

WEST JACKSON COUNTY UTILITY DISTRICT

SEWER USE ORDINANCE

AN ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, PRIVATE SEWAGE DISPOSAL, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, AND THE DISCHARGE OF WATER AND WASTES INTO THE PUBLIC SEWER(S): AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF: IN THE GEOGRAPHICAL BOUNDARIES OF THE WEST JACKSON COUNTY UTILITY DISTRICT.

BE IT ORDAINED BY THE WEST JACKSON COUNTY UTILITY DISTRICT, COUNTY OF JACKSON, STATE OF MISSISSIPPI AS FOLLOWS:

Adopted on: April 14, 1997
Revised on: March 23, 1998
Revised on: November 4, 2014
Revised on: September 8, 2015
Revised on June 14, 2016
Revised on: June 25, 2020
Revised on August 27, 2020

ARTICLE I DEFINITIONS

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

- SECTION 1.** "BOD" (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized, in the biochemical oxidation of organic matter under standard laboratory procedure in 5 days of 20 degrees C, expressed in milligrams per liter.
- SECTION 2.** "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 the building and conveys it to the building sewer, beginning 5 feet (1.5 meters) outside the inner face of the building wall.
- SECTION 3.** "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.
- SECTION 4.** "Capacity Fee" shall mean the fee associated with the District guaranteeing that capacity will be available for sewer service demands and shall be assessed to all developments and/or users seeking additional or larger connections to the District's sewer connection and is the cost associated with guaranteeing capacity to new developments and to existing users who require additional capacity or larger connections and providing environmentally safe and reliable sewer collection which enhances property values.
- SECTION 5.** "Combined Sewer" shall mean a sewer receiving both surface runoff and sewage. Combined sewage is not allowed.
- SECTION 6.** "District" shall mean the West Jackson County Utility District or when appropriate to the context, its duly authorized representative.
- SECTION 7.** "Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage and sale of produce.
- SECTION 8.** "Generator" shall mean any commercial/industrial establishment which is required to install a grease trap, therefore incurring the responsibility to properly maintain its grease trap.
- SECTION 9.** "Industrial Wastes" shall mean the liquid waste for industrial manufacturing processes, trade or business as distinct from sanitary sewage as defined in 40 CFR 35.905.
- SECTION 10.** "Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface or

groundwater.

- SECTION 11.** "Person" shall mean any individual, firm, company, association, society, corporation or group.
- SECTION 12.** "pH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.
- SECTION 13.** "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 1/2 inch (1.27 centimeters) in any dimension.
- SECTION 14.** "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.
- SECTION 15.** "Sanitary Sewer" shall mean a sewer which carries sewage and to which storm, surface and groundwaters are not intentionally admitted.
- SECTION 16.** "Sewage" shall mean a combination of the water-carried waste from residences, business buildings, institutions and industrial establishments, together with such ground, surface and stormwaters as may be present.
- SECTION 17.** "Sewage Treatment Plant" shall mean any arrangement of devices and structures used from treating sewage.
- SECTION 18.** "Sewage Works" shall mean all facilities for collecting, pumping, treating and disposing of sewage.
- SECTION 19.** "Sewer" shall mean a pipe or conduit for carrying sewage.
- SECTION 20.** "Shall" is mandatory; "May" is permissive.
- SECTION 21.** "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 that 15 minutes more than 5 times the average 24 hour concentration or flows during normal operation.
- SECTION 22.** "Storm Drain" (sometimes termed "storm sewer") shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.
- SECTION 23.** "Manager" shall mean the General Manager of the West Jackson County Utility District, or his authorized deputy, agent or representative.
- SECTION 24.** "Suspended Solids" shall mean solids that either float on the surface of, or are on suspension in water, sewage or other liquids and which are removable by laboratory filtering.
- SECTION 25.** "Tap Fee" shall mean the fee associated with physically connecting the new sewer service connection.
- SECTION 26.** "Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.
- SECTION 27.** "Will Serve" shall mean a document issued by the District consenting to provide service.

ARTICLE II USE OF PUBLIC SEWERS REQUIRED

- SECTION 1.** It shall be a violation of this ordinance for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the West Jackson County Utility District, or in any area under the jurisdiction of said District any human or animal excrement, garbage or other objectionable waste.
- SECTION 2.** It shall be a violation of this ordinance to discharge to any natural outlet within the West Jackson County Utility District, or in any area under the jurisdiction of said District, any sewage or polluted waters, except where suitable treatment has been provided in accordance with subsequent provision of this ordinance.
- SECTION 3.** Except as hereinafter provided, it shall be a violation of this ordinance to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage.

- SECTION 4.** The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes situated within the District and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary sewer of the District is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the public sewer in accordance with the provisions of this ordinance within 45 days after official notice to do so, provided that the sewer line is within 300 feet of the property line or 500 feet of the structure to be served. All new construction not within the aforementioned distances shall install a temporary sanitary sewage treatment facility approved by Mississippi Department of Environmental Quality (MDEQ) and all other regulating agencies.
- SECTION 5.** It shall be a violation of this ordinance for any person, establishment or corporation to discharge to the sewer system any pollutant except in compliance with Federal standards promulgated pursuant to the Clean Water Act and any more stringent State and Local Standards including those of the District.

**ARTICLE III
PRIVATE SEWAGE DISPOSAL**

- SECTION 1.** Where a public sanitary sewer is not available under the provisions of Article II, Section 4, or when the District, in its sole discretion, determines it is not in the best interests of the District to provide public sanitary sewer, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this article.
- SECTION 2.** Before commencement of construction of a private sewage disposal system, the owner shall first obtain approval and a permit from the Jackson County Health Department. The application of such permit shall be made on a form furnished by the County Health Department, which the applicant shall supplement by any plans, specifications, and other information deemed necessary by the County Health Department. Private sewage disposal will not be allowed where the District offers public sewer service and properties will be required to connect to the public sewer once service is available unless the property meets the exemption requirements detailed in Article II, section 4 of this document, or when the District, in its sole discretion, determines it is not in the best interests of the District to provide public sanitary sewer.
- Before commencement of construction of a private sewage disposal system which will exceed 500 gallons per day, the owner shall first obtain a written permit signed by the District. The application of such permit shall be made on a form furnished by the Mississippi Department of Environmental Quality (MDEQ), which the applicant shall supplement by any plans, specifications, and other information deemed necessary by the District. A permit and inspection fee of at least fifty dollars (\$50.00) shall be paid to the District at the time the application is filed.
- SECTION 3.** A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the District. The District shall be allowed to inspect the work at any stage of completion and, in any event, the applicant for the permit shall notify the District when the work is ready for final inspection and before any underground portions are covered. The inspection shall be made by the District within 48 hours of the receipt of notice.
- SECTION 4.** The type, capacities, location and layout of a private sewage disposal system shall comply with all recommendations of the Department of Public Health of the State of Mississippi, and the regulations of the Mississippi Department of Environmental Quality. No septic tank or cesspool shall be permitted to discharge to any natural outlet.
- SECTION 5.** At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Article III, a direct connection shall be made to the public sewer in compliance with this ordinance, and any septic tanks, cesspools and similar private sewage disposal facilities shall be abandoned.
- SECTION 6.** The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the District.

SECTION 7. No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by any other local, state or federal agency.

SECTION 8. When a public sewer becomes available, the building's sewer shall be connected to said centralized sewer collection system promptly. Failure to comply after 45 day notice shall result in a non-compliance fee not to exceed one hundred dollars (\$100.00) per day for each and every day up to 90 days the said building is in violation of this Sewer Use Ordinance. After 90 days, legal remedies may be pursued.

ARTICLE IV BUILDING SEWERS AND CONNECTIONS

SECTION 1. 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 District.

SECTION 2. Sanitary sewer collection service for customers in the West Jackson County Utility District shall be by gravity sewer service unless an alternative sewer collection method is approved by the Board of Commissioners of the District. In order to be eligible for an alternate sewer collection method, an applicant must demonstrate that the proposed alternate method will not result in an additional expenditure by the District in the future, and must otherwise satisfy the District that said method will not be detrimental to the system as a whole. Justification for alternative sewer collection methods, such as low-pressure systems with individual customer installed grinder pump stations, must be made by developer or customer prior to the issuance of or as part of their conditional will serve or service request being made. Individual will-serve requests where an existing low-pressure sewer connection is already present on the property may be approved by the District and will not require Board approval.

SECTION 3. All developments with new customer connections and/or users seeking additional or larger connections shall be charged a capacity fee to cover the costs of preliminary assessment, engineering design review, and inspection services for the new, additional or larger customer connections and shall guarantee to the payer capacity up to the amounts as set forth in the User Charge Ordinance. The amount of the capacity fee shall include consideration by the District of the following:

1. the construction type
2. the number of residential lots
3. the number of commercial units
4. the size of the units
5. the size of the water meter
6. the benefit to the customer/payer and to the District's preparation to render services, including providing sanitary sewer services to protect the human health of residents and customers and to protect the sensitive environment along the Mississippi Gulf Coast; and
7. the benefit to the customer/payer associated with guaranteeing capacity up to the amounts as set forth in the User Charge Ordinance
8. capacity fee shall be paid at the prevailing rate at the time of payment

SECTION 4. All new customer connections shall be charged a tap fee to cover the costs of connecting to the District's sewer system and inspection of system after connection. The amount of the tap fee shall be based on consideration of the following criteria:

1. construction installation and materials meeting all WJCUD standards and specifications
2. construction installation and materials meeting all International Building Code standards
3. cost of all construction labor, equipment and materials
4. cost of staff and engineering review inspection fees
5. cost of inspection services provided by WJCUD personnel
6. cost of any contracted outside services as deemed necessary by WJCUD

SECTION 5. A separate and independent building sewer service shall be provided for every building. Sewer services deemed to be structurally substandard or impaired shall be replaced at the customer's expense or be subject to a penalty fee of not more than one hundred dollars (\$100.00) per day for non-compliance. Failure of the customer to promptly replace substandard or impaired service may result in District personnel replacement of the service at customer's expense.

SECTION 6. The District maintains gravity sewer mains to include a 4-inch cleanout at the property line or easement right of way. Customer's sewer services connecting at the cleanout must meet District specifications and standards. The District will not maintain any sewer services that are underneath or encased in solid surface materials unless deemed acceptable by the District.

SECTION 7. 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 conform to the requirements of the international building and plumbing code or other applicable rules and regulations of the District. In the absence of the code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the American Society for Testing and Materials (ASTM) and the Water Pollution Control Federation (WPCF) Manual of Practice No. 9 shall apply.

SECTION 8. The connection of the building sewer into the public sewer shall conform to the requirements of the international building and plumbing code or other applicable rules and regulations of the District or the procedures set forth in appropriate specifications of the ASTM and the WPCF Manual of Practice No. 9. All such connections shall be made gas-tight and water-tight. Any deviation from the prescribed procedures and materials must be approved by the District before installation.

SECTION 9. The applicant for the building sewer permit shall notify the District when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the District.

SECTION 10. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to prevent the public from hazard. Street, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the District.

SECTION 11. Where any residential sewer customer is required to connect to a District sewer main, the property owner must apply for a "Will Serve" and pay applicable fees before any tap is provided. Any commercial customer must follow the current Commercial and Developer guidelines. Failure to comply with the above stipulations from the District can result in refusal of service.

SECTION 12. Dwellings meeting exemption requirements in Article II, Section 4 located where the District has both water and sewer mains shall not be able to elect connection to one service and not the other.

SECTION 13. As a condition for authorization to dispose of industrial wastes through the District's sewer system, the industrial applicant for a sewer permit shall provide the District with information describing wastewater constituents and characteristics and the type of activity and quantity of production.

**ARTICLE V
USE OF THE PUBLIC SEWERS**

SECTION 1. No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, subsurface drainage, uncontaminated cooling water or unpolluted industrial process water to any sanitary sewer.

SECTION 2. Storm water 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 District. Industrial cooling water or unpolluted process waters may be discharged, on approval of the District, to a storm sewer, or natural outlet. If you own a building, then you also own the building sewer system that connects your building's plumbing to the public sewer. The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times. Part of your responsibility for business maintenance includes keeping your building sewer system, clear and in good repair.

SECTION 3. Properly designed, operated, and maintained sanitary sewer systems are meant to collect and transport all of the sewage that flows into them to a publicly owned treatment works (POTW). However, occasional unintentional discharges of raw sewage from private owned sanitary sewer systems occur in almost every system. These types of discharges are called sanitary sewer overflows (SSOs). SSOs have a variety of causes, including but not limited to blockages, line breaks, sewer defects that allow storm water and groundwater to overload the system, lapses in sewer system operation and maintenance, power failures, inadequate sewer design and vandalism. The untreated sewage from these overflows can contaminate our waters, causing serious water quality problems, and threaten environmental and public health. A guidance document is available on our website www.wjcu.com to assist with the prevention of sanitary sewer overflows.

No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

- A. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.
- B. Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either single or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant, including but not limited to cyanides in excess of 0.05 mg/l as CN in the wastes as discharge to the public sewer.
- C. Any waters or wastes having a pH lower than 6.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
- D. 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 sewage works such as, but not limited to ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastic, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc. either whole or ground by garbage grinders.

SECTION 4. 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 District that such waste 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 an opinion as to the acceptability of these wastes, the District will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant

and other pertinent factors. The substances prohibited are:

- A. Any liquid or vapor having a temperature higher than 120 degrees Fahrenheit, (49 degrees Celsius).
- B. Any water or waste containing fats, wax, grease or whether emulsified or not, in excess of 150 mg/l or containing substances which may solidify or become viscous at temperatures between 32 and 150 degrees Fahrenheit, (0 and 65 degrees Celsius).
- C. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of 3/4 horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the District.
- D. Any waters or wastes containing strong acid or pickling wastes or concentrated plating solutions whether neutralized or not.
- E. 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 sewage treatment works exceeds the limits established by the District for such materials. (For Industrial Processes Wastes, see Article V, Section 5.)
- F. Any waters or wastes containing phenols or other taste or odor-producing substances, in such concentrations exceeding limits which may be established by the District as necessary, after treatment of the composite sewage, to meet the requirements of the State, Federal or other public agencies of jurisdiction for such discharge to the receiving waters.
- G. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the District in compliance with applicable State or Federal regulations.
- H. Any waters or wastes having a pH in excess of 8.5 or below 6.0.
- I. Materials which exert or cause:
 - 1. 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 chloride and sodium sulfate.)
 - 2. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
 - 3. Unusual BOD, chemical oxygen demand or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
 - 4. Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.
- J. 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.
- K. Any waste prohibited by Environmental Protection Agency standards 40 CFR 403.
- L. Any water or wastes that contain more than ten (10) parts per million by weight of the following gases: hydrogen sulfide, sulfur dioxide, or nitrous oxide.
- M. "Gray Water" as classified by the Mississippi Department of Environmental Quality (MS DEQ), Mississippi Department of Health (MS DOH) and Jackson County Utility Authority.

SECTION 5. All industrial and commercial process wastewater shall be pretreated prior to discharge to the public sewers, if necessary, in accordance with the provisions of the United States Environmental Protection Agency, the Mississippi Department of Environmental Quality, Jackson County Utility Authority, and/or the District, whichever is more stringent. Minimum pretreatment requirements are established by Jackson County Utility Authority generally as follows:

| <u>Parameter</u> | <u>Max. Concentration (mg/l)</u> |
|-----------------------------|----------------------------------|
| BOD5 | 300.0* |
| Suspended Solids (SS) | 300.0* |
| TKN | 30.0* |
| Fats, Oils and Grease (FOG) | 150.0 |
| Arsenic | A* |
| Barium | A* |
| Boron | A* |
| Cadmium | A* |
| Chromium | A* |
| Copper | A* |
| Cyanide | A* |
| Lead | A* |
| Manganese | A* |
| Mercury | A* |
| Nickel | A* |
| Selenium | A* |
| Silver | A* |
| Zinc | A* |

** The determination of limits for these parameters shall be determined solely by Jackson County Utility Authority based on any applicable EPA guidelines, receiving stream water quality standards/criteria, biological process threshold inhibition levels and sludge quality criteria.*

(A) The determination of limits for these parameters shall be based on any applicable EPA categorical industrial guidelines, receiving stream water quality standards/criteria, biological process threshold inhibition levels and sludge quality criteria. Waste-load characterizations shall be submitted by customer to WJCUD for forwarding to Jackson County Utility Authority for their approval and permitting.*

As a condition for authorization to dispose of industrial waste through the District's sewer system, the industrial applicant for a sewer permit shall provide the District with information describing wastewater constituents and characteristics, and the type of activity and quantity of production.

SECTION 6. If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 4 and 5 of this Article and which in the judgment of the District may have a harmful effect upon the sewage works, processes, equipment or receiving waters or which otherwise create a hazard to life or constitute a public nuisance, the District may:

- A. Reject the wastes,
- B. Require pretreatment to an acceptable condition for discharge to the public sewers,
- C. Require control over the quantities and rates of discharge, and/or
- D. Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of Section 10 of this article. If the District permits the pretreatment or equalization of wastes flows, the design and installation of the plants and equipment shall be subject to the review and approval of the District and subject to the requirements of all applicable codes, ordinances and laws.

SECTION 7. Grease, oil and sand interceptors may be required when, in the opinion of the District, they are necessary for the proper handling of wastes through the District's sewer system and the treatment facilities. Refer to ARTICLE VI GREASE CONTROL PROGRAM for further details.

SECTION 8. Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

SECTION 9. When required by the District, 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 accessible and safely located and shall be constructed in accordance with plans approved by the District. The manhole shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times. All upgrades or additions made to sanitary sewer shall be inspected by the District.

SECTION 10. All measurements, tests and analyses of the characteristics of waters 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. (The particular analyses involved will determine whether a 24-hour composite of all out-falls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and Suspended solids analyses are obtained from 24-hour composites of all out-falls whereas pH's are determined from periodic grab samples).

SECTION 11. Omitted.

SECTION 12. Duly authorized representatives, or employees of the District, shall have the right at any reasonable time to go upon or in any premises supplied with water for the purpose of determining the amount of water used on any such premises and for the purpose of inspection and examining the fixtures, appliances, outlets or methods employed in the use of such sewers connected to the District's systems.

SECTION 13. Any person found to be in violation of any WJCUD ordinance shall be served by the District with written notice of the violation, which shall contain the time period to correct the issue in order to avoid a non-compliance fee or legal action. The notice will state the nature of the violation along with the ordinance addressing it. A written plan should be submitted to the District within 14 days of the date of the notice detailing the owner's plan for permanent correction of the deficiency. All ordinances may be viewed at www.wjcud.com. Any property found to have a sanitary sewer overflow (SSO) will have their water service terminated until the sewer overflow has been resolved. Property owners are responsible for reporting any SSO immediately to the District. The SSO will be reported by the District to the MS Department of Environmental Quality (MS DEQ) at (888) 786-0661. A guidance document is available on our website www.wjcud.com to assist with the prevention of sanitary sewer overflows.

In addition, state (i.e. MS DEQ) and local fines (i.e. Jackson County Utility Authority) assessed upon WJCUD for the violation of a commercial property's SSO shall also be assessed against the property owner.

ARTICLE VI GREASE CONTROL PROGRAM

SECTION 1. PURPOSE

The purpose of this article is to control discharges of **Fats, Oil and Grease (FOG)**, waste food and sand into the public sewerage collection system. FOG, waste food and sand interfere with the operation of the sewerage system and cause blockages in the system lines. This Article establishes regulations for the sizing, installation, maintenance and operation of FOG waste food and sand interceptors.

SECTION 2. DEFINITIONS

The words, terms and phrases used in the interpretation and application of this article shall have the following meanings:

- A. Black Water.** Waste water from sanitary fixtures such as toilets and urinals.
- B. Bulk Service Kitchen.** A facility which prepares bulk quantities of food, such as hospitals, schools or caterers.

- C. **Common Grease Interceptor.** A device which receives grease waste from more than one facility having different operators or types of operations
- D. **Customer.** A user of the sanitary sewer system who produces waste from their process operations. The customer is responsible for disposing of the produced waste in accordance with all Federal, State and local disposal regulations.
- E. **Food Courts.** Areas in which multiple food preparation establishments having different owners may be sharing seating space and/or plumbing facilities.
- F. **Food Service Facility (FSF).** Any facility whose operations include cutting, cooking, baking, preparing or serving food or which disposes of food related waste.
- G. **Garbage Grinder.** A device that chops, shreds or grinds up solid or semisolid waste materials into smaller portions for discharge into the sanitary sewer collection system.
- H. **Gray Water.** All wastewater other than "Black Water" as defined in this section of the Article.
- I. **Grease.** A waste material composed primarily from fats and oil of animal and vegetable origins. The terms fats, oil and grease as used in this Article shall be deemed as Grease by definition. Grease does not include petroleum based products.
- J. **Grease Interceptor.** A large tank or device designed and constructed to separate, trap and hold grease substances from the sewage discharge from a facility and to prevent them from entering the sanitary sewer collection system. Grease Interceptors must be located outside of food service facilities.
- K. **Hauler.** An individual or company who transfers waste from the site of a customer/waste producer to an approved disposal or treatment facility.
- L. **NPDES.** Stands for the National Pollution Discharge Elimination System,
- M. **POTW.** Stands for Publicly Owned Treatment Works as defined by Section 212 of the Clean Water Act (33 U.S.C. § 1292). This definition includes the sewer collection system owned by the District.
- N. **Grease Control Program Coordinator.** The individual employed by the District who is responsible for administering and enforcing the Grease Control Program to ensure compliance by users with the applicable laws, rules, regulations, resolutions and ordinances related to the concentration of substances found in the waste discharged into the sewage collection system of the District.
- O. **Sewage.** The liquid and/or water carried domestic, commercial or industrial waste from individual homes, commercial establishments, industrial facilities and institutions, whether treated or untreated. The terms "waste" and "wastewater" shall both be considered Sewage by this definition.
- P. **Sewer Lateral.** A sewer line maintained and controlled by an individual or privately owned establishment for the purpose of conveying sewage from a waste producing location to the District sanitary sewer collection system. Otherwise known as the Building Sewer.
- Q. **Single Service Restaurant.** A restaurant or food service facility that serves meals only on throwaway plates, dishes and utensils.
- R. **Standard Restaurant.** A restaurant or food service facility that serves meals on plates, dishes and utensils that are washed and reused.
- S. **"Under the Sink".** A container designed and constructed to separate, trap and hold fats, oil and grease that is placed under or near sinks or other facilities to prevent the discharge of these waste substances into the sanitary sewer collection system.
- T. **User.** A District customer operating a "food service facility" (FSF) within the District wastewater collection system service area.
- U. **Waste.** The liquid and/or water carried domestic, commercial or industrial waste from

individual homes, commercial establishments, industrial facilities and institutions, whether treated or untreated. Waste may include but not be limited to discharges from sinks, dishwashing machines and floor drains located in areas where grease containing materials may exist. The terms "sewage" and "wastewater" shall be considered Waste by this definition.

SECTION 3. GENERAL CRITERIA

- A. Installation Requirements for New Food Service Facilities.** All proposed or newly remodeled food service facilities located within the District wastewater collection system service area shall be required to install an approved, properly operated and maintained grease interceptor.
- B. Phased Implementation Plan for Existing Food Service Facilities.** All existing food service facilities located within the District wastewater collection system service area are required to conduct their operations in such a manner that grease originating at the facility is captured on the user's premises and then disposed of properly.
1. The District will inspect each Food Service Facility periodically or as necessary to assure that each facility is complying with the intent of the Grease Control Program.
 2. The District will identify and target "grease problem areas" in the wastewater collection system through maintenance records and emergency call outs for grease related sewer problems. All Food Service Facilities located upstream of the identified "grease problem areas" that discharge their wastewater into the "problem" lines will be subject to inspection of their grease interceptor sizing, condition and maintenance records.
 3. Following the inspections, notification will be sent to the inspected food service facilities. The notification will contain an educational brochure on grease in the sewer system, a summary of the Grease Control Program requirements and the results of the inspection. The inspections will result in one of the following actions:
 4. Facilities meeting the intent of the Grease Control Program through the use of appropriate and adequately sized grease interceptors and effective grease control practices will be commended for their compliance.
 5. Facilities not meeting the intent of the Grease Control Program will be required to submit a plan to the District outlining measures to be implemented by the facility to become compliant through improved housekeeping and increased maintenance and pumping of the existing grease interceptor. Follow up inspections will be conducted to determine if the plan is being followed and is successful in bringing the facility into compliance.
 6. Facilities that are not successful in achieving compliance through improved housekeeping, increased maintenance and pumping of existing grease interceptors will be required to install the necessary interceptor or equipment required to bring the facility into compliance. An appropriate amount of time for the improvements to be installed and made operational will be agreed upon between the District and the Customer.
- C. Prohibited Discharges.** Black water shall not be discharged into the grease interceptor unless specifically approved, in writing, by the District.
- D. Floor Drains.** Only floor drains which discharge or have the potential to discharge grease shall be connected to the grease interceptor.
- E. Garbage Grinders and Dishwashers.** It is recommended by the District that solid food waste be disposed of through normal solid waste/garbage disposal procedures. The District discourages the use of garbage grinders that discharge into the sanitary sewer but in the event the device is used in a commercial or industrial facility, it must be connected to the grease interceptor. Using a garbage grinder decreases the operational capacity of the grease interceptor and will require an increased pumping frequency to ensure continuous and effective operation. Commercial dishwasher connections must be connected to the grease interceptor.
- F. Location.** A grease interceptor shall be installed and connected so that it is easily accessible for inspection,

cleaning and removal of the intercepted grease at any time. Grease interceptors must be installed outside of the building it serves. Location of grease interceptors must be approved by the District. The preferred location is on the outside of an outside wall and upstream from the black water drain line.

SECTION 4. DESIGN CRITERIA

- A. Construction of Grease Interceptors.** Grease interceptors shall be constructed in accordance with District standards. A minimum of two compartments with a separation baffle and inlet and outlet fittings designed for grease retention are required components of the grease interceptor. All grease interceptors and grease removal devices are subject to written approval of the District. A standard drawing for the type grease interceptor required by the District is included in Appendix A.
- B. Access.** All grease interceptors shall be constructed in a location outside the building they serve in such a manner that they are accessible for maintenance and inspection at all times. Two manholes shall be provided on each grease interceptor for access. The manhole access points shall be a minimum of one inch above the surrounding grade and shall consist of a cast iron frame and cover.
- C. Load-Bearing Capacity.** If the grease interceptor is located in an area subject to traffic or other loads, it shall be designed to have adequate load bearing capacity.
- D. Inlet and Outlet Piping.** One inlet and one outlet tee shall be provided for each grease interceptor. Wastewater shall enter the grease interceptor only through the inlet tee.
- E. Grease interceptor Sizing.** The required minimum size of a grease interceptor shall be determined using the following formulas-

EPA-1 Procedure for Restaurants (EPA 625/1-80-012, pg. 323)

$$\text{Number of Seats} \times \text{Gallons per meal} \times \text{Storage Factor} \times \text{Number of hours open}/2 \times \text{Loading Factor} = \text{Interceptor Volume (gallons)}$$

Gallons - Wastewater gallons per meal = 5 gallons

Storage Factor -- Minimum = 1.7, Maximum 2.5

Loading Factor -- Minimum, other highway = 0.5

Maximum, interstate freeways = 1.25

Other freeways and recreational freeways = 1.0

Main highways = 0.8

EPA-1 Procedures for Hospitals, Nursing Homes and other commercial Kitchens with varied seating (EPA 625/1-80-012, pg.323)

$$\text{Number of Meals Served per Day} \times \text{Gallons per meal} \times \text{Storage Factor} \times \text{Loading Factor} = \text{Interceptor Volume (gallons)}$$

Gallons -- Wastewater gallons per meal = 4.5

Storage Factor -- Minimum = 1.7, Maximum = 2.5

Loading Factor -- Dishwasher = 1.0

Without dishwasher = 0.75

The minimum size grease interceptor shall be 500 gallons. If the calculated required capacity is in excess of 1,500 gallons, multiple units may be used in series. The District shall evaluate interceptor sizing on an individual basis for food service facilities.

- F. **Upgrades or Changes.** Changes or upgrades proposed to be made to any existing new food service facility that affects grease discharge into the District wastewater collection system must be reported to the District.

SECTION 5. GREASE INTERCEPTOR MAINTENANCE

- A. **Cleaning and Pumping.** The user shall bear all expenses to maintain the grease interceptor. Grease interceptor maintenance shall include the removal of all contents including floating matter, wastewater and sludge. No waste shall be disposed of back into the grease interceptor it was removed from or any other grease interceptor in an effort to reduce the volume of disposed material.
- B. **Cleaning and Pumping Frequency.** The minimum frequency for pumping out of grease interceptors shall be three months unless a more frequent schedule is determined necessary from inspections of the system. Request to extend the cleaning schedule beyond three months must be supported by maintenance records and approval from the District. The grease interceptor must be completely pumped out at each cleaning. A depth of solids measurement equal to or greater than one fourth (25%) of the interceptor's depth shall be considered to be in non-compliance. The depth measurement may be determined by mechanical or electronic measurement.
- C. **Disposal of Grease Interceptor Waste.** Waste removed from grease interceptors must be disposed of at a facility licensed to receive and process such waste. No waste removed from a grease interceptor shall be returned to any portion of the District' sanitary sewer collection system.
- D. **Additives.** Any additive such as enzymes and bacteria introduced into the interceptor or buildings discharge line on a regular basis for the purpose of grease and/or sludge must be reported on the user's maintenance record. The use of additives does not in any way relieve the user from performing the maintenance requirements set forth herein.
- E. **Drain Treatment.** Drain cleaners or acid used to dissolve grease shall be prevented from entering the grease interceptor.
- F. **Records.** A written record must be kept by the user which confirms and tracks pumping, hauling and disposal of waste collected from grease interceptors. The user must keep a copy of the service manifest from the hauler. The user is required to utilize licensed grease disposal service providers.
- G. **Maintenance Log.** A Maintenance Record Log shall be maintained by each facility required to have a grease interceptor that tracks and documents all grease interceptor cleaning and pumping for the previous two year period. The Maintenance Record Log shall be readily available for inspection by the District, Jackson County public health, State & local health officials, and Jackson County Utility Authority, and shall contain records of the date, time, volume pumped, grease disposal service provider and disposal site.

SECTION 6. ADMINISTRATIVE REQUIREMENTS.

- A. **Initial Data Acquisition.** Each Food Service Facility shall be inspected and report completed by the District that contains all of the physical characteristics and a performance evaluation of the grease interceptor. A copy of the report will be furnished to the user and the original shall be maintained by District.
- B. **Inspection Fee.** A fee of \$50.00 may be charged by the District for facilities producing grease discharges to recover expenses for the inspection of grease interceptors and the record keeping associated with the Grease Control Program.
- C. **Monitoring.** The user shall operate, maintain and provide safe accessibility to inspection and monitoring locations (manholes) of the grease interceptor, ample area shall be provided at the monitoring locations for inspection and sampling
- D. **Inspection and Entry.** District personnel with proper credentials and identification shall have the

**ARTICLE VII
PROTECTION FROM DAMAGE**

SECTION 1. No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is part of the sewage works. Any person violating this provision shall be subject to immediate arrest undercharge of disorderly conduct or malicious mischief.

**ARTICLE VIII
POWERS AND AUTHORITY OF INSPECTORS**

- SECTION 1.** The Manager and other duly authorized employees of the District bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing in accordance with the provisions of the Ordinance. The District representatives 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.
- SECTION 2.** While performing the necessary work on private properties referred to in Article VII, Section 1 above, the Manager or duly authorized employee(s) of the District shall observe all safety rules applicable to the premises established by the company. The company is responsible for providing access as required in Article V, Section 9.
- SECTION 3.** The Manager and other duly authorized employees of the District bearing proper credentials and identification shall be permitted to enter all private properties through which the District holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.
- SECTION 4.** All sewer assets and utility easements shall be free of obstructions (including structures, fences, trees, debris, vehicles, etc.) and fully accessible to District employees. Any obstruction that is not removed by the property owner in a specified time given to them or in cases of emergency where property owner cannot be reached, the District may remove such obstruction without liability, compensation or replacement.

**ARTICLE IX
ENFORCEMENT AND PENALTIES**

- SECTION 1.** Any person found to be violating any provision of this ordinance except Article VII shall be served by the District 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.
- SECTION 2.** Any person violating any of the provisions of this ordinance shall become liable to the District for any expense, attorney fees, loss or damage occasioned by the District by reason of such violation.
- SECTION 3.** Any person failing to pay the service charge of the District shall be subject to termination of District utilities until such sum is paid.
- SECTION 4. ENFORCEMENT.**

The enforcement of this Ordinance shall be by the administrative authority of the District. Any user found to be violating or to have violated the requirements of this ordinance is subject to corrective action by the District which may include but not be limited to the following:

- A. Notice of Violation.** Any user found to be in violation of the program requirements may be issued a written notice detailing the infraction. The user shall submit a plan for the satisfactory correction of the deficiency within 14 days of the date of the notice.

- B. Consent Order.** Agreements such as consent orders, assurances of voluntary compliance or other similar documents may be entered into by the District and a user responsible for noncompliance with the program. The agreement shall specify the action to be taken by the user and the time allowed for the noncompliance to be corrected.
- C. Administrative Order.** When a user is found to be in violation of the requirements of this program, the District may issue an order of compliance to the user responsible for the discharge. The order may contain any requirements deemed necessary and appropriate by the District to correct the noncompliance.
- D. Emergency Suspension of Service.** Services may be suspended to a user when deemed necessary by the District in order to prevent an actual or imminent discharge which:
 1. may present in the opinion of the District an endangerment to the public or the environment
 2. causes sanitary sewer overflows as a result of stoppages or requires excessive maintenance to be performed on the sanitary sewer system to prevent stoppages
 3. causes a violation to any of the conditions of the District's operating permits
 4. Any user notified of a suspension of water or sewer service shall immediately cease or eliminate all sewer discharge. If the user fails to voluntarily comply with the suspension order the District may immediately terminate water service. Water services may be reinstated to the user when all conditions causing the suspension have been eliminated or corrected and all required fees have been paid. The user causing the noncompliant discharge shall submit a written statement to the District detailing the cause of the incident and state the actions taken by the user to prevent future occurrences. The statement shall be submitted within 14 days of the occurrence of the discharge violation.
- E. Administrative Penalty.** Any user determined to have violated any provision of this program or any order issued to the user may be assessed an administrative penalty not to exceed ten thousand dollars (\$10,000.00) per violation. Each day on which a violation occurs or continues to occur shall be considered a separate violation. Assessments may be added to the user's next sewer charge and the District shall all collection remedies as are available by law.
- F. Request for Hearing and Appeal.** Any user subjected to a penalty, order or directive of the District issued under the provisions of this program is entitled to a hearing before the District Board of Commissioners. Such appeal or hearing shall be requested in writing within ten days of the issuance of the penalty, order or directive. The requested hearing shall be held in a timely manner and the affected user shall have the opportunity to be heard. The District shall issue a written response to the user requesting the hearing.

**ARTICLE X
VALIDITY**

- SECTION 1.** All ordinances or part of ordinances in conflict herewith are hereby repealed.
- SECTION 2.** The invalidity of any section, clause, sentence or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.
- SECTION 3.** This "Sewer Use Ordinance" is subject to change at any time by a majority vote of the Board of Commissioners of the West Jackson County Utility District, at any regular or special public board meeting.
- SECTION 4.** Whenever the requirements of this Ordinance conflict with any other lawful ordinances, rules, regulations, or codes lawfully enacted by the West Jackson County Utility District, the Jackson County Utility Authority, or any other Local, State or Federal regulatory authority having jurisdiction, the most restrictive law or requirement shall govern.

**ARTICLE XI
ORDINANCE IN FORCE**

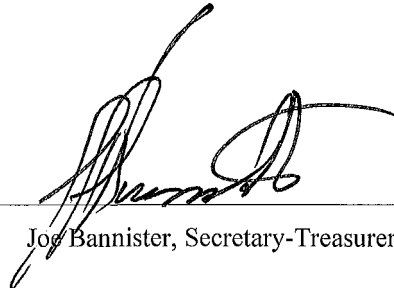
- SECTION 1.** This ordinance shall be in full force and effect from and after its passage, approval, recording and publication as provided by law.
- SECTION 2.** The above Ordinance was first reduced to writing and read and considered by Sections at the April 14, 1997 public meeting of the West Jackson County Utility District and on motion duly made for the adoption of said Ordinance and seconded, the Ordinance was adopted.
- SECTION 3.** This ordinance was duly revised August 27, 2020 and declared same to be in full force and effect according to the law. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

| | |
|-------------------------|-----------|
| Commissioner Montgomery | voted—YES |
| Commissioner Spiers | voted—YES |
| Commissioner Bannister | voted—YES |
| Commissioner David | voted—YES |
| Commissioner Westfall | voted—YES |

I, Joe Bannister, Secretary and official custodian of the records of the West Jackson County Utility District, do hereby certify that the foregoing Sewer Use Ordinance amendments were passed and adopted at a public meeting of said Board and is further a matter of record in its official minutes.

This the 27th day of August, 2020.

SEAL



Joe Bannister, Secretary-Treasurer