

CHAPTER 13

Municipal Utilities

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ARTICLE 4

Wastewater Services

Sec. 13-4-10. Wastewater Department created.

There is hereby created and established a Wastewater Department of the Town. The Wastewater Department shall have control of the operation and maintenance of the sanitary wastewater and sewer system and works for the collection and treatment of consumer-generated wastewater and effluent. (Prior code 7-4-1; Ord. 956 §1, 2014)

Sec. 13-4-20. Definitions.

For purposes of this Article, the following terms and phrases shall have the meaning indicated, unless otherwise provided:

BOD means biochemical oxygen demand.

Consumer means any public or private user of any public utility system responsible for payment for services provided to real property. A *consumer* is customarily or typically the owner of the premises or property receiving services from the Town Utility System and the party ultimately responsible for payment of all fees, rates and charges for such services imposed pursuant to this Chapter.

Department means either the Electric, Water or Sewer Department as the context indicates.

Establishment, in the singular or plural, refers both to food service facilities and transportation service establishments, unless a modifying word indicates that a different meaning is intended.

FOG means fats, oil and grease, a term which generally refers to animal and vegetable glycerides discharged from food processing and serving industries. These substances are detectable and can be measured using standard analytical techniques. They are generally referred to as *grease* or *greases*.

Food courts means designated areas, generally found at shopping malls, shopping centers and amusement parks, that contain several food service facilities with different owners that share seating space and plumbing facilities.

Food service facility means a facility that prepares and/or packages food for sale or consumption. These include, but are not limited to, restaurants, food processing facilities, food manufacturers, seafood packing plants, bakeries, lounges, hospitals, hotels, nursing homes, churches, schools, dairies, slaughterhouses, meat packers, food courts, caterers and theme parks.

Gray water means all of the liquid and particles suspended in the liquid in a trap after lighter-than-water materials have risen to the top and heavier-than-water materials have sunk to the bottom.

Grease means animal and vegetable glycerides discharged from food processing and serving industries.

Grease trap means a device to which grease and food wastes are directed from the food service facility operations. It functions to separate and retain waterborne greases and solid food particles prior to the wastewater exiting the trap and entering the sanitary sewer system. It also collects solids and grease from kitchen floor drains.

Mail or mailing shall include any one (1) or all of the following: (1) the deposit in the U.S. mail or deposit with a similar and comparable delivery service, postage and all fees prepaid, properly addressed to the service address or a known current mailing address for the consumer; (2) hand posting in a conspicuous place at the address intended, including but not limited to attachment to the main entry door of the addressed premises; and (3) hand delivery to a person at the intended address who appears to be over the age of eighteen (18) years of age. An affidavit of the person conducting the mailing that mailing was performed in accordance with this Chapter shall constitute a rebuttable presumption that mailing

was performed. Where a consumer's address is unknown and cannot be determined by reasonable sources, publication once in a newspaper of general circulation within the County shall be equivalent to and shall constitute mailing for purposes of this Chapter.

Owner means the owner and, if the owner does not operate the facility, the operator of a food service facility or transportation service establishment.

Sampling port means an opening allowing access to a location where samples can be collected and analyzed. The sampling port shall be between the trap and the point of discharge to the Town sewer system.

Sand and oil trap means a device to which sand and oil wastes are directed from the transportation service establishment operations. It functions to separate and retain waterborne sand and oil particles prior to the wastewater exiting the trap or interceptor and entering the sanitary sewer system.

Sanitary sewer overflow means the backing up and overflowing of the sewer system as a result of clogging or the obstruction of flow in the Town's sewer system due to the discharge of wastewater with excessive fats, oil, greases and sand.

Services means, collectively, services for electric, water and sewer provided by the Town Utility Systems and Departments.

Sewage System means the publicly owned wastewater treatment plants or sewer systems of the Town, including but not limited to all of the collector system piping, lines, manholes, lift stations and treatment plants.

Town Utility Departments shall mean, collectively, the Electric, Water and Sewer Departments of the Town.

Town Utility Systems means all facilities and equipment associated with the collection, treatment, operation and distribution of electricity, water and wastewater by the Electric Department, Water Department and/or Sewer Department of the Town.

Transportation service establishment means any automotive, truck or heavy machinery repair and/or maintenance shop, car or truck wash, truck terminal or commercial or industrial transportation equipment manufacturing or maintenance facility, that has tanks, wash racks or any other sand and oily liquid waste that discharges indirectly or directly to the Town's public sanitary sewer system.

Trap, in the singular or plural, refers to both a grease trap and a sand and oil trap, unless a modifying word indicates that a different meaning is intended.

TSS means total suspended solids. *Unit*, unless otherwise specifically defined by another Section of this Chapter, shall mean: (1) in reference to a residential use, a residential dwelling, mobile home or apartment house or motel, designed primarily for occupancy by one (1) person, one (1) family or otherwise intended as a single living or sleeping area, whether temporary or permanent; or (2) in reference to a nonresidential use, the property or the use controlled by a consumer as defined by this Section.

Wash rack means the track over which a vehicle sits during a car/truck/equipment wash. Beneath the wash racks are basins which receive the rinsing from the car/truck/equipment wash, whether industrial or commercial. Since the rinsing from car/truck/equipment washes enter the municipal sanitary waterways, any business providing car/truck/equipment wash services should comply with this Chapter by installing a grease trap. (Prior code 7-4-2; Ord. 956 §1, 2014)

Sec. 13-4-30. No transfer of existing service.

Wastewater services provided to any consumer or property may not be transferred to another or different consumer. Any transfer shall constitute a new service and shall be subject to the submission and approval of a new application for service as provided by Article 1 of this Chapter. (Prior code 7-4-3; Ord. 956 §1, 2014)

Sec. 13-4-40. Deadline for payment.

All amounts owing for fees, rates and other charges for wastewater services shall be due, owing and payable within thirty (30) days from the date of billing. (Prior code 7-4-4; Ord. 956 §1, 2014)

Sec. 13-4-50. Connection to wastewater system mandatory.

(a) New improvements. All new buildings and improvements within the Town that will generate wastewater or effluent shall be connected to the municipal or a special district wastewater system and waste treatment facility. Such mandatory connection shall be made and the wastewater collection system shall be operational for the new building or improvement prior to or at the time of issuance of any certificate of occupancy.

(b) Existing private waste systems to be eventually eliminated. The owner of any house, building, improvement or property used for human occupancy,

employment, recreation or other purposes situated within the Town which is within four hundred (400) feet of a public wastewater line or wastewater main shall, at the owner's cost and expense, connect to such public wastewater line or main in accordance with the provisions of this Article. Such connection shall be made within ninety (90) days of the date of written demand by the Town Administrator provided to the owner after the property is sold, conveyed or otherwise transferred from the owner of such property. Following connection as required by this Section, existing private wastewater systems shall be properly emptied, cleaned, chlorinated and filled with dirt or sand.

(c) Exemptions, waivers and postponement. The Board of Trustees may grant written waivers or exemptions from, or postpone conformance with, this Section when the Board of Trustees finds that good cause exists for such waiver or exemption and that the public health, safety and welfare will not be unreasonably harmed by such waiver, exemption or postponement. (Prior code 7-4-5; Ord. 956 §1, 2014)

Sec. 13-4-60. Service rates and charges.

<i>Type of Consumer</i>	<i>Monthly Charge Per Unit</i>
1. Residential consumer without Town-provided water service	\$92.50 base fee/month
2. All consumers with flat rate Town-provided water service	\$92.50 base fee/month
3. Residential consumers with metered Town-provided water service	\$16.65 base fee/month plus an amount equal to: the sum of the consumer's water usage for the utility bills issued January 1, February 1 and March 1, divided by 3; and then multiplied by \$5.50 for each 1,000 gallons of average water use for such three-month period
4. Residential consumers without Town-provided water service	\$16.65 base fee/month plus an amount equal to: the sum of the consumer's water usage for the utility bills issued January 1, February 1 and March 1, divided by 3; and then multiplied by \$5.50 for each 1,000 gallons of average water use for such 3-month period
5. Nonresidential consumers with metered Town-provided water service	\$16.65 base fee/month plus an amount equal to \$5.25 for each 1,000 gallons of water use during such billing period.

(e) Periodic CPI rate adjustment. On every January 1 of each year, any flat rate or standard monthly service charge per unit provided in this Section shall be adjusted in accordance with the estimated Consumer Price Index (CPI) as established by the U.S. Bureau of Labor Statistics for the Denver/Boulder metropolitan area. Rates shall be rounded to the nearest five-cent increment. This Article shall be amended to reflect each periodic CPI rate adjustment, provided that failure to amend the rate contained in this Chapter shall not limit, preclude or prevent the operation and application of such periodic adjustment commencing each January 1. (Prior code 7-4-6; Ord. 956 §1, 2014)

Sec. 13-4-70. Wastewater system demand surcharge.

(a) Purpose. This Section is intended to provide a system to generate revenue to pay costs associated with the operation and maintenance of the Town's wastewater and wastewater system. The costs shall be distributed to all consumers of the wastewater system in proportion to each consumer's contribution to the total loading of the treatment works. Factors such as strength (BOD and TSS), volume and delivery flow rate characteristics shall be considered and included as the basis for the consumer's contribution to ensure a proportional distribution of operation and maintenance costs to each consumer (or consumer class). Implementation of this Section may be delayed, postponed, suspended and commenced at any time by adoption of a resolution of the Board of Trustees.

(b) Determining total annual cost of operation and maintenance. The Town Engineer shall determine the total annual costs of operation and maintenance of the wastewater system which are necessary to maintain the capacity and performance, during the service life of the treatment works, for which such works were designed and constructed. The total annual cost of operation and maintenance shall include, but need not be limited to, labor, repairs, equipment replacement, maintenance, necessary modifications, power, sampling, laboratory tests and a reasonable contingency fund.

(c) Determining each consumer's wastewater contribution percentage:

(1) The Town Engineer shall determine each consumer's average daily volume of wastewater that has been discharged to the wastewater system, which shall then be divided by the average daily volume of all wastewater discharged to the wastewater system, to determine each consumer's volume contribution percentage. The amount used as the total average daily volume of wastewater shall exclude infiltration and inflow. The Town Engineer shall determine each consumer's average daily poundage of five-day twenty-degree centigrade biochemical oxygen demand which has been discharged to the wastewater system which shall then be divided by the average daily poundage of all five-day twenty-degree centigrade biochemical oxygen demand discharged to the wastewater system to determine each consumer's biochemical oxygen demand contribution percentage.

(2) The Town Engineer shall determine each consumer's average suspended solids poundage which has been discharged to the wastewater system, which shall then be divided by the average daily poundage of

all suspended solids discharged to the wastewater system to determine the consumer's suspended solids contribution percentage. Each consumer's volume contribution percentage, biochemical oxygen demand contribution percentage and suspended solids contribution percentage shall be multiplied by the annual operation and maintenance costs for wastewater treatment of the total volume flow, of the total five-day twenty-degree centigrade biochemical oxygen demand and of the total suspended solids, respectively.

(d) Determining a surcharge system for consumers with BOD and TSS. The Town Engineer will determine the average suspended solids (TSS) and BOD daily loading for the average residential consumer. The Town Engineer will assess a surcharge for all nonresidential consumers discharging wastes with BOD and TSS strengths greater than the average residential consumer. Such consumers will be assessed a surcharge, sufficient to cover the costs of treating such consumers' above-normal strength wastes. Normal strength wastes are considered to be two hundred forty (240) parts per million (ppm) BOD and two hundred (200) parts per million (ppm) TSS.

(e) Determining each consumer's wastewater demand surcharge. Each nonresidential consumer's wastewater treatment cost contributions as determined in Subsection (c) above shall be added together to determine such consumer's annual wastewater demand surcharge. Residential consumers may be considered to be one (1) class of consumer, and an equitable service charge may be determined for each such consumer based upon an estimate of the total wastewater contribution of this class of consumer. The governing body may classify industrial and commercial establishments as a residential consumer; provided, however, that the wastes from these establishments are equivalent to the wastes from the average residential consumer with respect to volume, suspended solids and five-day twenty-degree-centigrade biochemical oxygen demand. Each consumer's wastewater treatment cost contribution will be assessed in accordance with the rate schedule, as determined by the Board of Trustees.

(f) Payment of consumer's wastewater demand surcharge and penalties. The Town shall submit an annual statement to the consumer for the consumer's annual wastewater demand surcharge, or one-twelfth (1/12) of the consumer's annual wastewater demand surcharge may be included with the monthly water and/or wastewater utility billing. The Town shall add a penalty of ten percent (10%) per month if the payment is not received by the Town within fifteen (15) days. Should any consumer fail to pay the consumer

wastewater demand surcharge and penalty within three (3) months of the due date, the Town may pursue any remedies for enforcement and collection provided by Article 1 of this Chapter.

(g) Review of each consumer's wastewater demand surcharge. The Town shall review the total annual cost of operation and maintenance, as well as each consumer's wastewater contribution percentage, on an annual basis and will revise the system as needed to assure equity of the wastewater demand surcharge system established by this Section and to assure that sufficient funds are obtained to adequately operate and maintain the wastewater treatment works. If a significant consumer, such as an industry, has completed upgrades and modifications which would reduce the consumer's wastewater contribution percentage, the consumer may schedule with the Town Clerk a presentation at a regularly scheduled meeting of the Board of Trustees regarding such factual information, and the Board of Trustees shall then determine if the consumer's wastewater contribution percentage should be changed. The Town shall notify the consumer of its findings in writing following any determination. (Prior code 7-4-7; Ord. 956 §1, 2014)

Sec. 13-4-80. Wastewater system connection permit and charges.

(a) Wastewater connection permit and charges permit required. It shall be unlawful for any person to tap or make any connection to the wastewater lines or wastewater mains forming part of the Town wastewater system without having first obtained a Town-approved license for connection pursuant to Article 1 of this Chapter and having paid in full all required connection fees in accordance with this Article.

(b) Issuance of permit. Any person seeking a permit for connection to the wastewater system shall file with the Town Clerk a completed application in a form furnished by the Town. Such application shall include a full description of the work proposed to be undertaken. Such application shall clearly identify and designate the point at which the proposed connection shall be made to the wastewater system of the Town and the property or property address to be served by the connection or tap.

<i>Connection</i>	<i>Fee</i>
All connections other than multiple-dwelling units:	\$8,500.00
Connections for multiple-dwelling units:	
First unit	8,500.00
Each additional unit	6,375.00

(d) All connection charges shall be paid in full prior to the issuance of a permit for connection. Unless otherwise accepted by the Town, all payments shall be made in cash or certified funds.

(e) Unless approved by the Board of Trustees, applications for connection to the public wastewater system shall be approved only for use in serving the property described in the application, and a permit shall be appurtenant to the property described in the application and shall not be sold, transferred, conveyed or otherwise divided or separated from the property to be served.

(f) The Board of Trustees may reduce or waive the amount of any wastewater connection charges required by this Section on a case-by-case basis upon written request of an applicant. Approval of a reduction or waiver shall require that the Board of Trustees find that the reduction or waiver will encourage, advance, establish or permit desired land uses (such as development of affordable housing) or significant employment opportunities or provide a significant public benefit.

(g) The Board of Trustees may enter into an agreement with any owner of a connection permit for the repurchase of such permit where the connection to the wastewater system has not been made or has been discontinued and physically disconnected from the public wastewater system. In no event shall the repurchase price be greater than the original connection charge or tap fee paid by the owner or the owner's predecessor. (Prior code 7-4-8; Ord. 956 §1, 2014)

Sec. 13-4-90. Connection specifications and requirements.

(a) Independent connections required. Unless otherwise permitted as provided in this Section, each dwelling unit, building, business, industrial facility, premises or other structure connected to the public wastewater system shall have and maintain a direct and independent connection to the public wastewater system separate from that of every other dwelling unit, building, business, industrial facility, premises or other structure; provided, however, that land uses which typically and customarily share single wastewater connections, such as smaller multifamily residential apartments, may utilize a single connection with the written approval of the Town Administrator.

(b) Exception to independent connections. The Town Administrator may authorize the use of a single connection to the public wastewater system for two (2)

or more attached or detached residential dwelling units located upon a single subdivided lot. The Town Administrator shall approve such exception only where it would be physically or economically unfeasible to require separate connections. Any exception by the Town Administrator shall be made in writing and copies provided to the party seeking the exception and to the Board of Trustees. Any decision by the Town Administrator may be appealed by the party seeking the exception to the Board of Trustees by written request delivered to the Town Clerk within ten (10) days of the date of receipt of the Town Administrator's decision.

(c) Inspection. After a permitted connection to the public wastewater system has been completed and before any backfilling of excavated areas has been commenced, the owner shall contact the Town Clerk and schedule an inspection by the Town of the drain lines, traps, connections and other improvements to determine whether the work was performed in accordance with the applicable building and plumbing requirements and with this Article.

(d) Road and street cuts. A permit for connection to the Town wastewater system shall not constitute a license or permit for the making of any road or street cuts or the excavation of public rights-of-way. All construction activity within the public right-of-way shall be subject to the prior written approval of the Town.

(e) Method of connection. All connections will be made to established wyes, and, if no wyes are available, by cutting a hole in the pipe and using a saddle approved by the Town Administrator, which saddle shall be thoroughly cemented on the pipe by completely surrounding the pipe with a collar of concrete not less than three (3) inches thick in accordance with all applicable construction and plumbing standards. The collar shall extend along the pipe a sufficient distance to cover any crack that may have developed in cutting the pipe and so as to prevent any infiltration of ground or surface water into the wastewater system.

(f) Drain line. Wastewater lateral lines shall be a minimum of SDR 35 or an equivalent material approved by the Director of Public Works, and such lines shall meet or exceed all applicable design and construction standards adopted by the Town. (Prior code 7-4-9; Ord. 956 §1, 2014)

Sec. 13-4-100. Prohibited use of wastewater system.

The following practices or uses of the public wastewater system in the Town shall be prohibited or required as provided by this Section:

(1) Deposit of industrial and other wastes prohibited. It shall be unlawful for any person to deposit, or to permit to be deposited, any oil, acid, grease, paint, fuel, sludge, petrochemical, hydrocarbon, flammable liquid or solid, or any other hazardous material or hazardous waste matter, into the public wastewater system or into any connecting line leading to the public wastewater system. Nothing in this Section shall be construed to prohibit the occasional use of commercially available drain cleaners intended for the maintenance of residential dwelling units.

(2) Clear water drains prohibited. It shall be unlawful for any person to install, maintain or operate, or to permit the installation, maintenance or operation of, any drain or other collection system that will permit, directly or indirectly, the entrance of any groundwater surface, run-off or the water from roof, sump or perimeter building foundation drains into the public wastewater system. In addition to any other remedy permitted by this Chapter or by law, the Town may immediately cause such drain or system to be eliminated or sealed off at the expense of the owner of the property.

(3) It shall be unlawful for any person to damage, destroy, uncover, deface or tamper with any structure, pipeline, vault, lift station or equipment which is a part of the Town wastewater system. (Prior code 7-4-10; Ord. 956 §1, 2014)

Sec. 13-4-110. Industrial wastewater discharges.

(a) Industrial discharge permit required. No industrial business or industrial establishment shall discharge any waste or effluent into the wastewater system of the Town until such time that a permit is granted by the Town Administrator.

(b) At the time of granting any permit required by this Section, the Town Administrator shall fix and determine the anticipated annual rate of industrial discharge for such industrial business or establishment. Based upon such rate of discharge, the Town Administrator shall impose an annual industrial discharge surcharge of twenty-four dollars (\$24.00) for each five thousand (5,000) gallons of waste or effluent to be discharged into the public wastewater system. Such industrial discharge surcharge shall be in addition to all other rates, fees and charges imposed by this Chapter for wastewater service.

(c) Industrial discharge surcharge payments. The industrial discharge surcharge shall be payable in advance in two (2) equal installments. One-half (½) of the annual charge shall be due and payable on January 1 of each year, and the second one-half (½) of the annual

installment shall be due and payable on July 1 of each year.

(d) Special agreements. This Chapter shall not be interpreted or construed as limiting or preventing any written agreement between the Town and any industrial business or establishment for the acceptance of industrial waste or effluent by the Town for treatment subject to payment of a discharge and treatment fee. Such an agreement may substitute for and supersede the requirements of this Section to the extent expressly stated in such agreement. (Prior code 7-4-11; Ord. 956 §1, 2014)

Sec. 13-4-120. Clearing of service lines.

It shall be the responsibility of the property owner to service, maintain and keep the service line extending between the property and the wastewater connection to the main clean and clear of any obstruction and to keep the service line in good repair at all times. (Prior code 7-4-12; Ord. 956 §1, 2014)

Sec. 13-4-130. Service of property outside Town boundaries.

(a) General policy. It is the policy of the Town to provide wastewater services to properties outside of the Town only where the following conditions are met or satisfied:

(1) The property is served by metered Town water services; and (2) The extension of services and the provision of services conforms to and complies with all requirements applicable to wastewater services for property within the Town, except as otherwise provided by this Section.

All connections other than multiple-dwelling units:	\$8,500.00
Connections for multiple-dwelling units:	
First unit	8,500.00
Each additional unit	6,375.00

(c) No rate reduction for nonresident consumers. Rate reductions for qualified consumers provided by Article 5 of this Chapter shall not be available for consumers of services residing outside of the Town. (Prior code 7-4-13; Ord. 956 §1, 2014)

Sec. 13-4-140. Grease and sand and oil traps required.

(a) General requirements.

(1) Grease traps are required at all food service facilities directly or indirectly connected to the Town's

sewage system. All fixtures within such a food service facility, including but not limited to kitchen sinks, dishwashers, automatic hood wash units, floor drains in food preparation and storage areas and any other source deemed by the Town Administrator to be a source of FOG or which may introduce FOG into the sewage system, must be connected to a grease trap. In no case shall FOG be directly introduced into the sewage system. A grease trap shall function to provide a quiescent, broad surface area that provides sufficient retention time for natural buoyancy of the FOG particles to separate from effluent and to retain FOG particles within the structure. Grease traps shall be designed to collect, contain or remove food wastes and grease from the waste stream while allowing the balance of the liquid waste to discharge to the sewage system. All grease traps shall be designed and installed in accordance with sound engineering principles and according to the Town's specifications and shall fulfill all requirements of this Code. No grease trap shall be installed which has an approved rate of flow of less than fourteen (14) gallons per minute. Whenever possible, grease traps shall be located underground and outside of a food service facility and shall have at least one (1) inspection hatch on the top surface to facilitate inspection, cleaning and maintenance. Exterior grease traps shall be a minimum capacity of fifty-five (55) gallons, be made of impervious material and be watertight. Exterior grease traps shall be located not less than three (3) feet from the foundation wall of a building and as close as possible to the fixture the grease trap serves. Grease traps interior to a building shall be used only when it is impracticable to install an exterior trap; any interior grease trap shall be of not less than six (6) pounds.

(2) Sand and oil traps are required at all transportation service establishments directly or indirectly connected to the Town Sewage System. All fixtures within such a transportation service establishment deemed by the Town Administrator to be a source of sand and/or oil that may be introduced into the sewage system shall be connected to a sand and oil trap. In no case shall sand or oil be directly introduced into the sewage system. No wash rack may be connected to these wage system unless a sand and oil trap is installed. Sand and oil traps shall be of the same construction as grease traps and shall function to provide a quiescent, broad surface area that provides sufficient retention time for natural settling of the sand particles to separate from effluent and to retain sand and oil particles within the structure. Sand and oil traps shall be located as close to the fixture or floor drain as possible and shall be accessible for frequent cleanings. Sand and oil traps may be located underground and outside of a transportation service establishment and shall have at

least one (1) inspection hatch on the top surface to facilitate inspection, cleaning and maintenance. Sand and oil traps shall be designed to collect, contain or remove sand and oil from the waste stream while allowing the balance of the liquid waste to discharge to the sewage system. All sand and oil traps shall be designed and installed in accordance with sound engineering principles and according to the Town's specifications and must fulfill all requirements of this Code.

(b) Requirements for traps.

(1) All traps shall be located as to be readily and easily accessible for cleaning by the user and for inspection by the Town Administrator.

(2) All traps shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight and equipped with easily removable covers which, when bolted in place, shall be gastight and watertight.

(3) The owner shall ensure that all traps work properly and effectively.

(4) All traps shall fully comply with all applicable provisions of this Code and any other applicable Town regulations.

(5) The owner shall be solely responsible for the cost and completion of trap cleaning, inspection, maintenance and repairs.

(6) Pumping of all traps shall be performed when, in the case of a grease trap, the total volume of captured FOG and food sludge in a grease trap or, in the case of a sand and oil trap, the total volume of captured sand and oil, displaces twenty percent (20%) or more of the volume of the trap. Pumping the trap means emptying it and cleaning the side walls, cross pipes and inlet and outlet pipes.

(7) All traps shall be opened, inspected and maintained a minimum of once per month.

(8) Traps may be inspected by the Town Administrator as often as deemed necessary to assure compliance with this Article. Such inspections may be unannounced. The Town Administrator may review the facility's records on proper pumping, cleaning, maintenance and disposal activities and may order the facility to make such changes or repairs as necessary to comply with the provisions of this Article.

(9) The owner shall be solely responsible for the cost and completion of all repairs of traps. Repairs required by the Town Administrator shall be completed within twenty-one (21) calendar days from the date of receipt of written notice of required repairs.

(10) The owner shall be responsible for the lawful disposition of all grease, sand, oil and materials removed from traps.

(11) The owner shall maintain records of all trap cleaning, maintenance, disposal and repair, and shall make all records available to the Town Administrator upon demand. Such records shall include the date and time of the event recorded, as well as the date the record was created, and shall include the amount of material pumped, the repair conducted or similar description of the recorded event. All records shall be signed by the authorized owner or a representative of the owner or operator. If cleaning and maintenance are done by facility owners, written maintenance and cleaning procedures, as well as the above-required records, are required and shall be made available to the Town Administrator upon demand. All required written records shall be maintained for three (3) years from the date the record was created.

(12) No chemicals, enzymes, emulsions, live bacteria or other grease cutters or additives to grease traps shall be used without the prior written approval of the Town Administrator. If the Town Administrator's approval to apply such additives is requested, the Town Administrator shall be furnished the Material Safety Data Sheet for the substance to be used, together with any other information requested by the Town Administrator, including but not limited to the frequency of application, concentration/dose and method of application. Approval by the Town Administrator to use additives may be for a limited time period and in any event may be terminated at any time at the discretion of the Town Administrator.

(13) No grease, sand or oil sources shall be connected directly to sewer lines or be allowed in any other manner to bypass the trap.

(14) Sewage shall not be allowed to pass through a trap.

(15) Access covers or manholes shall be clearly identifiable and provided over each trap. The manholes shall have readily removable covers to facilitate inspection, the removal of grease, sand, oil and other materials, and gray water sampling activities. The

location of the trap shall be kept free and clear of debris. Blocking or covering the access to manholes is prohibited. The owners or designated representatives (facility managers) of the food service facilities or transportation service establishments shall open access covers or manhole covers at the request of the Town Administrator.

(16) Traps shall be designed and maintained so as to prevent surface water or groundwater from entering the trap through leaks in the plumbing or cracks in the trap itself.

(17) Under-sink grease traps shall be cleaned at a minimum of once per week, or more often as necessary, to prevent pass-through of grease and other solids into the Town's sewage system. Facilities with under-sink grease traps are subject to the same recordkeeping requirements as indicated above.

(18) FOG, sand or oil shall not be discharged directly to the Town's sewage system, storm sewer system or any other location not designated by the Town Administrator for the reception of such materials.

(19) A sampling port shall be installed in a location approved by the Town Administrator to allow sampling by the Town Administrator. The sampling port shall be located between the trap and the discharge point to the sewage system.

(20) The owner shall allow the Town Administrator ready access at all reasonable times to all parts of the facility for the purpose of trap inspections, observations, records examination, measurements, sampling, testing and any other function deemed necessary under this Article.

(c) Inspection and monitoring.

(1) All facilities may be inspected by the Town Administrator as often as deemed necessary to assure compliance with this Article. Such inspections may be unannounced. The Town Administrator may review the records required by this Article and may order such changes or repairs as necessary to comply with the provisions of this Article. Inspections will not be limited to traps, but shall include all equipment and operations that may result in the generation of FOG, sand and oil. Other pertinent data and documentation will be subject to verification at the time of inspection.

(2) The Town Administrator may:

a. Sample and analyze wastewater discharge from food service facilities and transportation service establishments at any time to determine compliance with all provisions of this Code.

b. Measure grease, sand and gray water level in the traps at any time for pumping violations.

c. Determine the adequacy of all traps, based on review of all pertinent information regarding grease, sand and oil trap performance and facility operations, and order the installation of an appropriate trap.

(d) Transportation of material removed from traps:

(1) All persons transporting FOG, sand and oil removed from traps shall:

a. Comply with all applicable local, state and federal regulations.

b. Lawfully dispose of all material removed from traps.

c. Accurately maintain for a period of three (3) years the following records:

1. Name and address of the business where the grease, sand and oil trap was pumped out and cleaned.

2. Name of the business owner, date of pumping and volume of waste.

3. As to each shipment of material removed from traps:

(a) Vehicle license number of the vehicle used in the shipment;

(b) The driver's name;

(c) The date of delivery; and

(d) A signed manifest. By signing a manifest, the driver certifies to the accuracy of information on the manifest.

(2) The Town Administrator may inspect all vehicles used in the transportation of material removed from traps.

(3) Persons transporting material removed from traps shall clean up spills or accidental releases on streets in the Town.

(e) Violations. The violation of any provision of this Section shall be a violation of this Code, punishable pursuant to the provisions of Section 1-4-20 of this Code. Each day a violation continues shall be considered a separate violation. (Prior code 7-4-14; Ord. 956 §1, 2014)