

maintained in accordance with the plans and specifications for the construction and maintenance on file in the office of the Town Clerk.

(1994 Code, § 51.20) Penalty, see § 51.99

### **§ 51.21 FIRE HYDRANTS ON PRIVATE PROPERTY.**

(A) Any person desiring to run a large pipe from the town main to his or her premises within the town for the purpose of providing a hydrant for use in case of fire shall be permitted to connect with the street main at his or her own expense and shall be permitted to use water therefrom, for fire purposes only, at no charge.

(B) All hydrants so constructed on premises of patrons shall be sealed with suitable material.

(C) Any person breaking or permitting another to break the seal, except for the purpose of obtaining water for firefighting purposes, shall be deemed guilty of a misdemeanor.

(D) Each week the seal remains broken shall be construed to be a separate and distinct offense.  
(1994 Code, § 51.21) Penalty, see § 51.99

## **SEWERS**

### **§ 51.35 DISCHARGES.**

(A) No person shall pour, throw, or discharge any substance, either solid or liquid, into any sanitary or storm sewer at any manhole or at any opening therein other than a sewer connection.

(B) No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, subsurface drainage, swimming pool drainage, cooling water, or unpolluted industrial or commercial process water into any sanitary sewer.

(C) No person shall connect or cause to be connected to the sanitary sewer system any pipe or conduit which will allow the discharge of the inflow sources listed in divisions (A) and (B) above into the sanitary sewer system.

(1994 Code, § 51.30) (Ord. passed 2-2-1982)  
Penalty, see § 51.99

### **§ 51.36 DEPOSIT OF CERTAIN WASTES PROHIBITED.**

(A) No person shall discharge or deposit any of the following waste materials into any town sanitary sewer:

(1) Any clothing, rags, textile remnants or waste, cloth, scraps - except fibers of scraps that will passed through a 3/4-inch mesh screen or its equivalent in screening ability;

(2) Any liquid or vapor having a temperature higher than 130°F;

(3) Any water or waste which may contain more than 100 mg/l of fat, oil or grease;

(4) Any gasoline, benzene, naphtha, fuel oil, motor oil, or other flammable or explosive liquid, solid, or gas;

(5) Any garbage that has not been properly shredded;

(6) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, or other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works;

(7) Any waters or wastes in which the suspended solids exceed 300 mg/l;

(8) Any waters or wastes in which the total fixed exceed 2,000 mg/l;

(9) Any waters or wastes in which the B.O.D. exceeds 300 mg/l;

(10) Any waters or wastes in which the C.O.D. exceeds 700 mg/l;

(11) Any waters or wastes in which the I.O.D. exceeds 5.0 mg/l;

(12) Any waters or wastes having a stabilized pH lower than 5.5 or higher than 11.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works;

(13) Any waters or wastes containing measurable amounts of chromium, zinc, nickel, copper, or other heavy metals which are in an ionic or chemically active state;

(14) Any waters or wastes containing cyanide or other poisonous substances;

(15) Any waste containing toxic, poisonous or other substances in sufficient quantities to interfere with the biological process used in the waste treatment works or that will pass through the waste treatment works and harm persons, livestock, or aquatic life using the receiving stream;

(16) Any noxious or malodorous gas or substance capable of creating a public nuisance;

(17) Any solid radioactive materials or radioactive materials in solution which can be removed by chemical means and disposed of in solid form;

(18) Any radioactive materials in soluble ion form in sufficient quantities to create a hazard to sewage works personnel or the biological life in the waste treatment plant or receiving stream;

(19) Any materials which form excessive amounts of scum that may interfere with the operation of the waste treatment works or cause undue additional labor in connection with its operation;

(20) Any waters or wastes containing suspended solids of a character and quality that unusual attention or expense is required to handle the materials at the waste treatment plant;

(21) Any waters or wastes containing dyes or other color of the character or in the quantity as to require special chemical treatment; and/or

(22) Any waters or wastes which, in concentration of any given constituent or in quantity of flow exceeds, for any period of duration longer than 15 minutes, more than 5 times the average 24-hour concentrations or flows during normal operation.

(B) The Town Administrator may exclude and prevent from being discharged into the town's sewer system any water materials which violate this chapter. (1994 Code, § 51.31) (Ord. passed 2-2-1982) Penalty, see § 51.99

#### **§ 51.37 DETERMINATION OF EXCESSIVE FLOWS OR CHARACTERISTICS.**

(A) In order to prevent overloading the sewage treatment plant by periodic discharges of wastes at high levels or by discharges having excessively fluctuating biological or chemical characteristics, the approving authority shall determine when the following conditions exist at the point of discharge to the town sewer.

(B) (1) The B.O.D. is in excess of 300 mg/l for 2 successive days.

(2) The pH is lower than 5.5 or higher than 11.0 for a continuous period of 20 minutes.

(3) The suspended solids are in excess of 300 mg/l for 2 successive days.

(4) The rate of flow is in excess of 5 times the average 24-hour flow for a period exceeding 15 minutes.

(5) The C.O.D. is in excess of 700 mg/l for 2 successive days.  
(1994 Code, § 51.32) (Ord. passed 2-2-1982)

### § 51.38 REDUCTION OF EXCESSIVE FLOWS.

(A) After the determination described in § 51.37, the approving authority shall, by the procedures available, determine the source of industrial waste violations.

(B) Thereupon he or she shall notify the persons responsible therefore to cease the discharges or to take 1 or more of the following steps to alleviate the condition:

(1) Construct a storage tank, holding pond, or other device which, with suitable flow control, will equalize the flow over a 24-hour period;

(2) Treat the wastes to prevent the industrial discharge from exceeding the limits of pH as set out in § 51.37(B)(2);

(3) Reduce the B.O.D. of the waste to a level that the discharge into the town's sewer system is not in excess of 300 mg/l for any day; and/or

(4) Reduce the suspended solids of the waste so the C.O.D. is not in excess of 700 mg/l for any 1 day.  
(1994 Code, § 51.33) (Ord. passed 2-2-1982)

### § 51.39 OVERLOADS BY SPECIAL CONTRACT.

(A) At the discretion of the approving authority and with approval of the Board, in the case where compliance with § 51.38 would create undue hardship upon the person discharging the excessive wastes, the approving authority may execute a special contract with the person, whereby he or she will be permitted to continue discharge of the wastes uncontrolled or in part.

(B) The contract shall provide for the surcharges as may be determined to compensate the town for treating the uncontrolled wastes.  
(1994 Code, § 51.34) (Ord. passed 2-2-1982)

### § 51.40 METHODS OF SAMPLING.

(A) A sewer surcharge may be made for excess B.O.D., C.O.D., or suspended solids and shall be determined by the town through representative sampling of the wastes at intervals as outlined below.

(1) Sampling shall be done by the town 4 times each year at the customer's expense.

(2) If more frequent sampling is requested by the person, the town will do the additional sampling and analysis at the cost to the person requesting it.

(B) Analysis of the waste shall be by laboratory methods as set out in the latest edition of *Standard Methods for the Examination of Water and Sewage*, as published by the American Public Health Association.

(C) A surcharge for excess B.O.D., C.O.D., or suspended solids shall be in accordance with § 51.41.  
(1994 Code, § 51.35) (Ord. passed 2-2-1982)

### § 51.41 METHOD OF CALCULATING SURCHARGE.

(A) When the concentration of B.O.D., C.O.D., or suspended solids in the industrial waste discharge to the town's sanitary sewers exceed the limits hereinbefore prescribed, a monthly surcharge may be imposed upon the offending industrial user's sewage flow when the excess is calculated using the industrial plant water flow and the difference between the greater charge for the actual B.O.D., C.O.D., or suspended solids concentration and the permissible limits of 300 mg/l, 700 mg/l, and 300 mg/l respectively.

(1) This surcharge shall be invoked as herein provided in addition to the existing regular sewer service charge.

(2) The surcharge shall reflect the total cost of treating the excess pounds of industrial waste including necessary costs of administration of the sewage plant and this chapter.

(a) The method used to determine the surcharge amount shall consist of dividing the audited budget cost for operating the town's sewage treatment plant for the preceding fiscal year by the total treatment plant design poundage of B.O.D., C.O.D., or suspended solids.

(b) This unit cost for treatment then shall be applied to the excess poundage of B.O.D., C.O.D., or suspended solids.

(B) The Director of Public Utilities shall make a report to the Town Administrator each quarter of all activities conducted concerning this section.

(1994 Code, § 51.36) (Ord. passed 2-2-1982)

#### **§ 51.42 DEPOSIT OR SURCHARGE PERMITS.**

Any person desiring to deposit or discharge any industrial waste into the town sanitary sewers shall make application to the approving authority in the manner prescribed by him or her. The approving authority shall approve the applications only when evidence is submitted by the applicant that the discharge into the sanitary sewer will comply with all of the regulations of this chapter.

(1994 Code, § 51.37) (Ord. passed 2-2-1982)  
Penalty, see § 51.99

#### **§ 51.43 OUTSIDE CONNECTIONS.**

Any person owning or controlling premises located beyond the corporate limits of the town and desiring to install a plumbing system for the purpose of discharging domestic sewage and/or industrial waste into the sanitary sewers of the town may do so

by complying with the requirements of this chapter and by paying an additional permit fee and a yearly sewer rental charge fixed or to be fixed by the Board of Alderpersons.

(1994 Code, § 51.38) (Ord. passed 2-2-1982)

#### **§ 51.44 INSPECTIONS.**

The approving authority and other duly authorized employees of the town, while bearing proper credentials and identification, shall be permitted to enter upon all properties of persons discharging domestic sewage, wastes, or industrial wastes into the sewerage system, for the purpose of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this chapter.

(1994 Code, § 51.39) (Ord. passed 2-2-1982)

#### **§ 51.45 TEMPORARY STOPPAGE OF WASTE DISCHARGE.**

Authority is hereby granted to the Town Administrator to temporarily stop or exclude any flow of industrial waste, whether pre-treated or not, into the sanitary sewers whenever, in his or her opinion, the action is necessary for the purpose of determining the effects of the wastes upon the sewers, sewage treatment works, or sewage treatment plants.

(1994 Code, § 51.40) (Ord. passed 2-2-1982)

#### **§ 51.46 DAMAGING OR DEFACING EQUIPMENT.**

(A) It shall be unlawful for any person to maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any equipment or materials belonging to the town used for the purpose of making tests or examinations and left upon the premises of a person discharging wastes into the sewers or to tamper with any equipment belonging to the town used in providing utility service to the person.

(B) Any person desiring to appeal any decision of the approving authority pertaining to this chapter may do so before the Board of Alderpersons, if the notice of appeal is presented in writing within 2 weeks of the approving authority's decision.  
(1994 Code, § 51.41) (Ord. passed 2-2-1982)  
Penalty, see § 51.99

#### § 51.47 MANAGEMENT POLICY.

(A) Industrial customers who have a discharge in excess of 1,000,000 gallons per month or who have been issued a National Pollution Discharge Elimination System permit by the Environmental Protection Agency or North Carolina Department of Natural and Economic Resources, or who propose to discharge any of those controlled elements or compounds specified in the federal pretreatment regulations shall construct or cause to be constructed a manhole or similar thing for specific purpose of sampling the industrial discharge.

(1) The sampling point shall be totally accessible, contain a ladder or stairs, and be equipped with a primary measuring device such as a Parshall flume, Kenniston nozzle, or other approved system.

(2) Both the design and location of the sampling point shall be approved by the town before construction.

(B) Waste flow from industrial customers shall be determined at 100% of water usage, except an industrial discharger, at his or her own expense, may construct or cause to be constructed an approved measuring device.

(1) In that case, billing will be based on actual metered discharge, provided the town is furnished with an actual certificate of accuracy certified by the equipment manufacturer or other approved agency.

(2) Any malfunction or inaccuracy of the metering equipment shall cause the basis for billing to revert to water usage until corrected.

(C) Industrial customers described in division (A) above shall be surveyed at least annually to determine if violations to this code exist. Should a violation be found, the town will:

(1) Invoke a surcharge and initiate a sampling program as outlined in §§ 51.40 and 51.41;

(2) Issue to the industry a deadline by which the violating concentration or element must be reduced or removed; or

(3) Refuse to accept any further discharge, should the severity of the violation so dictate.

(4) Industrial dischargers who, by virtue of volume, concentration, or waste characteristics have been issued a permit through the N.P.D.E.S. program or are subject to federal pretreatment regulations shall be required to comply with all the requirements of those programs. Should a conflict exist between the federal and state discharge parameters and those specified in this code, the more stringent requirement shall take precedent.  
(1994 Code, § 51.42) (Ord. passed 2-2-1982)  
Penalty, see § 51.99

#### § 51.48 GUARANTEED SEWER SERVICE AND GRINDER PUMPS.

The town shall make sanitary sewer available to all lots that exist within the town at the time of construction. Availability shall be defined as accessible to the building with reasonable means of either gravity sewer to the first floor or above or installation of a single building service grinder style lift pump. Any lot that requires a single building service grinder style lift pump will be installed at the property owner's expense. The property owner shall also be responsible for all operational, maintenance and/or replacement costs associated with any single building service grinder style lift pump on the property.

(Ord. CO-02-2014, passed 11-10-2014)

**SERVICE CHARGES****§ 51.60 CONNECTION CHARGES.**

Any person desiring or required to connect to the town's water or sewer system shall pay for each connection the charges as are fixed, from time to time, by resolution of the Board of Alderpersons. Water shall not be supplied to any premises, nor shall the use of a sewer connection be permitted, until all the charges have been paid to the Town Administrator and a receipt therefor obtained from him or her.

(1994 Code, § 51.50) Penalty, see § 51.99

**Statutory reference:**

*Authority of town to fix charges for water and sewer connections, see G.S. § 160A-317*

**§ 51.61 RATES.**

Service charges to be collected from patrons of the town's water and sewer systems shall be at the rates as are fixed from time to time by resolution of the Board of Alderpersons.

(1994 Code, § 51.51)

**§ 51.62 DEPOSIT TO SECURE PAYMENT.**

All new applicants for water and sewer service who do not own property in the town shall post a deposit in the amount as the Board of Alderpersons shall from time to time establish, at no interest, prior to receiving water or sewer service from the town.

(1994 Code, § 51.52)

**§ 51.63 DETERMINATION OF SEWER CHARGE BY METER ON PRIVATE WATER SUPPLY.**

Where a patron of the town's sewer system uses his or her own water supply in accordance with the provisions of this chapter and there is disagreement as to the quantity of water used, the Town Administrator

may require the patron to install a meter on his or her supply line for the purpose of determining the amount of the sewer service charge.

(1994 Code, § 51.53)

**§ 51.64 RESPONSIBILITY FOR PAYMENT IN CASE OF MULTIPLE DWELLING.**

(A) The owner of an apartment house, duplex house, or other premises occupied by more than 1 tenant may, if he or she so desires, within 30 days after the completion of the same, file with the Town Administrator a written statement to the effect that he or she will personally pay for all water and sewer services thereafter furnished to all occupants of the apartment house, duplex house, or other premises. Thereupon, only 1 meter shall be required for the apartment house, duplex house, or other premises. In that event, the owner shall pay for all water and sewer service at the rates as shall be established by resolution of the Board of Alderpersons. The owner, if he or she occupies the building or any part thereof, shall be construed to be a tenant under the provisions of this section.

(B) If the owner does not file the written statement provided for in division (A) of this section, the owner shall have installed a separate meter for each apartment, suite of rooms, or other space occupied or arranged for occupancy by a separate tenant in the apartment house, duplex, or other premises.

(C) If any owner of any apartment house, duplex house, or other premises arranged for occupancy by 2 or more tenants does not file with the Town Administrator the written statement provided for in division (A) or does not have installed separate meters as required by division (B), the Director shall discontinue water service to the apartment house, duplex house, or other premises.

(1994 Code, § 51.54) Penalty, see § 51.99

**§ 51.65 WHEN AND WHERE PAYABLE;  
CHARGES FOR FRACTIONAL PART OF  
BILLING PERIOD.**

(A) All patrons of the water and sewer services of the town shall pay their water and sewer service charges at the office of the town within 10 days after the bill therefor is mailed.

(B) Charges for water and sewer services for a fractional part of a billing period shall be payable on demand.

(1994 Code, § 51.55) Penalty, see § 51.99

**§ 51.66 DISCONTINUANCE OF SERVICES  
FOR FAILURE TO PAY; RENEWAL  
PROCEDURE.**

(A) If water and sewer charges are not paid within 10 days after the due date, the Town Administrator may instruct the Director to discontinue the services to the delinquent patron.

(B) If water and sewer services are discontinued by reason of the failure to pay the charges therefor, the services shall not be renewed until all charges for cutting on the water are paid in full.

(C) Any person whose water and sewer services have been discontinued by the Director as provided in this section who shall thereafter cut on the water or otherwise make the services available, except by renewal as provided above, shall be deemed guilty of a misdemeanor.

(1994 Code, § 51.56) Penalty, see § 51.99

***Statutory reference:***

*Service for failure to pay service charge, see  
G.S. § 160A-314(b)*

**§ 51.67 PROCEDURES TO ESTABLISH  
UTILITY SERVICES.**

(A) It shall be required that renters and/or non-property owners complete a utility application with

all requested information, provide a rental or lease agreement and provide a valid North Carolina driver's license or identification card.

(B) It shall be required that property owners complete a utility application with all requested information, provide a purchase agreement and provide a valid North Carolina driver's license or identification card.

(Ord. passed 4-11-2011)

**§ 51.99 PENALTY.**

(A) Any violation of any provision of this chapter for which another penalty is not otherwise provided shall subject the violator to a civil penalty in the sum of not more than \$500 per day.

(1) A citation for the civil penalty shall be issued by the Code Enforcement Officer.

(2) Each citation for a civil penalty must be paid within 120 hours of issuance.

(B) Each and every day that the violator continues in violation shall be a separate and distinct offense.

(C) The town may also, and in addition, seek any and all appropriate equitable remedies, injunctions, and/or abatement orders from the appropriate court of competent jurisdiction.  
(1994 Code, § 51.99)