

ORDINANCE NO.
2015-03

AMENDED 02/17/2016

ORDINANCE NO. 2015-03

AN ORDINANCE GOVERNING THE COLLECTION, TREATMENT, AND DISPOSAL OF WASTEWATER WITHIN THE TOWN; PROVIDING FOR PROCEDURES AND POLICIES FOR OBTAINING WASTEWATER SERVICE FROM THE TOWN; PROVIDING FOR THE AUTHORITY OF THE TOWN AND PROVIDING FOR FEES AND PENALTIES.

WHEREAS, pursuant to NMSA (1978), § 3-33-3, the governing body of the Town of Edgewood created and established, as a public body corporate and politic,

WHEREAS, the governing body of the Town of Edgewood is the ex-officio government of the Town; and

WHEREAS, the Town of Edgewood Administrator is responsible for managing the Town's wastewater system, but not the private sewage disposal systems, in accordance with the Ordinance adopted by the Town governing body.

NOW, THEREFORE, BE IT ORDAINED by the Town of Edgewood Governing Body, Edgewood New Mexico, as follows:

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SECTION 1. GENERAL PROVISIONS

§ 1.01 TITLE

The provisions of this Ordinance shall be known as the Sewer Use Ordinance of the Town of Edgewood, New Mexico.

§ 1.02 PURPOSES

This Ordinance sets forth uniform requirements for users of the Town of Edgewood Wastewater collection, treatment and disposal facilities (facilities), and enables the Town to comply with all applicable state and federal laws, including the Clean Water Act (33 USC 1251 et seq.). The objectives of this Ordinance are:

- a. To prevent introduction of pollutants into the facilities that will interfere with the operation of the facilities
- b. To prevent the introduction of pollutants into the facilities which will pass through the Edgewood Wastewater Treatment Plant (EWWTP), inadequately treated, into receiving waters or otherwise be incompatible with the facilities
- c. To ensure that the quality of the Wastewater Treatment Plant sludge is maintained at a level which allows its use and disposal in compliance with applicable statutes and regulations
- d. To protect EWWTP personnel who may be affected by Wastewater and sludge in the course of their employment and to protect the general public
- e. To improve the opportunity to recycle and reclaim Wastewater and sludge from the EWWTP
- f. To establish policies for obtaining wastewater service from the Town, payment of fees, and commitments for service.
- g. To define who can be served by the Town Wastewater Facilities
- h. To establish processes and fees for connection, and usage of the Wastewater Facilities
- i. To provide penalties for violations of this chapter
- j. To allow for establishment of an Advisory Board.

§ 1.03 STATUTORY AUTHORITY

The authority for this chapter is found in NMSA §§ 3-18-1, 3-18-22, 3-18-25, 3-23-1 through 3-23-10, 3-26-1 through 3-26-3, and 3-36-1 through 3-36-7.

§ 1.04 INTERPRETATIONS AND CONFLICT

- a. *Federal and state conflict.* Any provision of the U.S. or State law, which imposes a greater duty, standard or requirement than those contained herein shall supersede the provisions of this chapter.
- b. *Conflict within this chapter.* If two or more provisions of this chapter are conflicting, the most restrictive provision shall apply.
- c. *Local conflict.* Where the provisions of any local ordinance, regulation or legal covenant provide for greater restrictions than those of this chapter, the more stringent regulations or restrictions shall prevail.

§ 1.05 DEFINITIONS

Words used in the present tense include the future tense, and words used in the future tense include the present tense. All pronouns used in this Ordinance shall include the masculine, feminine, and neuter gender, in addition to the singular and the plural, and the context of this Ordinance shall be read accordingly. The words "shall" and "must" are mandatory, and the word "may" is permissive. All references to days shall be to calendar days unless otherwise indicated. For the purpose of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning. All words defined herein are capitalized throughout the text of this Ordinance.

APPLICANT. The Owner or his/her designee serving as the responsible party for any application to receive service from the Town's Wastewater Facilities.

BOD. (Biochemical Oxygen Demand). The quantity of oxygen utilized in the biochemical oxidation of organic matter, as determined by Standard Methods procedure in five days at twenty degrees centigrade expressed in milligrams per liter (mg/l).

BUILDING DRAIN. The part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the Building Sewer, beginning five feet outside of the inner face of the building wall.

BUILDING SEWER. The extension from the Building Drain to the Public Sewer or other place of disposal.

COD. (Chemical Oxygen Demand) The quantity of oxygen utilized in the chemical oxidation of organic and inorganic matter under standard laboratory procedure by the dichromate reflux method expressed in milligrams per liter.

COMBINED SEWER. A Sewer receiving both surface runoff and sewage.

COMMERCIAL WASTEWATER. Commercial wastewater means non-toxic, non-hazardous wastewater from commercial facilities which is usually similar in composition to domestic wastewater, but which may occasionally have one or more of its constituents exceed typical domestic ranges..

DWELLING UNIT. A room or suite of rooms with kitchen and bath facilities designed as a unit for occupancy by one family.

EASEMENT. The right or privilege that a Person or Persons may have in another's land such as rite of passage; commonly associated with road and Utility corridors.

ENGINEER. A professional engineer licensed in the state of New Mexico.

ERU. Equivalent Residential Unit, as defined by the Town's governing body.

ESTABLISHMENT. A multi-family housing, an apartment, a condominium or townhouse complex, a mobile home park, a commercial or institutional development, or places of business or assembly. An Establishment includes all building or structures and the land pertaining thereto.

FUNCTIONING WASTEWATER SYSTEM. A wastewater system that is operating as designed and as permitted by Environmental Protection Agency (EPA) and the State of New Mexico Environment Department (NMED).

GARBAGE. Solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.

GROUND WATER. Interstitial water that occurs in saturated earth material.

INDUSTRIAL USERS. All customers discharging industrial waste to the Sewer System as hereby defined;

- i. Industrial Users subject to categorical pretreatment standards.
- ii. Industrial Users that discharge an average of 25,000 gpd or more of process Wastewater or which contributes a process waste stream that makes up five percent (5%) or more of the average dry weather hydraulic or organic capacity of the treatment plant.
- iii. Any other industrial user that is designated as significant by the Town on the basis that the industrial user has a reasonable potential for adversely affecting the treatment plant's operation or for violating any pretreatment standard or requirement. This shall include, but is not limited to, the following:

Auto body repair & paint shops	Hospitals & medical offices
Auto repair	Laundries
Auto wash	Leather tanning & finishing
Bakeries	Lumber & building materials - Retail
Battery manufacturing	Jewelry manufacturing
Cooling plants	Machine and sheet metal shops
Dairies	Meat & vegetable processing & packaging
Dry cleaners	Nursing care facilities
Eating Establishments (restaurants)	Paper mills
Electroplating & metal finishing	Paving and roofing
Explosives & ammunitions	Pesticide processors and handling
Fuel-oil dealers	Professional cleaning
Funeral services	Photographic processing
Gasoline service stations	Printing
Gum & wood chemical manufacturing	Rubber & plastics handling & manufacturing

Schools & universities research & teaching
labs
Scrap and waste material handling

Stone, clay, glass & concrete products
Veterinary services
Woodworking shops

INTERFERENCE. Any condition or combination of conditions which causes degradation of the operational efficiency of a Wastewater Facility.

LICENSED PLUMBER. Any contractor meeting the criteria set forth in the State of New Mexico Construction Industries Division (NMCID) Rules and Regulations qualified to acquire permit for connection to the main line of the wastewater system and decommissioning and abandoning septic tanks.

LICENSED CONTRACTOR. Any contractor meeting the criteria set forth in the State of New Mexico Construction Industries Division (NMCID) Rules and Regulations qualified to acquire permit for connection to the main line of the functioning wastewater system, and to perform work defined as utility work.

MANDATORY CONNECTIONS. A connection which is required when sewer service is available.

MUNICIPAL OFFICE(S). The physical location of the Town of Edgewood Municipal Office by which day to day operations of the Town government occur.

NATURAL OUTLET. Any outlet into a Watercourse, pond, ditch, lake or other body of Surface Water or Ground Water.

NMCID. New Mexico Construction Industries Division

NMED. New Mexico Environment Department

NORMAL DOMESTIC WASTEWATER. Waterborne wastes normally discharging from the sanitary conveniences of buildings, including apartment houses and hotels, office buildings, factories and institutions, free from storm water and industrial wastes. Normal Domestic Wastewater shall consist of discharges that do not exceed the following characteristics:

- (i) Biochemical Oxygen Demand (BOD) less than or equal to 300 mg/l; and
- (ii) Total Suspended Solids (TSS) less than or equal to 200 mg/l; and
- (iii) Ammonia Nitrogen (NH₃N) less than or equal to 45 mg/l.

OWNER. An individual, partnership, corporation, joint venture or other legally formed entity with ownership to property within the Town of Edgewood.

PERSON. Any individual, partnership, firm, public or private corporation, association, trust, estate, governmental entity, agency or institution, any other legal entity or their legal representative, agents, or a designee.

pH. The logarithm, to the base ten, of the reciprocal of the concentration of hydrogen ions in grams per liter of solution.

PROPERLY SHREDDED GARBAGE. Wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in Public Sewers, with no particles greater than one-half inch in any dimension.

PUBLIC SEWER or SEWER SYSTEM or SEWER or SANITARY SEWER. . A publicly owned wastewater collection system which includes, but is not limited to: the trunks, arterials, channels, conduits, manholes, pumps, pumping stations, piping, and other appurtenances necessary to collect Wastewater from a community, water district, corporation, company, or other entity that produces domestic sewage or a majority of domestic sewage mixed with other liquid wastes treatable in a Wastewater Treatment Facility which is subject to a National Pollutant Discharge Elimination System (NPDES) permit or a NMED discharge permit. The Public Sewer portion of a Wastewater Facility which transports Wastewater and to which storm, Surface and Ground Water are not intentionally admitted.

PUBLIC SEWER or SEWER SYSTEM or SEWER or SANITARY SEWER. A wastewater collection system, owned or operated by a governmental or quasi-governmental agency in which all owners of abutting properties shall have equal rights to connect and dispose of Wastewater, which includes, but is not limited to: the trunks, arterials, channels, conduits, manholes, pumps, pumping stations, piping, and other appurtenances necessary to collect wastewater from a community, water district, corporation, company, or other entity that produces domestic sewage or a majority of domestic sewage mixed with other liquid wastes treatable in a wastewater treatment facility which is subject to a National Pollutant Discharge Elimination System (NPDES) permit or a NMED discharge permit. The public sewer portion of a wastewater facility which transports wastewater and to which storm, surface and ground water are not intentionally admitted.

SHOCK. Any discharge of water, sewage, or industrial waste containing unusual amounts of toxic contaminants, algae, colloidal matter, color, suspended solids, turbidity, or other pollutants that may inhibit the Town's functioning wastewater system.

SLUG. Any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen minutes more than five times the average twenty-four hour concentration or flow during normal operation.

STANDARD METHODS. The laboratory procedures set forth in the latest edition, at the time of analysis, of "Standard Methods for the Examination of "Water and Wastewater" as prepared, approved and published jointly by the "American Public Health' Association", the "American Water Works Association" and the "Water Environment Federation."

STANDARDS AND SPECIFICATIONS. A compilation of standard design requirements and drawings that have been approved for use in the construction of the Town's Wastewater Facilities.

SURFACE WATER. A recognizable body of water, including swamp or marsh areas and natural or constructed ponds contained within a recognizable boundary. This does not include retention or detention areas designed to contain standing or flowing water for less than 72 hours after a rainfall.

SUSPENDED SOLIDS. Solids that either float on the surface of or are in suspension in water, sewage or other liquids and which are removable by laboratory filtering.

TOXIC, HAZARDOUS, OR INDUSTRIAL WASTE. All waterborne solids, liquids or gaseous wastes resulting from an Industrial User, or from the development of any natural resource or any mixture of these with water or domestic sewage as distinct from normal domestic sewage.

Include, but not limited to: Wastewater carried off by floor drains, utility sinks, and equipment drains located in buildings from an Industrial User.

TOTAL KJELDAHL NITROGEN (TKN). The total concentration of organic nitrogen and ammonia in wastewater.

TOTAL SUSPENDED SOLIDS (TSS). Solid materials, including organic and inorganic, that are suspended in the wastewater.

TOWN. The Town of Edgewood and its incorporated boundaries as defined by the most current map as adopted by the governing body.

TOWN ENGINEER. Person employed or contracted by the Town for the purpose of overseeing the Town's engineering concerns.

TOWN ADMINISTRATOR. Person serving in an administrative or managerial role for the Town's governing body, or his or her designee. More than one person may be identified as a designee for the purpose of fulfilling any or all of the obligations of the Town Administrator as required herein, provided however, that in all instances the designee shall be fully qualified to carry out any duties assigned. Designees may be either Town employees or independent contractors.

TRAP. A device for retaining sand, silt, grit mineral material, petroleum solvent, grease or oil by gravity-differential separation from Wastewater and of a design and capacity approved by the Town.

UNPOLLUTED PROCESS WATER. Any water or waste containing none of the following: Emulsified grease or oil; acid or alkali, phenols or other substances imparting taste and odor to receiving water; toxic substances in suspension, colloidal state or solution; and noxious or odorous gases.

UPC. Uniform Plumbing Code.

UTILITY. Water, Sewer and/or other public work furnished by the Town to consumers thereof.

WATERCOURSE. A channel in which a flow of water occurs, either continuously or intermittently.

WASTEWATER. The used water of a community. Such used water may be a combination of the liquid or water-carried wastes removed from residences, commercial buildings, industrial plants, institutions and other Establishments, including bath and toilet wastes, laundry waste, and kitchen waste not including toxic, hazardous, or industrial waste.

WASTEWATER FACILITIES. The structures, equipment and processes required to collect, transport and treat domestic, commercial, industrial wastes and dispose of the effluent.

WASTEWATER TREATMENT FACILITIES or **WASTEWATER TREATMENT PLANT.** Also known as EWWTP. An arrangement of devices and structures for treating Wastewater, industrial wastes and sludge.

WEF. The Water Environment Federation.

SECTION 2. GENERAL REGULATIONS

§ 2.01 USE OF PUBLIC SEWERS REQUIRED

- a. It shall be unlawful to discharge to any Natural Outlet within the Town or in any area under the jurisdiction of the Town any sewage or Wastewater or other polluted water, except where suitable treatment has been provided, in accordance with subsequent provisions of this Ordinance.
- b. 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 of Edgewood and any area under the jurisdiction of the Town of Edgewood, any human or animal excrement, Garbage, or other objectionable waste.
- c. It shall be unlawful for any Person to maliciously, willfully or negligently break, damage or destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is part of the Public Sewer system.
- d. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for disposal of sewage.

§ 2.02 PRIVATE SEWAGE DISPOSAL

- a. *When Permitted.* Where a public Sanitary Sewer is not available under the provision of this Ordinance, the Building Sewer shall be connected to a private sewage disposal system, complying with the provisions of this article.
- a. *Notification of Town.* Before commencement of construction of a private sewage disposal system, the Owner shall send copies of the permit obtained from NMED, together with any plans, specifications, and other information.
- b. *Design Requirements.* The type, capacities, location and layout of a private sewage disposal system shall comply with all requirements and recommendations of NMED.
- c. *Permit.* Permitting of private sewage disposal systems shall be from NMED.
- d. *Operation and Maintenance.* The Owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times and at no expense to the Town.
- e. *Abandonment.* Any septic tanks, cesspools and similar private sewage disposal facilities shall be abandoned in accordance with the requirements of the NMED within thirty (30) days from the time of connection to the Town's Wastewater Facilities, and filled with clean soil, sand or gravel. The Contractor or Individual who completed the abandonment of the system will certify to the Town that abandonment has been done in accordance with the NMED regulations.

§ 2.03 SERVICE AREA AND MANDATORY CONNECTION REQUIREMENTS

- a. *Service Area Map.* This section applies to all situations where domestic, commercial, or industrial Wastewater is collected, treated, or disposed of, including functioning wastewater systems in existence prior to the effective date of this Ordinance, within the service limits of the EWWTP, unless the chapter indicates otherwise. A map defining the current service area,

accepted by resolution of the Town's governing body, is hereby made a part of this chapter. All subsequent amendments, revisions, and/or updates to the service area map shall be subject to this Ordinance once adopted by resolution.

- b. *Mandatory Connection Requirement.* All households/improved lots and commercial enterprises must connect to the Sewer at such time as functioning collection lines are available. Connection must be completed within six (6) months of availability. (See below for definition of availability). The six (6) months begins following the date of the notice of availability from the Town announcing the system is complete and ready for service. Failure to connect to the system within this six (6) month period shall be deemed a misdemeanor, and the household/improved lot and commercial enterprise shall be billed as if it were connected.
- c. *Timing of Connection.*
 - a. If a Public Sewer system is available, all new structures or enterprises requiring Wastewater disposal shall be connected to the Sewer System prior to the structure being occupied. (See below for definition of availability).
 - b. If a Public Sewer system is available to a proposed subdivision, every lot in that subdivision shall be, at the property line of each lot, provided access to the Sewer by the developer.
- d. *Availability Defined.* A public Sewer system is available to a lot that will be or is generating Wastewater or has a structure that has generated Wastewater whenever the following conditions are met:
 - 1. Any Person whose building is on a lot or land adjoining a Town street, public easement, or right-of-way in which a Sewer System exists, and which any portion of the building is within one hundred fifty (150) feet of a Sanitary Sewer main;
 - 2. For proposed residential subdivisions with five (5) or fewer lots, if there exists a sewer line or lift station in a public easement or right-of-way that abuts a boundary line of the subdivision; or
 - 3. For proposed residential subdivisions with more than five (5) lots and for proposed subdivisions to be used for commercial, industrial, or manufacturing purposes, or its equivalent, if there exists a Sewer System or project (that may or may not be under construction) that abuts a boundary line of the subdivision.
- e. A sewer service map will be established by resolution of the Town's governing body in accordance with paragraph (a) of this section. The map shall be updated from time to time by resolution as additional sewer lines are constructed. The map and successor maps are hereby incorporated as a part of this chapter.
- f. Grade, depth of cut, grinder pump required and any construction related issue to connect a dwelling or Establishment to the Sewer, does not negate the availability and the dwelling or Establishment must connect and comply with this chapter.
- g. Single vacant lots within the service area are not required to connect to the Sewer System until such time the lot is developed or built upon.

§ 2.04 SEWER SERVICE CONNECTIONS

- a. There shall be two classes of Building Sewer service connections: (1) residential sewer service, and (2) commercial, institutional/ governmental or industrial sewer service. In either case, the Applicant shall apply to the Town with a request for sewer service, as detailed in this Ordinance.
- b. A Sewer connection shall only be allowed if it can be demonstrated that the downstream sewerage facilities, including sewer lines, pumps, and Wastewater Treatment Facilities, have sufficient reserve capacity to adequately and effectively handle the additional anticipated waste load.
- c. *Costs.* All costs and expenses incidental to the installation and connection of the Building Sewer shall be borne by the Applicant. The Applicant shall indemnify the Town against any loss or damage that may directly or indirectly be occasioned by the installation of the Building Sewer.
- d. *Separate Building Sewers Required.* A separate and independent Building Sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the Building Sewer from the front building may be extended to the rear building and the whole considered as one Building Sewer.
- e. *State permits required.* A plumbing permit shall be obtained from the New Mexico Construction Industries Division (NMCID) before any connections are made to the Town's sewer system by the Owner and/or his Licensed Contractor, as required for new construction, remodel, expansion pursuant to law.
- f. Service connections made by a Licensed Contractor.
 1. All connections to the Town's Sewer System (including the stub out from the sewer main line) shall be made by a Licensed Plumber, subject to observation, inspection, and approval of the Town's Administrator, and in compliance with the UPC, New Mexico Plumbing Code, the Town's applicable policies and procedures, as well as the Town's Standards and Specifications.
 2. The Town may require additional measures such as traffic control from the Licensed Contractor. If the connection is required to cut pavement in order to get to the main line, the contractor will be required to replace the pavement, at a minimum, to its original condition.
 3. The contractor shall adequately guard all the excavations for Building Sewer installation with barricades and lights so as to protect the public from hazard. The contractor shall restore all streets, sidewalks, parkways, and other public property disturbed during the course of the work, in a manner satisfactory to the Town Administrator.
- g. Design Requirements, Compliance with Codes.
 1. The size, slope, alignment and materials of construction of a Building Sewer and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench shall all conform to the requirements of the Building and Plumbing Code

- or other applicable rules, regulations, Standards and Specifications of the Town and the State of New Mexico.
2. The materials and procedures set forth in appropriate specifications of the American Society of Testing Materials and the Water Environment Federation Manual of Practice No. 9 shall apply.
 3. All such connections shall be made gastight and watertight.
 4. Any deviation from the prescribed procedures and materials must be approved by the Town Administrator before installation.
- h. *Gravity Flow or Lift.* Whenever possible, the Building Sewer shall be brought to the building at an elevation below the lowest finished floor. In all buildings in which any Building Drain is too low to permit gravity flow to the Public Sewer, sanitary sewage carried by such Building Drain shall be lifted by an approved means and discharged to the Building Sewer. The operation and maintenance of such lifts shall be by the Owner.
- i. *Inspections.* Upon completion of the connection and abandonment of the private sewage disposal system, if any, the Owner and/or their Licensed Plumber or contractor shall complete the required NMCID inspections. A copy of the inspection report shall be submitted to the Town. Within seven (7) days, the Town Administrator shall inspect the connection. The connection shall not be covered until it has been inspected by the Town Administrator.
- j. *Use of Old Building Sewers.* Old Building Sewers may be used in connection with new buildings only when they are found, on examination and test by the Town Administrator, to meet all requirements of this Ordinance.
- k. *Prohibitions.*
1. No Person shall in any way interfere with the employees of the Town in any discharge of their duties in the tapping of any Sewer pipe, main or lateral.
 2. No Person shall dig up or cause to be dug up any street, alley, or right of way in the Town for the purpose of connecting to the Town's Sewer without prior written consent.
 3. No Person shall connect with or tap into the Sewer System of the Town without first obtaining a permit.
- l. *Abandonment of Connections.* No Person shall abandon any building connection without first obtaining a written permit therefore. Such building connection shall be effectively sealed with a vitrified clay stopper inserted in the bell of the Sewer extending to the property line. Said stopper shall be installed as directed by the Town's Standards and Specifications.

§ 2.05 CONNECTION MANHOLE

- a. The Town Administrator may require the Applicant to install a connection manhole in order to facilitate observation, sampling and measurement of the wastes discharged into the Town's Sewer System.
- b. All commercial Establishments where grease Traps or sand and grease interceptors are required by this chapter or by the UPC, shall be required to construct a connection manhole at the point of connection to the Town Sewer System.

- c. All industrial Establishments serviced by a Building Sewer carrying Industrial Liquid Wastes shall be required to construct a connection manhole at the point of connection to the Town Sewer System.
- d. All public service buildings, schools, and other public service Establishments shall be required to construct a connection manhole at the point of connection to the Town Sewer System.
- e. Commercial Establishments with adequately sized sewer service that is in good condition, and which can be classified as either commercial retail business, or office building, shall not be required to construct a Town standard connection manhole, provided the Establishment has no more than five (5) ERU's connected, as determined by this Ordinance.
- f. The connection manhole shall be at a point to be designated by the Town Administrator, and shall be located so that sampling of the waste can be performed before discharge into the Public Sewer system.
- g. The manhole shall be installed by the Owner at his expense and shall be maintained by him so as to be clean, safe and accessible at all times.
- h. When required by the Town Administrator, the Owner of any property serviced by a Building Sewer carrying Industrial Liquid Wastes shall be required to equip the connection manhole with a suitable flow meter(s) and other appurtenances in order to facilitate continuous sampling and monitoring of the wastes.
- i. All manholes shall be constructed in such a manner as to prevent infiltration of Ground and Surface Waters and constructed in accordance with plans approved by the Town Administrator.
- j. Nothing in this section shall be construed to relax or modify the building requirements of the UPC or the Town's Standards and Specifications.

§ 2.06 PROHIBITED CONNECTIONS

- a. No Person shall discharge or cause to be discharged any storm water, Surface Water, Ground Water, roof runoff, subsurface drainage, uncontaminated cooling water or unpolluted process waters to the Town Sewer System.
- b. Pluvial or storm water drains from yards, and other surfaces shall not, under any circumstances, be connected to the Town Sewer System. Any such connections are unlawful and shall be subject to the penalties and enforcement in accordance with this chapter.
- c. Wastewater from Recreational Vehicle (RV) parks shall not, under any circumstances, be connected to the Town Sewer System unless arrangements for pretreatment and/or flow equalizing facilities are identified through a negotiated agreement with the Town, as approved by the Town Administrator.
- d. Wastewater or sewage from septage trucks and liquid waste disposal trucks shall not be connected to the Town Sewer System. In the event special circumstances exist which require connection, or for which mitigating measures may be taken, connection to the Town Sewer System may be permitted upon the express, written approval of the Town Administrator setting forth the conditions of the connection and any additional measures which must be taken.

- e. Combined Sewers which are conduits carrying both storm water and Wastewater shall not, under any circumstances, be connected to the Town Sewer System.
- f. Only one (1) lot shall be connected into any one (1) service connection. No neighboring lot or dwelling is allowed to connect to an adjacent service line. Special circumstances will only be permitted upon the express, written approval of the Town Administrator.
- g. *Prohibited Substances.* No Person shall discharge or cause to be discharged any of the following described liquids or wastes to any Public Sewers:
 - 1. Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas or any other waste which creates a fire or explosive hazard in sewers and Wastewater Facilities.
 - 2. Any waters or wastes containing toxic or poisonous solids, liquids or gases or oxygen demanding wastes in sufficient quantity, either singly or by interaction with other wastes, to damage or interfere with any Wastewater Facility, constitute a hazard to humans or animals, create a public nuisance or create any hazard in the receiving waters of the Wastewater Treatment Facilities.
 - 3. Any waters or wastes containing herbicides and pesticides.
 - 4. Any waters or wastes having a pH lower than 5.5 or higher than 9.0 or having any other corrosive property capable or causing damage or hazard to structures, equipment and personnel of the Wastewater Facility.
 - 5. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other Interference with the proper operation of the Wastewater Facility such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, underground Garbage, whole blood, paunch manure, hair and flesh, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.
 - 6. Any petroleum oil, non-biodegradable cutting oil or products of mineral oil origin, in amounts that will cause Interference with the Wastewater Facility.
 - 7. Any trucked or hauled waste, except at discharge points designated by the Town and authorized by the Town Administrator.
 - 8. Any waters or wastes which imparts color which cannot be removed by the treatment process such as, but not limited to dye wastes and vegetable tanning solutions.
 - 9. Any waters or wastes containing any radioactive wastes or isotopes.
 - 10. Any of the following metals or substances exceeding discharge limits promulgated by the US EPA National Categorical Pre-treatment Standards in accordance with the Clean Water Act and by the State of New Mexico Water Quality Control Commission Standards for Ground Water:

Aldrin	Chromium (Hexa)	Mercury
Antimony	Chromium (Tri)	Molybdenum
Arsenic	Cobalt	Nickel
Barium	Copper Cyanide	PCB's
Benzo (a) Pyrine	Dieldrin	Rhenium
Beryllium Bismuth	Fluoride Heptachlor	Selenium
B.O.D.	Hexavalent	Silver
Boron	Chromium	Strontium
Benzene	Hexachlorobenzene	Tellurium
Cadium	Iron	Tin
Carbon	Lead	Uranium
Tetrachloride	Lindane	Zinc
Chlordane	Manganese	

11. Dilution of toxic materials and heavy metals in lieu of removal is not acceptable.

- h. *Discharges Subject to Regulation.* No Person shall discharge or cause to be discharged the following described substances, materials, waters or wastes if it appears likely in the opinion of the Town Administrator that such wastes can harm the Wastewater Facility or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property or constitute a nuisance. In forming an opinion as to the acceptability of these wastes, the Town Administrator will give consideration to such factors as the materials of construction of the Sewers, nature and capacity of the Wastewater Facility, degree of treatability of wastes in the Wastewater Treatment Facilities and other pertinent factors. The substances which must be considered include, but are not limited to the following:
1. Any liquid or vapor having a temperature higher than one hundred fifty (150°F, 65°C).
 2. Any water or waste containing fats, grease, wax or oils, whether emulsified or not, in excess of one hundred milligrams per liter (100 mg/l) or containing substances which may solidify or become viscous at temperatures between thirty-two degrees Fahrenheit (32°F) and one-hundred fifty degrees Fahrenheit (150°F, 65°C).
 3. Any Garbage that has not been properly shredded. The installation and operation of any Garbage grinder larger than those normally manufactured and sold for residential and noncommercial use will not be allowed without specific review and approval by the Town Administrator.
 4. Any waters or wastes containing strong acid, iron pickling wastes or concentrated plating solutions cannot be discharged to the Wastewater Facility unless completely neutralized and approved by the Town Administrator for discharge.
 5. Any waters or wastes containing iron, chromium, copper, zinc, or other objectionable or toxic substances, or wastes exerting an excessive chlorine demand shall not be discharged into the Wastewater Facility if discharge of agents will prevent the achievement of an adequate chlorine residual in the effluent of the Wastewater Treatment Facilities.
 6. Any waters or wastes containing phenols or other taste or odor-producing substances, in concentrations exceeding limits, which may be established by the Town Administrator after treatment of the composite sewage, to meet the requirements of

the State, Federal or other public agencies of jurisdiction for such discharge to the receiving waters.

7. Any radioactive wastes or isotopes of such half-life or concentrations as may exceed limits established by the Town Administrator in compliance with applicable State and Federal regulations.
 8. Any waters or wastes having a pH in excess of 9.0.
 9. Any waters or wastes which exert or cause:
 - (a.) Unusual concentrations of inert Suspended Solids (such as, but not limited to, Fullers earth, lime slurries and lime residues) or of dissolved solids (such as, but not limited to, sodium chlorine and sodium sulfate).
 - (b.) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
 - (c.) Unusual chemical oxygen demand, or biochemical oxygen, or chlorine requirements in such quantities as to constitute a significant load on the Wastewater Treatment Facilities.
 - (d.) Slugs or shocks constituting an unusual volume of flow or concentration of wastes which will disturb the normal functioning of the Wastewater Facility.
 10. Any waters or wastes containing substances which are not amendable to treatment or reduction by the Wastewater Treatment Facilities employed, or are amenable to treatment only to such degree that the effluent cannot meet the requirements of agencies having jurisdiction over discharge to the receiving waters.
- i. *Administrator's Discretion.* If any waters or wastes are discharged, or are proposed to be discharged to the Public Sewers, which waters contain the substances or possess the characteristics enumerated in this section of the ordinance, and which in the judgment of the Town Administrator may have a deleterious effect upon the Wastewater Facilities, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Town Administrator may:
- (i) reject the wastes;
 - (ii) require pretreatment to an acceptable condition prior to discharge to the Public Sewers; and/or
 - (iii) require control over the quantities and rates of discharge.
- If the Town Administrator permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the NMED and the Town Administrator, and shall be subject to the requirements of all applicable regulations, ordinances and laws.
- j. Any such connections or discharges described in this section are unlawful and shall be subject to the penalties and enforcement in accordance with this Ordinance.
- k. If any of the above connections / discharges are discovered, the Owner of the property that is connected / discharging in violation of this Ordinance shall remedy the situation within ten (10) days from the issuance of notice by the Town. Failure to comply with the notice shall result in penalties and enforcement action in accordance with this Ordinance.