equipment, and other related items to the satisfaction and best interest of the District.

The Developer or Owner or a responsible representative shall accompany the authorized agent of the District and shall furnish whatever labor as may be necessary to conduct the final inspection.

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 will be furnished, in writing, a summary of the deficiencies found and corrections which are required. On notification that all such deficiencies have been corrected, the District will reinspect all corrected work prior to approval of the facilities.

D. Acceptance of New Construction:

1. The District will accept newly constructed water and/or sanitary sewer service facilities on satisfaction of the following conditions.
 - a. The Administrator verifies that all requirements of this ordinance and state and federal law have been fulfilled by the Developer or owner; and
 - b. That any contracts between the Developer or owner and the Administrator are properly and completely performed; and
 - c. That payment has been made by the Developer or Owner for all required fees; and
 - d. All as-built plans of facilities installed by the Developer or Owner have been certified to the Developer or Owner and the Administrator 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 plans and specifications prepared by the Professional Engineer and approved by the Administrator; and

- e. That Developer or Owner guarantee and bond in a form acceptable to Administrator that the Developer or Owner shall be responsible to correct any deficiencies in construction for a period of one (1) year from the date of acceptance of the facilities by the District; and
- f. In case of water mains, physical disconnection by actual removal of any connecting mains, has been made from any and all other private systems including wells.

2. Acceptance of the newly constructed facilities, when accepted by the District, will be made in writing to the Developer or Owner responsible for the construction. The issuance of the acceptance of any such newly constructed facilities shall constitute an irrevocable agreement between the Developer or Owner responsible for construction and the Administrator that the governing body and any of its officers, agents, servants and employees, shall be saved harmless by the Developer or Owner from liability and responsibility of any nature and kind for costs or, or payment on, labor, equipment, or material 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.

2.6 Use of Water Facilities (Amended 7/16/08)

A. Pressure and Continuity of Supply: The District will strive to provide, but cannot guarantee, a sufficient or uniform pressure, or an uninterrupted supply of potable water. Therefore, customers are cautioned to maintain a sufficient water storage where an absolutely uninterrupted supply must be assured, such as for steamboilers, domestic hot water systems, gas engines, etc.

Where the water pressure is lower than desired, the customer may install at his own expense a tank and/or booster pump as approved by the District. Where the water pressure exceeds 80 psi the customer should install at his own expense a proper pressure regulating device to reduce the water pressure as required by the International Building Code (IBC). The District reserves the right to require the Owner or customer to adjust, modify or remove from the premises, any quick opening or closing valve or other device, the operation of which results in any unreasonable fluctuation in the pressure of the system.

It is the intention of the District to give advance notices of any circumstances which necessitates the interruption of the water supply; however, such notice shall be considered a courtesy rather

than an accident, for the purpose of making connections, alterations, repairs, changes or for other reasons at any time. Therefore, Owner's or customer's buildings must have internal facilities and/or plumbing fixtures which will not be damaged if water mains are shut off without notice.

The District will keep a record of high priority customers who have a critical need for uninterrupted service. Should the District have adequate time to give notice of service interruption, these customers will be notified first.

The District may restrict the use of its potable water to reserve a sufficient supply for fire protection or other emergencies wherever the public welfare may require it. The District shall have sole discretion in determining such emergencies.

B. Public Fire Hydrants: The use of public fire hydrants shall be restricted to the consumption of water for the extinguishments of fires. Water from any public fire hydrant shall not be used for construction purposes, sprinkling streets, flushing sewers or gutters, or for any other purpose, unless specifically permitted by the District for a particular circumstance. To withdraw water for other purposes, an agreement approved by the Water and Sewer District, and an application must be completed. Upon written request, the District will install supplemental public fire hydrants at the sole expense of any interested person.

The District shall not be responsible for, nor considered in any manner to be insurer of persons or property against injury, loss or damage by fire or water, failure to supply water or pressure, or any other cause whatsoever.

C. Fire Sprinkler System: Connection of fire sprinkler systems to the District water system shall be prior approved by the Administrator and installed by the Owner. Unless otherwise approved, fire sprinkler systems shall not be connected downstream of the domestic water service meter to a building structure. It can be connected upstream of the domestic water meter or on a separate connecting water main to the District water system. The fire sprinkler main shall have installed a backflow preventer, which is approved by the Administrator. The backflow preventer can be installed inside the building, or a vault, by the Owner with access for testing and inspection by the Administrator.

Fire sprinkler system charges will be assessed against the building Owner of the sprinkler system according to the fee and rate schedule. The purpose of the charges is to defray some of the cost of installing water mains and storage reservoirs of sufficient size to provide fire protection service to the service area.

D. Service Connections: Each residential dwelling, commercial building, institutional establishment and industrial plant shall be served through at least one meter except as herein specified. The following units shall require separate meters:

- (1) individual trailers not in trailer courts
- (2) rental apartments attached to other structures
- (3) any businesses attached to residential dwellings
- (4) churches and parsonages

Typical multiple units that may be served by a single master meter are: hotels, motels, apartment complexes and trailer courts. The District shall consider each service application in regards to metering requirements. Cost of service shall be in accordance with the fee and rate schedule.

Improper meter functioning shall be handled as follows: upon notification from the concerned customer, the District shall test the meter for accurate performance once a year. If the meter is determined to be defective, the District will assume all associated costs and make adjustments as necessary.

All services shall be provided with cut off valves on owner's premises so that, when necessary, water may be stopped by the customer without opening the meter box. Whenever a service not having such a cut off valve needs repairing, such valve shall be provided before the water is again turned on. See Construction Specifications and Standards.

E. Cross Connection and Backflow Prevention: An approved backflow prevention device shall be installed on each service line to a customer's water system where in the judgment of the District or the Virginia Department of Health a health, pollution or system hazard to the waterworks exists. These prevention devices shall be consistent and in accordance with the requirements outlined in the Virginia Department of Health, Waterworks Regulations Article 3 "Cross Connection Control and Backflow Prevention in Waterworks". All District customers shall comply with any other ordinance concerning cross connection as adopted by the County Board of Supervisors and this District and as amended from time to time.

No consumer shall install or maintain any connection whereby water from an auxiliary water system may enter the District waterworks or consumer's water system unless the auxiliary water system is approved by the District and the Virginia Department of Health. The cross connection of any toxic or poisonous material to a District customer's domestic water system is strictly prohibited without the permission of the District.

The District, or its representatives, shall have the right to enter the premises of any customer during normal working hours, for the purpose of inspecting all connections, pipe and plumbing fixtures at any time necessary.

An approved backflow prevention device shall be installed on each service line to a consumer's water system serving premises where the following conditions exist, except as noted in Item 7. below:

1. Premises having an auxiliary water system, unless such auxiliary system is accepted as an additional source by the District and the source approved by the Virginia Department of Health.
2. Premises on which any substance is handled in such a manner as to create an actual or potential hazard to a waterworks (this shall include premises having sources or systems containing process fluids or waters originating from a waterworks which is no longer under the control of the District).

3. Premises having internal cross-connections that, in the judgment of the District or the Virginia Department of Health, may not be easily correctable or intricate plumbing arrangements which make it impracticable to determine whether or not cross-connections exist.
4. Premises where, because of security requirements or other prohibitions or restrictions, it is impossible or impractical to make a complete cross-connection survey.
5. Premises having a repeated history of cross-connections being established or re-established.
6. Premises having fire protection system utilizing combinations of sprinklers, fire loops, storage tanks, pumps, antifreeze protection, or auxiliary water (fire loops and sprinkler system with openings not subject to flooding, and containing no antifreeze or other chemicals, no storage, or auxiliary sources, will not normally require backflow preventions).
7. Premises having booster pumps connected to the waterworks shall be equipped with a low pressure cut-off device to shut off the booster pump when the pressure in the waterworks drops to a minimum of 10 psi.
8. Other premises specified by the Virginia Department of Health when cause can be shown that a potential cross-connection hazard not enumerated above exists.

An approved backflow prevention device shall be installed on each service line to a consumer's water system serving, but not necessarily limited to, the following types of facilities:

1. Hospitals, mortuaries, clinics, nursing homes, veterinary clinics.
2. Laboratories.
3. Piers, docks, waterfront facilities.
4. Sewage treatment plants, sewage pumping stations, or storm water pumping stations.
5. Food and beverage processing plants.
6. Chemical plants, dyeing plants.
7. Metal plating industries.
8. Petroleum processing or storage plants.

9. Radioactive materials, processing plants or nuclear reactors.
10. Car washes.
11. Lawn sprinkler systems, irrigation systems.
12. Fire service systems.
13. Slaughter houses and poultry processing plants.
14. Farms where the water is used for other than household purposes.
15. Others specified by the District and/or the Virginia Department of Health when reasonable cause can be shown for a potential backflow or cross-connection hazard.

F. Discontinuation of Water Service: Five days after written notification, the District may discontinue service for any of the following reasons. Notice will be delivered by regular first class mail to the last known address of the customer of record.

1. For the nonpayment of any accounts for water supply for water service or for any fee or charge accruing in accordance with the fee and rate schedule.
2. For molesting or tampering by the customer, or others with the knowledge of the customer, with any meters, connections, service pipe, curb cock, seal, fixture, or any other appliance of the District controlling, regulating or protecting the customer's water supply.
3. A water customer's service will be discontinued upon receipt of notification, with which the District has a contractual agreement to do so discontinue service, due to a customer's failure to pay prescribed sewer charges. Water service will be renewed only upon subsequent notification to do so.
4. Water service may be denied or discontinued if a required backflow prevention is not installed when such is required or if the device has been bypassed or removed or if a cross-connection exists on the premises.

Discontinuing the supply of water to a premise for any reason shall not prevent the District from pursuing any lawful remedy for the collection of monies due from the customer.

When water service to a customer has been terminated for any of the above reasons, it will be renewed only after the condition, circumstances, or practice which cause the water service to be discontinued are corrected to the satisfaction of the District and upon payment of all charges due and payable by the customer in accordance with this ordinance and the fee and rate schedule.

Renewal of service will be the same day if conditions, circumstances, or practices which caused the water service to be discontinued, are corrected prior to 3:30 p.m. If after 3:30 p.m. renewal of service will be the following work day.

2.7 Use of Sanitary Sewers

A. It shall be unlawful for any person to place, deposit, or permit to be deposited in any condition that may be considered as an unsanitary or unhygienic manner on public or private property within Amelia County, or in any area under the jurisdiction of said District, any human or animal excrement, garbage or other objectionable waste.

User shall not introduce any pollutants into the treatment works which will pass through or interfere with the operation or performance of the treatment facilities.

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

1. Liquid or vapor having a temperature higher than 40° C.
2. Water or waste, which contains more than 100 milligrams per liter of fats, wax, grease or oils.
3. Gasoline, benzene, naphtha, fuel oil, motor oil, or other flammable or explosive liquids, solids or gases.
4. Rain, storm, surface, ground or cooling water, subsurface drainage, or roof runoff.
5. Garbage, ashes, cinders, sand, mud, straw, metal shavings, glass, rags, feathers, tar, plastics, wood, paunch manure, or any other solid or viscous substances to the extent that they may cause obstruction to the flow in sewers or any other interference with the proper operation of the sewer system.
6. Water or waste having a pH lower than 5.5 or higher than 9.0 or having any other corrosive property to the extent that it may cause damage, interference with proper operation, or constitute a hazard to structures, equipment, or personnel.
7. Water or waste containing a toxic or poisonous substance to the extent that it may injure or interfere with any sewage treatment process, constitute a hazard to humans or animals or create any hazard in water receiving the effluent of the treatment plant.

8. Noxious or malodorous gas or substance to the extent that it may create a public nuisance.
9. Sewage septic tank contents, provided however that the District may allow the discharge of such wastes and may impose specific charges for the handling and treatment of such wastes.
10. Any garbage, particularly that which results from preparation, cooking and dispensing of food which has not been property shredded.
11. Any waters or wastes containing Suspended Solids (S.S.) or Biochemical Oxygen Demand (B.O.D.) in excess of 240 parts per million or containing any unusual Chemical Oxygen Demand (C.O.D.) or chlorine requirements in such quantities as to constitute a significant load on the Sanitary Sewerage Facilities.
12. Wastes of domestic, industrial, commercial, garbage or other origin discharged into the system and which have characteristics, such as but not limited to excessive discoloration and unusual volume or concentration, that add unduly to the cost of maintenance and operation. Such wastes will be subject to surcharges as described hereinafter.
13. Any waters or wastes containing strong acid, iron, pickling wastes or concentrated plating solutions whether neutralized or not.
14. Any waters or wastes containing unusual concentrations of iron, chromium, copper, zinc and similar objectionable or toxic substances.
15. Any waters or wastes containing unusual concentrations of phenols or other taste or odor producing substances, particularly those which exceed limit requirements of the State, Federal or other public agencies having jurisdiction for such discharge.
16. Any radioactive wastes or isotopes of such half-life or concentration, which may exceed limits established by applicable State or Federal regulations.
17. Any waters or wastes containing substances, which are not amenable to treatment or reduction by the wastewater treatment processes employed, or are amenable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the applicable discharge permit requirements.
18. Constitute a rate of discharge or substantial deviation from normal rates of discharge, ("slug discharge"), sufficient to cause interference in the operation and performance of the treatment facilities.
19. 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 District or State.

B. Grease, oil and sand traps shall be provided when in the opinion of the District they are necessary for the proper handling of liquid wastes containing such ingredients or any other of a flammable or harmful nature; except that such interceptors may not be required for private living quarters or dwelling units.

All grease, oil, and sand traps shall be of a type and capacity approved by the District. They shall be of substantial construction, watertight and equipped with easily removable covers which when bolted in place shall be gas and watertight.

All grease, oil and sand traps shall be maintained by the Owner at his expense in continuously efficient operation at all times.

2.8 National Categorical Pretreatment Standards

The categorical pretreatment standards found at 40 CFR Chapter I, Subchapter N, Parts 405-471 are hereby incorporated.

A. Where a categorical pretreatment standard is expressed only in terms of either the mass or the concentration of a pollutant in wastewater, the Administrator may impose equivalent concentration or mass limits in accordance with 40 CFR 403.6(c).

B. When wastewater subject to a categorical pretreatment standard is mixed with wastewater not regulated by the same standard, the Administrator shall impose an alternate limit using the combined wastestream formula in 40 CFR 403.6(e).

C. A user may obtain a variance from a categorical pretreatment standard if the user can prove, pursuant to the procedural and substantive provisions in 40 CFR 403.13, that factors relating to its discharge are fundamentally different from the factors considered by EPA when developing the categorical pretreatment standards.

D. A user may obtain a net gross adjustment to a categorical standard in accordance with 40 CFR 403.15.

2.9 State Pretreatment Standards

Virginia pretreatment standards located at 9VAC 25-31 800.F.1.b are hereby incorporated.

2.10 Local Limits

The following pollutant limits are established to protect against pass through and interference. No person shall discharge wastewater containing in excess of the following instantaneous maximum allowable discharge limits:

- 0.05 mg/l arsenic
- 5 mg/l benzene
- 0.005 mg/l beryllium
- 240 mg/l BOD5
- 2 mg/l cadmium
- 3 mg/l chromium
- 0.1 mg/l copper
- 0.2 mg/l cyanide
- 0.3 mg/l lead
- 0.1 mg/l mercury
- 0.5 mg/l nickel
- 100 mg/l oil and grease
- 0.02 mg/l selenium
- 0.05 mg/l silver
- 0.01 mg/l total phenols
- 240 mg/l total suspended solids
- 0.4 mg/l zinc

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 Administrator may impose mass limitations in addition to, or in place of, the concentration-based limitations above.

SECTION 3 - PRETREATMENT OF WASTEWATER

3.1 Pretreatment Facilities

Users shall provide wastewater treatment as necessary to comply with this ordinance and shall achieve compliance with all categorical pretreatment standards, local limits, and the prohibitions set out in Sections 2.7, 2.8 and 2.10 of this ordinance within the time limitations specified by EPA, the State, or the Administrator, whichever is more stringent. Any facilities necessary for compliance shall be provided, operated, and maintained at the user's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the Administrator for review, and shall be acceptable to the Administrator before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the user from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the District under the provisions of this ordinance.

3.2 Additional Pretreatment Measures

A. Whenever deemed necessary, the Administrator may require users to restrict their discharge during peak flow periods, designate that certain wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage wastestreams from industrial wastestreams, and such other conditions as may be necessary to protect the POTW and determine the user's compliance with the requirements of this ordinance.

B. The Administrator may require any person discharging into the POTW to install and maintain, on their property and at their expense, a suitable storage and flow-control facility to ensure equalization of flow. A wastewater discharge permit may be issued solely for flow equalization.

C. Users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter.

3.3 Accidental Discharge/Slug Control Plans

At least once every two (2) years, the Administrator shall evaluate whether each significant industrial user needs an accidental discharge/slug control plan. The Administrator may require any user to develop, submit for approval, and implement such a plan. Alternatively, the Administrator may develop such a plan for any user. An accidental discharge/slug control plan shall address, at a minimum, the following:

- A. Description of discharge practices, including non-routine batch discharges;
- B. Description of stored chemicals;
- C. Procedures for immediately notifying the Administrator of any accidental or slug discharge, as required by Section 6.6 of this ordinance; and

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

3.4 Hauled Wastewater

A. Septic tank waste may be introduced into the POTW only at locations designated by the Administrator and at such times as are established by the Administrator. Such waste shall not violate Section 2 of this ordinance or any other requirements established by the District. The Administrator may require septic tank waste haulers to obtain wastewater discharge permits.

B. The Administrator shall require haulers of industrial waste to obtain wastewater discharge permits. The Administrator may require generators of hauled industrial waste to obtain wastewater discharge permits. The Administrator also may prohibit the disposal of hauled industrial waste. The discharge of hauled industrial waste is subject to all other requirements of this ordinance.

C. Industrial waste haulers may discharge loads only at locations designated by the Administrator. No load may be discharged without prior consent of the Administrator. The Administrator may collect samples of each hauled load to ensure compliance with applicable standards. The Administrator may require the industrial waste hauler to provide a waste analysis of any load prior to discharge.

D. Industrial waste haulers must provide a waste-tracking form for every load. This form shall include, at a minimum, the name and address of the industrial waste hauler, permit number, truck identification, names and addresses of sources of waste, and volume and characteristics of waste. The form shall identify the type of industry, known or suspected waste constituents, and whether any wastes are RCRA hazardous wastes.

SECTION 4 - WASTEWATER DISCHARGE PERMIT APPLICATION

4.1 Wastewater Analysis

When requested by the Administrator, a user must submit information on the nature and characteristics of its wastewater within thirty (30) days of the request. The Administrator is authorized to prepare a form for this purpose and may periodically require users to update this information.

4.2 Wastewater Discharge Permit Requirement

A. No significant industrial user shall discharge wastewater into the POTW without first obtaining a wastewater discharge permit from the Administrator, except that a significant

industrial user that has filed a timely application pursuant to Section 4.3 of this ordinance may continue to discharge for the time period specified therein.

B. The Administrator may require other users to obtain wastewater discharge permits as necessary to carry out the purposes of this ordinance.

C. Any violation of the terms and conditions of a wastewater discharge permit shall be deemed a violation of this ordinance and subjects the wastewater discharge permittee to the sanctions set out in Sections 11 through 12 of this ordinance. Obtaining a wastewater discharge permit does not relieve a permittee of its obligation to comply with all Federal and State pretreatment standards or requirements or with any other requirements of Federal, State, and local law.

4.3 Wastewater Discharge Permitting: Existing Connections

Any user required to obtain a wastewater discharge permit who was discharging wastewater into the POTW prior to the effective date of this ordinance and who wishes to continue such discharges in the future, shall, within thirty (30) days after said date, apply to the Administrator for a wastewater discharge permit in accordance with Section 4.5 of this ordinance, and shall not cause or allow discharges to the POTW to continue after one hundred and eighty (180) days of the effective date of this ordinance except in accordance with a wastewater discharge permit issued by the Administrator.

4.4 Wastewater Discharge Permitting: New Connections

Any user required to obtain a wastewater discharge permit who proposes to begin or recommence discharging into the POTW must obtain such permit prior to the beginning or recommencing of such discharge. An application for this wastewater discharge permit, in accordance with Section 5.5 of this ordinance, must be filed at least thirty (30) days prior to the date upon which any discharge will begin or recommence.

4.5 Wastewater Discharge Permit Application Contents

All users required to obtain a wastewater discharge permit must submit a permit application. The Administrator may require all users to submit as part of an application the following information:

- A. All information required by Section 6.1(B) of this ordinance;
- B. Description of activities, facilities, and plant processes on the premises, including a list of all raw materials and chemicals used or stored at the facility which are, or could accidentally or intentionally be, discharged to the POTW;
- C. Number and type of employees, hours of operation, and proposed or actual hours of operation;

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

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

F. Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, floor drains, and appurtenances by size, location, and elevation, and all points of discharge;

G. Time and duration of discharges; and

H. Any other information as may be deemed necessary by the Administrator to evaluate the wastewater discharge permit application.

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

4.6 Application Signatories and Certification

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

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

4.7 Wastewater Discharge Permit Decisions

The Administrator will evaluate the data furnished by the user and may require additional information. Within fifteen (15) days of receipt of a complete wastewater discharge permit application, the Administrator will determine whether or not to issue a wastewater discharge permit. The Administrator may deny any application for a wastewater discharge permit.

SECTION 5 - WASTEWATER DISCHARGE PERMIT ISSUANCE PROCESS

5.1 Wastewater Discharge Permit Duration

A wastewater discharge permit shall be issued for a specified time period, not to exceed five (5) years from the effective date of the permit. A wastewater discharge permit may be

issued for a period less than five (5) years, at the discretion of the Administrator. Each wastewater discharge permit will indicate a specific date upon which it will expire.

All associated cost for discharge permit issuance shall be in accordance with the fee and rate schedule.

5.2 Wastewater Discharge Permit Contents

A wastewater discharge permit shall include such conditions as are deemed reasonably necessary by the Administrator to prevent pass through or interference, protect the quality of the water body receiving the treatment plant's effluent, protect worker health and safety, facilitate sludge management and disposal, and protect against damage to the POTW.

A. Wastewater discharge permits must contain:

(1) A statement that indicates wastewater discharge permit duration, which in no event shall exceed five (5) years;

(2) A statement that the wastewater discharge permit is nontransferable without prior notification to the District in accordance with Section 6.5 of this ordinance, and provisions for furnishing the new owner or operator with a copy of the existing wastewater discharge permit;

(3) Effluent limits based on applicable pretreatment standards;

(4) Self monitoring, sampling, reporting, notification, and record-keeping requirements. These requirements shall include an identification of pollutants to be monitored, sampling location, sampling frequency, and sample type based on Federal, State, and local law; and

(5) A statement of applicable civil and criminal penalties for violation of pretreatment standards and requirements, and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable Federal, State, or local law.

B. Wastewater discharge permits may contain, but need not be limited to, the following conditions:

(1) Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization;

(2) Requirements for the installation of pretreatment technology, pollution control, or construction of appropriate containment devices, designed to reduce, eliminate, or prevent the introduction of pollutants into the treatment works;

- (3) Requirements for the development and implementation of spill control plans or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or nonroutine discharges;
- (4) Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the POTW;
- (5) The unit charge or schedule of user charges and fees for the management of the wastewater discharged to the POTW;
- (6) Requirements for installation and maintenance of inspection and sampling facilities and equipment;
- (7) A statement that compliance with the wastewater discharge permit does not relieve the permittee of responsibility for compliance with all applicable Federal and State pretreatment standards, including those which become effective during the term of the wastewater discharge permit; and
- (8) Other conditions as deemed appropriate by the Administrator to ensure compliance with this ordinance, and State and Federal laws, rules, and regulations.

5.3 Wastewater Discharge Permit Appeals

The Administrator shall provide public notice of the issuance of a wastewater discharge permit. Any person, including the user, may petition the Administrator to reconsider the terms of a wastewater discharge permit within thirty (30) days of notice of its issuance.

A. Failure to submit a timely petition for review shall be deemed to be a waiver of the administrative appeal.

B. In its petition, the appealing party must indicate the wastewater discharge permit provisions objected to, the reasons for this objection, and the alternative condition, if any, it seeks to place in the wastewater discharge permit.

C. The effectiveness of the wastewater discharge permit shall not be stayed pending the appeal.

D. If the Administrator fails to act within forty-five (45) days, a request for reconsideration shall be deemed to be denied. Decisions not to reconsider a wastewater discharge permit, not to issue a wastewater discharge permit, or not to modify a wastewater discharge permit shall be considered final administrative actions for purposes of judicial review.

E. Aggrieved parties seeking judicial review of the final administrative wastewater discharge permit decision must do so by filing a complaint with the Amelia County Circuit Court for proper jurisdiction within State of Virginia Statute of Limitations.

5.4 Wastewater Discharge Permit Modification

The Administrator may modify a wastewater discharge permit for good cause, including, but not limited to, the following reasons:

- A. To incorporate any new or revised Federal, State, or local pretreatment standards or requirements;
- B. To address significant alterations or additions to the user's operation, processes, or wastewater volume or character since the time of wastewater discharge permit issuance;
- C. A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;
- D. Information indicating that the permitted discharge poses a threat to the District's POTW, District personnel, or the receiving waters;
- E. Violation of any terms or conditions of the wastewater discharge permit;
- F. Misrepresentations or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required reporting;
- G. Revision of or a grant of variance from categorical pretreatment standards pursuant to 40 CFR 403.13;
- H. To correct typographical or other errors in the wastewater discharge permit; or
- I. To reflect a transfer of the facility ownership or operation to a new owner or operator; however, modification for this purpose may not be allowed unless the permit is transferable as provided in Section 6.5.

5.5 Wastewater Discharge Permit Transfer

Wastewater discharge permits may be transferred to a new owner or operator only if the permittee gives at least thirty (30) days advance notice to the Administrator and the Administrator approves the wastewater discharge permit transfer. The notice to the Administrator must include a written certification by the new owner or operator which:

- A. States that the new owner and/or operator have no immediate intent to change the facility's operations and processes;
- B. Identifies the specific date on which the transfer is to occur; and

C. Acknowledges full responsibility for complying with the existing wastewater discharge permit.

Failure to provide advance notice of a transfer renders the wastewater discharge permit void as of the date of facility transfer.

5.6 Wastewater Discharge Permit Revocation

The Administrator may revoke a wastewater discharge permit for good cause, including, but not limited to, the following reasons:

A. Failure to notify the Administrator of significant changes to the wastewater prior to the changed discharge;

B. Failure to provide prior notification to the Administrator of changed conditions pursuant to Section 6.5 of this ordinance;

C. Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;

D. Falsifying self-monitoring reports;

E. Tampering with monitoring equipment;

F. Refusing to allow the Administrator timely access to the facility premises and records;

G. Failure to meet effluent limitations;

H. Failure to pay fines;

I. Failure to pay sewer charges;

J. Failure to meet compliance schedules;

K. Failure to complete a wastewater survey or the wastewater discharge permit application;

L. Failure to provide advance notice of the transfer of business ownership of a permitted facility; or

M. Violation of any pretreatment standard or requirement, or any terms of the wastewater discharge permit or this ordinance.

Wastewater discharge permits shall be voidable upon cessation of operations or transfer of business ownership. All wastewater discharge permits issued to a particular user are void upon the issuance of a new wastewater discharge permit to that user.

5.7 Wastewater Discharge Permit Reissuance

A user with an expiring wastewater discharge permit shall apply for wastewater discharge permit reissuance by submitting a complete permit application, in accordance with Section 5.5 of this ordinance, a minimum of one hundred and twenty (120) days prior to the expiration of the user's existing wastewater discharge permit.

SECTION 6 - REPORTING REQUIREMENTS

6.1 Baseline Monitoring Reports

A. Within either one hundred eighty (180) days after the effective date of a categorical pretreatment standard, or the final administrative decision on a category determination under 40 CFR 403.6(a)(4), whichever is later, existing categorical users currently discharging to or scheduled to discharge to the POTW shall submit to the Administrator a report which contains the information listed in paragraph B, below. At least ninety (90) days prior to commencement of their discharge, new sources, and sources that become categorical users subsequent to the promulgation of an applicable categorical standard, shall submit to the Administrator a report which contains the information listed in paragraph B, below. A new source shall report the method of pretreatment it intends to use to meet applicable categorical standards. A new source also shall give estimates of its anticipated flow and quantity of pollutants to be discharged.

B. Users described above shall submit the information set forth below.

(1) Identifying Information. The name and address of the facility, including the name of the operator and owner.

(2) Environmental Permits. A list of any environmental control permits held by or for the facility.

(3) Description of Operations. A brief description of the nature, average rate of production, and standard industrial classifications of the operation(s) carried out by such user. This description should include a schematic process diagram which indicates points of discharge to the POTW from the regulated processes.

(4) Flow Measurement. Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary, to allow use of the combined wastestream formula set out in 40 CFR 403.6(e).

(5) Measurement of Pollutants.

(a) The categorical pretreatment standards applicable to each regulated process.

(b) The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the standard or by the Administrator of regulated pollutants in the discharge from each regulated process. Instantaneous, daily maximum, and long-term average concentrations, or mass, where required, shall be reported. The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in Section 6.10 of this ordinance.

(c) Sampling must be performed in accordance with procedures set out in Section 7.11 of this ordinance.

(6) Certification. A statement, reviewed by the user's authorized representative and certified by a qualified professional, indicating whether pretreatment standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required to meet the pretreatment standards and requirements.

(7) Compliance Schedule. If additional pretreatment and/or O&M will be required to meet the pretreatment standards, the shortest schedule by which the user will provide such additional pretreatment and/or O&M. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard. A compliance schedule pursuant to this section must meet the requirements set out in Section 7.2 of this ordinance.

(8) Signature and Certification. All baseline monitoring reports must be signed and certified in accordance with Section 5.6 of this ordinance.

6.2 Compliance Schedule Progress Reports

The following conditions shall apply to the compliance schedule required by Section 7.1(B)(7) of this ordinance:

A. The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation);

B. No increment referred to above shall exceed nine (9) months;

C. The user shall submit a progress report to the Administrator no later than fourteen (14) days following each date in the schedule and the final date of compliance including, as a minimum, whether or not it complied with the increment of progress, the reason for any delay, and, if appropriate, the steps being taken by the user to return to the established schedule; and

D. In no event shall more than nine (9) months elapse between such progress reports to the Administrator.

6.3 Reports on Compliance with Categorical Pretreatment Standard Deadline

Within ninety (90) days following the date for final compliance with applicable categorical pretreatment standards, or in the case of a new source following commencement of the introduction of wastewater into the POTW, any user subject to such pretreatment standards and requirements shall submit to the Administrator a report containing the information described in Section 7.1(B)(4-6) of this ordinance. For users subject to equivalent mass or concentration limits established in accordance with the procedures in 40 CFR 403.6(c), this report shall contain a reasonable measure of the user's long-term production rate. For all other users subject to categorical pretreatment standards expressed in terms of allowable pollutant discharge per unit of production (or other measure of operation), this report shall include the user's actual production during the appropriate sampling period. All compliance reports must be signed and certified in accordance with Section 4.6 of this ordinance.

6.4 Periodic Compliance Reports

A. All significant industrial users shall, at a frequency determined by the Administrator but in no case less than twice per year (in June and December), submit a report indicating the nature and concentration of pollutants in the discharge which are limited by pretreatment standards and the measured or estimated average and maximum daily flows for the reporting period. All periodic compliance reports must be signed and certified in accordance with Section 4.6 of this ordinance.

B. All wastewater samples must be representative of the user's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a user to keep its monitoring facility in good working order shall not be grounds for the user to claim that sample results are unrepresentative of its discharge.

C. If a user subject to the reporting requirement in this section monitors any pollutant more frequently than required by the Administrator, using the procedures prescribed in Section 6.11 of this ordinance, the results of this monitoring shall be included in the report.

D. The District may collect and analyze user discharges on a random basis at the Administrator's discretion.

6.5 Reports of Changed Conditions

Each user must notify the Administrator of any planned significant changes to the user's operations or system, which might alter the nature, quality, or volume of its wastewater at least thirty (30) days before the change.

A. The Administrator may require the user to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a wastewater discharge permit application under Section 4.4 of this ordinance.

B. The Administrator may issue a wastewater discharge permit under Section 4.7 of this ordinance or modify an existing wastewater discharge permit under Section 5.4 of this ordinance in response to changed conditions or anticipated changed conditions.

C. For purposes of this requirement, significant changes include, but are not limited to, flow increases of ten percent (10%) or greater, and the discharge of any previously unreported pollutants. [Note: EPA regulations do not define the term "significant change." However, it is recommended that changes of twenty percent (20%) or greater be considered significant changes.]

6.6 Reports of Potential Problems

A. In the case of any discharge, including, but not limited to, accidental discharges, discharges of a nonroutine, episodic nature, a noncustomary batch discharge, or a slug load, that may cause potential problems for the POTW, the user shall immediately telephone and notify the Administrator of the incident. This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and corrective actions taken by the user.

B. Within five (5) days following such discharge, the user shall, unless waived by the Administrator, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the user of any fines, penalties, or other liability which may be imposed pursuant to this ordinance.

C. A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees whom to call in the event of a discharge described in paragraph A, above. Employers shall ensure that all employees, who may cause such a discharge to occur, are advised of the emergency notification procedure.

6.7 Reports from Unpermitted Users

All users not required to obtain a wastewater discharge permit shall provide appropriate reports to the Administrator as the Administrator may require.

6.8 Notice of Violation/Repeat Sampling and Reporting

If sampling performed by a user indicates a violation, the user must notify the Administrator within twenty-four (24) hours of becoming aware of the violation. The user shall also repeat the sampling and analysis and submit the results of the repeat analysis to the Administrator within thirty (30) days after becoming aware of the violation. The user is not required to resample if the Administrator monitors at the user's facility at least once a month, or if the Administrator samples between the user's initial sampling and when the user receives the results of this sampling.

6.9 Notification of the Discharge of Hazardous Waste

A. The discharge of hazardous wastes into the POTW is prohibited.

B. Any user who accidentally discharges hazardous waste shall notify the POTW, the EPA Regional Waste Management Division Director, and State hazardous waste authorities, in writing, of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the name of the hazardous waste as set forth in the Code of Virginia and 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the user discharges more than one hundred (100) kilograms of such waste per calendar month to the POTW, the notification also shall contain the following information to the extent such information is known and readily available to the user: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the waste stream discharged during that calendar month, and an estimation of the mass of constituents in the waste stream expected to be discharged during the following twelve (12) months. All notifications must take place no later than one hundred and eighty (180) days after the discharge commences. Any notification under this paragraph need be submitted only once for each hazardous waste discharged. However, notifications of changed conditions must be submitted under Section 6.5 of this ordinance. The notification requirement in this section does not apply to pollutants already reported by users subject to categorical pretreatment standards under the self-monitoring requirements of Sections 6.1, 6.3, and 6.4 of this ordinance.

6.10 Analytical Requirements

All pollutant analyses, including sampling techniques, to be submitted as part of a wastewater discharge permit application or report shall be performed in accordance with the techniques prescribed in 40 CFR Part 136, unless otherwise specified in an applicable categorical pretreatment standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, sampling and analyses must be performed in accordance with procedures approved by EPA.

6.11 Sample Collection

A. Except as indicated in Section B, below, the user must collect wastewater samples using flow proportional composite collection techniques. In the event flow proportional

sampling is infeasible, the Administrator may authorize the use of time proportional sampling or a minimum of four (4) grab samples where the user demonstrates that this will provide a representative sample of the effluent being discharged. In addition, grab samples may be required to show compliance with instantaneous discharge limits.

B. Samples for oil and grease, temperature, pH, cyanide, phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.

6.12 Timing

Written reports will be deemed to have been submitted on the date postmarked. For reports which are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, the date of receipt of the report shall govern.

6.13 Record Keeping

Users subject to the reporting requirements of this ordinance shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this ordinance and any additional records of information obtained pursuant to monitoring activities undertaken by the user independent of such requirements. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the user or the District, or where the user has been specifically notified of a longer retention period by the Administrator.

SECTION 7 - COMPLIANCE MONITORING

7.1 Right of Entry: Inspection and Sampling

The Administrator shall have the right to enter the premises of any user to determine whether the user is complying with all requirements of this ordinance and any wastewater discharge permit or order issued hereunder. Users shall allow the Administrator ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, and the performance of any additional duties.

A. Where a user has security measures in force which require proper identification and clearance before entry into its premises, the user shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, the Administrator will be permitted to enter without delay for the purposes of performing specific responsibilities.

B. The Administrator shall have the right to set up on the user's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the user's operations.

C. The Administrator may require the user to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the user at its own expense. All devices used to measure wastewater flow and quality shall be calibrated to ± 2 percent to ensure their accuracy.

D. Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the user at the written or verbal request of the Administrator and shall not be replaced. The costs of clearing such access shall be born by the user.

E. Unreasonable delays in allowing the Administrator access to the user's premises shall be a violation of this ordinance.

7.2 Search Warrants

If the Administrator has been refused access to a building, structure, or property, or any part thereof, and is able to demonstrate probable cause to believe that there may be a violation of this ordinance, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program of the District designed to verify compliance with this ordinance or any permit or order issued hereunder, or to protect the overall public health, safety and welfare of the community, then the Administrator may seek issuance of a search warrant from the Amelia County Circuit Court.

SECTION 8 - CONFIDENTIAL INFORMATION

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

will not be recognized as confidential information and will be available to the public without restriction.

SECTION 9 - PUBLICATION OF USERS IN SIGNIFICANT NONCOMPLIANCE

The Administrator shall publish annually, in the largest daily or weekly newspaper published in the District or County of Amelia, a list of the users which, during the previous twelve (12) months, were in significant noncompliance with applicable pretreatment standards and requirements. The term significant noncompliance shall mean:

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- (6-)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 (6) 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 Administrator believes has caused, alone or in combination with other discharges, interference or 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 Administrator's exercise of its emergency authority to halt or prevent such a discharge;

E. Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in a wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance;

F. Failure to provide within thirty (30) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical pretreatment standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;

G. Failure to accurately report noncompliance; or

H. Any other violation(s) which the Administrator determines will adversely affect the operation or implementation of the local pretreatment program.

SECTION 10 - ADMINISTRATIVE ENFORCEMENT REMEDIES

10.1 Notification of Violation

When the Administrator finds that a user has violated, or continues to violate, any provision of this ordinance, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, the Administrator may serve upon that user a written Notice of Violation. Within thirty (30) days of the receipt of this notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted by the user to the Administrator. Submission of this plan in no way relieves the user of liability for any violations occurring before or after receipt of the Notice of Violation. Nothing in this section shall limit the authority of the Administrator to take any action, including emergency actions or any other enforcement action, without first issuing a Notice of Violation.

10.2 Consent Orders

The Administrator may enter into Consent Orders, assurances of voluntary compliance, or other similar documents establishing an agreement with any user responsible for noncompliance. Such documents will include specific action to be taken by the user to correct the noncompliance within a time period specified by the document. Such documents shall have the same force and effect as the administrative orders issued pursuant to Sections 10.4 and 10.5 of this ordinance and shall be judicially enforceable.

10.3 Show Cause Hearing

The Administrator may order a user which has violated, or continues to violate, any provision of this ordinance, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, to appear before the Administrator and show cause why the proposed enforcement action should not be taken. Notice shall be served on the user specifying the time and place for the meeting, the proposed enforcement action, the reasons for such action, and a request that the user show cause why the proposed enforcement action should not be taken. The notice of the meeting shall be served personally or by registered or certified mail (return receipt requested) at least thirty (30) days prior to the hearing. Such notice may be served on any authorized representative of the user. A show cause hearing shall not be a bar against, or prerequisite for, taking any other action against the user.

10.4 Compliance Orders

When the Administrator finds that a user has violated, or continues to violate, any provision of this ordinance, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, the Administrator may issue an order to the user responsible for the discharge directing that the user come into compliance within a specified time. If the user does not come into compliance within the time provided, sewer service may be discontinued unless adequate treatment facilities, devices, or other related appurtenances are installed and properly operated. Compliance orders also may contain other requirements to

address the noncompliance, including additional self-monitoring and management practices designed to minimize the amount of pollutants discharged to the sewer. A compliance order may not extend the deadline for compliance established for a pretreatment standard or requirement, nor does a compliance order relieve the user of liability for any violation, including any continuing violation. Issuance of a compliance order shall not be a bar against, or a prerequisite for, taking any other action against the user.

10.5 Cease and Desist Orders

When the Administrator finds that a user has violated, or continues to violate, any provision of this ordinance, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, or that the user's past violations are likely to recur, the Administrator may issue an order to the user directing it to cease and desist all such violations and directing the user to:

- A. Immediately comply with all requirements; and
- B. Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the discharge.

Issuance of a cease and desist order shall not be a bar against, or a prerequisite for, taking any other action against the user.

10.6 Administrative Fines

A. When the Administrator finds that a user has violated, or continues to violate, any provision of this ordinance, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, the Administrator may fine such user in an amount not to exceed \$1000/day. 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.

B. Unpaid charges, fines, and penalties shall, after thirty (30) calendar days, be assessed an additional penalty of one and a half percent (1.5%) of the unpaid balance, and interest shall accrue thereafter at a rate of one-half percent (0.5%) per month. A lien against the user's property will be sought for unpaid charges, fines, and penalties.

C. Users desiring to dispute such fines must file a written request for the Administrator to reconsider the fine along with full payment of the fine amount within sixty (60) days of being notified of the fine. Where a request has merit, the Administrator may convene a hearing on the matter. In the event the user's appeal is successful, the payment, together with any interest accruing thereto, shall be returned to the user. The Administrator may add the costs of preparing administrative enforcement actions, such as notices and orders, to the fine.

D. Issuance of an administrative fine shall not be a bar against, or a prerequisite for, taking any other action against the user.

10.7 Emergency Suspensions

The Administrator may immediately suspend a user's discharge, after informal notice to the user, whenever such suspension is necessary to stop an actual or threatened discharge which reasonably appears to present or cause an imminent or substantial endangerment to the health or welfare of persons. The Administrator may also immediately suspend a user's discharge, after notice and opportunity to respond, that threatens to interfere with the operation of the POTW, or which presents, or may present, an endangerment to the environment.

A. Any user notified of a suspension of its discharge shall immediately stop or eliminate its contribution. In the event of a user's failure to immediately comply voluntarily with the suspension order, the Administrator may take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW, its receiving stream, or endangerment to any individuals. The Administrator may allow the user to recommence its discharge when the user has demonstrated to the satisfaction of the Administrator that the period of endangerment has passed, unless the termination proceedings in Section 10.8 of this ordinance are initiated against the user.

B. A user that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement, describing the causes of the harmful contribution and the measures taken to prevent any future occurrence, to the Administrator prior to the date of any show cause or termination hearing under Sections 9.3 or 9.8 of this ordinance.

Nothing in this section shall be interpreted as requiring a hearing prior to any emergency suspension under this section.

10.8 Termination of Discharge

In addition to the provisions in Section 5.6 of this ordinance, any user who violates the following conditions is subject to discharge termination:

- A. Violation of wastewater discharge permit conditions;
- B. Failure to accurately report the wastewater constituents and characteristics of its discharge;
- C. Failure to report significant changes in operations or wastewater volume, constituents, and characteristics prior to discharge;
- D. Refusal of reasonable access to the user's premises for the purpose of inspection, monitoring, or sampling; or

- E. Violation of the pretreatment standards in Section 2 of this ordinance.

Such user will be notified of the proposed termination of its discharge and be offered an opportunity to show cause under Section 10.3 of this ordinance why the proposed action should not be taken. Exercise of this option by the Administrator shall not be a bar to, or a prerequisite for, taking any other action against the user.

SECTION 11 - JUDICIAL ENFORCEMENT REMEDIES

11.1 Injunctive Relief

When the Administrator finds that a user has violated, or continues to violate, any provision of this ordinance, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, the Administrator may petition the Amelia County Circuit Court through the District's Attorney for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the wastewater discharge permit, order, or other requirement imposed by this ordinance on activities of the user. The Administrator may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the user to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against a user.

11.2 Civil Penalties

A. A user who has violated, or continues to violate, any provision of this ordinance, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement shall be liable to the District for a maximum civil penalty of not less than \$1,000 per violation, per day. In the case of a monthly or other long-term average discharge limit, penalties shall accrue for each day during the period of the violation.

B. The Administrator may recover reasonable attorneys' fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by the District.

C. In determining the amount of civil liability, the Court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained through the user's violation, corrective actions by the user, the compliance history of the user, and any other factor as justice requires.

D. Filing a suit for civil penalties shall not be a bar against, or a prerequisite for, taking any other action against a user.

11.3 Criminal Prosecution

A. It shall be unlawful for a user to violate any provision of this ordinance, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement shall, upon conviction, be guilty of a Class 3 misdemeanor punishable per day.

B. It shall be unlawful for a user to introduce any substance into the POTW which may cause personal injury or property damage shall, upon conviction, be guilty of a Class I misdemeanor. This penalty shall be in addition to any other cause of action for personal injury or property damage available under State law.

C. It shall be unlawful for a user to make any false statements, representations, or certifications in any application, record, report, plan, or other documentation filed, or required to be maintained, pursuant to this ordinance, wastewater discharge permit, or order issued hereunder, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this ordinance shall, upon conviction, be punished as a Class I misdemeanor per violation per day.

D. In the event of a second conviction, a user shall be punished by a fine of not more than the maximum fine allowable under State law per violation, per day, or imprisonment for not more than five (5) years, or both.

11.4 Remedies Nonexclusive

The remedies provided for in this ordinance are not exclusive. The Administrator may take any, all, or any combination of these actions against a noncompliant user. Enforcement of pretreatment violations will generally be in accordance with the District's enforcement response plan. However, the Administrator may take other action against any user when the circumstances warrant. Further, the Administrator is empowered to take more than one enforcement action against any noncompliant user.

SECTION 12 – FEES AND CHARGES

12.1 Administration

A. All fees and charges payable under the provisions of this Ordinance shall be paid by the dwelling, building or property owner(s) to the Treasurer. Such fees and charges shall be as set forth in the fee and rate schedule.

B. All user fees, penalties and charges collected under this Ordinance shall be used for the sole purpose of constructing, operating and/or maintaining the treatment works of the District, or the retirement of debts incurred for same.

C. All fees and charges payable under the provisions of this Ordinance are due and payable upon the receipt of notice of charges. (Posting by first class mail constitutes delivery.) Unpaid charges shall become delinquent after 30 days and shall be subject to penalty and interest charges.

D. Any owner(s) of a premise who has connected their sewerage facilities to the Sanitary District shall be liable for the payment of all charges made for service rendered to such premise until such owner(s) makes application for discontinuance of service in their name on the forms furnished by the Administrator.

E. Users requesting discontinuance of or establishing of new accounts for service shall be billed for the full month of service (no proration) during the billing period when services is provided.

F. The Treasurer is empowered to enforce the collection of connection fees and sewer service charges against the person or persons, firm or corporation required to connect with and/or use the facilities of the District, which sums shall be collectible by distress, levy, garnishment, attachment or otherwise without recourse to court procedure, except so far as the selected procedure may require the same. The Treasurer is empowered to designate as its agent for the purpose of collection such officer or officers, person or persons as it may determine, and the officer or officers, person or persons shall be vested with the same power and authority as a sheriff or constable may have in like procedures.

G. When water or sewer service begins for a new user, the partial user charges for the first month will carry over to the next month's charges.

H. The Owner of rental property shall be responsible for renter user charges. Renter user charges shall be sent in care of the Owner. The District shall be notified of ownership change in writing.

12.2 Water and Sewer Connection Fees

A. Any owner(s) required by this Ordinance to connect to the District Water and Sewerage Systems shall be required to pay a connection fee.

B. Connection fees may vary in value depending upon the type of connection, Class I (residential) vs. Class II (all other), etc. and these fees shall be set forth in the fee and rate schedule by the Amelia County Board of Supervisors.

12.3 Water and Sewer Charges

A. Water and sewer charges will be calculated for each user based upon the monthly metered amount of water used. Monthly user charges or fees shall be as set forth in the fee and rate schedule by the Amelia County Board of Supervisors.

B. A minimum monthly user charge or fee will be levied for the first zero to 2000 gallons used and each 1000 gallons per month above the first 2000 gallons will be levied a fee per 1000 gallons over and above the first 2000 gallons utilized, both as set forth in the fee and rate schedule by the Amelia County Board of Supervisors.

C. For residents with sewer only service, the owner may install an approved water meter at their own expense. Meter shall be installed on the inlet connection and located for unimpeded access by County personnel on the exterior of the structure. Fees shall be charged as determined by the fee and rate schedule.

D. For residents with sewer service only that decide not to install an approved water meter, sewage charges shall be based on a flow rate of 5,000 gallons and calculated in accordance with the fee and rate schedule.

12.4 Sewer Meters

A. With approval of the Administrator, Class II connections may install sewer meters and pay monthly user charges in accordance to metered wastewater flow rather than water metered volumes. Meters will be purchased and installed by owners.

12.5 Manner of Collection

A. The Administrator shall keep accurate records of all premises and owners served by the facilities of the District and shall bill each owner every month in accordance with the monthly user charges set forth in the fee and rate schedule by the Amelia County Board of Supervisors.

B. The Administrator shall collect connection permit fees and deposit these fees with the Treasurer.

C. The Treasurer shall furnish monthly reports concerning the status of the funds of the District to the Administrator.

D. Any claim made for abatement from any bill, account or charge shall be filed by the owner(s) in writing to the Administrator and shall not affect 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. Requested adjustments shall be decided by the Administrator subject to appeal to the District Board, and any charge in excess of the amount finally found to be correct will be refunded to the owner(s) by the Administrator.

SECTION 13 - MISCELLANEOUS PROVISIONS

13.1 Pretreatment Charges and Fees

The District may adopt reasonable fees for reimbursement of costs of setting up and operating the District's Pretreatment Program which may include:

- A. Fees for wastewater discharge permit applications including the cost of processing such applications;
- B. Fees for monitoring, inspection, and surveillance procedures including the cost of collection and analyzing a user's discharge, and reviewing monitoring reports submitted by users;
- C. Fees for reviewing and responding to accidental discharge procedures and construction;
- D. Fees for filing appeals; and
- E. Other fees as the District may deem necessary to carry out the requirements contained in the fee and rate schedule. These fees relate solely to the matters covered by this ordinance and are separate from all other fees, fines, and penalties chargeable by the District.
- F. All fees, rates and cost associated with this ordinance are listed in the fee and rate schedule by the Amelia County Board of Supervisors.

13.2 Severability

If any provision of this ordinance is invalidated by any court of competent jurisdiction, the remaining provisions shall not be effected and shall continue in full force and effect.

SECTION 14 - EFFECTIVE DATE

This Ordinance was duly considered, following a required public hearing held on May 24, 2007, and was adopted by the County of Amelia Board of Supervisors at its continued meeting held on May 24, 2007. This Ordinance shall be effective upon adoption on May 24, 2007, and supersedes all previous ordinances and amendments.

Adopted: _____

Franklin D. Harris, Chairman
Board of Supervisors
County of Amelia, Virginia

ATTEST:

Norma J. Duty, Acting County Administrator