

Utilities

PART 17

UTILITIES

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CHAPTER 1

UTILITY SERVICES IN GENERAL

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Section 17-102	Use of Public Ways by Authority
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SECTION 17-101 OOLOGAH PUBLIC WORKS AUTHORITY

The Town has leased its sewer systems to the Oologah Public Works Authority, a public trust. The trust has power to establish the sewer system. The establishment of the trust by resolution replaces any and all ordinances in conflict with this motion. For all motions and resolutions passed by the Public Works Authority, please refer to the minutes of the Oologah Public Works Authority.

SECTION 17-102 USE OF PUBLIC WAYS BY AUTHORITY

From and after April 7, 1980, the Oologah Public Works Authority, a public trust created with the Town as beneficiary, is hereby authorized and directed to utilize all other access granted to the Town whether by easement, permit, license or otherwise, within or without the Town limits for the purposes of constructing operating and maintaining a public sewer system and waste disposal network.

SECTION 17-103 DUTIES OF SUPERINTENDENT REGARDING DELINQUENT UTILITY BILLS AND CHARGES, HEARINGS AND APPEALS, SUITS

- A. The Superintendent, in an effort to collect utility bills and charges for services due, shall:
1. Declare all utility bills and charges not paid by the fifteenth (15th) of the month, delinquent and add a late charge of Ten Percent (10%) and the Clerk shall follow his directions with regard thereto;
 2. Immediately on the first working day after the fifteenth (15th) day of the month, cause written notice to be served at the customer's place of service or habitation, giving the amount due therein, together with the late charge aforesaid.

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3. Said customer who has received a notice of termination may, upon presentation of a written request to the Town Clerk, be placed on the next Board of Trustees meeting to show cause why his or her service should not be terminated;

B. The Superintendent may temporarily stay the termination of the customer's service for good cause until the next Board of Trustees meeting, at which time the customer shall appear after said customer gives written notice to the Town Clerk. Should the customer fail to give written notice of his or her intent to appear and/or fail to appear, the stay shall be automatically lifted and service immediately terminated.

C. Unless a customer is excused by the Board of Trustees and his utility bills and charges remain unpaid, parts (A) and (B) having been fully complied with, then and in that event, the Superintendent, after the thirtieth (30th) day of the same month, or the next working day after the first (1st) day of the month, shall terminate or cause to be terminated the unpaid utility service or services.

D. In addition to the provisions of paragraphs A, B, and C, above, the Superintendent, for good cause, is authorized to make an agreement with the customer for the payment of the delinquent balance by regular payment for a period not to exceed six (6) months. This agreement will, however, be contingent upon the customer paying the current charges for utility services on a timely basis. Default in the payment of those sums due regularly pursuant to the agreement or the current charges for utility services, will result in immediate termination of all services and utilities being provided by the Town of Oologah or Oologah Public Works Authority.

CHAPTER 2

SEWER SYSTEM AND SERVICES

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SECTION 17-201 DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of the terms used in this Ordinance shall be as follows:

A. "Town" shall mean the political subdivision known as the Town of Oologah, Rogers County, State of Oklahoma, or its lessee, the Oologah Public Works Authority, same being a public trust, to which its sewage facility has been leased.

B. "BOD" (Biochemical Oxygen Demand) shall mean the quantity of oxygen by weight, expressed in mg/l, utilized in the biochemical oxidation of organic matter under standard laboratory conditions for five (5) days at a temperature of twenty degrees (20) Centigrade.

C. "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of

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the buildings and conveys it to the building sewer, beginning five (5) feet outside the outer face of the building wall.

D. "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.

E. "Combined Sewer" shall mean a sewer receiving both surface runoff and sewage.

F. "Domestic Wastewater" shall mean water borne wastewater normally discharging into the sanitary conveniences of dwellings, which include apartment houses, hotels, and other residential type services, office buildings, factories and institutions and commercial establishments.

G. "Garbage" shall mean solid wastes from the domestic and commercial preparation, cooling and dispensing of food, and from the handling, storage, and sale of produce.

H. "Industrial Waste" shall mean water borne solids, liquids or gaseous wastes resulting from and discharged, permitted to flow or escaping from the industrial, manufacturing or food processing operation or process, or from the development of any natural resource or any mixture of these with water or domestic wastewater, as distinct from normal domestic wastewater.

I. "Milligrams-Per-Liter (mg/l)" shall mean the same as parts per million (ppm) and is a weight-to-weight ratio; the milligrams per liter value multiplied by the factor 8.32 shall be equivalent to pounds per million gallons of water.

J. "Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface or groundwater.

K. "Normal Domestic Wastewater" shall mean normal wastewater for the Town in which the average concentration of suspended solids and five (5) day BOD is established at not more than 250 mg/l.

L. "Person" shall mean any individual, firm, company, association, society, corporation, governmental agency, group and/or agents, servants or employees thereof.

M. "pH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

N. "Properly Shredded Garbage" shall mean the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (2) inch in any dimension.

O. "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

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P. "Sanitary Sewer" shall mean a sewer which carries sewage and to which storm, surface and groundwaters are not intentionally admitted.

Q. "Sewage" shall mean a combination of the water carried wastes from residences, business buildings, institutions and industrial establishments, together with ground, surface and storm waters.

R. "Sewage Treatment Plant" shall mean any arrangement of devices and structures used for treating sewage.

S. "Sewer" shall mean a pipe or conduit for carrying sewage.

T. "Sewer Use Charge" shall mean those charges levied on users of the wastewater facilities for the cost of operation and maintenance, including replacement of such works.

U. "Sewer User" shall mean any person who uses or intends to use the wastewater facilities for disposal of wastewater.

V. "Slug" shall mean any discharge of water, sewage or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation.

W. "Storm Drain" shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water. Also shall mean the same as storm sewer.

X. "Superintendent" means the Superintendent of the public works of the Town, or his authorized deputy, agent or representative.

Y. "Suspended Solids" shall mean solids that either float on the surface of, or are in suspension in water, sewage or other liquids and which are removable by laboratory filtering.

Z. "Wastewater" shall mean the same as sewage.

AA. "Wastewater Facilities" shall mean all facilities for collection, pumping, treating, storing and disposing of wastewater and sewage, operated by the Town.

BB. "Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

SECTION 17-202 REGULATION OF SEWER USE

A. It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the jurisdiction of the Town, any human or animal excrement, garbage or other objectionable waste.

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B. It shall be unlawful to discharge to any natural outlet within the jurisdiction of the Town any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Chapter.

C. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage.

D. The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated within the Town of Oologah and abutting on any street, alley, or rights-of-way in which there is now located or may in the future be located a public sanitary sewer, is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this Ordinance, within ninety (90) days after date of official notice to do so, provided that said public sewer is within one hundred (100) feet of the property line.

SECTION 17-203 PRIVATE SEWAGE DISPOSAL

A. Where a public sanitary sewer is not available under the provisions of Section 17-202 (D), the building sewer shall be connected to a private sewage disposal system complying with the provisions of this Section.

B. Before commencement of construction of a private sewage disposal system the owner shall first obtain a written permit signed by the Superintendent in accordance with this Ordinance. The application for such permit shall be made on a form furnished by the Town, which the applicant shall supplement by any plans, specifications, and other information as are deemed necessary by the Town. A permit and inspection fee of Five Dollars (\$5.00) shall be paid to the Town at the time the application is filed.

C. A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the superintendent. He or his agents shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the Town when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within five (5) working days of the receipt of notice by the superintendent.

D. The type, capacities, location and layout of a private sewage disposal system shall comply with all recommendations of the Department of Health of the State of Oklahoma. No permit shall be issued for any private sewage disposal system employing subsurface soil absorption facilities where the area of the lot is less than that required by the Oklahoma State Department of Health. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

E. At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Section 17-203 (D), a direct connection shall be made to the public sewer in compliance with this Chapter, and any septic tanks, cesspools and similar private disposal facilities shall be abandoned and filled with clean bank-run gravel or dirt. The Town shall not be liable for any loss incurred hereunder to such private owner.

F. The private sewage disposal facility or facilities shall operate and maintain in a sanitary manner at all times, at no expense to the Town.

G. No statement contained in this Section shall be construed to interfere with any additional requirements that may be imposed by the Oklahoma State Department of Health, the Environmental Protection Agency or any other federal regulatory body nor shall any statement contained herein be construed to interfere with the right of the Town to amend this Chapter or any related ordinance, resolution or regulation.

H. When a public sewer becomes available, the building sewer shall be connected to said sewer within sixty (60) days and the private sewage disposal system shall be cleaned of sludge and filled with clean bank-run gravel or dirt.

SECTION 17-204 BUILDING SEWERS AND CONNECTIONS

A. No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Superintendent.

B. There shall be two (2) classes of building sewer permits: (1) for residential and commercial services, and (2) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the Town. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the Town. A permit and inspection fee of Ten Dollars (\$10.00) for a residential or commercial building sewer permit and Ten Dollars (\$10.00) for an industrial building sewer permit shall be paid to the Town at the time the application is filed. At the option of the Town, these fees and permits may be waived, where new public sewers are used and connections are made as provided in Section 17-203.

C. All costs and expenses incident to the installation and connection of the building sewer shall be borne by the property owner. The property owner shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

D. A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, courtyard or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

E. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Town, to meet all requirements of this Chapter.

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F. The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of the Building and Plumbing Code or other applicable rules and regulations of the State Department of Health.

G. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by a means approved by such Town.

H. No person shall make connection of roof downspouts, exterior foundation drains, areaway or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer. Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers or to a natural watercourse approved by the Town, and as covered within this Chapter.

I. The connection of the building sewer into the public sewer shall conform to the requirements of the Southern Standard Plumbing Code or applicable rules and regulations of the State Department of Health.

J. The applicant for the building sewer permit shall notify the Town when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Superintendent or his representative, or, if by a licensed plumber, same shall be subject to the approval of the Town.

K. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Town.

SECTION 17-205 USE OF THE PUBLIC SEWERS

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

B. Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the Town. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Board of Trustees to a storm sewer or natural outlet.

C. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers, to-wit:

1. Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas.

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2. Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a public nuisance or create any hazard in the receiving waters of the wastewater treatment facilities, including but not limited to cyanide in excess of two (2) mg/l as CN in the wastes as discharged to the public sewer.

3. Any waters or wastes having a pH lower than 5.5 or higher than 9.5 or other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the wastewater treatment facilities.

4. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers or other interference with the proper operation of the wastewater treatment facilities such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshing, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

D. No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the Town that such wastes can harm either the sewers, sewage treatment process or equipment, have an adverse effect on the receiving stream or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming its opinion, the Town will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The substances are:

1. Any liquid or waste containing fats, wax or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150) degrees Fahrenheit.

2. Any liquid or vapor having a temperature higher than one hundred fifty (150) degrees Fahrenheit.

3. Any waters or wastes containing strong acids or pickling wastes or concentrated plating solutions whether neutralized or not.

4. Any waters or wastes containing iron, chromium, copper, zinc and similar objectionable or toxic substances or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the wastewater treatment facilities exceeds the limits established by the State Department of Public Health for such materials.

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5. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower or greater shall be subject to the review and approval of the Town.
 6. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the State Department of Public Health in compliance with applicable state or federal regulations.
 7. Any waters or wastes having a pH lower than 5.5 or higher than 9.5.
 8. Any waters or wastes containing phenols or other taste or odor producing substances, in such concentrations exceeding limits which may be established by the State Department of Public Health, after treatment of the composite sewage, to meet the requirements of the state, federal, or other public agencies with jurisdiction for such discharge to the receiving waters.
 9. Materials which exert or cause (a) unusual concentrations of inert suspended solids (such as but not limited to Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as but not limited to sodium sulfate); (b) excessive discoloration (such as but not limited to dye wastes and vegetable tanning solutions); (c) unusual BOD, chemical oxygen demand (COD), or chlorine requirements in such quantities as to constitute a significant load on the wastewater treatment facilities; (d) unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.
 10. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
 11. Discharge of the following materials into the sewer system in concentration higher than that normally found in the potable water is prohibited: antimony, arsenic, barium, beryllium, bismuth, boron, cadmium, chromium (hexa), chromium (tri), cobalt, copper, iron, lead, manganese, mercury, molybdenum, nickel, rhenium, selenium, silver, strontium, tellurium, tin, uranyl ion and zinc.
- E. Grease, oil, and sand traps shall be provided when, in the opinion of the Town, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts or any flammable waste, sand or other harmful ingredients; except that such traps shall not be required for private living quarters or dwelling units. All traps shall be of a type and capacity approved by the Town and shall be located as to be readily and easily accessible for cleaning and inspection. Such traps shall be owned and maintained by the property owners.
- F. Where preliminary treatment or flow equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in proper and effective operation by the property owner at his expense.
- G. When required by the Town, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located

and shall be constructed in accordance with plans approved by the Town, shall be accessible at all times, and construction and operation costs shall be paid by the owner.

H. All measurements, tests and analyses of the characteristics of water and wastes to which reference is made in this Ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association and shall be determined at the control manhole provided or upon suitable samples taken at said control manhole. In the event that no special manhole has been required the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb, and property in the area. (The particular analyses involved will determine whether a composite or grab sample is appropriate.) All testing required under this Section shall be performed by a qualified and approved laboratory, at no cost to the Town.

I. Dilution of waste streams containing toxic materials or metals shall not be construed to be treatment or disposal of the toxic materials or metals and shall not be allowed at any point in the sewer system.

J. It is the intention of the Town to exclude industrial wastewater from the wastewater facilities which might be discharged by any non-governmental user of the facilities identified in the Standard Industrial Classification, United States Office of Management and Budget, as amended and supplemented, under the following divisions: (1) (Division A) agriculture, forestry and fishing; (2) (Division B) mining; (3) (Division D) manufacturing; (4) (Division E) transportation, communications, electric, gas and sanitary services; and (5) (Division I) services. A user of the divisions listed may be excluded by the Town if it is determined that it will introduce primarily segregated domestic wastes or wastes from sanitary conveniences only. If upon passage of this Ordinance a prohibited user locates within the jurisdiction of the Town and wishes to discharge industrial waste or industrial wastewater to the facilities, this Ordinance will be amended or revoked in order to revise or establish Industrial Cost Recovery Provisions, which may be in effect or apply of the State of Oklahoma or the United States Government. No present user of the wastewater facilities of the Town is hereby excluded or intended to be excluded from discharging to the wastewater facilities, subject to the terms and requirements of this Ordinance, by passage and adoption of this Ordinance.

SECTION 17-206 INFILTRATION ALLOWANCES AND NEW SEWERS

The allowable infiltration for all existing sanitary sewers is hereby established at no more than two hundred (200) gallons/inch sewer diameter/day/mile for sewers twenty-four (24) inches in diameter and smaller. All new sewers shall be tested for infiltration in accordance with an acceptable testing method of the State Department of Public Health and shall be properly designed and constructed in accordance with State health standards and guidelines.

SECTION 17-207 PROTECTION FROM DAMAGE

It shall be unlawful for any unauthorized person to maliciously or willfully break, damage, destroy, uncover, deface or tamper with any structure, appurtenances or equipment which is a part of the sewage works. Any such person or any unauthorized person who causes damage by negligence shall be subject to recourse by the Town for such damages.

SECTION 17-208 POWERS AND AUTHORITY OF INSPECTORS

A. For probable cause and upon reasonable notice, the Town shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing in accordance with the provisions of this Ordinance. The Town or its representative shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

B. While performing the necessary work on private properties referred to in Section 17-208 (A) above, the Town shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to personnel of the Town and shall indemnify the company against loss or damage to its property by personnel and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Section 17-205 (H).

SECTION 17-209 PENALTIES

A. Any person found to be violating any provision of this Ordinance except Section 17-207 shall be served with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

B. Any person who shall continue any violation beyond the time limit provided for in Section 17-209 (A) above, shall be guilty of a misdemeanor and upon conviction thereof shall be fined in an amount not less than Thirty Five Dollars (\$35.00) for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

C. Any person violating any of the provisions of this Ordinance shall become liable to the Town for any expense, loss or damage occasioned by reason of such violation.

D. Any user discharging a waste to the sewer system which causes the treatment facility to violate Oklahoma Water Quality Standards shall be subject to enforcement action.

SECTION 17-210 VALIDITY

The invalidity of any section, clause, sentence or provision of this Chapter shall not affect the validity of any other part of this Chapter which can be given effect without such invalid part or parts.

SECTION 17-211 PERMIT SYSTEM

Three classes of permits are established as follows and permit applications may be obtained from the Town, to-wit:

1. For the installation of private sewage disposal facilities;
2. For residential and commercial building sewers; and
3. For industrial sewer connections.

SECTION 17-212 NEW SEWERS AND CONNECTIONS

A. The connection of the building sewer into the public sewer shall conform to the requirements of the Town's Building Code and other applicable rules and regulations of the Town and State.

B. All new sanitary sewage works shall be designed and constructed in accordance with the requirements of the Oklahoma State Department of Health regulations.

C. When a public sewer becomes available within fifty (50) feet, the building sewer shall be connected to the sewer within sixty (60) days.

SECTION 17-213 SEWER USE CHARGE

All users of the municipally owned wastewater treatment system shall be charged a minimum of Ten Dollars (\$10.00) per month plus a charge of Three Dollars (\$3.00) per one thousand (1,000) gallons of metered water consumption. In the case of users not on a metered basis, the Public Works Authority shall establish an estimated water consumption based on a comparison of the non-metered user with a metered user of similar class. Example: A non-metered family of four will be compared to a typical family of four with a water meter to establish water consumption. (Ord. No. 83-2, 9/19/83)

SECTION 17-214 USER CHARGE SCHEDULE

As the BOD, suspended solids, and other pollutant concentrations discharged shall be approximately equal for all domestic users, users shall be charged on a volume basis in accordance with the following formula:

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$$C_u = C_b + C_t/V_t (V_u)$$

(Based on Model #1, 40 CFR 35, Appendix B)

Symbols and definitions:

C_u	=	A user's charge for O&M per unit of time.
C_b	=	A user's base minimum charge (for debt retirement, billing, administration, etc.) per unit of time.
C_t	=	Total operation and maintenance (O&M) costs per unit of time.
V_t	=	Total volume contribution from all users per unit of time (may include extraneous flows)
V_u	=	Volume contribution from a user per unit of time.

SECTION 17-215 EXCESSIVE STRENGTH CHARGES

For any user, when the BOD exceeds two hundred and fifty (250) milligrams, the suspended solids exceeds two hundred and fifty (250) milligrams per liter, or when other pollutant concentrations exceed the range of concentrations of these pollutants in normal domestic sewage, a surcharge shall be added to the basic charge. This surcharge shall be calculated by the following formula:

$$C_s = (C^B(B) + C^P(P)) V_u$$

(Based on Model #1, 40 CFR 35, Appendix B)

Symbols and definitions:

C_s	=	A surcharge for wastewaters of excessive strength
C^B	=	O&M cost for treatment of a unit of biochemical oxygen demand
B	=	Concentration of BOD from a user above a base level
C^S	=	O&M cost for treatment of a unit of suspended solids (SS)
S	=	Concentration of SS from a user above a base level
C^P	=	O&M cost for treatment of a unit of any pollutant
P	=	Concentration of any pollutant from a user above a base level

v_u = Volume contribution from a user per unit of time.

SECTION 17-216 REVIEW AND REVISION

The user charges shall be reviewed not less than every year regarding the wastewater contribution of users and user classes, the total costs of the operation and maintenance of the treatment works, and its approved user charge system. The charges for users or user classes shall be revised to accomplish the following:

1. Maintain a user charge system based on actual use where each user or user class pays its proportionate share of operation, maintenance, and replacement costs (user's proportionate contribution to total wastewater loading from all users).
2. Produce adequate revenues required for the operation, maintenance, and replacement of the wastewater collection and treatment system.
3. Apply excess revenues collected from a class of users to the costs of operation and maintenance attributable to that class for the next year, and the rates shall be adjusted accordingly.
4. Revenues from the project (e.g., sale of treatment related by-products, lease of the land, or sale of crops grown on the land purchased under the grant agreement) shall be used to offset the cost for the OM&R. The Town shall proportionately reduce all user charges.

SECTION 17-217 TOXIC POLLUTANTS CHARGES

Each user that discharges any toxic pollutants which cause an increase in the cost of managing the effluent or the sludge of the treatment works shall pay for such increased costs. (Ord. No. 83-2, 9/19/83)

SECTION 17-218 NOTIFICATION

Each user shall be notified at least annually, in conjunction with the regular bill, of the sewer use rate and the portion of the user charges which are attributable to wastewater treatment services. Costs shall be broken down to show the operation and maintenance costs attributable to that user. (Ord. No. 83-2, 9/19/83)

SECTION 17-219 CHARGES FOR EXTRANEEOUS FLOWS

The costs of operation and maintenance for all flows not directly attributable to users (such as infiltration/inflow) shall be distributed among users on the same basis as operation and maintenance charges. (Ord. No. 83-2, 9/19/83)

SECTION 17-220 FINANCIAL MANAGEMENT SYSTEM

A financial management system shall be established by the Town of Oologah that will accurately account for revenues generated and expenditures for operation, maintenance and replacement.

SECTION 17-221 RECORDS

A record keeping system shall be established and maintained by the Town to document compliance with Federal regulations pertaining to the Town's user charges. (Ord. No. 83-2, 9/19/83)

SECTION 17-222 BILLING

Users will be billed on a monthly basis. Users of the wastewater system will be billed on the same notice as water charges and will be designated as a separate entry. Users of the wastewater system not on water service will be billed monthly on an individual notice for wastewater service at the rate established by the Superintendent. Users with delinquent accounts will be notified in writing by the Superintendent that wastewater services will be terminated unless the account is paid in full. The Superintendent will utilize the law enforcement agency to assist as required in the control and management of the user charge system.

SECTION 17-223 SEWER TAPS AND CONNECTIONS; FEES; UTILITY DEPOSITS

A. The Public Works Authority shall approve any request for a water tap and connection, a sewer tap on an existing line or a sewer tap on a new line and. Prior to granting this approval, the customer shall have paid the connection or tap charge as applicable. Additionally, a deposit shall serve as a guarantee for the payment of charges for utility service and other amounts owed in connection with the utility service. It shall be held in trust by the Authority. When a customer's utility service is disconnected, the deposit or any part of such amount deposited which remains after all such charges and amounts due the Authority have been satisfied, shall be returned to the customer.

B. The uniform sewer connection fee is set at Three Hundred Dollars (\$300.00) for each and every sewer tap made within the Town limits of the Town of Oologah, Rogers County, State of Oklahoma.

C. A fee for reconnection of each utility service where the service has been turned off or a meter has been disconnected by the Town for any reason shall be set at Fifty Dollars (\$50.00) per meter of reconnection is made during regular business hours as set forth in Section 17-104.

SECTION 17-224 PROHIBITED DISCHARGES

A. General Prohibition. Pollutants introduced into POTW's by a non-domestic source shall not pass through the POTW or interfere with the operation or performance of the works. These general prohibitions and the specific prohibitions in paragraph (B) of this Section apply to all non-domestic sources introducing pollutants into a POTW whether or not the source is subject

to other Natural Pretreatment Standards or any national, State or local pretreatment.

B. Specific Prohibitions. Wastewater discharged into the sewer collection system and POTW shall not contain toxics or other pollutants in an amount or concentration that endangers public safety and physical integrity of the collection system and POTW or cause violation of effluent or water quality limitations. In addition, the following pollutants shall not be introduced into a POTW:

1. Pollutants which create a fire or explosion hazard in the POTW;
2. Pollutants which will cause corrosive structural damage to the POTW, but in no case discharges with pH lower than 6.5;
3. Solid or viscous pollutants in amounts which will cause obstruction to the flow in the POTW resulting in interferences;
4. Any pollutant, including oxygen demanding pollutants (BOD, etc.) released in a discharge at a flow rate and/or pollutant concentration which will cause interference with the POTW;
5. Heat in amounts which will inhibit biological activity in the POTW resulting in interference, but in no case heat in such quantities that the temperature at the POTW Treatment Plant exceeds 40°C (104°F).

C. All discharges shall be prohibited except those that meet the criteria from "Domestic Wastewater". BOD concentration shall not exceed 250 mg/l and the total suspended solids concentration shall not exceed 250/l.

D. Any new connections from inflow sources into the sanitary sewer portions of the sewer system shall be prohibited.

SECTION 17-225 **PENALTY**

A. A person who continues prohibited discharges is guilty of a misdemeanor and, upon conviction, is punishable by a fine as provided in Section 1-108 of this Code for each act of violation and for each day of violation.

B. In addition to the preceding under authority of Subsection (A) of this Section the Town of Oologah is entitled to pursue all other criminal and civil remedies to which it is entitled under authority of Statutes or other Ordinances against a person continuing prohibited discharges.

C. The Town of Oologah reserves the right to terminate service to any customer that fails to pay bills when due or discharges any prohibited wastes into the sewer system.

Utilities

CHAPTER 3

REFUSE COLLECTION AND DISPOSAL

Section 17-301	Accumulations of Garbage and Refuse
Section 17-302	Tree Limbs, Boxes, Lumber
Section 17-303	Opening Burning Prohibited
Section 17-304	Collection of Garbage and Rubbish
Section 17-305	Permits for Waste Collection; Trash Hauler
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Section 17-307	Heavy Accumulations
Section 17-308	Manure Removal
Section 17-309	Unlawful Placement of Refuse
Section 17-310	Pilfering with Refuse Collectors; Refuse
Section 17-311	Plastic Bags
Section 17-312	Disposal of Garbage
Section 17-313	Inspections
Section 17-314	Duty to Request Garbage Service
Section 17-315	Alternative Compliance
Section 17-316	Charges and Fees
Section 17-317	Penalty

SECTION 17-301 ACCUMULATIONS OF GARBAGE AND REFUSE

A. It is the duty of every person, firm or corporation owning, managing, operating, leasing or renting any premises or any place where garbage or rubbish accumulates, to provide, and at all times to maintain in good order and repair, on any of the premises a portable container or containers for refuse which shall be made of galvanized metal or equivalent, not easily corrodible, rodent-proof and fly-proof, with a tight-fitting lid which shall not be removed except when depositing or removing the contents of the receptacle, and with the handles on the sides, and of sufficient capacity and in sufficient numbers to accommodate and securely keep all of the garbage and rubbish that may accumulate between collections. Each container shall have a capacity of not less than twenty (20) gallons nor more than thirty-two (32) gallons except where approved type bulk storage containers are in use and, provided further, that all containers shall be kept clean and free from the accumulation of any substance remaining attached to the inside of the container which would attract flies, mosquitoes or any other insects.

B. All containers shall be kept in a convenient location for collection, as designated by the Health Officer, where collectors can obtain containers without going into buildings, garages, locked gates or fenced yards with dogs. All containers and grounds immediately around containers shall be kept in a safe and sanitary condition at all times.

SECTION 17-302 TREE LIMBS, BOXES, LUMBER

All ordinary accumulations of rubbish such as tree limbs, paper boxes, and scrap lumber which cannot be conveniently placed in the containers required under this Chapter shall be gathered together and baled, tied or sacked in compact bundles weighing no more than fifty (50) pounds, and placed in a location easily accessible to the collector.

SECTION 17-303 OPEN BURNING PROHIBITED

There shall be no open burning on premises in the Town unless the operations are carried out in an approved-type incinerator, or approval is obtained from the Health Officer.

SECTION 17-304 COLLECTION OF GARBAGE AND RUBBISH

A. The Town or its authorized representative, shall collect from the residential areas of the Town and from the designated business routes and all food establishments (except approved-type bulk storage containers) of the Town, garbage and rubbish on a schedule as adopted by the Town. It is the duty of any person in possession or control of any premises to place the containers required in this Chapter in a location easily accessible to the collector as directed by the Health Officer.

B. The places having rubble and excessive accumulations of garbage and rubbish (such as, but not limited to, killing and dressing plants for fowl) shall be included for minimum or nominal service, the option resting with the Town, but may be excluded from the service provided by the Town or its agent, and owner or person having same in charge. The owner, person having such accumulation in charge, or collection agent shall secure from the Health Officer a written permit for removal and disposal of same.

SECTION 17-305 PERMITS FOR WASTE COLLECTION; TRASH HAULER

A. It is unlawful for any person who does not have a current permit issued under this Chapter to operate a waste collection business in the Town. The Town Clerk shall issue permits for such applicants; provided, that such permits shall be limited to persons having proper equipment, meeting State Department of Health requirements, and personnel to collect and dispose of refuse in accordance with the provisions of this Chapter; and provided further, that the method of disposal used is in accordance with the requirement of this Chapter.

B. Every person desiring to engage in the collection or disposal of refuse shall make written application to the Town Clerk, setting forth the name of such person, the residence address thereof or the address of the place of business, a description of the equipment to be used in the collection or disposal of such refuse, a current list of customers and addresses, the place of disposal and the method of disposal to be practiced. Upon approval of such application by the Town Board of Trustees, the Town Clerk shall issue a permit to the applicant.

C. Any person whose application for a permit has been denied may request and shall be granted a hearing before the Town Board of Trustees.

D. A permit issued under this Chapter shall expire on the 1st day of June of each year. Permits shall be renewable annually, in the same manner and upon payment of the same annual fee as provided in Subsection A of this Section.

SECTION 17-306 **ANIMAL CARCASSES**

Carcasses of animals such as cows, horses and mules, shall be removed and disposed of at the expense of the owner or person having same in charge and by the method directed by the Health Officer.

SECTION 17-307 **HEAVY ACCUMULATIONS**

Heavy accumulations such as brush, broken concrete, ashes, sand or gravel, automobile frames, dead trees, and other bulky, heavy materials, shall be disposed of at the expense of the owner or person controlling same under the direction of the Health Officer.

SECTION 17-308 **MANURE REMOVAL**

Manure from cow lots, horse stables, poultry yards, pigeon lofts, and other animal or fowl pens and waste oils from garages or filling stations or materials considered hazardous or dangerous shall be removed and disposed of at the expense of the person controlling same in the manner and by the method directed by the Health Officer.

SECTION 17-309 **UNLAWFUL PLACEMENT OF REFUSE**

The placing of garbage or rubbish or any refuse material in any street or alley within the Town limits or the disposal of such refuse at any place within the Town limits or at such other place as may be directed by the Health Officer is prohibited.

SECTION 17-310 **PILFERING WITH REFUSE COLLECTORS; REFUSE**

The meddling with refuse containers or in any way pilfering, scattering contents, or junking in any alley or street within the Town limits is prohibited.

SECTION 17-311 **PLASTIC BAGS**

All refuse or garbage shall be bagged in closed plastic or paper bags and the bags or containers shall be placed on the edge of the public street or alley or ease of collection.

SECTION 17-312 DISPOSAL OF GARBAGE

The disposal of garbage and rubbish shall be by the State Health Department approved method.

SECTION 17-313 INSPECTIONS

It is the duty of the Health Officer or his authorized agent to make all necessary inspections and investigations

SECTION 17-314 DUTY TO REQUEST GARBAGE SERVICE

To assist in maintaining the general sanitation of the Town, it is the duty of every person occupying or having control of the occupancy of any premises located on a regularly established garbage route to notify the Town Clerk at the beginning of such occupancy and request, accept and use the garbage pickup and collection service. Failure of any owner rental agent or occupant of such premises to make such request shall not prevent nor in any way impair or impede the Town from adding the address of such premises to the property garbage collection route records and providing such service and otherwise enforcing by appropriate action the regulatory measure wherein prescribed and causing the fees or charges therefore to be paid.

SECTION 17-315 ALTERNATE COMPLIANCE

Individuals who do not wish to use the collection service may dispose of their refuse individually if approved by the Health Officer and if the disposal is on at least the same frequency as the Town.

SECTION 17-316 CHARGES AND FEES

All bills for sanitary (refuse) service charges shall be, together with the collection thereof, the responsibility of the person providing the trash hauling service. The fee schedule utilized by trash haulers shall be subject to review by the Town Board of Trustees.

SECTION 17-317 PENALTY

It is the duty of the Chief of Police of the Town, upon report being made to him by the Town Clerk of the Town of any violation of any of the provisions of this Chapter, to immediately cause the arrest of the person or person accused of such violation to be dealt with according to law for such violations.