

Chapter 160

WATER AND SEWERS

[HISTORY: Adopted by the Town Council of the Town of Grottoes 1-8-1985. Amendments noted where applicable.]

GENERAL REFERENCES

Land development — See Ch. 100.

ARTICLE I General Regulations

§ 160-1. Connection required.

- A. It shall be unlawful for the owner of any house or other building to be used for human habitation to occupy or to rent or to lease the same for occupancy by any person, or for any person to occupy the same, until such house or other building so to be used for human habitation shall have been provided with a supply of water, as described in this chapter, and until it shall be properly connected with the Town sewer system, if available, or be provided with a sanitary closet connected with a sewer system or septic tank.
- B. If any landlord shall fail to supply any house or other building of his or hers with such connections or method of disposal of sewage and such a supply of water, his or her tenants shall supply the same in conformity with the orders of the Health Officer or other designated official and may deduct the cost thereof from any sum due the landlord for rent.
- C. This section shall not apply to any house or other building constructed prior to March 1, 1970.

§ 160-2. Recreation or construction camps.

It shall be unlawful for any person to maintain or to rent or lease any recreation or construction camp or camping place for tourists or to use any building or tent for protracted meetings until such camp, camping place, building or tent is supplied with sanitary closets connected with a sewer system or septic tank.

§ 160-3. Compliance of sewers required.

No individual sewage system shall be permitted on any lot within the corporate limits of the Town unless such system is designed, located and constructed in accordance with the requirements, standards and recommendations of the Health Officer or other designated official.

§ 160-4. Disposal of human excrement.

- A. No person shall maintain or permit on premises owned by him or her within the Town any arrangements for the disposal of human excrement which may possibly endanger a source of drinking water or be accessible to flies or animals.
- B. No person shall deposit human excrement upon the surface of the ground or other place within the Town where it may be exposed to flies or animals.

ARTICLE II
Water and Sewer Systems

§ 160-5. Private systems prohibited.

For the promotion of the health and general welfare of the general public, it shall be unlawful for any person other than the Town of Grottoes to furnish any water to any other person within the corporate limits of the Town where Town water is available.

§ 160-6. Supervision of systems. [Amended 7-8-1996]

- A. The water and sewer systems of the Town shall be under the immediate supervision of the Town Superintendent and the Committee on Water and Sewer. The Town Superintendent shall exercise immediate control of the water system.
- B. The Town Superintendent shall have supervision over the water and sewer systems and all pipes, plugs and other properties in any way connected therewith. The Town Superintendent shall keep all parts of the machinery and equipment in connection with the systems in good order and repair. He or she shall keep a map showing the location of the main pipes and length and size of each of them. When there is an extension of any main pipe, he or she shall mark on the map the place of the extension, size of pipe used and other related information and shall keep an account of the cost of material and labor used in making such extension. He or she shall keep a record of all branch pipes, hydrants and other connections with the water and sewer systems.

§ 160-7. Enforcement. [Amended 7-8-1996]

The Committee on Water and Sewer shall see that all provisions of this code and other ordinances of the Town and state law, the general object of which is to safeguard public health against injurious effects arising from impurities and contamination, unsanitary or other objectionable conditions affecting the water supply of the Town, are strictly enforced.

§ 160-8. General provisions. [Amended 7-8-1996]

All connections to the Town water system shall be made as provided in this article and only upon order of the Town agent.

§ 160-9. Application for service.

Whenever any person owning property in the Town along the line of any water main, or who lives outside of Town and desires Town water service, shall desire the introduction of water into such premises, he or she shall make written application therefor to the Town Superintendent. Such application shall set forth the name of the applicant, the location of the property into which the water is to be introduced, the purposes for which the water is to be used and the name of the plumber who is to do the work incident to the introduction of water into the premises. Such application shall also contain a provision which, upon acceptance of the application by the Town Superintendent and subsequent connection for the service pipe with the main, will obligate the owner of the premises to pay for all water furnished pursuant to such application. The Town Superintendent shall not cause water to be furnished at any water connection until the owner of the premises has agreed to pay for all water furnished.

§ 160-10. Extension of service within Town limits. [Amended 12-3-1985; 2-14-2011]

Upon approval of an application for a connection as set out in § 160-9 of this chapter, the applicant shall be entitled to extend a water service lateral from the closest feasible point on the existing system to the water meter box and yoke nearest the property line of the applicant. The applicant shall be responsible for constructing the water line and shall also bear the cost of construction of the system from the water meter box to the structure being served. All construction shall conform to Town specifications and shall be inspected and approved upon completion. Upon completion and approval by the Town, the newly constructed water service lateral and related structures to and including the water meter box shall be part of the Town system, owned, operated and maintained by the Town.

§ 160-11. Extension of main water lines within Town limits. [Amended 12-3-1985]

Extension of main water lines within the Town limits shall be at the expense of the applicant whose request for water service requires such extension. Upon application for such service the Town, at its option, may construct the main lines and related structures upon prepayment of the estimated cost of construction, plus 20%. If the Town declines, then the applicant may construct said lines and structures pursuant to § 160-12 of this chapter. Upon completion of construction, the actual cost shall be determined, and if the amount prepaid to the Town exceeds the actual cost plus 20%, the excess shall be returned to the applicant; if there is a deficiency, the applicant shall pay the amount to the Town.

§ 160-12. Right of property owners to extend service. [Amended 12-3-1985; 1-13-1987]

- A. When service is requested to an area not presently served by the Town water system and it is determined by the Town to be economically unfeasible to extend the service, the person, firm or contractor may extend the service at his, her or its expense if approved by the Town Council. All construction shall conform to Town specifications.
- B. Upon completion and approval by the Town, the newly constructed lines and structures shall become part of the Town system, owned, operated and maintained

by the Town, and the Town shall have the right to connect with and furnish water service through such system to other property owners without approval or payment to the party who constructed said lines and structures.¹

§ 160-13. Extension of service within corporate limits. [Amended 12-3-1985]

If the Town Council determines it to be in the best interests of the Town to extend its existing water lines partly or wholly at Town expense, it may enter into agreements with individual landowners or developers whereby such extensions of existing water lines shall be accomplished and the costs thereof shared as mutually agreed; or, in the proper case, the Town Council may resolve to extend the Town water system wholly at Town expense. In determining the best interests of the Town, the Council shall consider the number of potential connections which such extension of the system might be expected to facilitate, the enhancement to the value or capability of the existing system that would result from such extension, the value of any easements that would be granted to the Town under such agreements, the potential for increased employment opportunities and economic development that might reasonably be expected to result from such an extension and the increased revenue the Town could be expected to derive from utility service charges and taxes in respect to future development.

§ 160-14. Connection requirements.

- A. Each individual residential, business or other unit shall be required to have a separate connection and meter, unless otherwise authorized by the Council.
- B. A stopcock or valve located between the meter and the first service connection on any line shall be required on all connections to the Town water system made after the effective date of this chapter. Each stopcock or valve shall be in place prior to attachment to the Town water system.

§ 160-15. Connections outside of Town.

No water shall be supplied by the Town to any person outside the corporate limits of the Town, except upon express permission granted by the Council.

§ 160-16. Water hookup fees. [Amended 1-8-1985; 11-10-1987; 4-8-1991; 10-10-1994; 7-8-1996; 1-9-2006]

- A. The connection fee will provide for permission to connect to the Town's water system, and for the equipment described below.
- B. The Town shall furnish the water setter, and the water meter for complete water service and shall, consistent with remaining water system ordinances, turn on the water when requested to do so by the property owner or occupant of the premises. The property owner shall supply all other equipment necessary for the connection, including water pipes and the water meter box, and shall also furnish all labor.

¹. Former Subsection C, regarding reimbursement of costs to construct water lines, as amended, was repealed 2-14-2011.

- C. Before a connection to the Town water system shall be made, the applicant shall pay to the Town Treasurer the charges set forth in Chapter A171, Fees.
- D. (Reserved)
- E. Once paid, the connection fee is valid for 90 days. The actual physical connection to the Town sewer system shall be completed within 90 days from the date of payment of the connection fee. If the connection is not made and an occupancy permit is not issued within said ninety-day period, the property owner shall pay to the Town an amount equal to any increases in the connection fee which may have taken effect between the date of the original payment and the date on which the occupancy permit is issued.
- F. This section will in no way supersede any prior agreements with the Town where payments are being made in a timely manner.

§ 160-17. Duties of Town Superintendent.

- A. Water cutoffs shall be made by the Town Superintendent.
- B. Every person occupying a lot or tenement into which water is conveyed from the Town water system shall permit the Town Superintendent to enter such lot or tenement at reasonable hours to inspect the work therein or to see if the provisions of this chapter and other ordinances of the Town relative to the water system are being or have been violated.

§ 160-18. Restricted acts.

- A. Any person who shall use water from the Town's water system without having obtained the right to do so shall be guilty of a misdemeanor.
- B. No person who is not a member of the Fire Company shall use or manipulate, unless by order of the Town Superintendent or Fire Chief, any of the fire plugs or hydrants of the Town.
- C. No person shall bathe in the reservoirs of the Town water system. [Amended 7-8-1996]
- D. No person shall deposit any offensive matter or any sticks, mud or rubbish in the reservoir of the Town water system. No person shall knowingly or willfully cast any dead animals or any other noxious substance or matter or what is commonly known as "bait" into any of the streams, reservoirs or other sources of the Town water supply nor drown and leave or cause to be drowned and left any animal therein or to do any other similar act by reason of which the health of any person is affected or the water supply of the Town is rendered impure or offensive. [Amended 7-8-1996]
- E. No person shall, without lawful authority, climb over or get through or break into the enclosure of the reservoir or well lots of the Town water system. [Amended 7-8-1996]

- F. No person shall place any building material, rubbish or other matter at the stopcock, street main or service pipe or obstruct access to any fixture connected with the waterworks.
- G. No person shall remove or injure any pipe, fireplug, hydrant, cock or other part of the Town water system.
- H. No person shall open any pipe, fireplug, hydrant, cock or other part of the Town water system so as to waste water.

ARTICLE III
Cross-Connections

§ 160-19. Restrictions.

No person shall make or permit to be made to the Town water system or to any private water line connected thereto any connection from a private well, reservoir, spring or other private source of water supply, whether such connection is made on or off the property of such person; provided, however, that the Town Superintendent may allow such cross-connection to be made where, in his or her judgment, no contamination of the Town water supply will result therefrom. In no case, however, shall any cross-connection be made, except under the authority of a written permit from the Town Superintendent, and except further in accordance with plans and specifications approved by the Town Superintendent. All such cross-connections, where made, shall be inspected and approved from time to time by the proper officials of the Water Department of the Town. The Town Superintendent shall have power to revoke the permit allowing such cross-connection at any time such cross-connection does not pass inspection or it is to the best interest of the public that such cross-connection be discontinued.

§ 160-20. Title.

The provisions set forth in this article shall constitute and be known and cited as the "Cross-Connection Control Program, Town of Grottoes, Virginia."

§ 160-21. Definitions.

As used in this article, the following terms shall have the meanings indicated:

AIR GAP — The unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture or other device and the flood level rim of the receptacle. This distance shall be two times the diameter of the outlet. In case of near-walls, this distance shall be three times the diameter of the outlet.

ASPIRATOR — A fitting or device supplied with water or other fluid under positive pressure which passes through an integral orifice or constriction causing a vacuum. Aspirators are often referred to as "suction" apparatus and are similar in operation to an ejector.

AUXILIARY SUPPLY — Any water source or system other than public water supply that may be available in the building or premises.

BACKFLOW — The flow of water or other liquids, mixtures or substances into the distributing pipes of a potable supply of water from any source or sources other than its intended source. Backsiphoning and back pressure are types of backflow.

BACKFLOW CONNECTION — Any arrangement whereby backflow can occur.

BACKFLOW PREVENTER — A device or means to prevent backflow.

BACKFLOW PREVENTER, REDUCED-PRESSURE-ZONE-TYPE — An assembly of differential valves and check valves, including an automatically opened spillage port to the atmosphere.

BACKSIPHONING — The flowing back of used, contaminated or polluted water from a plumbing fixture or vessel or other sources into a potable water supply pipe due to a negative pressure in such pipe.

BUREAU — Commonwealth of Virginia Department of Health, Bureau of Sanitary Engineering.

CONTAMINATION — Any introduction into pure water of microorganisms, wastes, undesirable chemicals or gases.

CROSS-CONNECTION — Any physical connection or arrangement between two otherwise separate piping systems, one of which contains potable water and the other either water of unknown or questionable safety or steam, gas or chemicals whereby there may be a flow from one system to the other, the direction of flow depending on the pressure differential between the two system. Furthermore, it is any potable water supply outlet which is submerged or can be submerged in waste and/or other source of contamination.

DOUBLE CHECK VALVE ASSEMBLY — An assembly of two internally loaded, specially designed and independently operating check valves together with a tightly closing shutoff valve on the upstream and the downstream side of the check valves and equipped with properly placed female threaded test cocks.

EXISTING GROUND LEVEL — The level above which surface water will not accumulate under normal conditions.

FLOOD LEVEL RIM — The edge of the receptacle from which water overflows.

HAZARD — Any conditions, devices or practices in the Town of Grottoes' water distribution system and its operation which create, or may tend to create, in the judgment of the Superintendent, a danger to the health and well-being of the consumer.

OWNER or DESIGNATED AGENT — The person or persons in charge, care and/or control of the property; the tenant; the consumer who signed the water service agreement.

POLLUTION — The presence of any foreign substance (chemical, physical, radiological or biological) in water that tends to degrade the quality so as to constitute an unnecessary risk or impair the usefulness of the water.

SERVICE CONNECTION — The terminal end of a service line from the water system on the downstream side of the meter.

SERVICE LINE — That portion of the water line from the consumer's side of the meter to the first water outlet.

SUPERINTENDENT — The Town Superintendent of the Town of Grottoes or any other person designated by the Town Council.

TOXIC — Any substance of solids or liquids harmful for human consumption.

VACUUM BREAKER, ATMOSPHERIC — A vacuum breaker which is not designed to be subjected to static line pressure.

VACUUM BREAKER, PRESSURE-TYPE — A vacuum breaker designed to operate under conditions of static line pressure.

§ 160-22. Establishment of program.

There is hereby established a Cross-Connection Control Program which shall be in the charge of the Superintendent.

§ 160-23. Purpose.

The purpose of this article is:

- A. To protect the public potable water supply of the Town of Grottoes and the Town's complete water distribution system from the possibility of contamination or pollution by isolating within its customer's internal distribution systems such contaminants or pollutants which could backflow into the public water supply system.
- B. To eliminate or control the existing cross-connection, actual or potential, at each water outlet from the consumer's service line.
- C. To provide for the maintenance of a continuing program of cross-connection which will systematically and effectively prevent the contamination or pollution of the potable water system.

§ 160-24. Responsibility of Town.

The Town of Grottoes, as the purveyor, recognizes a responsibility to provide its customers, at the service connection, with safe, potable water under all foreseeable circumstances. Thus, in the exercise of this responsibility, the water purveyor must take reasonable precaution to protect the distribution system from the hazards originating on the premises of its customers. Such hazards exist in cross-connections and potential cross-connections within the water distribution system.

§ 160-25. Conformance.

It is realized that a Cross-Connection Control Program is regulatory in nature and is, therefore, in conformance with the rules, regulations and recommendations of the Plumbing Code enforcing agency of the Town of Grottoes. The requirements of this program are in conformity with the waterworks regulations approved by the State Board of Health and the Plumbing Code.

§ 160-26. Inspections.

- A. The Superintendent or his or her designated agent shall inspect the plumbing in every building or premises in the Town of Grottoes as frequently as in his or her judgment may be necessary to ensure that such plumbing has been installed and is maintained in such a manner as to prevent the possibility of pollution or contamination of the public water supply. The Superintendent shall notify or cause to be notified, in writing, the owner or his or her designated agent of any such building or premises to correct, within a reasonable time set by the Superintendent, any plumbing installed or existing contrary to or in violation of this article and which in his or her judgment may, therefore, permit the pollution of the Town water supply or otherwise adversely affect the public health.
- B. Under this article, the Superintendent or his or her duly authorized representative shall have the right to enter any building, structure or premises to perform an inspection as imposed upon him or her by the regulations as set forth in this article.

§ 160-27. Appeals.

The Committee on Water of the Town Council shall act as the appeal board to which the owner or his or her designated agent may submit, in writing, to the Chairman, his or her desire to appeal the violations found during the inspection of his or her property by the Superintendent or his or her duly authorized agent.

§ 160-28. Cross-connection control.

- A. A potable water supply system shall be designed, installed and maintained in such manner as to prevent contamination from nonpotable liquids, solids or gases, either harmful or benign, from being introduced into the potable water supply through cross-connections or any other piping connections to the system. This is accomplished by protecting every water outlet from the potable water system which poses a possible cross-connection. Wherever these outlets cannot be protected in accordance with the minimum air gap, they require a mechanical device to prevent backflow from backsiphoning or back pressure as appropriate according to the degree of hazard. In cases where, in the judgment of the Superintendent, water usage is sufficiently complex or the severity of the hazard warrants, an air gap or backflow prevention device may be required immediately downstream from the service connection or at a point approved by the Superintendent.
- B. Types of connections shall be as follows:

Table of Types of Connection

Type of Connection	Air Gap	Nonpressure Vacuum Breaker	Pressure Vacuum Breaker	Double Check Valve Assembly	Reduced Pressure Backflow Assembly Prevention
Direct water connection subject to back pressure from					
Pumps, tanks and lines containing:					
Sewage substances	x				x
Toxic substances	x				x
Nontoxic substances	x			x	x
Steam lines and steam boilers:					
Boiler or steam connection to toxic substances*	x			x	x
Boiler or steam connection to nontoxic substances (boiler blowoff or drains not connected directly to sewer)					
Inlet-type water connections not subject to back pressure:					
Waste line (not subject to back pressure due to waste line stoppages)	x	x	x		x
Low inlet to receptacles containing toxic substances*	x	x	x		x
Low inlet to receptacles containing nontoxic substances	x	x	x	x	x
Low inlet into domestic water tanks		No protection required			
Lawn sprinkler systems	x	x	x		x
Coils or jackets used as heat exchangers in compressors, degreasers or other equipment:					
In toxic substances*	x	x	x		x
In nontoxic substances		No protection required			
Flush valve toilets		x			
Toilet and urinal tanks	x	x			
Trough urinals		x			
Valved outlet or fixtures with hose attachments which may constitute a cross-connection:					
Toxic substances*	x	x	x		x

*Nontoxic substances

x

x

x

x

x

NOTES:

*Depending on degree of toxicity.

- C. The above is to be used as a guide. In some cases more stringent cross-connection control may be required at the discretion of the Superintendent.

§ 160-29. Control regulations.

- A. Auxiliary supplies. Cross-connection between potable water systems with wells and other systems or equipment containing water or other substances of unknown or questionable safety are prohibited, except when and where, as approved by the Superintendent, suitable protective devices such as the reduced pressure zone backflow preventer are installed, maintained and tested to ensure proper operation on a continuing basis.
- B. Boilers. Potable water inlet connections to boilers shall be made through an air gap or provided with an approved backflow preventer.
- C. Refrigerating unit condensers, cooling jackets and air-conditioning cooling systems. Potable water inlet connections shall be air gapped or provided with an approved backflow preventer.
- D. Fire service systems.
- (1) Systems having direct connections to the waterworks, plus one or more of the following: approved storage tanks, fire pumps taking suction from approved storage tanks and with all facilities served by the waterworks, must provide an air gap, an approved double gate - double check valve assembly or a reduced pressure principle backflow preventer (RP device). Storage facilities must meet the requirements for pure water storage, and the water in the tank must be maintained in a pure water condition.
 - (2) Systems having direct connections to the waterworks and with an auxiliary supply within 1,700 feet of the pump connection must provide an air gap, a double gate - double check valve assembly or an RP device depending on the quality of the auxiliary supply. A pump connection adjacent to a river, pond or other raw water sources requires an air gap. An auxiliary source from an approved water supply requires either of the two mechanical devices.
 - (3) Systems having direct connections to the waterworks and interconnections with auxiliary supplies, such as pumps taking suction from raw water sources, exposed storage tanks, industrial water supplies, connections to unapproved groundwaters or where antifreeze or other chemicals are added, must provide an air gap.

- (4) Systems having direct connections to the waterworks from buildings having combined industrial and fire systems, whether with or without storage tanks or pump connections, must provide an air gap.
- E. Hose outlets. Vacuum breakers approved by the Superintendent shall be required on all hose outlets, to include hose bibbs, wall hydrants, sill socks and any sink outlet that will permit any type of hose connection to be connected thereto.
- F. Sewer cleanout. An approved backflow preventer device between hydrant and hose shall be installed before using the hose for flushing storm drains and sewers.
- G. Irrigation and sprinkler system. An approved backflow prevention device shall be installed. Systems having direct connections to waterworks serving lawn sprinkler or irrigation systems must provide an air gap, double gate - double check valve assembly or an RP device. If the sprinkler or irrigation system is also connected to an auxiliary source, an adequate design must be provided to prevent backflow.
- H. Low-pressure cutoff required on booster pumps. When a booster pump is used on a water pressure booster system and the possibility exists that a positive pressure of 10 psi or less may occur on the suction side of the pump, there shall be installed a low-pressure cutoff on the booster pump to prevent the creation of a vacuum or negative pressure on the suction side of the pump, thus cutting off water to other outlets.
- I. Service line protection. Wherever it is determined by the Superintendent that the potential hazard within a premises requires isolation from the system, an approved backflow preventer will be installed on the service line. Whenever continuous service is imperative, a pair of backflow preventers may be installed in parallel.
- J. Tanks and vats.
 - (1) Where a potable water outlet terminates below the flood level rim of a tank or vat and the tank or vat has an overflow of diameter not less than given in the table below, the overflow pipe shall be provided with an air gap as close to the tank as practical.

Sizes of Overflow Pipe for Water Supply Tanks

Maximum Capacity of Water Supply Line To Tank (gpm)	Diameter of Overflow Pipe (inches ID)
0 to 50	2
50 to 100	2 1/2
100 to 200	3
200 to 400	4
400 to 700	5
700 to 1,000	6
1,000 to 1,500	8

- (2) The potable water outlet to the tank or vat shall terminate a distance not less than 1 1/2 times the height to which water can rise in the tank above the top of the overflow.
- K. Protective devices required. Approved devices to protect against backpressure and backsiphoning shall be installed at all fixtures and equipment where backflow may occur and where a minimum air gap cannot be provided between the water outlet to the fixture or equipment and its flood level rim.
- (1) Connections not subject to back pressure. An approved backflow preventer shall be installed on the discharge side of the last valve on the line serving the fixture or equipment.
 - (2) Connections subject to back pressure. An approved backflow preventer shall be installed on the discharge side of the last valve on the line serving the fixture or equipment.
- L. Double check valve assembly. The Superintendent may authorize installation of approved double check - double gate valve assemblies with test cocks as protective devices against backflow in connections between a potable water system and other fluids which, in the judgment of the Superintendent, present no significant health hazards.

§ 160-30. Backflow prevention devices.

- A. Approval.
- (1) Devices for the prevention of backflow should be tested and certified to meet the standards of one or more of the below-listed agencies:
 - (a) American Society of Sanitary Engineers (ASSE).
 - (b) American Water Works Association (AWWA).
 - (c) American National Standards Institute (ANSI).
 - (d) University of Southern California Foundation for Cross-Connection Control.
 - (e) Department of Health, Education and Welfare list of accepted equipment for interstate carriers.
 - (2) Final approval for use rests with the Superintendent and the Bureau.
- B. Certified plans. Certified plans for the following types of facilities shall be submitted, in duplicate, to the Superintendent prior to construction. An approved copy shall be forwarded to the Bureau.
- (1) Hospital, mortuaries, clinics and nursing homes.
 - (2) Laboratories.

- (3) All swimming pools.
- (4) Sewage treatment plants, sewage pumping stations or stormwater pumping stations.
- (5) Food and beverage processing plants.
- (6) Chemical plants and dyeing plants.
- (7) Metal plating industries.
- (8) Petroleum processing or storage plants.
- (9) Radioactive materials processing plants or nuclear reactors.
- (10) Car washes.
- (11) Lawn sprinkler systems and irrigation systems.
- (12) Fire service systems.
- (13) Farms where the water is used for other than household purposes.
- (14) Others specified by the purveyor and/or the Bureau when reasonable cause can be shown for a potential backflow or cross-connection hazard.

C. Installation.

- (1) Backflow-preventing devices shall be accessibly located, preferably in the same room with the fixture they serve. In all cases, installation will be in accordance with the manufacturer's recommendations.
- (2) Atmospheric vacuum breakers shall be installed with the critical level at least six inches above the flood level rim of the fixture they service and on the discharge side of the last control valve to the fixture.
- (3) Pressure vacuum breakers shall be installed with the critical level at least 12 inches above the flood level rim of the fixture they serve.
- (4) Reduced-pressure principle backflow preventers and double check valve assembly shall be installed a minimum of 12 inches above existing ground level in an easily accessible location for testing and maintenance.

§ 160-31. Testing.

- A. General. It shall be the duty of the owner on any premises where backflow protective devices are installed to have competent inspections made at least once a year or more often in those instances where successive inspections indicate. These inspections must be made by a backflow prevention device tester certified by the Superintendent. The devices shall be tested, repaired, overhauled or replaced as required at the expense of the water user. Records of such tests, repairs and overhaul shall be kept by the certified tester, a copy of which shall be sent to the Director.

- B. Certification of testers. Plumbers, maintenance personnel, employees of owners or owners of backflow prevention devices may become certified by the Superintendent to test and inspect such devices by successfully completing the written and performance examination to the satisfaction of the Superintendent or by such other procedures as the Superintendent may prescribe.
- C. Classes of certification.
- (1) A "single device tester" is a person who has been qualified to test and inspect a specific device at a single location.
 - (2) A "limited tester" is a person who has been trained and is qualified to perform the periodic testing and inspection on the devices contained within a specific plant or institution.
 - (3) A "general tester" is a registered plumber who has been trained and is qualified to perform the periodic testing and inspection on all approved devices.
- D. Certificates.
- (1) Examination of backflow prevention device testers shall be given at such times as may be fixed by the Superintendent, notice of which shall be given at least three days in advance to those who have filed applications for certification.
 - (2) In case of the failure of an applicant to pass such examination, he or she shall be eligible for reexamination at the next scheduled examination.
 - (3) The holder of a certificate of backflow prevention device tester, as herein provided, shall annually renew his or her certificate. Such renewal certificates shall be granted upon written application showing his or her purposes and that conditions remain unchanged, unless it is made to appear by affidavit filed with the Superintendent charging that the applicant is no longer competent or entitled to such renewal certificate, in which event the renewal certificate shall not be granted until the applicant shall have the examination hereinbefore required.
 - (4) All certificates shall be valid for one year from the date of issue, provided that any certificate may be revoked by the Superintendent at any time upon sufficient written and sworn charges filed with the Superintendent showing the holder of the certificate to be then incompetent or guilty of a willful breach of the rules, regulations or requirements of the Superintendent or the laws of this article or other causes sufficient for the revocation of his or her certificate, of which charges and hearing the holder of such certificate shall have written notice and shall have the right to be heard.
 - (5) If any such certificate is not renewed for a period of six months after expiration date, the holder to whom the same was issued shall not be permitted to engage in such occupation, nor shall a certificate be issued to him

or her, unless and until he or she shall have made application and been examined in accordance with the above-described procedure.

§ 160-32. Notification of violation.

- A. The Superintendent shall notify the owner or authorized agent of the owner of the building or premises in which there is found a violation of this article of such violation. The Superintendent shall set a reasonable time for the owner to have the violation removed or corrected. Upon failure of the owner to have the defect corrected by the end of the specified time interval, the Superintendent may, if in his or her judgment a health hazard exists, cause the water service to the building or premises to be terminated. Such action will be effected by written notification to the waterworks.
- B. Fines. The owner or authorized agent of the owner responsible for the maintenance of the plumbing systems in the building who knowingly permits a violation to remain uncorrected after the expiration of time set by the Superintendent shall, upon conviction thereof by the court, be required to pay a fine as provided in § 160-78. Each day of failure to comply with the requirements of this chapter, after the specified time, shall constitute a separate violation. [Amended 7-8-1996]

§ 160-33. Order required to turn on water.

Water shall not be turned on in any house or private service except by the order of the Town Superintendent; provided, however, that this section shall not be construed to prohibit duly licensed and bonded plumbers from turning water into any such pipes to test the same or for purposes of testing the plumbing connected thereto.

§ 160-34. Emergency restrictions on water. [Amended 8-12-2002]

- A. Should the Town Council, at any time, declare there to be an emergency existing in the Town arising out of a shortage in the water supply, the following plans of action shall be implemented as directed by the Town Council's declaration:
 - (1) Voluntary conservation action. Upon declaration of voluntary conservation by the Town Council, the Town Manager shall undertake such steps as necessary to broadcast an appeal to the Town's water customers for self-imposed restrictions and efficient use of water. The contents of the appeal shall target the education of the Town's water customers regarding American Water Works Association recommended steps for conservation practices. [Amended 2-8-2010]
 - (2) Mandatory conservation actions.
 - (a) Upon declaration of mandatory conservation by the Town Council, the Town Manager shall order the restriction or prohibition of any or all of the following uses of the water supply: [Amended 2-8-2010]
 - [1] All users of fire hydrants except for necessary governmental operations.

- [2] Watering of shrubbery, trees, lawns, grass, plants or other vegetation, except from a watering can or other container not exceeding three gallons in capacity.
 - [3] Washing of automobiles, trucks, trailers or any other type of mobile equipment, except in facilities operating with a water recycling system approved by the Town, or except from a bucket or other container not exceeding three gallons in capacity; provided, further, that any facility operating with an approved water recycling system must prominently display, in public view, a sign stating that such a recycling system is in operation.
 - [4] Washing of sidewalks, streets, driveways, parking areas, service stations, exteriors of homes, apartment, commercial or industrial buildings or any other outdoor surface, except from a bucket or other container not exceeding three gallons in capacity.
 - [5] The operation of any ornamental fountain or other structure making a similar use of water.
 - [6] The filling of swimming or wading pools or the refilling of swimming or wading pools, which were drained after the effective date of the order.
 - [7] The serving of drinking water in restaurants, cafeterias or any other establishment, unless requested to do so by the individual being served.
- (b) The above restrictions, or any of them, shall become effective upon their being printed in the newspaper having general circulation in the Town, and/or being broadcast upon any radio or television station serving the Town.
 - (c) In addition to the above mandatory restrictions, the effective rate for water shall be increased per 1,000 gallons, based on the degree of severity of the water shortage as determined by the Town Council, as set forth in Chapter A171, Fees, and shall be set by resolution of the Town Council.
 - (d) Appeals board.
 - [1] Upon implementation of the mandatory conservation above, the Mayor or designee of Town Council shall appoint an appeals board consisting of three representatives, one from the Manager's office, one from the Town's Water Department, and one from the Town's Finance Department. The Town Attorney or his designee shall serve as legal counsel to the appeals board. [Amended 2-8-2010]
 - [2] The appeals board shall be empowered to review customer applications for exemptions from the provisions of the mandatory conservation on a case-by-case basis and, if warranted, to make

equitable adjustments to such provisions. The board shall also be empowered to establish regulations governing the granting of temporary exemptions applicable to all or some of the users of the water supply as set forth. The board shall, in deciding applications, balance economic and other hardships to the applicant resulting from the imposition of water use restrictions or allocations against the individual and cumulative impacts to the water supply resulting from the granting of exemptions. Individual applications shall be decided by the board within two weeks of receipt of an application in proper form and containing all necessary information.

- (3) Emergency conservation action. Should all of the measures taken pursuant to Subsection A(1) and (2) of this section prove insufficient to preserve sufficient supplies of water for the citizens of the Town, upon the declaration of emergency conservation by the Town Council, the Superintendent, after consultation with the Waterworks Supervisor, shall be authorized to restrict or discontinue the supply of water to any industrial or commercial activity which uses water beyond the sanitary and drinking needs of its employees and invitees. Residential customers shall be rationed monthly allotments of 75% of the previous year's monthly use, subject to a monthly surcharge or \$25 for exceeding the limit. Minimum bills shall be exempt.
- B. Penalty. Any person violating any provision of this section or any order of the Town Manager or Waterworks Supervisor issued pursuant to the authority granted hereunder shall be warned of the violation and notified of the need for immediate corrective action. Should the action continue the person shall be guilty of a Class 3 misdemeanor. In addition, the Town Manager or Waterworks Supervisor is hereby authorized to discontinue the water service, for one day per each offense, to any person convicted of such violations and to assess the normal reconnection fee for delinquency as penalty for such offense. [Amended 2-8-2010]
- C. Rescinding orders. Nothing in this section shall be construed to prohibit the Town Manager, after consultation with the Waterworks Supervisor, from rescinding any order issued hereunder when the conditions creating the need for such orders have abated. [Amended 2-8-2010]

ARTICLE IV Charges and Meters

§ 160-35. General regulations.

- A. All water furnished by the Town shall be, wherever practicable, measured by meters furnished and installed by the Town for that purpose. Such water meters shall be the property of the Town and shall be, unless otherwise authorized by the Town Superintendent, placed as near the property line as possible and on property owned by the Town.
- B. All meters installed upon water service lines of the Town shall be the property of the Town. For each meter installed there shall be paid to the Town as a deposit

against future prompt payment of water bills a sum as set forth in Chapter A171, Fees, adopted by the Town Council, to be collected when the meter is placed in use. This deposit would be in addition to a similar deposit against future prompt payment of sewer bills as prescribed in § 160-76. In any case where a meter larger than five-eighths-by-three-fourths-inch or three-fourths-inch meter shall be deemed necessary by the Town or its agent, the cost of the larger meter less the cost of a five-eighths-by-three-fourths-inch or three-fourths-inch meter shall be borne by the property owner or user. [Amended 9-9-1986]

§ 160-36. Meter readings.

All water passing through the meter installed for the measurement of water supplied by the Town shall be paid for according to meter readings at the rate prescribed by the Council, whether used or wasted.

§ 160-37. Water rates. [Amended 5-12-1987; 8-8-1989; 8-10-1992; 8-10-1993]

- A. The water rates shall be as set forth in Chapter A171, Fees, and shall be set by resolution of the Town Council. [Amended 7-8-1996]
- B. For the purposes of this chapter, one basic charge as shown in Chapter A171, Fees (for the first 4,000 gallons), shall apply for each of the following users, particular residence, business or other location:
 - (1) A single-family residence.
 - (2) A business or other commercial purpose, to include any uses, activities, purposes or undertakings for which a license tax is prescribed by Chapter 144, Taxation, of the Code of the Town of Grottoes, whether or not such tax has actually been paid or demanded, and every such business shall constitute a separate use.
 - (3) A business or other commercial purpose for which no license tax is prescribed by Chapter 144, Taxation, of the Code of the Town of Grottoes, and every such business shall constitute a separate use.
 - (4) An apartment; provided, however, that each apartment unit shall constitute a separate use. [Amended 7-8-1996]

§ 160-38. Penalty for nonpayment. [Amended 9-9-1986]

If any water bill is not paid within 30 days after having been mailed by the Treasurer, a penalty charge shall be assessed in the amount of 10% of the total water, sewer, if applicable, and trash removal, if applicable, billing. If any water bill is not paid within 10 days after having been mailed a past due notice and assessment of penalties, water services to the premises in question may be discontinued, unless precluded by extenuating circumstances at the discretion of the Town Council.

§ 160-39. Overassessments. [Amended 7-8-1996; 2-8-2010]

Any user of water having a complaint in connection with the assessment of charges under this Article shall report the same to the Town Manager who shall adjust the same or refer the complaint to the Council. Any user who feels that he or she is overassessed may have his or her meter tested by the Town by the payment of a fee as set forth in Chapter A171, Fees, to the Town. If the meter is found to overregister, the fee shall be returned, but if the meter is correct or underregistering, the fee shall be credited to the waste fund to cover the cost of the test.

§ 160-40. Turnoff charge. [Amended 7-8-1996]

A turnoff charge in an amount set forth in Chapter A171, Fees, shall be made if the customer fails to pay his or her water bill.

§ 160-41. Meter regulations.

- A. Any meter injured for any cause directly attributable to negligence of the owner or occupant shall be renewed or repaired at the expense of such owner or occupant of the property in question.
- B. No person shall tamper with a water meter or use or cause to be used any device whatsoever so as to injure the same or as to prevent or interrupt the proper and accurate registering by it of the quantity of water from the Town water system used or supplied.
- C. When water has been turned off from any premises for nonpayment of the charges for water supplied by the Town, any person turning the water back on without instructions from the Town Manager or Town Superintendent shall be guilty of a misdemeanor. [Amended 2-8-2010]
- D. It shall be unlawful for any unauthorized person to open or enter any meter box or molest any meter valve, cock, pipe or other property of the Town waterworks.

§ 160-42. Estimate of water consumption upon meter tampering.

If at any time a meter shall be found to have been tampered with or for any reason shall fail to register or shall be found to be defective in registering since the last previous reading, the water consumption for such period may be estimated by an average of readings through the same or from past readings or from similar connections.

§ 160-43. Reduction in bill for eligible residents.

- A. The water bill for an eligible resident of Grottoes shall be reduced by a sum as set forth in Chapter A171, Fees, adopted by the Town Council, per billing period, provided that the lot to which such bill applies shall contain a residential structure; that said structure shall, in fact, be the residence of the eligible resident; that said lot or structure shall not be used for any commercial purposes; and further provided that only one such reduction shall be allowed to any eligible resident per billing period.

- B. For purposes of this chapter and section, the term "eligible resident" shall include any resident of Grottoes, Virginia, who is not less than 65 years of age and who has on file with the Grottoes Town Clerk an application of reduction of water bill on a form approved by the Grottoes Town Council.
- C. For purposes of this chapter and action, the term "commercial purposes" shall include any uses, activities, purposes or other undertakings for which a license tax is prescribed by Chapter 144, Taxation, of the Code of the Town of Grottoes, whether or not such tax has actually been paid or demanded.

§ 160-44. Verification of tank size.

- A. All persons hauling water from the Town's pumping station shall have their tank measured to verify the number of gallons being hauled per load.
- B. Within two months of the adoption of this section, each hauler shall have his or her tank size verified by the Chairman of the Water Committee of his/her designate. In the instance of a person wishing to haul water from the Town pumping station for the first time, this verification must be done before any water is hauled. In the event that a water hauler changes tanks, the new tank shall be verified before any water is hauled.
- C. There will be no change of fees because of this verification and upon verification each water hauler will be supplied with an unused Town tag as proof of verification.
- D. Failure to comply with the provisions of this section will result in a loss of the privilege to use the aforesaid pumping station.

ARTICLE V
Sanitary Sewer Regulations

§ 160-45. Purpose.

This article sets forth policies for the administration and operation of the Town's wastewater collection and treatment system, to assure that the facilities are used in the common interest of the public. The uniform requirements established herein for wastewater discharges are intended to enable the Town of Grottoes to correct sewer problems within the Town and to comply with the requirements set forth by the State Water Control Board and the Virginia Health Department.

§ 160-46. Definitions and word usage.

- A. Unless the context specifically indicates otherwise, the following words, terms or phrases, as used in this article, shall be as defined in this section:

BOD (DENOTING BIOCHEMICAL OXYGEN DEMAND) — The laboratory determination of the quantity of oxygen by weight, expressed in milligrams per liter, utilized in the biochemical oxidation of organic matter under standard laboratory conditions of incubation for five days at a temperature of 20° C.

BUILDING DRAIN — That part of the lowest horizontal piping of a building drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the buildings and conveys such drainage to the building sewer.

BUILDING DRAINAGE SYSTEM — That part of the plumbing system which receives, conveys and removes liquid and water-carried wastes to a drainage building.

BUILDING SEWER — A sewer conveying wastewater from the premises of a user to a public sewer.

COD (DENOTING CHEMICAL OXYGEN DEMAND) — The laboratory determination of the quantity of oxygen by weight, expressed in milligrams per liter, susceptible to oxidation by a strong chemical oxidant.

COMBINED SEWER — A sewer receiving combined waste.

COMBINED WASTE — A wastewater containing surface water or stormwater and sewage.

COMPATIBLE POLLUTANT — Wastewater constituents which the wastewater treatment plant is designed to treat, and wastewater substances which will not inhibit the wastewater treatment processes employed nor be detrimental to the receiving stream.

CONSTITUENT — Any analytically defined parameter.

CONTROL POINT (CONTROL MANHOLE) — A point of access to a course of discharge before the discharge mixes in the public sewer.

COOLING WATER — A once-through, noncontact cooling water discharged from any system of condensation, air conditioning, cooling, refrigeration or other sources.

DOMESTIC WASTE — A combination of water-carried wastes, consisting of wash water, culinary wastes and liquid wastes containing only human excreta and similar matter flowing in or from a building drainage system or sewer, originating from residences, business buildings, institutions and commercial establishments.

EFFLUENT — Wastewater flowing out of any facility.

GARBAGE — Animal and vegetable wastes from the preparation, cooking and disposing of food, and from the handling, processing, storage and sale of food products and produce.

GRAB SAMPLE — A sample which is taken from a waste stream on a one-time basis, with no regard to the flow in the waste stream and without consideration of time.

HOLDING TANK WASTE — Any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks and vacuum pump tank trucks.

INCOMPATIBLE POLLUTANT — Any wastewater constituent or substance which is not a compatible pollutant, as defined in this section.

INDUSTRY — Any establishment which uses water in a product or generates wastewater during any period of production.

INFLUENT — Wastewater, raw or partially treated, flowing into any sewage treatment device or facilities.

INTERCEPTING SEWER — A sewer which receives dry weather flow from sanitary sewers and/or additional predetermined quantities of combined waste and conducts such flow to a plant for treatment or disposal.

MASS EMISSION RATE — The weight of material discharged to the sewer system during a given time interval, expressed as pounds per day of a particular constituent or combination of constituents.

MAXIMUM PERMISSABLE COMPOSITE CONCENTRATION — The highest allowable constituent concentration, as determined by laboratory testing from representative samples collected during a minimum six-hour period of normal operation.

NATURAL OUTLET — Any outlet into a watercourse, ditch, lake or other body of surface water or groundwater.

NONDOMESTIC WASTE (INDUSTRIAL WASTE) — Any wastewater resulting from any process of industry, manufacturing, trade or business or from the development or recovery of any natural resource or any mixture of such waste with water or domestic wastewater, as distinct from domestic wastewater.

NUISANCE — Anything which is judicially or in the opinion of the Town's authorized representative determined to be injurious to health or is indecent or offensive to the senses or an obstruction to the free use of property so as to interfere with the comfort or enjoyment of life of property or which affects at the same time an entire community or neighborhood or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal.

OVERLOAD — The imposition of any constituent or hydraulic loading on a treatment facility in excess of its treatment capacity.

PERSON — Any individual, firm, company, association, society, corporation, institution, group or any other legal entity.

pH — The negative base 10 logarithm of the hydrogen ion concentration, expressed as moles per liter.

PREMISES — Any parcel of real estate, including any improvements, upon which there is a single user for the purposes of receiving, using and paying for sewer services.

PUBLIC SEWER — A sewer, but is not limited to sewer lines, manholes, cleanouts, septic tanks or the treatment plant and all appurtenances, owned and operated by the Town, tributary to wastewater facilities operated by the Town.

SANITARY SEWER — A sewer, the specific purpose of which is to carry domestic or industrial wastes, or a combination of both, and into which stormwater, surface water, groundwater and any other unpolluted waters are not intentionally passed.

SEWAGE — The same as "wastewater," as defined.

SEWAGE TREATMENT WORKS (SEWAGE TREATMENT PLANT OR WASTEWATER TREATMENT PLANT) — Any arrangement of devices, facilities and structures used for receiving, processing and treating wastewater, industrial wastes and sludges from the sanitary or combined sewers.

SEWER — A pipe or conduit, generally closed, for carrying wastewater.

SEWERAGE SYSTEM — All sewers, laterals or other connections or plants which connect with or pertain to a connection with the sewers, plants, public works and/or projects of the Town, including all Town-owned facilities and septic tanks.

SHREDDED GARBAGE — Garbage shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle having a dimension greater than 1/2 inch in any direction.

STANDARD METHODS — The examination and analytical procedures set forth in the recommended standard analytical techniques prepared by the United States Environmental Protection Agency and published in the Federal Register and contained in the current editions of the American Public Health Association (APHA) manual which is identified as "Standard Methods."

STORM SEWER — A public sewer which carries storm- and surface waters and drainage, and into which domestic wastewater or industrial wastes are not intentionally passed.

STORMWATER — The excess water running off from the surface of a drainage area or building during and following a period of precipitation.

SUPERINTENDENT — The Superintendent of the Grottoes Wastewater Treatment Plant, or his or her authorized representative.

SUSPENDED SOLIDS — The dry weight of solids, expressed as milligrams per liter, that either float on the surface of, are in suspension or are settleable in water, wastewater or other liquids and which are largely removable by a laboratory filtration device.

TO DISCHARGE — To include; to deposit, conduct, drain, emit, throw, run, allow to seep or otherwise release or dispose of; or to allow, permit or suffer any of these acts or omissions.

TOWN — The Town of Grottoes.

TOWN COUNCIL — The Grottoes Town Council.

TOWN MANAGER — The Town Manager of the Town of Grottoes or his or her authorized representative.

TOWN REPRESENTATIVE — Any authorized agent of the Town of Grottoes that has been authorized by the Town to make decisions and authorizations in regard to the sewer treatment facility for the Town of Grottoes.

TOXIC SUBSTANCES — Any substance, whether gaseous, liquid or solid, which, when discharged into the sewer system in sufficient quantities, interferes with any sewage

treatment process, constitutes a hazard to recreation in the receiving waters of the effluent from the sewage treatment plant, poses a hazard to workers in the sewer system, constitutes a hazard to fish or animal life or interferes with proper sludge disposal.

TWENTY-FOUR-HOUR-FLOW PROPORTIONATE COMPOSITE SAMPLE — A sample consisting of several effluent portions collected during a twenty-four-hour period in which the portions of sample are proportionate to the flow and combined to form a representative sample.

UNPOLLUTED WATER — Water to which no constituent has been added, either intentionally or accidentally, which would render such water unacceptable to the agency having jurisdiction thereof for disposal to storm or natural drainages or directly to surface waters.

USER — Any person that discharges or causes or permits the discharge of such facilities and works.

USER CHARGE — A charge levied on the users of wastewater facilities and treatment works for the cost of operation and maintenance of such facilities and works.

WASTE — Rejected, unutilized or superfluous substances in a liquid, gaseous or solid state resulting from domestic and nondomestic activities.

WASTEWATER — A combination of the water-carried water from residences, business buildings, institutions, industrial establishments and other sources, whether treated or untreated, discharged into or permitted to enter a public sewer.

WASTEWATER CONSTITUENTS AND CHARACTERISTICS — The chemical, physical, bacteriological and radiological parameters, including volume, flow rate and such other parameters that serve to define, classify or measure the contents, quality, quantity and strength of wastewater.

WASTEWATER FACILITIES — All facilities for collection, pumping, treating and disposing of wastewater.

WASTEWATER PRETREATMENT — The treatment of wastewater before discharge into the sewerage system.

WASTEWATER TREATMENT PLANT — The "sewage treatment plant," as defined.

WATERCOURSE — A natural or man-made channel in which a flow of water occurs, either continuously or intermittently.

B. Shall is mandatory; may is permissive.

§ 160-47. Restrictions. [Amended 8-8-1989; 7-8-1996; 9-10-2009]

A. Unsanitary, objectionable deposits. 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 Town or in any area under the jurisdiction of the Town any human or animal excrement, garbage or other objectionable waste.

- B. Discharge of untreated polluted water to drainage ditches or natural outlets. It shall be unlawful to discharge into any drainage ditch or natural outlet within the Town any polluted waters or sewage. This applies to all areas within the Town and under the jurisdiction of the Town.
- C. Use of public sewer system.
 - (1) Where the sewer system is available, it shall be unlawful to construct or reconstruct any privy vault, septic tank, drainfield or other facility intended for the use of a sewage disposal except as hereinafter described. Further, it shall be unlawful after June 1, 1990, for any residence or other improvement requiring sewage disposal and to which the sewer system is available, to use a private sewage system. All such residences and improvements requiring sewage disposal shall connect to the available public sewer. When sewer lines are constructed in previously nonserved areas of the Town, the abutting property owners shall have 24 months from the installation of said sewer lines to comply with the terms of this subsection. If a private septic system shall fail after the installation of the sewer collection line but prior to the twenty-four-month grace period, full payment and connection to the Town's system will be required upon system failure.
 - (2) The sewer system shall be deemed to be available when an accessible sewage collection line is located in a street, alleyway or parcel of land abutting the parcel on which the building to be served is located and said sewage collection line is within 120 feet of the septic tank to be connected.
 - (3) Upon conviction of the violation of the terms of this subsection, the property owner shall be subject to a fine as provided in § 160-78. Continued violation of this subsection after written notice shall constitute a continuing offense for each and every calendar month in which the owner is in violation of this subsection after notice has been given.
- D. Suitable toilet facilities required. The owner of any house, building or property used for human occupancy, employment or other purposes situated within the Town shall provide suitable toilet facilities. When such property is located within the service area of the public sewer facility, it shall connect to the same when the present system fails, if it is indeed feasible by the Town Council or its authorized representatives.

§ 160-48. Private sewage disposal. [Amended 7-14-1987]

- A. Where public sewer is not available, availability determined by an accessible line within 500 feet of the residence, then the residence shall be permitted to be hooked up to a private sewer system. The type of system must be in conformity with all requirements set forth by the regulatory agencies of the State Department of Health. This applies also to the location and layout of the system. No private system shall discharge into any natural or drainage ditch.

- B. The owner shall operate and maintain the private system in a sanitary manner at all times at no expense to the Town.
- C. No statement contained herein shall interfere or be construed to interfere with any additional requirements that may be set forth by the State Department of Health.

§ 160-49. Requirements for public sewer connections.

- A. No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenances thereof without first obtaining permission from the Town Council or its authorized representative.
- B. The owner or its agent shall make proper application to the Town for a connection. The application shall be supplemented by all information that the Town may deem necessary.
- C. Initial hookup fees and future hookup fees shall be determined by the Town Council, and the single residence and other initial user hookup fees as set forth in Chapter A171, Fees, shall be paid in full within 30 days of the completion of the sewer treatment facility. Future hookup fees and fees not paid in full by this date shall be at an amount that will insure that time and materials are paid for in order to insure the financial integrity of the system. The Town shall provide the necessary line to hook onto the present or existing septic tank of the property owner or to the location of a newly installed septic tank. The property owner will provide for all lines necessary to connect the tank to toilet facilities within the property. A schedule of hookup fees for single-family residences, multifamily units, businesses, in-home businesses, industrial users, etc., shall be available at the Town Hall. [Amended 7-8-1996]
- D. No person while engaged in any construction of any type shall damage or in any way break or remove any portion of any sewer lines or manholes or any other property that is in any way connected with the public sewage treatment facilities for the Town. Any person and/or firm that is a party in such damages shall be prosecuted to the fullest extent of the law and full restitution shall be sought.
- E. A separate sewer connection shall be required with new construction only if found to be satisfactory after an inspection by the Town's authorized representative.
- F. Old septic tanks may be used in connection with new construction only if found to be satisfactory after an inspection by the Town's authorized representative.
- G. No person shall make connection of roof spouts, foundation drains, areaway drains, sump pumps or other sources of surface water in any manner to the sewage system of the Town. [Amended 6-14-1993]
- H. The connection to the public sewer facilities shall be in conformity with guidelines set forth by the Town and only under the direction of the Town's authorized representative. All connections shall be watertight.
- I. All excavations for the building of sewer installations 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.

- J. When the property is ready for sewer and after proper application has been made and hookup fees paid, the Town representative shall inspect and authorize the connection.
- K. In the event of a stoppage of the main sewer lines, the Town shall take responsibility to remove the obstruction. Stoppage between the septic tank and the building being served shall be the responsibility of the owner, as well as all other maintenance of the lines between the tank and building of the property owner.
- L. No new permanent or concrete-based construction will be allowed within five feet of sewer lines, tanks or other sewer facilities.

§ 160-50. Prohibited discharges.

- A. It shall be unlawful for any person or firm to discharge or permit the discharge or infiltration into any public sewer of any of, but not limited to, the following:
 - (1) Any liquid or vapor having a temperature higher than 120° F. (49° C.) or any substance which causes the temperature of the total wastewater treatment plant influent to increase at a rate of 10° F. (5° C.) or more per hour or a combined total increase of plant influent temperature to 100° F. (38° C.).
 - (2) Any liquid containing fats, wax, grease or oils, whether emulsified or not, in excess of 300 milligrams per liter or containing substances which may solidify or become viscous at temperatures between 32° and 150° F. (0° and 65° C.) at the point of discharge into the system.
 - (3) Any explosive or flammable liquids or solids or gases in such concentrations which would cause or potentially cause an explosive, flammable or other hazardous condition. Such materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, touene, xylene, ethers, alcohols, ketones, aidehydes, peroxides, chlorates, parchlorates, bromates, carbides, hydrides and sulfides.
 - (4) Any substances of such nature and quantity which either singly or by interaction with other waste substances:
 - (a) Cause obstruction to the flow in a sewer or damage to the wastewater facilities;
 - (b) Reduce the biological effectiveness of, impede the proper functioning of or otherwise hinder the performance of any wastewater facility;
 - (c) Cause excessive loading or overloading of wastewater facilities or cause excessive treatment costs; or

- (d) Pass to the receiving waters without being effectively treated due to the incompatibility of the substances, and cause violation of state and federal regulations.
- (5) Harmful quantities of solid substances, including, but not limited to, the following: ashes, cinders, sand, mud, shavings, metal, glass, rags, tar, plastics, wood, sawdust, unground garbage, whole blood, paunch manure, hair, flesh, entrails, feathers, bones, slops, paint residues and bulk solids.
- (6) Any garbage that has not been properly shredded to a degree that all particles can be carried freely through the waste lines to the septic tank or the public sewer lines. Particles of garbage greater than one inch in any dimension are prohibited.
- (7) Any liquid having a pH lower than 6.0 or higher than 9.0 or having any property capable of causing hazard, damage or any other condition deleterious to structures, equipment, personnel, treatment processes or operation of the treatment facilities.
- (8) Any noxious or malodorous substance which is capable of causing objectionable odors, public nuisance, alteration or expense to accommodate such materials.
- (9) Any wastewater containing in excess of the following limitations:

Constituent	Daily Concentration	Instantaneous
	24-Hour Composite Sample (mg/l)	Concentration Grab Sample (mg/l)
Arsenic	0.02	0.02
Barium	2.0	2.0
Boron	0.05	0.1
Cadmium	0.1	0.1
Chlorides	250.0	500.0
Chromium, trivalent	1.0	1.0
Chromium, hexavalent	0.1	0.1
Chemical oxygen demand	300.0	500.0
Copper	0.2	0.2
Cyanide	0.25	0.25
Iron	1.0	2.0
Lead	0.1	0.1
Manganese	1.0	2.0
Mercury	0.005	0.005

Nickel	0.2	0.2
Phenolic compounds	0.2	0.5
Selenium	0.02	0.02
Silver	0.1	0.1
Surfactants	5.0	10.0
Tin	0.2	0.2
Zinc	0.2	0.2

- B. Any dilution of water to satisfy the requirements of the treatment process shall be at the authorization and direction of the Town's authorized representative.
- C. No wastewater shall flow at a rate which is excessive relative to the capacity of the treatment works and which would cause a treatment process upset and subsequent loss of treatment efficiency; no wastewater containing such concentration or quantities of pollutants that their introduction into the treatment works over a relatively short period of time (sometimes referred to as "slug discharge") will be allowed.

§ 160-51. Incompatible pollutants.

- A. The Federal Water Pollution Control Act Amendments of 1972 require industrial users discharging incompatible pollutants into publicly owned treatment works to pretreat these pollutants to the extent required by effluent limitation guidelines promulgated by the administrator of the United States Environmental Protection Agency, pursuant to Sections 301(b) and 307(b) of the Act. Upon the promulgation of the Federal Categorical Pretreatment Standards for a particular industrial subcategory, the federal standards, if more stringent than limitations imposed under this chapter for sources in that subcategory, shall immediately supersede the limitations imposed under this chapter.
- B. If the representative of the Town determines that the limitations in § 160-48 may not be sufficient to protect the operation of the treatment works, or if the representative of the Town determines that the limitations in § 160-48 may not be sufficient to enable the treatment works to comply with water quality standards or effluent limitations specified when permit is issued, or if the Town representative determines that the limitations in § 160-48 do not provide the overall most cost-effective means of wastewater treatment at the treatment works, the Town's authorized representative may modify these limitations in whatever manner is necessary to assure overall cost effectiveness. Such modifications shall be based on adequate supportive engineering information and shall be subject to review by federal and state agencies.

§ 160-52. Prohibited materials.

- A. Any liquids containing toxic materials in sufficient quantities, either singly or by interaction with other wastes, which would tend to injure or interfere with any treatment process, constitute a hazard to humans or animals or create any hazard in the receiving waters or the effluent of the treatment plant are hereby prohibited.
- B. Radioactive materials. No individual or firm shall deposit or allow to be deposited radioactive materials into any public sewer.

§ 160-53. Holding tank waste disposal.

The Town of Grottoes will pump and dispose of all holding tank wastes within the service area of the public sewer. This will be done as part of the monthly service charge and done in amounts that can be stored in the treatment site holding tanks and can be introduced into the treatment process at an acceptable quantity. Other haulers or individuals wishing to dispose of septic or holding tank waste into the Grottoes treatment plant must first make application to the Town and adhere to all requirements in regard to quantity and characteristics of waste materials to be introduced into the treatment facility and must pay applicable fees and user charges. These requirements will be under the direction of the Town's authorized representative.

§ 160-54. Point of discharge restrictions. [Amended 7-8-1996]

No person or firm shall discharge any waste directly into a manhole or other opening in the public sewer, other than through the connection provided for the building. Any person or firm that shall be responsible for the introduction of sewage or waste through manholes or other means into the public sewer shall be prosecuted and charged, as provided in § 160-78, for each offense, plus any restitution that may be due to repairs or extra maintenance of the system.

§ 160-55. Control of prohibited wastes.

If wastewater containing any substance described in the foregoing sections as hazardous or prohibited is discharged into the sewage system of the Town or to any sewage system tributary thereto, the Town may take any appropriate action necessary to:

- A. Prohibit the discharge of such wastewater.
- B. Require a discharger to demonstrate that in-plant modifications will eliminate the discharge of such substances to a degree as to be acceptable to the Town.
- C. Require pretreatment, including storage facilities or flow equalization if necessary, to reduce or eliminate the objectionable characteristics or substances so that the discharge will not violate the provisions of this chapter.
- D. Require the person or firm making, causing or allowing the discharge to pay any added cost of handling and treating excess imposed on sewer facilities.
- E. Take such remedial action as may be deemed necessary to achieve the purpose of this chapter.

§ 160-56. Pretreatment facilities.

Users shall provide necessary treatment as required to comply with this chapter and shall achieve compliance with all Federal Categorical Pretreatment Standards within the time limitation as specified by the federal pretreatment regulations. Any facilities required to pretreat wastewater to a level acceptable to the Town shall be provided, operated and maintained at the owner's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the Town for review and shall be acceptable to the Town before use of the public sewer system. The review of such plans and operating procedures will in no way relieve the user from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the Town under the provisions of this chapter. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to the Town and accepted by the Town prior to the use of the system.

§ 160-57. Construal of provisions.

No statement contained in this chapter shall be construed as preventing any special agreement between the Town and any user of the system whereby a solution of extraordinary strength may be introduced into the system when proven to be unharmed to the system and approved by the Town.

§ 160-58. Permit required; application.

- A. Users desiring a permit to discharge nondomestic waste into the system shall make proper application to the Town for a permit and guidelines before discharging into the public sewer system.
- B. Persons seeking a permit must file in the office of the Town's representative and include the following information: the name and address of the person to whom the responsibility of operation and discharges will be assigned, the name and address of person and/or firm seeking the permit, the type, volume (approximate) and characteristics of discharge, all plans with regard to plumbing, the number of employees and hours of operation and any other information the Town's representative may deem necessary before approving the connection to the public sewer system.
- C. The Town's representative will evaluate all information and issue his or her findings to the applicant and the Town within 60 days of receipt of all required information. If either the applicant or the Town disagrees with his or her decision, a note of disagreement must be noted, in writing, within seven days and a ninety-day comment period allowed, to be followed by a final decision made by a majority vote of the Town Council.

§ 160-59. Permit conditions.

Discharge permits shall be subject to all provisions inasmuch as fees and charges are concerned. The permit may contain the following:

- A. Extra charges for the treatment process necessary to treat the waste generated by the applicant.
- B. Allowable concentrations and emission rates of wastewater constituents.
- C. Limits on the time, rate and volume of discharge.
- D. Requirements and provisions for the inspection of the system by the authorized representative of the Town, as well as requirements for inspection and sampling by the applicant.
- E. Pretreatment requirements.
- F. Specifications for monitoring and sampling of the discharge.
- G. Requirements for periodic discharge reports to be made to the Town or its authorized representative. These reports may include, but are not limited to, the volume, rates of flow, constituent concentration and mass emission rates, hours of operation, time of samplings, number of employees and all other information that may be deemed necessary by the Town's authorized representative.
- H. Requirements for maintaining the plant, firm or business records relating to wastewater discharges and affordable access thereto.
- I. Other conditions deemed appropriate by the Town's authorized representative or the Town Council.

§ 160-60. Expiration of permit.

Permits for the discharge of other than domestic waste shall be issued for a period of time set forth by the Town's representative or the Town Council, and the expiration date shall be noted on the permit. No permit is transferable and shall be invalid upon the exchange of ownership or controlling interest or where a completely different operation takes place other than the one in operation when the permit was granted.

§ 160-61. Accidental discharges.

In the event of an accidental discharge, the user shall immediately notify the Town. The cost of rectifying this shall be borne by the user. Any damage or cost will be the responsibility of the user, and each day the condition exists shall constitute a separate offense as far as penalties and costs are concerned.

§ 160-62. Sewer user charges. [Amended 6-9-1987]

- A. All user charges shall be based on metered water sales and shall be as set forth in Chapter A171, Fees. [Amended 7-8-1996]
- B. (Reserved)²

². Editor's Note: Former Subsection B, amended 10-12-1998, which provided that bi-monthly billings for May-June and July-August be the average rate of the previous September through April billings, was repealed 5-1-2002.

- C. Additional fees that may be deemed due will be in addition to the regular bill.³
- D. The Town will pump septic tanks for residences and businesses that are not on the wastewater treatment system, provided that:
 - (1) Property on which the septic tank is located is within the corporate limits.
 - (2) The owner of the septic tank utilizes one of the following two options:
 - (a) Have the tank uncovered to provide easy accessibility; or
 - (b) Install an approved septic tank lid at the owner's expense.
 - (3) If it becomes necessary for any tank to be pumped more than once within a twelve-month period, then said tank shall be deemed to be defective. This in no way limits the Town from using other factors to determine defectiveness.
 - (4) If said tank is determined to be defective by an authorized agent of the Town, the owner will agree to have the system evaluated by the Rockingham County Health Department within 60 days.
 - (5) All tanks to be pumped must be inspected by an authorized agent of the Town.
 - (6) The Town of Grottoes will charge for providing this service in an amount set forth in Chapter A171, Fees. [Amended 7-8-1996]
- E. User charges of the sewer system will be subject to the same late charges and fees as users of the water system.
- F. In the event that any water meter proves to fail to register properly, the user charge shall be estimated based on the average water consumption of the user.⁴
- G. Users of the public water system having a private water system will be required to install a metered flow device to their water source at an accessible point for the Town's representative to read.

§ 160-63. Reduction in bill for eligible residents. [Added 11-10-1987]

- A. The sewer bill for an eligible resident of Grottoes shall be reduced by a sum as set forth in Chapter A171, Fees, adopted by the Town Council, provided that the lot to which such bill applies shall contain a residential structure; that said structure shall, in fact, be the residence of the eligible resident; that said lot or structure shall not be used for any commercial purposes; and further that only one such reduction shall be allowed to any eligible resident per billing. [Amended 7-8-1996]
- B. For purposes of this chapter and section, the term "eligible resident" shall include any resident of Grottoes, Virginia, who is not less than 65 years of age and who has

³. Editor's Note: Original Sec. 2-20(b), dealing with the monthly service charge for treating sewer problems, which immediately followed this subsection, was deleted 7-8-1996.

⁴. Editor's Note: Original Sec. 2-20(f), dealing with pumping of the tanks, which immediately followed this subsection, was deleted 7-8-1996.

on file with the Grottoes Town Clerk an application of reduction of sewer bill on a form approved by the Grottoes Town Council.

- C. For purposes of this chapter and section, the term "commercial purposes" shall include any uses, activities, purposes or other undertakings for which a license is prescribed by Chapter 144 of the Code of the Town of Grottoes, whether or not such tax has actually been paid or demanded.

§ 160-64. Revocation of permits and service agreements.

Any person who violates any part of this chapter may be subject to the termination of services and subject to all penalties, each day constituting a separate offense. Some of the reasons for revocation may be, but are not limited to, the following:

- A. Tampering with the meter in order to falsify the true reading.
- B. Failure to report significant wastewater changes of characteristics and constituents.
- C. Refusal of reasonable access by Town personnel for readings, inspection and maintenance of the system.
- D. Any violation of this chapter.

§ 160-65. Termination of service; notification.

- A. The Town or its representatives may make the determination to terminate service for the following, but are not limited to these reasons:
 - (1) When materials damaging to the sewer lines or treatment process are released into the system causing deterioration of the lines or interfering with the treatment of wastewater or its conveyance.
 - (2) The effluent from the wastewater treatment plant is no longer of a quality permitted for discharge to a watercourse, and it is found that the user is delivering wastes to the wastewater system that cannot be sufficiently treated or require pretreatment.
 - (3) The user:
 - (a) Discharges wastewater that is in significant violation of the permit issued.
 - (b) Fails to pay user charges for public sewer services when due.
 - (c) Discharges prohibited waste into public sewer.
 - (d) Violates any requirement of this chapter.
- B. The Town or its representative will endeavor within reasonable limits to eliminate or remedy a violation without resorting to discontinuance of the service or revocation of the permit; however, if these efforts have been unsuccessful, the Town's representative is authorized to terminate service or revoke the permit.

- C. The Town's representative shall not revoke the permit or terminate service to a user without first delivering to the user written notice of such action. The notice shall state the reasons and may allow for a reasonable period of time for the situation to be rectified.
- D. Nothing in this chapter shall hinder the authorized representative from taking immediate action to terminate service to a user when there is an imminent risk to the system or the wastewater facility.

§ 160-66. Appeals; hearing.

- A. Any person or firm that feels the authorized Town representative has made a decision that he or she feels is erroneous shall make written notice of his or her desire to appeal to the Town Council within seven days of such decision of the Town's representative. After being reviewed by the Town Council and ruled on by a majority vote, if the person still wishes to appeal, an arbitration board will be appointed to make the final decision, unless additional information becomes available that could alter its decision, then the appeal process shall be repeated.
- B. All appeal hearings before the Town Council shall be recorded and all testimony taken under oath.
- C. Any person disagreeing with findings of the Town Council and the arbitration committee shall have the right to judicial review by the Circuit Court by filing a petition with the court within 30 days of the final decision from the Town Council or arbitration committee.

§ 160-67. Court proceedings.

If any user discharges sewage, industrial waste or other waste to the wastewater facilities under the jurisdiction of the Town contrary to any order of the Town Council, the Town may commence on action proceeding in the Circuit Court having jurisdiction where the discharging facilities are located, for the purpose of having the discharge stopped and any penalties enforced.

§ 160-68. Extension of service by Town.

The Town may refuse to extend service at any time it feels the treatment plant is nearing capacity treating capabilities. The Town may refuse to extend service when it deems it economically unfeasible to do so.

§ 160-69. Extension of sewage lateral within Town limits. [Added 12-3-1985; 2-14-2011]

Upon approval of an application for a connection as set out in § 160-49B of this chapter, the applicant shall be entitled to extend a sewage service lateral from the closest feasible point on the exiting system to the property line of the applicant. The applicant shall be responsible for constructing the sewage line from the outlet point of the collector tank to the structure being served and shall also bear the cost of all construction. All construction shall conform to Town specifications and shall be inspected and approved upon

completion. Upon completion and approval by the Town, the newly constructed sewage service lateral and related structures located downstream from the intake point of the collector tank shall be part of the Town system, owned, operated and maintained by the Town.

§ 160-70. Extension of sewage main collector lines within Town limits. [Added 12-3-1985]

Extension of main collector lines within the Town limits shall be at the expense of the applicant whose request for sewage service requires such extension. Upon application for such service, the Town, at its option, may construct the main lines and related structures upon prepayment of the estimated cost of construction plus 20%. If the Town declines, then the applicant may construct said lines and structures pursuant to § 160-71 of this chapter. Upon completion of construction, the actual cost shall be determined, and if the amount prepaid to the Town exceeds the actual cost plus 20%, the excess shall be returned to applicant; if there is a deficiency, the applicant shall pay the amount to the Town.

§ 160-71. Right of contractor, person or firm to extend service. [Added 12-3-1985; amended 1-13-1987]

- A. When service is requested to an area outside the service area of the sewer treatment area and it is determined by the Town to be economically unfeasible to extend the service, the person, firm or contractor may extend the service at his, her or its expense if approved by the Town Council. Upon completion and approval by the Town, the newly constructed lines and structures shall become part of the Town system, owned, operated and maintained by the Town, and the Town shall have the right to connect with and furnish sewage service through such system to other property owners without approval or payment to the party who constructed said lines and structures.⁵

§ 160-72. Extension of sewage service within corporate limits. [Added 12-3-1985]

If the Town Council determines it to be in the best interests of the Town to extend its existing sewage lines partly or wholly at Town expense, it may enter into agreements with individual landowners or developers whereby such extensions of existing sewage lines shall be accomplished and the costs thereof shared as mutually agreed; or, in the proper case, the Town Council may resolve to extend the Town sewage system wholly at Town expense. In determining the best interests of the Town, the Council shall consider the number of potential connections which such extension of the system might be expected to facilitate, the enhancement to the value to capability of the existing system that would result from such extension, the value of any easements that would be granted to the Town under such agreements, the potential for increased employment opportunities and economic development that might reasonably be expected to result from such an extension and the increased revenue the Town could be expected to derive from utility service charges and taxes in respect to future development.

⁵. Editor's Note: Former Subsection B, regarding reimbursement of costs to construct sewage lines and structures, as amended, was repealed 2-14-2011.

§ 160-73. New construction in service area.

It shall be mandatory for all new construction within the service area to connect to the system. All fees must be paid at the time of payment of the water connection fee.⁶

§ 160-74. Sewer hookup fees. [Amended 12-3-1985; 11-10-1987; 4-8-1991; 10-10-1994; 7-8-1996; 1-9-2006]

- A. The connection fee will provide for permission to connect to the Town's sewer system. The property owner is responsible for furnishing all other equipment necessary for the connection, including without limitation the sewer line, the tank, lid, labor, lines, etc.
- B. Hookup fees will be as set forth in Chapter A171, Fees, unless otherwise determined by the Town Council.
- C. Once paid, the connection fee is valid for 90 days. The actual connection to the Town water system shall be completed and an occupancy permit issued within 90 days from the date of payment of the connection fee. If the connection is not completed within said period, the property owner must pay to the Town an amount equal to any increase in the connection fee which may have taken effect since the date of the original payment.
- D. This section will in no way supersede any prior agreements with the Town where payments are being made in a timely manner.

§ 160-75. Availability fee. [Added 12-3-1985]

- A. Owners of unimproved property which have requested sewage service and to which sewage service has been extended shall, after six months from the date that service is available to said property, pay to the Town Treasurer a monthly sewage availability fee equal to the minimum monthly water rate. This fee shall continue until said property is improved and connected with the sewage system and the regular monthly user fee is being charged.
- B. Owners of improved property who have requested sewage service but who have not connected said improvements to available sewage lines within 60 days after notification by the Town that service is available shall be charged and pay the same availability fee.

§ 160-76. Meter installation; deposit. [Added 9-9-1986]

All meters installed upon water service lines of the Town shall be the property of the Town. For each meter installed where there will be both water and sewer usage, there shall be paid to the Town as a deposit against prompt payment of sewer bills a sum as set forth in Chapter A171, Fees, adopted by the Town Council, to be collected when the

⁶. Editor's Note: Original Sec. 2-30(a) and (b), dealing with new construction, which immediately followed this section, was deleted 7-8-1996.

meter is placed in use. This deposit would be in addition to a similar deposit against future prompt payment of water bills as prescribed in § 160-35B.

§ 160-77. Industrial cost recovery; exclusions.

- A. Guidelines set forth by the Environmental Protection Agency shall be adhered to in regard to industrial cost recoveries. Recovery of cost is required by certain industrial users as specified in the aforementioned guidelines. This cost recovery calls for repayment by certain industrial users of the portion of the federal grant allocable to construction of treatment facilities for treatment of waste from those users. This is payable to the Town to be properly allocated between the Town and the agency by the Town as prescribed by the federal guidelines.
- B. The following shall be excluded:
 - (1) Industrial users which discharge only nonprocessed, segregated domestic wastes or wastes from sanitary conveniences (dry industries).
 - (2) Other exclusions listed in guidelines by the Environmental Protection Agency.

§ 160-78. Violations and penalties. [Amended 7-8-1996]

- A. A violation of any portion of this chapter other than where otherwise stated shall constitute a Class 1 misdemeanor, with penalties as provided in § 1-7, General penalty, of Chapter 1, General Provisions. Each day of violation shall constitute a separate offense. The penalties so imposed plus reasonable attorney's fees, court costs and other expenses and restitutions along with all expenses related to litigation shall be recoverable by the Town.
- B. Any person or firm who violates any portion of this chapter and this violation results in the interruption of services or damages of any nature to any part of the sewer treatment facility will be required to make restitution to the Town for such damages in addition to penalties in any other portion of this chapter. Each day the condition exists will constitute a separate offense.